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Charles F. Storrow  
Clare A. Buckley

February 20, 2020

Donna Jerry, Senior  
Health Policy Analyst  
Green Mountain Care Board  
144 State Street  
Montpelier, VT 05602

RE: Docket No. GMCB-014-19con, Vermont Open MRI, Replacement of MRI System and Relocation of Services

Dear Ms. Jerry,

This is to respond to your letter of February 10 and follow up on our meeting on February 14.

With respect to the questions in your letter of February 10 I offer the following:

- 1. Include the \$168,500 management fee and approximately \$40,803 in miscellaneous expenses previously unreported in financial Tables 3, 4, and 5 A for fiscal year 2018 and also include any management fees and additional miscellaneous fees in subsequent years for Tables 3, 4 and 5 A, B and C for 2019-2022 and resubmit.**

As we discussed, the management fee (5% of net revenue) was included in the relevant previously submitted tables.

The \$40,802 in miscellaneous expenses were not included in the previously submitted tables because that figure relates to certain expenses for both the applicant's affiliated New Hampshire business and its Vermont business. The previously submitted tables accurately reflect the expenses of the applicant's Vermont business.

- 2. Identify the total cost associated with the shielding and specify the line item where that same cost is included in the quote from All Access Building, LLC you included with your November 26, 2019 submission. In addition, confirm whether this expense**

**for shielding and associated costs are included in the total project cost on financial Table 1 and identify the line item where it is reflected on Tables 3, 4, and 5 B and C. If not included, revise and resubmit financial Tables 1 and Tables 3, 4, and 5 B and C.**

As we discussed at our meeting on February 14 the cost of the shielding is reflected in No. 10 in the table of expenses prepared by All Access, Building, LLC and submitted under cover of my letter dated November 26, 2019 and is included in the relevant previously submitted tables.

- 3. Tables 3, 4, 5, and 6 A: The A tables reflect what your business would be assuming no change in your current business and location. Please revise and resubmit Tables 3, 4, 5, and 6 A, B, and C by including numbers in the A tables for 2021 and 2022 (you may include zeros if that is the case).**

As we discussed at our meeting on February 14 Vermont Open MRI's business will cease operation if there is no change in its current business and location.

- 4. Table 4 C: The line item titled "Land, Buildings and Improvements" under the heading "Less Accumulated Depreciation" for 2019 was over written. Please do not overwrite any formulas in your resubmissions. Please revise and resubmit this table.**

As we discussed at our meeting on February 14 the over writing you reference is a function of the formula embedded in this table and as a result of our meeting on February 14 and at our request you and your colleagues revised Table 4C to address this issue.

- 5. Table 8 B: Latest actual (2018) should be zero. Please revise and resubmit this table.**

At our meeting on February 14 Table 8B was, per the applicant's request, corrected in this regard.

- 6. Tables 9 B and C: Tables 9 B and C have errors. For Table 9 B, the latest actuals (2018) should all be zero. Table 9 C will self-correct after you correct Tables 9 B. Please revise and resubmit these tables.**

At our meeting on February 14 Tables 9B and 9C were, per the applicant's request, corrected in these regards.

- 7. Please explain why you have not submitted Vermont Open MRI's most recent audited financial statement, as previously requested. If you cannot provide an audited financial statement, please provide your most recent Vermont State Tax Return. If you believe the tax return is exempt from public inspection and copying under Vermont's Public Records Act, please submit a detailed request for**

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Health Policy Analyst  
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**confidentiality under GMCB Rule 4.403(4).**

As we discussed at our meeting on February 14 Vermont Open MRI does not have a legal or operational need to have audited financial statements and therefore none exist. Moreover, as was discussed, as a single member Limited Liability Company Vermont Open MRI is not required to file a federal or Vermont income tax return.

In case it is needed enclosed with this letter is a pdf version of the tables in Excel spreadsheet format that were emailed to me by Ms. Perry on February 14 following our meeting.

We greatly appreciate your and your colleagues' assistance.

Sincerely,



Charles F. Storrow, Esq.