

Before the  
Federal Communications Commission  
Washington, DC 20554

FCC MAIL ROOM

In the Matter of )  
)  
Request for Review of the )  
Decision of the )  
Universal Service Administrator by )  
)  
St. Patrick's School )  
Dickinson, North Dakota )  
)  
Federal-State Joint Board on )  
Universal Service )  
)  
Changes to the Board of Directors of the )  
National Exchange Carrier Association, Inc. )

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File No. SLD-180718

CC Docket No. 96-45 ✓

CC Docket No. 97-21

**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 St. Patrick's School (St. Patrick), Dickinson, North Dakota, seeking review of a decision issued by the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (Administrator).<sup>1</sup> St. Patrick seeks review of SLD's refusal to consider St. Patrick's appeal to SLD on the grounds that it was untimely filed. For the reasons set forth below, we deny St. Patrick's appeal.

2. SLD issued a Funding Commitment Decision Letter on May 12, 2000, denying St. Patrick's request for discounted services under the schools and libraries universal service support mechanism.<sup>2</sup> Specifically, SLD denied St. Patrick's request for discounts for internal connections and internet access. On June 12, 2000, St. Patrick's filed an appeal of SLD's decision to deny funding.<sup>3</sup> On June 15, 2000, SLD issued an Administrator's Decision on Appeal indicating that it would not consider St. Patrick's appeal because it was received more

<sup>1</sup> Letter from Brenda L. Selinger, St. Patrick's School, to Federal Communications Commission, filed July 5, 2000 (Letter of Appeal).

<sup>2</sup> Letter from Schools and Libraries Division, Universal Service Administrative Company, to Patricia Hardy, St. Patrick's School, dated May 12, 2000 (Funding Commitment Decision Letter).

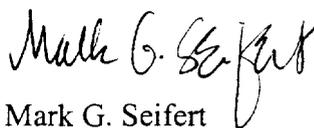
<sup>3</sup> Letter from Brenda L. Selinger, St. Patrick's School, to Schools and Libraries Division, Universal Service Administrative Company, filed June 12, 2000.

than 30 days after the Funding Commitment Decision Letter was issued.<sup>4</sup> St. Patrick 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.<sup>5</sup> Documents are considered to be filed with the Commission or SLD only upon receipt.<sup>6</sup> 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 St. Patrick 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 St. Patrick'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 St. Patrick's School, Dickinson, North Dakota on July 5, 2000, IS DENIED.

FEDERAL COMMUNICATIONS COMMISSION



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

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<sup>4</sup> Letter from Schools and Libraries Division, Universal Service Administrative Company, to Brenda L. Selinger, St. Patrick's School, dated June 15, 2000 (Administrator's Decision on Appeal).

<sup>5</sup> 47 C.F.R. § 54.720.

<sup>6</sup> 47 C.F.R. § 1.7.