

Before the
Federal Communications Commission
Washington, DC 20554

In the Matter of)	
)	
Request for Review of the)	
Decision of the)	
Universal Service Administrator by)	
)	
Saint Bede The Venerable)	File No. SLD-263270
Holland, Pennsylvania)	
)	
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: August 22, 2001

Released: August 23, 2001

By the Accounting Policy Division, Common Carrier Bureau:

1. The Accounting Policy Division has under consideration a Request for Review filed by Saint Bede The Venerable (Saint Bede), Holland, Pennsylvania, on August 6, 2001.¹ In its Request for Review, Saint Bede seeks review of a decision issued by the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (Administrator) on July 23, 2001.² At the same time that Saint Bede filed its request with the Commission, it filed a Request for Review with the Administrator.³ For the reasons set forth below, we dismiss Saint Bede's Request for Review to the Commission without prejudice.

2. The Commission's rules regarding appeals of SLD decisions do not contemplate simultaneous requests to the Commission and the Administrator.⁴ In this case, because Saint

¹ Request for Review from Mary Boland, Saint Bede The Venerable, to Federal Communications Commission, filed August 6, 2001.

² Letter from Schools and Libraries Division, Universal Service Administrative Company, to Mary Boland, Saint Bede The Venerable, dated July 23, 2001.

³ Request for Review from Mary Boland, Saint Bede The Venerable, to Schools and Libraries Division, Universal Service Administrative Company, filed August 6, 2001.

⁴ 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).

Bede has a request pending before the Administrator, we dismiss Saint Bede's Request for Review to the Commission without prejudice. Once the Administrator has issued its decision on Saint Bede's initial request, Saint Bede may then appeal to the Commission if it believes such appeal is warranted at that time.⁵

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 Request for Review filed by Saint Bede The Venerable, Holland, Pennsylvania, IS DISMISSED WITHOUT PREJUDICE.

FEDERAL COMMUNICATIONS COMMISSION

Mark G. Seifert
Deputy Chief, Accounting Policy Division
Common Carrier Bureau

⁵ 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).