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Federal Communications Commission

DA 01-873

Before the
Federal Communications Commission
Washington, D.C. 20554

2001 APR 20 A 11: 18

In the Matter of)	
)	
Request for Review)	
of the Decision of)	
the Universal Service Administrator by)	
)	
Calhoun County School District	)	File No. SLD-204032
Blountstown, Florida)	
)	
Craig City School District	)	File No. SLD-166840
Craig, Arkansas)	
)	
Holmes District School Board	)	File No. SLD-180439
Bonifay, Florida)	
)	
Jackson County School Board	)	File No. SLD-201189
Marianna, Florida)	
)	
Lake County Schools	)	File No. SLD-200217
Tavares, Florida)	
)	
Miami-Dade Public Schools	)	File Nos. SLD-200137, SLD-200317,
Miami, Florida	)	SLD-200350, SLD-200364, SLD-200412,
	)	SLD-200498,
)	
Ritchie County Schools)	
Harrisville, West Virginia)	
	)	File No. SLD-200227
Federal-State Joint Board on Universal Service)	
)	
Changes to the Board of Directors	)	CC Docket No. 96-45 ✓
of the National Exchange Carrier)	
Association, Inc.	)	CC Docket No. 97-21

RECEIVED

ORDER

Adopted: April 16, 2001

Released: April 17, 2001

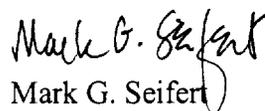
By the Accounting Policy Division, Common Carrier Bureau:

1. The Accounting Policy Division has under consideration several Requests for Review filed by the above-captioned applicants for discounted services under the schools and libraries universal service mechanism, seeking review of decisions issued by the Schools and

Libraries Division (SLD) of the Universal Service Administrative Company (Administrator).¹ Each applicant seeks review of SLD's denial of its application for discounts for internal connections.² Because each applicant raises arguments that were addressed and dismissed in *Hamilton County School Board*, we deny each of these Requests.³ As in the case of *Hamilton County School Board*, rather than alleging error by SLD or seeking waiver of the Commission's rules due to their own special circumstances, these applicants directly challenge the fairness of the Commission's rules governing the calculation of discount rates. As in *Hamilton County School Board*, SLD has properly applied the Commission's rules and the program's procedures. These applicants' challenge to the fairness of the rules is properly initiated by filing a petition for rulemaking, rather than a Request for Review.

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 by Calhoun County School District on August 10, 2000; by Craig City School District on May 17, 2000; by Holmes County School District on May 8, 2000; by Jackson County School Board on May 12, 2000; by Lake County Schools on June 19, 2000; by Miami-Dade County Public Schools on May 16, 2000, May 19, 2000, and June 7, 2000; and by Ritchie County Schools on June 8, 2000, ARE DENIED.

FEDERAL COMMUNICATIONS COMMISSION



Mark G. Seifert
Deputy Chief, Accounting Policy Division
Common Carrier Bureau

¹ Letter from Renee Harrell, Calhoun County School District, to Federal Communications Commission, filed August 10, 2000; Letter from Darrell M. Johnson, Craig City School District, to Federal Communications Commission, filed May 17, 2000; Letter from Myron Hudson and Norma Dunn, Holmes County School District, to Federal Communications Commission, filed May 8, 2000; Letter from Frank E. Waller, Jackson County School Board, to Federal Communications Commission, filed May 12, 2000; Letter from David Coggshall, Lake County Schools, to Federal Communications Commission, filed June 19, 2000; Letters from Helen Blanch, Miami-Dade County Public Schools, to Federal Communications Commission, filed May 16, 2000 and May 19, 2000; Letter from Anthony D. Machado, Miami-Dade County Public Schools, to Federal Communications Commission, filed June 7, 2000; Letter from Deanna N. Poole Ammons, Ritchie County Schools, to Federal Communications Commission, filed June 8, 2000 (collectively, Requests for Review).

² Section 54.719(c) of the Commission's rules provides that 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).

³ *Request for Review by Hamilton County School Board, Federal-State Joint Board on Universal Service, Changes to the Board of Directors of the National Exchange Carrier Association, Inc.*, File No. SLD-173624, CC Docket Nos. 96-45 and 97-21, Order, DA 01-873 (Accounting Pol. Div., rel. April 10, 2001).