

FILE COPY ORIGINAL

FEDERAL REGISTER

Before the
Federal Communications Commission
Washington, DC 20554

AUG 16 8 21 AM '00

In the Matter of)
)
Request for Review of the)
Decision of the)
Universal Service Administrator by)
)
Lake County Schools)
Tavares, Florida)
)
Federal-State Joint Board on)
Universal Service)
)
Changes to the Board of Directors of the)
National Exchange Carrier Association, Inc.)

File Nos. SLD-200171, 200250,
200282, 200193, 200177, 200211,
200197, 200203, 200204, 200224
CC Docket No. 96-45 ✓
CC Docket No. 97-21

ORDER

Adopted: August 14, 2000

Released: August 15, 2000

By the Accounting Policy Division, Common Carrier Bureau:

1. In this Order, the Accounting Policy Division dismiss without prejudice the Letters of Appeal filed by Lake County Schools (Lake County), Tavares, Florida, on May 4, 2000.¹ In its Letters of Appeal, Lake County seeks review of a funding commitment decision issued by the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (Administrator) on April 20, 2000. The Commission's rules regarding appeals of SLD

¹ See Letter of Appeal from David Coggsall, Lake County Schools, to Federal Communications Commission, Application 200171 (filed May 4, 2000); Letter of Appeal from David Coggsall, Lake County Schools, to Federal Communications Commission, Application 200250 (filed May 4, 2000); Letter of Appeal from David Coggsall, Lake County Schools, to Federal Communications Commission, Application 200282 (filed May 4, 2000); Letter of Appeal from David Coggsall, Lake County Schools, to Federal Communications Commission, Application 200193 (filed May 4, 2000); Letter of Appeal from David Coggsall, Lake County Schools, to Federal Communications Commission, Application 200177 (filed May 4, 2000); Letter of Appeal from David Coggsall, Lake County Schools, to Federal Communications Commission, Application 200211 (filed May 4, 2000); Letter of Appeal from David Coggsall, Lake County Schools, to Federal Communications Commission, Application 200197 (filed May 4, 2000); Letter of Appeal from David Coggsall, Lake County Schools, to Federal Communications Commission, Application 200203 (filed May 4, 2000); Letter of Appeal from David Coggsall, Lake County Schools, to Federal Communications Commission, Application 200204 (filed May 4, 2000); Letter of Appeal from David Coggsall, Lake County Schools, to Federal Communications Commission, Application 200224 (filed May 4, 2000)(Letters of Appeal).

decisions do not contemplate simultaneous appeals to the Commission and the Administrator.² In this case, because Lake County has appeals pending before the Administrator, we dismiss Lake County's Letters of Appeal to the Commission without prejudice. Once the Administrator has issued its decision on Lake County's initial appeals, Lake County may then appeal to the Commission if it believes such appeal is warranted at that time.³

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 Letter of Appeal filed on May 4, 2000 by Lake County Schools, Hayward, Florida, IS DISMISSED WITHOUT PREJUDICE.

FEDERAL COMMUNICATIONS COMMISSION



Sharon L. Webber
Deputy Chief, Accounting Policy Division
Common Carrier Bureau

² 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).

³ 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).