

FEDERAL SERVICE

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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)	
)	
Oxford Hills School District M.S.A.D. #17)	File No. SLD-149864
Oxford Hills, Maine)	
)	
Federal-State Joint Board on)	CC Docket No. <u>96-45</u>
Universal Service)	
)	
Changes to the Board of Directors of the)	CC Docket No. 97-21
National Exchange Carrier Association, Inc.)	

ORDER

Adopted: July 7, 2000

Released: July 10, 2000

By the Accounting Policy Division, Common Carrier Bureau:

1. The Common Carrier Bureau has under consideration a Letter of Appeal filed by Oxford Hills School District M.S.A.D #17 (Oxford Hills), Oxford, Maine, seeking review of a decision issued by the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC or Administrator).¹ Oxford Hills seeks review of SLD's refusal to consider Oxford Hills' appeal to SLD on the grounds that it was untimely filed. For the reasons set forth below, we deny Oxford Hills' appeal.

2. SLD issued a Funding Commitment Decision Letter on September 28, 1999, denying Oxford Hills' request for discounted services under the schools and libraries universal service support mechanism.² Specifically, SLD denied Oxford Hills' request for discounts for telecommunications services, Funding Request Number (FRN) 289285. On January 18, 2000, Oxford Hills filed an appeal of SLD's decision to deny FRN 289285.³ On March 26, 2000, SLD issued an Administrator's Decision on Appeal indicating that it would not consider Oxford Hills'

¹ Letter from Mark Eastman, Oxford Hills School District M.S.A.D. #17, to Federal Communications Commission, filed April 12, 2000 (Letter of Appeal).

² Letter from Schools and Libraries Division, Universal Service Administrative Company, to Michael Dunn, Oxford Hills School District M.S.A.D. #17, dated September 28, 1999 (Funding Commitment Decision Letter).

³ Letter from Mark Eastman, Oxford Hills School District M.S.A.D. #17, to Schools and Libraries Division, Universal Service Administrative Company, filed January 18, 2000.

appeal because it was received more than 30 days after the Funding Commitment Decision Letter was issued.⁴ Oxford Hills 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 Oxford Hills failed to file an appeal of the September 28, 1999 Funding Commitment Decision Letter within the requisite 30-day appeal period, we affirm SLD's decision to dismiss Oxford Hills' 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 Oxford Hills School District M.S.A.D #17, Oxford, Maine on April 12, 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 Michael Dunn, Oxford Hills School District M.S.A.D. #17, dated March 26, 2000 (Administrator's Decision on Appeal).

⁵ 47 C.F.R. § 54.720.

⁶ 47 C.F.R. § 1.7.