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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	)	
	)	
Superintendent of Schools School Administrative District #4 Guilford, Maine	)	File No. SLD-165825
	)	
Federal-State Joint Board on Universal Service	)	CC Docket No. 96-45
	)	
Changes to the Board of Directors of the National Exchange Carrier Association, Inc.	)	CC Docket No. 97-21

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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 Superintendent of Schools School Administrative District #4 (District 4), Guilford, Maine, seeking review of a decision issued by the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (Administrator).[1] District 4 seeks review of SLD's refusal to consider District 4's appeal to SLD on the grounds that it was untimely filed. For the reasons set forth below, we deny District 4's appeal.

2. SLD issued a Funding Commitment Decision Letter on June 16, 2000, denying School Administrative's request for discounted services under the schools and libraries universal service support mechanism.[2] Specifically, SLD denied District 4's request for discounts for telecommunications services. Funding Request Number (FRN) 327849. On January 8, 2001, District 4 filed an appeal of SLD's decision to deny FRN 327849.[3] On January 12, 2001, SLD

[1] Letter from Michael P. Cyr, Superintendent of Schools School Administrative District #4, to Federal Communications Commission, filed February 6, 2001 (Request for Review).

[2] Letter from Schools and Libraries Division, Universal Service Administrative Company, to Norman Higgins, Superintendent of Schools School Administrative District #4, dated June 16, 2000 (Funding Commitment Decision Letter).

[3] Letter from Michael Cyr, Superintendent of Schools School Administrative District #4, to Schools and Libraries Division, Universal Service Administrative Company, filed January 8, 2001.

issued an Administrator's Decision on Appeal indicating that it would not consider District 4's appeal because it was received more than 30 days after the Funding Commitment Decision Letter was issued.[4] School Administrative 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 District 4 failed to file an appeal of the June 16, 2000 Funding Commitment Decision Letter within the requisite 30-day appeal period, we affirm SLD's decision to dismiss its 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 Superintendent of Schools School Administrative District #4, Guilford, Maine on February 6, 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 Michael Cyr, Superintendent of Schools School Administrative District #4, dated January 12, 2001 (Administrator's Decision on Appeal).

[5] 47 C.F.R. § 54.720.

[6] 47 C.F.R. § 1.7.