

Federal Communications Commission

Before the
Federal Communications Commission
Washington, DC 20554

500 MAIL SECTION
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In the Matter of)	
)	
Request for Review of the)	
Decision of the)	
Universal Service Administrator by)	
)	
Carbondale Public Library)	File No. SLD-131015
Carbondale, Pennsylvania)	
)	
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: September 25, 2000

Released: September 26, 2000

By the Accounting Policy Division, Common Carrier Bureau:

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

2. SLD issued a Funding Commitment Decision Letter on July 27, 1999, approving Carbondale's request for discounted services under the schools and libraries universal service support mechanism.² Specifically, SLD approved Carbondale's request for discounts for telecommunications services, Funding Request Numbers (FRNs) 194826 and 194827. On April 17, 2000, Carbondale filed an appeal of SLD's decision stating that it made a typographical error on its Form 471.³ On July 18, 2000, SLD issued an Administrator's Decision on Appeal indicating that it would not consider Carbondale's appeal because it was received more than 30

¹ Letter from Anne Muldoon, Carbondale Public Library, to Federal Communications Commission, filed May 4, 2000 (Letter of Appeal).

² Letter from Schools and Libraries Division, Universal Service Administrative Company, to Anne Muldoon, Carbondale Public Library, dated April 27, 1999 (Funding Commitment Decision Letter).

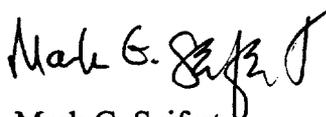
³ Letter from Anne Muldoon, Carbondale Public Library, to Schools and Libraries Division, Universal Service Administrative Company, filed April 17, 2000.

days after the Funding Commitment Decision Letter was issued.⁴ Carbondale 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 Carbondale failed to file an appeal of the April 27, 1999 Funding Commitment Decision Letter within the requisite 30-day appeal period, we affirm SLD's decision to dismiss Carbondale'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 Carbondale Public Library, Carbondale, Pennsylvania on May 4, 2000, IS DENIED.

FEDERAL COMMUNICATIONS COMMISSION



Mark G. Seifert
Deputy Chief, Accounting Policy Division
Common Carrier Bureau

⁴ Letter from Schools and Libraries Division, Universal Service Administrative Company, to Anne Muldoon, Carbondale Public Library, dated July 18, 2000 (Administrator's Decision on Appeal).

⁵ 47 C.F.R. § 54.720.

⁶ 47 C.F.R. § 1.7.