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Before the
Federal Communications Commission
Washington, DC 20554

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In the Matter of	)	
	)	
Request for Review of the Decision of the Universal Service Administrator by	)	
	)	
Somis Union School District Somis, California	)	File No. SLD- 266414
	)	
Federal-State Joint Board on Universal Service	)	CC Docket No. 96-45
	)	
Changes to the Board of Directors of the National Exchange Carrier Association, Inc.	)	CC Docket No. 97-21

ORDER

Adopted: March 20, 2002 **Released: March 21, 2002**

By the Accounting Policy Division, Common Carrier Bureau:

1. The Accounting Policy Division has under consideration a Request for Review filed by Somis Union School District (Somis Union), Somis, California.[1] At the same time that Somis Union filed its request with the Commission, it filed a request for review with the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (Administrator).[2] For the reasons set forth below, we dismiss Somis Union'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 Somis Union has a request pending before the Administrator, we dismiss Somis Union's Request for Review to the Commission without prejudice. Once the Administrator has issued its decision on

[1] Letter from Richard J. Malfatti, Somis Union School District, to Federal Communications Commission, filed January 30, 2002 (Request for Review).

[2] Letter from Richard J. Malfatti, Somis Union School District, to Schools and Libraries Division, Universal Service Administrative Company, filed January 30, 2002 (Request for Administrator Review).

[3] 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).

Somis Union's initial request. Somis Union 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 by Somis Union School District, Somis, California, IS DISMISSED WITHOUT PREJUDICE.

FEDERAL COMMUNICATIONS COMMISSION

Mark G. Seifert

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).