

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

In the Matter of	)	
	)	
Requests for Review of the Decisions of the	)	
Universal Service Administrator by	)	
	)	
Al-Hikmah Elementary School	)	File No. SLD-310459
Prospect Park, New Jersey	)	
	)	
Genesis School	)	File No. SLD-423874
Kansas City, Missouri	)	
	)	
Lutheran High School of St. Charles County	)	File No. SLD-399665
St. Peters, Missouri	)	
	)	
Schools and Libraries Universal Service Support	)	CC Docket No. 02-6
Mechanism	)	

**ORDER**

**Adopted: September 17, 2004**

**Released: September 17, 2004**

By the Chief, Telecommunications Access Policy Division, Wireline Competition Bureau:

1. Al-Hikmah Elementary School (Al-Hikmah), Prospect Park, New Jersey, Genesis School (Genesis), Kansas City, Missouri, and Lutheran High School of St. Charles County (Lutheran), St. Peters, Missouri (collectively, Appellants) seek review of decisions by the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (Administrator).<sup>1</sup> When the Appellants filed their requests with the Commission, they also had Requests for Review of the same decisions on file with SLD.<sup>2</sup> The Commission's rules do not contemplate simultaneous appeals of SLD's decisions to the Administrator and the Commission.<sup>3</sup> We therefore dismiss without prejudice the Appellants' Requests

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<sup>1</sup> Letter from Louay Akil, Al-Hikmah Elementary School, to Federal Communications Commission, filed May 19, 2004; Letter from Shan Williams, Genesis School, to Federal Communications Commission, filed August 12, 2004; Letter from Sheryl Timm, Lutheran High School of St. Charles County, to Federal Communications Commission, filed June 7, 2004 (Requests 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).

<sup>2</sup> Letter from Louay Akil, Al-Hikmah Elementary School, to Schools and Libraries Division, Universal Service Administrative Company, filed May 17, 2004; Letter from Shan Williams, Genesis School, to Schools and Libraries Division, Universal Service Administrative Company, filed August 16, 2004; Letter from Sheryl Timm, Lutheran High School of St. Charles County, to Schools and Libraries Division, Universal Service Administrative Company, filed June 8, 2004.

<sup>3</sup> 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).

for Review to the Commission. Once the Administrator has issued its decision, the Appellants may then appeal to the Commission, if they believe such an appeal is warranted at that time.<sup>4</sup>

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 Requests for Review filed on May 19, 2004, by Al-Hikmah Elementary School, Prospect Park, New Jersey, on August 12, 2004, by Genesis School, Kansas City, Missouri, and on June 7, 2004, by Lutheran High School of St. Charles County, St. Peters, Missouri ARE DISMISSED WITHOUT PREJUDICE.

FEDERAL COMMUNICATIONS COMMISSION

Narda M. Jones  
Chief, Telecommunications Access Policy Division  
Wireline Competition Bureau

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