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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)	
)	
Cerebral Palsy Center School)	File No. SLD-126322
Belleville, New Jersey)	
)	
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: July 21, 2000

Released: July 24, 2000

By the Accounting Policy Division, Common Carrier Bureau:

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

2. SLD issued a Funding Commitment Decision Letter on November 23, 1999, granting in part and denying in part Cerebral Palsy's request for discounted services under the schools and libraries universal service support mechanism.² Specifically, SLD denied Cerebral Palsy's request for discounts for internal connections-related maintenance, Funding Request Number (FRN) 189111. On February 14, 2000, Cerebral Palsy filed an appeal of SLD's decision to deny FRN 189111.³ On February 15, 2000, SLD issued an Administrator's Decision on Appeal indicating that it would not consider Cerebral Palsy's appeal because it was received

¹ Letter from Rose Kline, Cerebral Palsy Center School, to Federal Communications Commission, filed March 2, 2000 (Letter of Appeal).

² Letter from Schools and Libraries Division, Universal Service Administrative Company, to Mosses Freedman, Cerebral Palsy Center School, dated November 23, 1999 (Funding Commitment Decision Letter).

³ Letter from Rose Kline, Cerebral Palsy Center School, to Schools and Libraries Division, Universal Service Administrative Company, filed February 14, 2000.

more than 30 days after the Funding Commitment Decision Letter was issued.⁴ Cerebral Palsy 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 Cerebral Palsy failed to file an appeal of the November 23, 1999 Funding Commitment Decision Letter within the requisite 30-day appeal period, we affirm SLD's decision to dismiss Cerebral Palsy'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 Cerebral Palsy Center School, Belleville, New Jersey on March 2, 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 Rose Kline, Cerebral Palsy Center School, dated February 15, 2000 (Administrator's Decision on Appeal).

⁵ 47 C.F.R. § 54.720.

⁶ 47 C.F.R. § 1.7.