

FOOTBALL BEARING

Before the
Federal Communications Commission
Washington, DC 20554
JUN 28 9 10 AM '00

In the Matter of)	
)	
Request for Review of the)	
Decision of the)	
Universal Service Administrator by)	
)	
El Monte Union High School District)	File No. SLD-1230062
El Monte, California)	
)	
Federal-State Joint Board on)	CC Docket No. 96-45 ✓
Universal Service)	
)	
Changes to the Board of Directors of the)	CC Docket No. 97-21
National Exchange Carrier Association, Inc.)	

ORDER

Adopted: June 23, 2000

Released: June 26, 2000

By the Accounting Policy Division:

1. The Common Carrier Bureau has under consideration a Letter of Appeal filed by El Monte Union High School District (El Monte Union), El Monte, California, seeking review of a decision issued by the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC or Administrator).¹ El Monte Union seeks review of SLD's refusal to consider El Monte's appeal to SLD on the grounds that it was **untimely filed**. For the reasons set forth below, we deny El Monte's appeal.

2. SLD issued a Funding Commitment Decision Letter on December 14, 1999, denying El Monte's request for discounted services under the schools and libraries universal service support mechanism.² Specifically, SLD denied El Monte's request for discounts for internal connections, Funding Request Number (FRN) 178083. On January 26, 2000, El Monte filed an appeal of SLD's decision to deny FRN 178083.³ On March 20, 2000, SLD issued an Administrator's Decision on Appeal indicating that it would not consider El Monte's appeal

¹ Letter from David R. Sandell, El Monte Union High School District, to Federal Communications Commission, filed March 27, 2000 (Letter of Appeal).

² Letter from Schools and Libraries Division, Universal Service Administrative Company, to Camille Boden, El Monte Union High School District, dated December 14, 1999 (Funding Commitment Decision Letter).

³ Letter from Camille Boden, El Monte Union High School District, to Schools and Libraries Division, Universal Service Administrative Company, filed January 26, 2000.

because it was received more than 30 days after the Funding Commitment Decision Letter was issued.⁴ El Monte subsequently filed the instant Letter of Appeal with the Commission.

3. Under section 54.720 of the Commission's rules, an appeal must be filed with the Commission or SLD within 30 days of the issuance of the decision as to which review is sought.⁵ Documents are considered to be filed with the Commission or SLD only upon receipt.⁶ The 30-day deadline contained in section 54.720 of the Commission's rules applies to all requests for review filed by a party affected by a decision issued by the Administrator. Because El Monte failed to file an appeal of the December 14, 1999 Funding Commitment Decision Letter within the requisite 30-day appeal period, we affirm SLD's decision to dismiss El Monte's appeal to SLD as untimely and deny the instant Letter of Appeal.

4. 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 by El Monte Union High School District, El Monte, California on March 27, 2000, IS DENIED.

FEDERAL COMMUNICATIONS COMMISSION



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

⁴ Letter from Schools and Libraries Division, Universal Service Administrative Company, to Camille Boden, El Monte Union High School District, dated March 20, 2000 (Administrator's Decision on Appeal).

⁵ 47 C.F.R. § 54.720.

⁶ 47 C.F.R. § 1.7.