

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of	)	
	)	
Request for Review of the	)	
Decision of the	)	
Universal Service Administrator by	)	
	)	
Mississippi Department of Education	)	File No. SLD-141148
Jackson, Mississippi	)	
	)	
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: November 15, 2000**

**Released: November 16, 2000**

By the Common Carrier Bureau:

1. The Common Carrier Bureau (Bureau) has under consideration a Letter of Appeal filed by the Mississippi State Department of Education (Mississippi), Jackson, Mississippi on April 19, 2000, pursuant to 47 C.F.R. § 54.719(c).<sup>1</sup> Mississippi seeks review of a decision of the Schools and Libraries Division (SLD) of the Universal Service Administrative Company, denying in part Mississippi's request for funding of internal connection services. For the reasons discussed below, we grant the appeal in part and remand to SLD.

2. Mississippi requests review of a decision by SLD to reduce the amount of Mississippi's funding request because SLD concluded that components of the request included support for an ineligible Wide Area Network (WAN).<sup>2</sup> As in *Terral School District 3*, SLD denied support for certain components despite their integration with routers deemed eligible for support by SLD.<sup>3</sup> Consistent with *Terral School District 3*, and in the absence of an explanation

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<sup>1</sup> Letter from Nathan Slater, Mississippi Department of Education, to the Federal Communications Commission, filed April 19, 2000 (Letter of Appeal). Section 54.719(c) of the Commission's rules provides that any person aggrieved by an action taken by a division of the Administrator may seek review from the Commission. 47 C.F.R. § 54.719(c).

<sup>2</sup> Letter from Schools and Libraries Division, Universal Service Administrative Company, to Nathan Slater, Mississippi Department of Education, dated August 31, 1999 (Funding Commitment Decision Letter); Letter from Schools and Libraries Division, Universal Service Administrative Company, to Patricia Dalton, Mississippi Department of Education, dated April 3, 2000 (Administrator's Decision on Appeal).

<sup>3</sup> *Terral School District 3*, CC Docket Nos. 96-45 and 97-21, Order, DA 00-2123 (rel. September 19, 2000).

by SLD of the basis for its decision, we conclude that the record does not support SLD's finding of ineligibility. Accordingly, we shall remand to SLD for further consideration.<sup>4</sup>

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 appeal filed by the Mississippi Department of Education, Jackson, Mississippi on April 14, 2000 IS GRANTED to the extent provided herein. We direct the Schools and Libraries Division to review Mississippi's funding application and, if warranted, to issue a revised Funding Commitment Decision Letter in accordance with the above-stated decision.

FEDERAL COMMUNICATIONS COMMISSION

Carol E. Matthey  
Deputy Chief, Common Carrier Bureau

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<sup>4</sup> As in *Terral School District 3*, we do not suggest that the circumstances require a decision in Mississippi's favor, but find only that under the circumstances SLD's failure to explain the basis for its decision requires remand.