

Before the
Federal Communications Commission
Washington, DC 20554

In the Matter of)
Request for Review of the)
Decision of the)
Universal Service Administrator by)
De Valls Bluff School District) File No. SLD-189526
De Valls Bluff, Arizona)
Federal-State Joint Board on) CC Docket No. 96-45
Universal Service)
Changes to the Board of Directors of the) CC Docket No. 97-21
National Exchange Carrier Association, Inc.)

ORDER

Adopted: August 23, 2000

Released: August 24, 2000

By the Accounting Policy Division, Common Carrier Bureau:

1. The Accounting Policy Division has under consideration Letters of Appeal filed by De Valls Bluff School District (De Valls Bluff), De Valls Bluff, Arizona, seeking review of a decision issued by the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC or Administrator). De Valls Bluff seeks review of SLD's refusal to consider De Valls Bluff's appeal to SLD on the grounds that it was untimely filed. For the reasons set forth below, we deny De Valls Bluff's appeal.

2. SLD issued Funding Commitment Decision Letter on April 14, 2000, denying De Valls Bluff's requests for discounted services under the schools and libraries universal service support mechanism. Specifically, SLD denied De Valls Bluff's request for discounts for internal connections, Funding Request Number (FRN) 398940. On May 22, 2000, De Valls Bluff filed an appeal of SLD's decision to deny FRN 398940. On May 23, 2000, SLD issued an Administrator's Decision on Appeal indicating that it would not consider De Valls Bluff's appeal because it was received more than 30 days after the Funding Commitment Decision Letter

1 Letter from Betty Medford, De Valls Bluff School District, to Federal Communications Commission, filed June 8, 2000 (Letter of Appeal).

2 Letter from Schools and Libraries Division, Universal Service Administrative Company, to Betty Medford, De Valls Bluff School District, dated April 14, 2000 (Funding Commitment Decision Letter).

3 Letter from Betty Medford, De Valls Bluff School District, to Schools and Libraries Division, Universal Service Administrative Company, filed May 22, 2000.

was issued.⁴ De Valls Bluff 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 De Valls Bluff failed to file an appeal of the April 14, 2000 Funding Commitment Decision Letter within the requisite 30-day appeal period, we affirm SLD's decision to dismiss De Valls Bluff'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 De Valls Bluff School District, De Valls Bluff, Arizona on June 8, 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 Betty Medford, De Valls Bluff School District, dated May 23, 2000 (Administrator's Decision on Appeal).

⁵ 47 C.F.R. § 54.720.

⁶ 47 C.F.R. § 1.7.