

Before the
Federal Communications Commission
Washington, DC 20554

In the Matter of
Request for Review of the
Decision of the
Universal Service Administrator by
Dearborn Public Schools
Dearborn, Michigan
Federal-State Joint Board on
Universal Service
Changes to the Board of Directors of the
National Exchange Carrier Association, Inc.
File No. SLD-144710
CC Docket No. 96-45
CC Docket No. 97-21

ORDER

Adopted: July 7, 2000

Released: July 10, 2000

By the Accounting Policy Division, Common Carrier Bureau:

1. The Common Carrier Bureau has under consideration a Letter of Appeal filed by Dearborn Public Schools (Dearborn), Dearborn, Michigan, seeking review of a decision issued by the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC or Administrator).1 Dearborn seeks review of SLD's refusal to consider Dearborn's appeal to SLD on the grounds that it was untimely filed. For the reasons set forth below, we deny Dearborn's appeal.

2. SLD issued a Funding Commitment Decision Letter on October 19, 1999, denying Dearborn's request for discounted services under the schools and libraries universal service support mechanism.2 Specifically, SLD denied Dearborn's request for discounts for telecommunications services, Funding Request Number (FRN) 233020. On March 13, 2000, Dearborn filed an appeal of SLD's decision to deny FRN 233020.3 On March 25, 2000, SLD issued an Administrator's Decision on Appeal indicating that it would not consider Dearborn's

1 Letter from Janeen Sharpe, Dearborn Public Schools, to Federal Communications Commission, filed April 3, 2000 (Letter of Appeal).

2 Letter from Schools and Libraries Division, Universal Service Administrative Company, to Janeen Sharpe, Dearborn Public Schools, dated October 19, 1999 (Funding Commitment Decision Letter).

3 Letter from Janeen Sharpe, Dearborn Public Schools, to Schools and Libraries Division, Universal Service Service Administrative Company, dated March 13, 2000.

appeal because it was received more than 30 days after the Funding Commitment Decision Letter was issued.⁴ Dearborn 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.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 Dearborn failed to file an appeal of the October 19, 1999 Funding Commitment Decision Letter within the requisite 30-day appeal period, we affirm SLD's decision to dismiss Dearborn'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 Dearborn Public Schools, Dearborn, Michigan on April 3, 2000, IS DENIED.

FEDERAL COMMUNICATIONS COMMISSION

Sharon L. Webber
Deputy Chief, Accounting Policy Division
Common Carrier Bureau

⁴ Letter from Schools and Libraries Division, Universal Service Administrative Company, to Janeen Sharpe, Dearborn Public Schools, dated March 25, 2000 (Administrator's Decision on Appeal).

⁵ 47 C.F.R. § 54.720.

⁶ 47 C.F.R. § 1.7.