

Before the
Federal Communications Commission
Washington, DC 20554

In the Matter of
Universal Service Contributions Methodology
Request for Review of a Decision of
the Universal Service Administrator by
FLATEL, Inc.
WC Docket No. 06-122

ORDER

Adopted: October 10, 2012

Released: October 10, 2012

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

1. FLATEL, Inc. (Flatel) seeks Commission review of a decision by the Universal Service Administrative Company (USAC or the Administrator). When Flatel filed its request with the Commission, it also had a request for review of the same decision on file with USAC. The Commission's rules do not contemplate concurrent appeals of the Administrator's decisions to USAC and the Commission. We therefore dismiss without prejudice Flatel's Request for Review to the Commission. Once USAC has issued its decision, Flatel may then appeal to the Commission, if it believes such an appeal is warranted at that time.

2. ACCORDINGLY, IT IS ORDERED, pursuant to authority delegated under sections 0.91, 0.204(b), 0.291, and 54.722(a) of the Commission's rules, 47 C.F.R. §§ 0.91, 0.204(b), 0.291, and 54.722(a), that the Request for Review filed on October 2, 2012, by FLATEL, Inc. IS DISMISSED WITHOUT PREJUDICE.

FEDERAL COMMUNICATIONS COMMISSION

Vickie S. Robinson
Deputy Chief
Telecommunications Access Policy Division
Wireline Competition Bureau

1 Letter from Adriana Solar, FLATEL, Inc., to Office of the Secretary, Federal Communications Commission, WC Docket No. 06-122 (filed Oct. 2, 2012) (Request for Review).

2 Letter from Adriana Solar, FLATEL, Inc., to Universal Service Administrative Company (filed Sept. 10, 2012).

3 47 C.F.R. § 54.720 (providing that, when an affected party 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).