

RECEIVED MAIL ROOM

Before the
Federal Communications Commission
Washington, DC 20554

2001 MAY -1 P 3: 28

In the Matter of)
)
Request for Review of the)
Decision of the)
Universal Service Administrator by)
)
Jefferson Independent School District)
Jefferson, Texas)
)
Federal-State Joint Board on)
Universal Service)
)
Changes to the Board of Directors of the)
National Exchange Carrier Association, Inc.)

RECEIVED
File No. SLD-180664

CC Docket No. 96-45 ✓

CC Docket No. 97-21

ORDER

Adopted: April 25, 2001

Released: April 26, 2001

By the Accounting Policy Division, Common Carrier Bureau:

1. The Accounting Policy Division has under consideration a Request for Review filed by Jefferson Independent School District (Jefferson), Jefferson, Texas, seeking review of a decision issued by the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (Administrator).¹ Jefferson seeks review of SLD's refusal to consider Jefferson's appeal to SLD on the grounds that it was untimely filed. For the reasons set forth below, we deny Jefferson's appeal.

2. SLD issued a Funding Commitment Decision Letter on July 28, 2000, denying Jefferson's request for discounted services under the schools and libraries universal service support mechanism.² Specifically, SLD denied Jefferson's request for discounts for internal connections, Funding Request Numbers (FRNs) 405993, 406305, 406330, 406350, and 420208. On March 9, 2001, Jefferson filed an appeal of SLD's decision to deny FRNs 405993, 406305, 406330, 406350, and 420208.³ On March 16, 2001, SLD issued an Administrator's Decision on Appeal indicating that it would not consider Jefferson's appeal because it was received more

¹ Letter from Mike Wood, Jefferson Independent School District, to Federal Communications Commission, filed March 26, 2001 (Request for Review).

² Letter from Schools and Libraries Division, Universal Service Administrative Company, to Jeremy Peeler, Jefferson Independent School District, dated July 28, 2000 (Funding Commitment Decision Letter).

³ Letter from Mike Wood, Jefferson Independent School District, to Schools and Libraries Division, Universal Service Administrative Company, filed March 9, 2001.

than 30 days after the Funding Commitment Decision Letter was issued.⁴ Jefferson subsequently filed the instant Request for Review 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 Jefferson failed to file an appeal of the July 28, 2000 Funding Commitment Decision Letter within the requisite 30-day appeal period, we affirm SLD's decision to dismiss Jefferson's appeal to SLD as untimely and deny the instant Request for Review.

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 Request for Review filed by Jefferson Independent School District, Jefferson, Texas on March 26, 2001, 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 Mike Wood, Jefferson Independent School District, dated March 16, 2001 (Administrator's Decision on Appeal).

⁵ 47 C.F.R. § 54.720.

⁶ 47 C.F.R. § 1.7.