DOCKET FILE COPY ORIGINAL

FCC MAIL ROOM

Before the
Federal Communications Commission
Washington, DC 20554

2000 OCT 13 P 1:13

In the Matter of	)	
	)	
Request for Review of the Decision of the Universal Service Administrator by	)	
	)	
Saint Andrew School Chicago, Illinois	)	File No. SLD-172534
	)	
Federal-State Joint Board on Universal Service	)	CC Docket No. 96-45
	)	
Changes to the Board of Directors of the National Exchange Carrier Association, Inc.	)	CC Docket No. 97-21

RECEIVED

ORDER

Adopted: October 6, 2000 **Released: October 10, 2000**

By the Accounting Policy Division, Common Carrier Bureau:

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

2. SLD issued a Funding Commitment Decision Letter on April 28, 2000, denying Saint Andrew's request for discounted services under the schools and libraries universal service support mechanism.[2] Specifically, SLD denied Saint Andrew's request for discounts for internal connections, Funding Request Numbers (FRN) 399446 and 399610. On June 19, 2000, Saint Andrew filed an appeal of SLD's decision to deny FRNs 399446 and 399610.[3] On June 22, 2000, SLD issued an Administrator's Decision on Appeal indicating that it would not consider Saint Andrew's appeal because it was received more than 30 days after the Funding

[1] Letter from Jack Percival, Saint Andrew School, to Federal Communications Commission, filed June 28, 2000 (Letter of Appeal).

[2] Letter from Schools and Libraries Division, Universal Service Administrative Company, to Jack Percival, Saint Andrew School, dated April 28, 2000 (Funding Commitment Decision Letter).

[3] Letter from Jack Percival, Saint Andrew School, to Schools and Libraries Division, Universal Service Administrative Company, filed June 19, 2000.

Commitment Decision Letter was issued.[4] Saint Andrew 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 Saint Andrew failed to file an appeal of the April 28, 2000 Funding Commitment Decision Letter within the requisite 30-day appeal period, we affirm SLD's decision to dismiss Saint Andrew'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 Saint Andrew School, Chicago, Illinois on June 28, 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 Jack Percival, Saint Andrew School, dated June 22, 2000 (Administrator's Decision on Appeal).

[5] 47 C.F.R. § 54.720.

[6] 47 C.F.R. § 1.7.