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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	)	
	)	
Wheeling Catholic Elementary School Wheeling, West Virginia	)	File No. SLD- 212730
	)	
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

ORDER

Adopted: May 28, 2002 **Released: May 29, 2002**

By the Telecommunications Access Policy Division, Wireline Competition Bureau:

1. This Order dismisses the Request for Review filed by Wheeling Catholic Elementary School (Wheeling), Wheeling, West Virginia.[1] Wheeling seeks review of a decision issued by the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (Administrator) on August 27, 2001.[2] The Commission received Wheeling's Request for Review on January 28, 2002.[3]

2. For requests seeking review of decisions issued on or after 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 60 days of the issuance of the decision that the party seeks to have reviewed.[4] Documents are considered to be filed with the Commission only upon receipt.[5] Because the

[1] Letter from Dr. Judith A. Stechly, Wheeling Catholic Elementary School, to Federal Communications Commission, filed January 28, 2002 (Request for Review).

[2] *See* Request for Review; Letter from the School and Libraries Division, Universal Service Administrative Company, to Sister Mary Palmer, Wheeling Catholic Elementary School, dated August 27, 2001 (Administrator's Decision on Waiver Request). 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).

[3] *See* Request for Review.

[4] 47 C.F.R. § 54.720(b). *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).

[5] 47 C.F.R. § 1.7.

instant Request for Review was not filed within the requisite 60-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 on January 28, 2002, by Wheeling Catholic Elementary School, Wheeling, West Virginia, IS DISMISSED.

FEDERAL COMMUNICATIONS COMMISSION

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