

Before the
Federal Communications Commission
Washington, DC 20554

In the Matter of)	
)	
Request for Review of the)	2000 NOV 16 A 10: 55
Decision of the)	
Universal Service Administrator by)	
)	
SS. Peter & Paul School)	File No. SLD-165501
Cary, Illinois)	
)	
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 SS. Peter & Paul School (Peter & Paul), Cary, Illinois, seeking review of a decision issued by the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC or Administrator).¹ Peter & Paul seeks review of SLD's refusal to consider Peter & Paul's appeal to SLD on the grounds that it was untimely filed. For the reasons set forth below, we deny Peter & Paul's appeal.

2. SLD issued a Funding Commitment Decision Letter on April 14, 2000, approving Peter & Paul's request for discounted services under the schools and libraries universal service support mechanism.² On July 7, 2000, Peter & Paul filed an appeal stating that it should have received additional funding.³ On July 12, 2000, SLD issued an Administrator's Decision on Appeal indicating that it would not consider Peter & Paul's appeal because it was received more

¹ Letter from Sr. Katrina Lamkin, SS. Peter & Paul School, to Federal Communications Commission, filed July 25, 2000 (Letter of Appeal).

² Letter from Schools and Libraries Division, Universal Service Administrative Company, to Sr. Katrina Lamkin, SS. Peter & Paul School, dated April 14, 2000 (Funding Commitment Decision Letter).

³ Letter from Sr. Katrina Lamkin, SS. Peter & Paul School, to Schools and Libraries Division, Universal Service Administrative Company, filed July 7, 2000.

than 30 days after the Funding Commitment Decision Letter was issued.⁴ Peter & Paul 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 Peter & Paul failed to file an appeal of the April 14, 2000 Funding Commitment Decision Letter within the requisite 30-day appeal period, we affirm SLD's decision to dismiss Peter & Paul'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 SS. Peter & Paul School, Cary, Illinois on July 25, 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 Sr. Katrina Lamkin, SS. Peter & Paul School, dated July 12, 2000 (Administrator's Decision on Appeal).

⁵ 47 C.F.R. § 54.720.

⁶ 47 C.F.R. § 1.7.