



# PUBLIC NOTICE

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DA 03-803

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## REQUESTS FOR REVIEW OF THE DECISION OF THE UNIVERSAL SERVICE ADMINISTRATOR BY YSLETA INDEPENDENT SCHOOL DISTRICT AND INTERNATIONAL BUSINESS MACHINES CORPORATION ARE PERMIT-BUT-DISCLOSE PROCEEDINGS

CC Docket Nos. 96-45, 97-21

On January 28, 2003, Ysleta Independent School District (“Ysleta”) filed a Request for Review with the Commission.<sup>1</sup> On January 30, 2003, International Business Machines Corporation (“IBM”) also filed a Request for Review with the Commission.<sup>2</sup> Specifically, Ysleta and IBM request review of a decision by the Schools and Libraries Division (“SLD”) of the Universal Service Administrative Company (“Administrator”), rejecting Ysleta’s Funding Year 2002 requests for discounts under the schools and libraries universal support mechanism.<sup>3</sup> Ysleta and IBM request that the Commission reverse the Administrator’s decision and award full funding for Ysleta.<sup>4</sup>

Requests for Review of decisions by the Administrator are subject to treatment by the Commission as restricted proceedings for *ex parte* purposes under section 1.1208 of the Commission's rules, unless otherwise provided.<sup>5</sup> Pursuant to section 1.1200(a) of the Commission’s rules, we hereby designate these cases as a permit-but-disclose proceedings under

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<sup>1</sup> See *Request for Review of the Decision of the Universal Service Administrator by Ysleta Independent School District, Federal-State Joint Board on Universal Service, Changes to the Board of Directors of the National Exchange Carrier Association*, CC Docket Nos. 96-45 and 97-21, Request for Review, filed January 30, 2003 (Ysleta Request for Review).

<sup>2</sup> See *Request for Review of the Decision of the Universal Service Administrator by International Business Machines Corporation, Federal-State Joint Board on Universal Service, Changes to the Board of Directors of the National Exchange Carrier Association*, CC Docket Nos. 96-45 and 97-21, Request for Review, filed January 30, 2003 (IBM Request for Review).

<sup>3</sup> See Letter from Schools and Libraries Division, Universal Service Administrative Company, to Richard L. Duncan, Ysleta Independent School District, dated December 3, 2002.

<sup>4</sup> Ysleta Request for Review at 6; IBM Request for Review at 42.

<sup>5</sup> 47 C.F.R. § 1.1208.

the *ex parte* rules.<sup>6</sup> Therefore, any *ex parte* presentations that are made with respect to the issues involved in the subject requests, will be permissible but must be disclosed in accordance with the requirements of section 1.1206(b) of the Commission's rules.<sup>7</sup>

All written *ex parte* presentations and all written disclosures of oral *ex parte* presentations should reference Ysleta and IBM Requests for Review, CC Docket Nos. 96-45 and 97-21, and DA 03-803 and be filed with the Office of Secretary, Federal Communications Commission, 445 Twelfth Street, S.W., TW-A325, Washington, D.C. 20554.<sup>8</sup> A copy of each filing should be sent to Qualex International, Portals II, 445 12th Street, S.W., Room CY-B402, Washington, D.C. 20054 and to Sheryl Todd, Federal Communications Commission, Wireline Competition Bureau, Telecommunications Access Policy Division, 445 Twelfth Street, S.W., 5-B540, Washington, D.C. 20554.

The full texts of the Requests for Review and all related filings will be available for public inspection and duplication during regular business hours in the Reference and Information Center (RIC) of the Consumer and Governmental Affairs Bureau, Federal Communications Commission, 445 Twelfth Street, S.W., Room CY-A257, Washington, D.C. 20554. Copies also may be obtained from Qualex International, (202) 863-2893, facsimile (202) 863-2898, or via e-mail [qualexint@aol.com](mailto:qualexint@aol.com). In addition, copies are accessible online through the Commission's electronic comment filing system, <http://www.fcc.gov/cgb/ecfs/>.

For further information, contact Katherine Tofigh of the Telecommunications Access Policy Division, Wireline Competition Bureau at (202) 418-7400.

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

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<sup>6</sup> See also 47 C.F.R. § 1.1200(a). See also 47 C.F.R. § 1.1206.

<sup>7</sup> 47 C.F.R. § 1.1206(b).

<sup>8</sup> See 47 C.F.R. § 1.1206(b).