

**Before the
Federal Communications Commission
Washington, DC 20554**

FCC MAIL ROOM

In the Matter of)	
)	
Request for Review of the)	2000 NOV 16 A 10: 56
Decision of the)	
Universal Service Administrator by)	
)	
Auburn Enlarged City School District)	RECEIVED
Fairport, New York)	File No. SLD-183207
)	
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 Auburn Enlarged City School District (AECSD), Fairport, New York, seeking review of a decision issued by the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC or Administrator).¹ AECSD seeks review of SLD's refusal to consider AECSD's appeal to SLD on the grounds that it was untimely filed. For the reasons set forth below, we deny AECSD's appeal.

2. SLD issued a Funding Commitment Decision Letter on May 12, 2000, denying AECSD's request for discounted services under the schools and libraries universal service support mechanism.² Specifically, SLD denied AECSD's request for discounts for internal connections and telecommunications services, Funding Request Numbers (FRNs) 404676, 404727, and 404935. On June 23, 2000, AECSD filed an appeal of SLD's decision to deny FRN 404676.³ On July 3, 2000, SLD issued an Administrator's Decision on Appeal indicating that it would not consider AECSD's appeal because it was received more than 30 days after the

¹ Letter from Matthew Crider, ECC Technologies, Inc., to Federal Communications Commission, filed July 17, 2000 (Letter of Appeal).

² Letter from Schools and Libraries Division, Universal Service Administrative Company, to Matthew Crider, Auburn Enlarged City School District, dated May 12, 2000 (Funding Commitment Decision Letter).

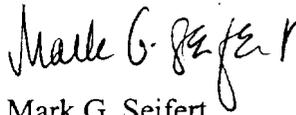
³ Letter from Matthew Crider, ECC Technologies, Inc., to Schools and Libraries Division, Universal Service Administrative Company, filed June 23, 2000.

Funding Commitment Decision Letter was issued.⁴ AECSD 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 AECSD failed to file an appeal of the May 12, 2000 Funding Commitment Decision Letter within the requisite 30-day appeal period, we affirm SLD's decision to dismiss AECSD'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 Auburn Enlarged City School District, Fairport, New York on July 17, 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 Matthew Crider, Auburn Enlarged City School District, dated July 3, 2000 (Administrator's Decision on Appeal).

⁵ 47 C.F.R. § 54.720.

⁶ 47 C.F.R. § 1.7.