



Office of the Director
Bureau of Competition

UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
WASHINGTON, D.C. 20580

SEP 23 2009

Daniel L. Wellington, Esq.
Fulbright & Jaworski L.L.P.
801 Pennsylvania Avenue, N.W.
Washington, D.C. 20004-2623

Re: HealthTexas Provider Network
Matter No. 021-0154

Dear Mr. Wellington:

The Federal Trade Commission has conducted a nonpublic investigation to determine whether your client, the HealthTexas Provider Network, or any other persons, partnerships, or corporations, had engaged or is engaging in unfair methods of competition in or affecting commerce in violation of Section 5 of the Federal Trade Commission Act, 15 U.S.C. § 45, as amended, by, among other things, collectively agreeing on, or negotiating for, terms or conditions upon which it would deal with health insurance firms or other third-party payors ("payors"), or collectively refusing to deal or threatening to defuse to deal with payors.

Upon further review of this matter, it now appears that no additional action is warranted by the Commission at this time. Accordingly, pursuant to authority delegated by the Commission, 49 Fed. Reg. 6171 (1984), the investigation has been closed. This action is not to be construed as a determination that a violation may not have occurred, just as the pendency of an investigation should not be construed as a determination that a violation has occurred. The Commission reserves the right to take such further action as the public interest may require.

Sincerely yours,

Richard A. Feinstein
Director