

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

In the Matter of)	
)	
Request for Review of the Decision of the)	
Universal Service Administrator by)	
)	
Santa Maria Addolorata)	File No. SLD-188526
Chicago, Illinois)	
)	
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: September 26, 2003

Released: September 29, 2003

By the Telecommunications Access Policy Division, Wireline Competition Bureau:

1. Educational Computing Solutions, on behalf of Santa Maria Addolorata (Santa Maria), Chicago, Illinois, seeks review of a decision by the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (Administrator).¹ At the same time that Santa Maria filed its request with the Commission, it also filed an appeal of the same decision with SLD.² The Commission's rules do not contemplate simultaneous appeals of SLD's decisions to the Administrator and the Commission.³ We therefore dismiss without prejudice Santa Maria's Request for Review to the Commission. Once the Administrator has issued its decision, Santa Maria may then appeal to the Commission, if it believes such an appeal is warranted at that time.⁴

¹ Letter from Kermit Lattimore, Educational Computing Solutions, to Federal Communications Commission, filed August 5, 2003 (Request for Review). 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).

² Letter from Kermit Lattimore, Educational Computing Solutions, to Schools and Libraries Division, Universal Service Administrative Company, filed August 5, 2003.

³ 47 C.F.R. § 54.720 (when an applicant has an appeal pending with the Administrator, the period to file with the Commission is tolled until the Administrator's review is complete).

⁴ See 47 C.F.R. §§ 54.719 – 54.725 (setting forth rules pertaining to Commission review of the Administrator's decisions).

2. 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 August 5, 2003, by Santa Maria Addolorata, Chicago, Illinois, IS DISMISSED WITHOUT PREJUDICE.

FEDERAL COMMUNICATIONS COMMISSION

Mark G. Seifert
Deputy Chief, Telecommunications Access Policy Division
Wireline Competition Bureau