

Before the
Federal Communications Commission
Washington, DC 20554

REC MAIL ROOM

In the Matter of)
)
Request for Review of the)
Decision of the)
Universal Service Administrator by)
)
Bryn Athyn Church School)
Bryn Athyn, Pennsylvania)
)
Federal-State Joint Board on)
Universal Service)
)
Changes to the Board of Directors of the)
National Exchange Carrier Association, Inc.)

2000 DEC -1 P 3:44

RECEIVED

File No. SLD-156876

CC Docket No. 96-45 ✓

CC Docket No. 97-21

ORDER

Adopted: November 28, 2000

Released: November 29, 2000

By the Accounting Policy Division, Common Carrier Bureau:

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

2. SLD issued a Funding Commitment Decision Letter on April 14, 2000, denying Bryn Athyn's request for discounted services under the schools and libraries universal service support mechanism.² Specifically, SLD denied Bryn Athyn's request for discounts for internal connections, Funding Request Number (FRN) 324467. On September 15, 2000, Bryn Athyn filed an appeal of SLD's decision to deny FRN 324467.³ On September 20, 2000, SLD issued an Administrator's Decision on Appeal indicating that it would not consider Bryn Athyn's appeal

¹ Letter from Melodie Greer, Bryn Athyn Church School, to Federal Communications Commission, filed September 28, 2000 (Letter of Appeal).

² Letter from Schools and Libraries Division, Universal Service Administrative Company, to Melodie Greer, Bryn Athyn Church School, dated April 14, 2000 (Funding Commitment Decision Letter).

³ Letter from Melodie Greer, Bryn Athyn Church School, to Schools and Libraries Division, Universal Service Administrative Company, filed September 15, 2000.

because it was received more than 30 days after the Funding Commitment Decision Letter was issued.⁴ Bryn Athyn 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 Bryn Athyn 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 Bryn Athyn'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 Bryn Athyn Church School, Bryn Athyn, Pennsylvania on September 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 Melodie Greer, Bryn Athyn Church School, dated September 20, 2000 (Administrator's Decision on Appeal).

⁵ 47 C.F.R. § 54.720.

⁶ 47 C.F.R. § 1.7.