

**Before the
Federal Communications Commission
Washington, DC 20554**

In the Matter of)	
)	
Request for Review of the)	
Decision of the)	
Universal Service Administrator by)	
)	
Blessed Sacrament School)	NCS Bar Code: NEC.471.01-
Washington, DC)	21-00.05200036
)	
Federal-State Joint Board on)	CC Docket No. 96-45
Universal Service)	
)	
Changes to the Board of Directors of the)	CC Docket No. 97-21
National Exchange Carrier Association, Inc.)	

ORDER

Adopted: June 13, 2000

Released: June 14, 2000

By the Common Carrier Bureau:

1. The Common Carrier Bureau has under consideration a Letter of Appeal filed by Blessed Sacrament School (Blessed Sacrament), Washington, DC, on April 17, 2000.¹ In its Letter of Appeal, Blessed Sacrament seeks review of a funding commitment decision issued by the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC or Administrator) on April 6, 2000. At approximately the same time that Blessed Sacrament filed its appeal with the Commission, it filed a Letter of Appeal with the Administrator.² For the reasons set forth below, we dismiss without prejudice Blessed Sacrament's Letter of Appeal to the Commission.

2. The Commission's rules regarding appeals of SLD decisions do not contemplate simultaneous appeals to the Commission and the Administrator.³ In this case, because Blessed Sacrament has an appeal pending before the Administrator, we dismiss Blessed Sacrament's Letter of Appeal to the Commission without prejudice. Once the Administrator has issued its

¹ Letter from Joan Walsh, Blessed Sacrament School, to Federal Communications Commission, filed April 17, 2000 (Letter of Appeal).

² See Letter of Appeal from Joan Walsh, Blessed Sacrament School, to Schools and Libraries Corporation, filed April 17, 2000.

³ See 47 C.F.R. § 54.720 (allowing appeals to either the Commission or the Administrator, but tolling the filing period with the Commission, when an applicant has an appeal pending with the Administrator, until the Administrator issues a decision on the appeal).

decision on Blessed Sacrament's appeal, Blessed Sacrament may then appeal to the Commission if it believes such appeal is warranted at that time.⁴

3. ACCORDINGLY, IT IS ORDERED, pursuant to authority delegated under sections 0.91, 0.291, and 54.722(a) of the Commission's rules, 47 C.F.R. §§ 0.91, 0.291, and 54.722(a), that the Letter of Appeal filed April 17, 2000, by Blessed Sacrament School, Washington, DC, DISMISSED WITHOUT PREJUDICE.

FEDERAL COMMUNICATIONS COMMISSION

Carol E. Matthey
Deputy Chief, Common Carrier Bureau

⁴ See 47 C.F.R. §§ 54.719 – 54.725 (setting forth rights of review, filing deadlines, standards of review, and other rules pertaining to Commission review of the Administrator's decisions).