

Before the  
Federal Communications Commission  
Washington, DC 20554

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In the Matter of )  
)  
Request for Review of the )  
Decision of the )  
Universal Service Administrator by )  
)  
Floyd County Board of Education )  
Rome, Georgia )  
)  
Federal-State Joint Board on )  
Universal Service )  
)  
Changes to the Board of Directors of the )  
National Exchange Carrier Association, Inc. )

File No. SLD- 182010

WC Docket No. 96-45

WC Docket No. 97-21 ✓

ORDER

Adopted: April 10, 2002

Released: April 11, 2002

By the Telecommunications Access Policy Division, Wireline Competition Bureau:

1. The Telecommunications Access Policy Division has under consideration a Request for Review filed by Floyd County Board of Education (Floyd County), Rome, Georgia.<sup>1</sup> Floyd County seeks review of a decision issued by the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (Administrator) on November 17, 2000.<sup>2</sup> The Commission received Floyd County's Request for Review on February 26, 2002.<sup>3</sup>

2. For requests seeking review of decisions issued before August 13, 2001, under section 54.720(b) of the Commission's rules, any such appeal must be filed with the Commission or SLD within 30 days of the issuance of the decision that the party seeks to have reviewed.<sup>4</sup> Documents are considered to be filed with the Commission only upon receipt.<sup>5</sup> The 30-day deadline contained in section 54.720(b) of the Commission's rules applies to all such requests for

<sup>1</sup> Letter from Jerry Gatlin, Floyd County Board of Education, to Federal Communications Commission, filed February 26, 2002 (Request for Review).

<sup>2</sup> See Request for Review; Letter from the School and Libraries Division, Universal Service Administrative Company, to Jerry Gatlin, Floyd County Board of Education, dated November 17, 2000 (Funding Commitment Decision Letter). Section 54.719(c) of the Commission's rules provides that any person aggrieved by an action taken by a division of the Administrator may seek review from the Commission. 47 C.F.R. § 54.719(c).

<sup>3</sup> See Request for Review (bearing Commission Mailroom date stamp showing receipt on February 26, 2002).

<sup>4</sup> 47 C.F.R. § 54.720(b).

<sup>5</sup> 47 C.F.R. § 1.7.

review filed by a party affected by a decision issued by the Administrator.<sup>6</sup> Because Floyd County failed to file the instant Request for Review within the requisite 30-day period, it will be dismissed without further consideration.

3. 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 February 26, 2002, by Floyd County Board of Education, Rome, Georgia, IS DISMISSED.

## FEDERAL COMMUNICATIONS COMMISSION



Mark G. Seifert, Deputy Chief  
Telecommunications Access Policy Division  
Wireline Competition Bureau

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<sup>6</sup> We note that, due to recent disruptions in the reliability of the mail service, the 30-day appeal period has been extended by an additional 30 days for requests seeking review of decisions issued on or after August 13, 2001. See *Implementation of Interim Filing Procedures for Filings of Requests for Review, Federal-State Joint Board on Universal Service*, CC Docket No. 96-45, Order, FCC 01-376 (rel. Dec. 26, 2001), as corrected by *Implementation of Interim Filing Procedures for Filings of Requests for Review, Federal-State Joint Board on Universal Service*, CC Docket No. 96-45, Errata (Com. Car. Bur. rel Dec. 28, 2001 and Jan. 4, 2002). Because the November 17, 2000 Funding Commitment Decision Letter was issued before August 13, 2001, the extended appeal period does not apply to Floyd County.