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Before the  
Federal Communications Commission  
Washington, DC 20554

In the Matter of	)	
	)	
Request for Review of the	)	
Decision of the	)	
Universal Service Administrator by	)	
	)	
Red Wing Public Schools	)	File No. SLD-140584
Red Wing, Minnesota	)	
	)	
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 Red Wing Public Schools (Red Wing), Red Wing, Minnesota, seeking review of a decision issued by the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC or Administrator).<sup>1</sup> Red Wing seeks review of SLD's refusal to consider Red Wing's appeal to SLD on the grounds that it was untimely filed. For the reasons set forth below, we deny Red Wing's appeal.

2. SLD issued a Funding Commitment Decision Letter on August 3, 1999, denying Red Wing's request for discounted services under the schools and libraries universal service support mechanism.<sup>2</sup> Specifically, SLD denied Red Wing's request for discounts for Internet access, Funding Request Number (FRN) 279716. On November 30, 1999, Red Wing filed an appeal of SLD's decision to deny FRN 279716.<sup>3</sup> On March 25, 2000, SLD issued an Administrator's Decision on Appeal indicating that it would not consider Red Wing's appeal

<sup>1</sup> Letter from Kathryn C. Leitz, Independent School District No. 256, to Federal Communications Commission, filed April 17, 2000 (Letter of Appeal).

<sup>2</sup> Letter from Schools and Libraries Division, Universal Service Administrative Company, to Dr. John Christiansen, Red Wing School District 256, dated August 3, 1999 (Funding Commitment Decision Letter).

<sup>3</sup> Letter from Kathryn C. Leitz, Red Wing Public Schools, to Schools and Libraries Division, Universal Service Administrative Company, filed November 30, 1999.

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because it was received more than 30 days after the Funding Commitment Decision Letter was issued.<sup>4</sup> Red Wing 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.<sup>5</sup> Documents are considered to be filed with the Commission or SLD only upon receipt.<sup>6</sup> 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 Red Wing failed to file an appeal of the August 3, 1999 Funding Commitment Decision Letter within the requisite 30-day appeal period, we affirm SLD's decision to dismiss Red Wing'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 Red Wing Public Schools, Red Wing, Minnesota on April 17, 2000, IS DENIED.

FEDERAL COMMUNICATIONS COMMISSION



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

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<sup>4</sup> Letter from Schools and Libraries Division, Universal Service Administrative Company, to Kathryn C. Leitz, Red Wing Public Schools, dated March 25, 2000 (Administrator's Decision on Appeal).

<sup>5</sup> 47 C.F.R. § 54.720.

<sup>6</sup> 47 C.F.R. § 1.7.