

Before the  
Federal Communications Commission  
Washington, DC 20554

2001 JAN 11 A 11: 50

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

RECEIVED

File No. SLD-201002

CC Docket No. 96-45 ✓

CC Docket No. 97-21

ORDER

Adopted: January 5, 2001

Released: January 8, 2001

By the Accounting Policy Division, Common Carrier Bureau:

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

2. SLD issued a Funding Commitment Decision Letter on June 2, 2000, denying Columbia's request for discounted services under the schools and libraries universal service support mechanism.<sup>2</sup> Specifically, SLD denied Columbia's request for discounts for Internet access and telecommunications services, Funding Request Numbers (FRNs) 443629 and 443634. On September 15, 2000, Columbia filed an appeal of SLD's decision to deny FRNs 443629 and 443634.<sup>3</sup> On September 20, 2000, SLD issued an Administrator's Decision on Appeal indicating that it would not consider Columbia's appeal because it was received more than 30 days after the

<sup>1</sup> Letter from Robert V. McCarthy, Columbia Public Library, to Federal Communications Commission, filed October 4, 2000 (Letter of Appeal).

<sup>2</sup> Letter from Schools and Libraries Division, Universal Service Administrative Company, to Joanne M. Manuel, Columbia Public Library, dated June 2, 2000 (Funding Commitment Decision Letter).

<sup>3</sup> Letter from Robert V. McCarthy, Columbia Public Library, to Schools and Libraries Division, Universal Service Administrative Company, filed September 15, 2000.

Funding Commitment Decision Letter was issued.<sup>4</sup> Columbia 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 Columbia failed to file an appeal of the June 2, 2000 Funding Commitment Decision Letter within the requisite 30-day appeal period, we affirm SLD's decision to dismiss Columbia'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 Columbia Public Library, Columbia, Pennsylvania on October 4, 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 Robert V. McCarthy, Columbia Public Library, dated September 20, 2000 (Administrator's Decision on Appeal).

<sup>5</sup> 47 C.F.R. § 54.720.

<sup>6</sup> 47 C.F.R. § 1.7.