

Before the
Federal Communications Commission
Washington, DC 20554

In the Matter of)	
)	
Request for Review of the)	
Decision of the)	
Universal Service Administrator by)	
)	
Sanger Unified School District)	File No. SLD-203357
Sanger, California)	
)	
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: January 5, 2001

Released: January 8, 2001

By the Accounting Policy Division, Common Carrier Bureau:

1. The Accounting Policy Division has under consideration a Letter of Appeal filed by Sanger Unified School District (Sanger), Sanger, California, on October 23, 2000.¹ In its Letter of Appeal, Sanger seeks review of a funding commitment decision issued by the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (Administrator) on September 29, 2000. At the same time that Sanger filed its appeal with the Commission, it filed a Letter of Appeal with the Administrator.² For the reasons set forth below, we dismiss Sanger's Letter of Appeal to the Commission without prejudice.

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 Sanger has an appeal pending before the Administrator, we dismiss Sanger's Letter of Appeal to the Commission without prejudice. Once the Administrator has issued its decision on Sanger's

¹ See Letter of Appeal from Kim Jacobsen, Sanger Unified School District, to Federal Communications Commission, filed October 23, 2000.

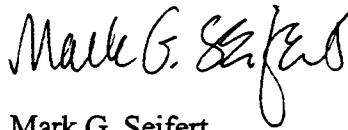
² See Letter of Appeal from Kim Jacobsen, Sanger Unified School District, to Schools and Libraries Division, Universal Service Administrative Company, filed October 23, 2000.

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).

initial appeal, Sanger 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 by Sanger Unified School District, Sanger, California, on October 23, 2000, IS DISMISSED WITHOUT PREJUDICE.

FEDERAL COMMUNICATIONS COMMISSION



Mark G. Seifert
Deputy Chief, Accounting Policy Division
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).