

Before the
Federal Communications Commission
Washington, DC 20554

In the Matter of)
Request for Review of the)
Decision of the)
Universal Service Administrator by)
Solon Springs School District) File No. SLD-192452
Ashland, Wisconsin)
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 a Letter of Appeal filed by Solon Springs School District (Solon Springs), Ashland, Wisconsin, seeking review of a decision issued by the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC or Administrator). Solon Springs seeks review of SLD's refusal to consider Solon Springs' appeal to SLD on the grounds that it was untimely filed. For the reasons set forth below, we deny Solon Springs' appeal.

2. SLD issued a Funding Commitment Decision Letter on May 12, 2000, denying Solon Springs' request for discounted services under the schools and libraries universal service support mechanism. Specifically, SLD denied Solon Springs' request for discounts for internal connections, Funding Request Number (FRN) 411623. On June 13, 2000, Solon Springs filed an appeal of SLD's decision to deny FRN 411623. On June 15, 2000, SLD issued an Administrator's Decision on Appeal indicating that it would not consider Solon Springs' appeal

1 Letter from David W. Johnson, Solon Springs School District, to Federal Communications Commission, filed June 26, 2000 (Letter of Appeal).

2 Letter from Schools and Libraries Division, Universal Service Administrative Company, to David W. Johnson, Solon Springs School District, dated May 12, 2000 (Funding Commitment Decision Letter).

3 Letter from David W. Johnson, Solon Springs School District, to Schools and Libraries Division, Universal Service Administrative Company, filed June 13, 2000.

because it was received more than 30 days after the Funding Commitment Decision Letter was issued.⁴ Solon Springs 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 Solon Springs failed to file an appeal of the May 12, 2000 Funding Commitment Decision Letter within the requisite 30-day appeal period, we affirm SLD's decision to dismiss Solon Springs' 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 Solon Springs School District, Ashland, Wisconsin on June 26, 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 David W. Johnson, Solon Springs School District, dated June 15, 2000 (Administrator's Decision on Appeal).

⁵ 47 C.F.R. § 54.720.

⁶ 47 C.F.R. § 1.7.