

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

In the Matter of)	
)	
Request for Review of the)	
Decision of the)	
Universal Service Administrator by)	
)	
St. Christopher-Ottilie)	File No. SLD-178600
Glen Cove, New York)	
)	
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: April 12, 2001

Released: April 13, 2001

By the Accounting Policy Division, Common Carrier Bureau:

1. The Accounting Policy Division has under consideration a Request for Review filed by St. Christopher-Ottilie, Glen Cove, New York, on behalf of Theresa Paplin School, Glen Cove, New York, on February 12, 2001.¹ In its Request for Review, St. Christopher-Ottilie seeks review of a decision issued by the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (Administrator) on January 12, 2001. At the same time that St. Christopher-Ottilie filed its request with the Commission, it filed an appeal with the Administrator.² For the reasons set forth below, we dismiss St. Christopher-Ottilie'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.³ In this case, because St.

¹ See Request for Review from Joseph Fatuzzo, St. Christopher-Ottilie, to Federal Communications Commission, filed February 12, 2001.

² See Letter from Joseph Fatuzzo, St. Christopher-Ottilie, to Schools and Libraries Division, Universal Service Administrative Company, filed February 12, 2001.

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).

Christopher-Otilie has a request pending before the Administrator, we dismiss St. Christopher-Otilie's Request for Review to the Commission without prejudice. Once the Administrator has issued its decision on St. Christopher-Otilie's initial request, St. Christopher-Otilie 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 Request for Review filed on February 12, 2001, by St. Christopher-Otilie, Glen Cove, New York, on behalf of Theresa Paplin School, Glen Cove, New York, 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).