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GARVEY SCHUBERT BARER

Please reply to STEPHEN D. ROSE
srose@gsblaw.com TEL EXT 1375

August 25, 2008

BY E-MAIL AND U.S. MAIL

Bill Hogan, Commissioner
Department of Health and Social Services
P.O. Box 110601
Juneau, AK 99811-0801


Re: South Anchorage Ambulatory Surgery Center

Dear Commissioner Hogan:

I represent Alaska Spine Institute Surgery Center (ASISC). ASISC is substantially affected by your decision dated July 28, 2008, to grant a Certificate of Need to the joint venture partners to build the South Anchorage Ambulatory Surgery Center. I have attached a copy of your letter decision for your reference. As a party substantially affected by the issuance of this Certificate of Need, ASISC requests a hearing to appeal this decision pursuant to 7 AAC 07.080.

Sincerely,

GARVEY SCHUBERT BARER

By 

Stephen D. Rose

cc: Alaska Spine Institute Surgery Center

SEA_DOCS:899945.1

SARAH PALIN, GOVERNOR

DEPT. OF HEALTH AND SOCIAL SERVICES
OFFICE OF THE COMMISSIONER

P.O. BOX 110601
JUNEAU, ALASKA 99811-0601
PHONE: (907) 465-3030
FAX: (907) 465-3068

July 28, 2008

Certified, Return Receipt Requested

Lisa Wolf, Director of Planning
Providence Health System in Alaska
P.O. Box 196604,
Anchorage, Alaska 99519-6604

Dear Ms. Wolf:

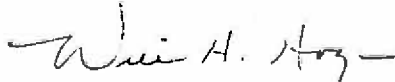
In accordance with the decision on appeal that was made on July 2, 2008, by Judge Fred Torrisi, Third Judicial District, a Certificate of Need is granted to the joint venture partners to build South Anchorage Ambulatory Surgery Center with the following conditions:

South Anchorage Ambulatory Surgery Center, a joint venture between Providence Health System in Alaska and Advanced Pain Centers of Alaska, is authorized to spend a total of \$6,500,000 to build out a four-suite, 20,100 square foot surgical facility in an existing building located at 88th and Toloff in Anchorage. The approved completion date for the project is December 31, 2009.

A condition of approval is that any "shelled in" or other space planned for conversion to additional surgical suites at a later date must go through the Certificate of Need process and be approved by the Department, regardless of the cost, prior to expending any funds for conversion or operation.

If you have any questions please contact the Certificate of Need staff at (907) 465-3001 (David Pierce) or (907) 465-6816 (Karen Lawfer).

Sincerely,



William H. Hogan
Commissioner

cc: David Pierce, Certificate of Need Coordinator
Jeremy Hayes, Assistant Administrator, Alaska Medical Development