

Before the
Federal Communications Commission
Washington, DC 20554

2000 NOV 16 A 10:57

In the Matter of)
)
Request for Review of the)
Decision of the)
Universal Service Administrator by)
)
Girard City School District)
Girard, Ohio)
)
Federal-State Joint Board on)
Universal Service)
)
Changes to the Board of Directors of the)
National Exchange Carrier Association, Inc.)

File No. SLD-165958

CC Docket No. 96-45

CC Docket No. 97-21 ✓

RECEIVED

ORDER

Adopted: November 9, 2000

Released: November 13, 2000

By the Accounting Policy Division, Common Carrier Bureau:

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

2. SLD issued a Funding Commitment Decision Letter on May 19, 2000, denying Girard's request for discounted services under the schools and libraries universal service support mechanism.² Specifically, SLD denied Girard's request for discounts for telecommunications services, Funding Request Number (FRN) 324273. On July 26, 2000, Girard filed an appeal of SLD's decision to deny FRN 324273.³ On July 31, 2000, SLD issued an Administrator's Decision on Appeal indicating that it would not consider Girard's appeal because it was received

¹ Letter from Anthony D. Ambrosio, Girard City School District, to Federal Communications Commission, filed August 24, 2000 (Letter of Appeal).

² Letter from Schools and Libraries Division, Universal Service Administrative Company, to Tony D'Ambrosio, Girard City School District, dated May 19, 2000 (Funding Commitment Decision Letter).

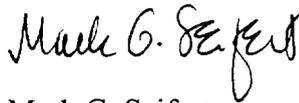
³ Letter from Anthony D'Ambrosio, Girard City School District, to Schools and Libraries Division, Universal Service Administrative Company, filed July 26, 2000.

more than 30 days after the Funding Commitment Decision Letter was issued.⁴ Girard 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 Girard failed to file an appeal of the May 19, 2000 Funding Commitment Decision Letter within the requisite 30-day appeal period, we affirm SLD's decision to dismiss Girard'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 Girard City School District, Girard, Ohio on July 18, 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 Dr. Anthony D'Ambrosio, Girard City School District, dated July 31, 2000 (Administrator's Decision on Appeal).

⁵ 47 C.F.R. § 54.720.

⁶ 47 C.F.R. § 1.7.