BEFORE THE MARYLAND HEALTH CARE COMMISSION

IN THE MATTER OF ADVENTIST HEALTHCARE, INC. D/B/A WASHINGTON ADVENTIST HOSPITAL	Docket No. 13-15-2349

ADVENTIST HEALTHCARE, INC.'S RESPONSE TO CITY OF TAKOMA PARK'S MOTION FOR LEAVE TO FILE A REPLY

The Participating Entity, the City of Takoma Park (the "City"), seeks leave to file a Reply to Adventist HealthCare, Inc.'s ("AHC") Response to the Comments of the City and the Interested Parties. Although AHC can certainly understand the City's interest in further explaining its position, the extraordinary relief that it seeks -- much like Interested Party MedStar Montgomery Medical Center ("MMMC") before it -- is unwarranted and should not be granted.

First, there are no extraordinary circumstances that would justify the extraordinary relief sought by the City. The Commission's rules neither contemplate nor countenance such a filing and the City has offered no cogent justification for such a filing. Indeed, allowing a Reply would deprive AHC of the "last word" as provided under the Commission's rules.

Second, even the City's initial Comments inarguably exceeded the 25 page limit under the Commission's regulations and its additional filing would do so to an even greater degree. That would be unfair given that AHC was subject to a page limit in replying to all Comments from all Interested Parties and Participating Entities.

Third, although the City complains that AHC, in its Comments, had "engaged in an *ad hominem* attack on the City's analysis" and had been "unjustifiably harsh", the fact is that the

City's Comments were, in large measure, strident, off-base and inaccurate, as noted in AHC's Response. While the City no doubt seeks some vehicle to explain and/or correct its earlier errors and reiterate already-articulated positions, further input and argument simply is not required and would not assist the Reviewer in undertaking her assessment of the vast quantities of information that already is in the record. Indeed, as AHC forecast in opposing MMMC's like motion, it has become unquestionable that the granting of any motion for leave to file a Reply would lead to further prolonged back-and-forth between the Interested Parties, the Participating Entity and the Applicant since -- were additional filings to be accepted -- AHC would certainly be entitled to respond. That process would unduly protract and make more expensive these proceedings and lead to unnecessary and unwarranted inefficiencies. Plainly, the Commission and Reviewer have sufficient expertise to evaluate the data and information in the record without anything further from the City.

Accordingly, AHC respectfully asserts that the Commission properly must deny the City's Motion.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY THAT, on this 6th day of April, 2015, a copy of the foregoing Adventist HealthCare, Inc.'s Response to City of Takoma Park's Motion for Leave to File a Reply was sent via email and first class mail to:

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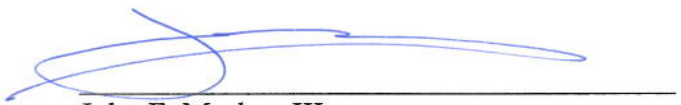

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