

Before the
Federal Communications Commission
Washington, DC 20554

FCC MAIL ROOM

In the Matter of)	2000 NOV 16 A 10: 56
)	
Request for Review of the)	
Decision of the)	
Universal Service Administrator by)	RECEIVED
)	
Vacaville Unified School District)	File No. SLD-167706
Vacaville, California)	
)	
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: 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 Vacaville Unified School District (Vacaville), Vacaville, California, seeking review of a decision issued by the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (Administrator).¹ Vacaville seeks review of SLD's refusal to consider Vacaville's appeal to SLD on the grounds that it was untimely filed. For the reasons set forth below, we deny Vacaville's appeal.

2. SLD issued a Funding Commitment Decision Letter on May 26, 2000, denying Vacaville's request for discounted services under the schools and libraries universal service support mechanism.² Specifically, SLD denied Vacaville's request for discounts for telecommunications services, Funding Request Number (FRN) 395593. On July 7, 2000, Vacaville filed an appeal of SLD's decision to deny FRN 395593.³ On July 7, 2000, SLD issued an Administrator's Decision on Appeal indicating that it would not consider Vacaville's appeal

¹ Letter from Terry D. Beckham, Vacaville Unified School District, to Federal Communications Commission, filed July 28, 2000 (Letter of Appeal).

² Letter from Schools and Libraries Division, Universal Service Administrative Company, to Terry D. Beckham, Vacaville Unified School District, dated May 26, 2000 (Funding Commitment Decision Letter).

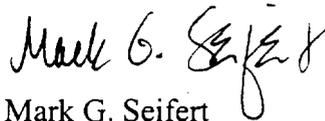
³ Letter from Terry D. Beckham, Vacaville Unified School District, to Schools and Libraries Division, Universal Service Administrative Company, filed July 7, 2000.

because it was received more than 30 days after the Funding Commitment Decision Letter was issued.⁴ Vacaville 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 Vacaville failed to file an appeal of the May 26, 2000 Funding Commitment Decision Letter within the requisite 30-day appeal period, we affirm SLD's decision to dismiss Vacaville'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 Vacaville Unified School District, Vacaville, California on July 28, 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 Terry D. Beckham, Vacaville Unified School District, dated July 7, 2000 (Administrator's Decision on Appeal).

⁵ 47 C.F.R. § 54.720.

⁶ 47 C.F.R. § 1.7.