

Before the
Federal Communications Commission
Washington, DC 20554

FILED
AUG 3 5 11 PM '00

In the Matter of)
)
Request for Review of the)
Decision of the)
Universal Service Administrator by)
)
Ringwood Public Schools)
Ringwood, Oklahoma)
)
Federal-State Joint Board on)
Universal Service)
)
Changes to the Board of Directors of the)
National Exchange Carrier Association, Inc.)

File No. SLD-141383

CC Docket No. 96-45

CC Docket No. 97-21 ✓

ORDER

Adopted: August 1, 2000

Released: August 2, 2000

By the Accounting Policy Division, Common Carrier Bureau:

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

2. SLD issued a Funding Commitment Decision Letter on September 28, 1999, approving Ringwood's request for discounted services under the schools and libraries universal service support mechanism.² Specifically, SLD approved Ringwood's request for discounts for internal connections and telecommunications services. On November 24, 1999, Ringwood filed an appeal to SLD indicating that SLD had made an error in the amount funded.³ On December 9, 1999 and March 25, 2000, SLD issued Administrator's Decisions on Appeal indicating that it would not consider Ringwood's appeal because it was received more than 30 days after the

¹ Letter from Steve Walker, Ringwood Public Schools, to Federal Communications Commission, filed April 7, 2000 (Letter of Appeal).

² Letter from Schools and Libraries Division, Universal Service Administrative Company, to Steve Walker, Ringwood Public Schools, dated September 28, 1999 (Funding Commitment Decision Letter).

³ Letter from Steve Walker, Ringwood Public Schools, to Schools and Libraries Division, Universal Service Administrative Company, filed November 24, 1999.

Funding Commitment Decision Letter was issued.⁴ Ringwood 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 Ringwood 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 Ringwood'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 Ringwood Public Schools, Mercer, Oklahoma on April 7, 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 Steve Walker, Ringwood Public Schools, dated December 9, 1999; Letter from Schools and Libraries Division, Universal Service Administrative Company, to Steve Walker, Ringwood Public Schools, dated March 25, 2000 (Administrator's Decisions on Appeal).

⁵ 47 C.F.R. § 54.720.

⁶ 47 C.F.R. § 1.7.