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STATE HEALTH PLANNING  
AND DEVELOPMENT AGENCY

BY U.S. MAIL

Mr. Alva M. Lambert  
Executive Director  
State Health Planning and Development  
Agency  
100 North Union Street  
RSA Union Building, Suite 870  
Montgomery, AL 36130-3025

**Re: CON 2517-ESRD; AL 2010-217  
Bio-Medical Applications of Alabama, Inc. d/b/a Fresenius Medical Care Port City  
Dialysis Project Modification Request**

Dear Mr. Lambert:

I am writing on behalf of Bio-Medical Applications of Alabama, Inc. d/b/a Fresenius Medical Care Port City Dialysis ("BMA") to request a project modification to CON 2517-ESRD. SHPDA issued CON 2517-ESRD on December 2, 2010 allowing BMA to relocate the existing twenty (20) station Port City Dialysis facility and add four (4) hemodialysis stations and one (1) isolation station.

Since the issuance of CON 2517-ESRD in December 2010, BMA has reevaluated the Port City Dialysis relocation in light of changes in the expenses relating to the existing facility and in light of BMA's other ongoing dialysis facility projects in the Mobile area. After consideration of these and other factors, BMA has made the decision to maintain the Port City Dialysis facility at its current location. BMA no longer intends to relocate Port City Dialysis and seeks to transfer the 5 approved expansion stations to a clinic that is currently under construction in the Mobile area, BMA of Alabama, Inc. ("South Mobile").

On June 4, 2009, CON 2273-ESRD was granted to South Mobile for the development a new 17-station (16 hemodialysis stations and 1 isolation station) facility. This newly constructed facility can accommodate the additional 5 stations approved for the Port City Dialysis facility, and BMA seeks this project modification to transfer these additional stations at the South Mobile facility. This will result in a total of 20 hemodialysis stations and 2 isolation stations at the new South Mobile facility.

BMA respectfully requests the issuance of a project modification to CON 2517-ESRD to reflect that BMA no longer seeks to relocate Port City Dialysis and that the additional 5 stations

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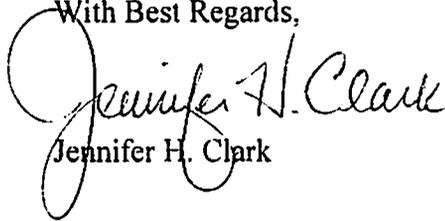
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approved under CON 2517-ESRD will be transferred to South Mobile to be developed in conjunction with CON 2273-ESRD.

CON 2517-ESRD qualifies for a project modification pursuant to Alabama Certificate of Need Rules and Regulations ("CON Rules") Section 410-1-10-.03 (project modifications after issuance of CON). There was no opposition to the approved CON. As such, there are no parties of record in the underlying administrative proceeding that must be notified regarding this proposed project modification. Based upon Section 410-1-10-.03(3) of the CON Rules and confirmation received from your office on November 2, 2011, BMA understands that filing this project modification request will toll the expiration of CON 2517-ESRD during the pendency of the request.

Thank you for your attention regarding this matter. If you have any questions or concerns, please contact me.

With Best Regards,



Jennifer H. Clark

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