

Before the
Federal Communications Commission
Washington, DC 20554

In the Matter of
Request for Review of the
Decision of the
Universal Service Administrator by
Warren County Vocational School District
Washington, New Jersey
Federal-State Joint Board on
Universal Service
Changes to the Board of Directors of the
National Exchange Carrier Association, Inc.
File No. SLD-131591
CC Docket No. 96-45
CC Docket No. 97-21

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 Warren County Vocational School District (Warren County), Washington, New Jersey, seeking review of a decision issued by the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC or Administrator). Warren County seeks review of SLD's refusal to consider Warren County's appeal to SLD on the grounds that it was untimely filed. For the reasons set forth below, we deny Warren County's appeal.

2. SLD issued a Funding Commitment Decision Letter on August 24, 1999, approving Warren County's request for discounted services under the schools and libraries universal service support mechanism. On May 4, 2000, Warren County a filed an appeal indicating that it wanted an increase in funding. On May 12, 2000, SLD issued an Administrator's Decision on Appeal indicating that it would not consider Warren County's appeal because it was received more than 30 days after the Funding Commitment Decision Letter

1 Letter from John H. Bolil, Warren County Technical School District, to Federal Communications Commission, filed May 22, 2000 (Letter of Appeal).

2 Letter from Schools and Libraries Division, Universal Service Administrative Company, to Bruce Cerra, Warren County Vocational School District, dated August 24, 1999 (Funding Commitment Decision Letter).

3 Letter from John H. Bolil, Warren County Technical School District, to Schools and Libraries Division, Universal Service Administrative Company, filed May 4, 2000.

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was issued.<sup>4</sup> Warren County 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.<sup>5</sup> Documents are considered to be filed with the Commission or SLD only upon receipt.<sup>6</sup> 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 Warren County failed to file an appeal of the August 24, 1999 Funding Commitment Decision Letter within the requisite 30-day appeal period, we affirm SLD's decision to dismiss Warren County'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 Warren County Vocational School District, Washington, New Jersey on May 22, 2000, IS DENIED.

FEDERAL COMMUNICATIONS COMMISSION

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

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<sup>4</sup> Letter from Schools and Libraries Division, Universal Service Administrative Company, to John H. Bolil, Warren County Vocational School District, dated May 12, 2000 (Administrator's Decision on Appeal).

<sup>5</sup> 47 C.F.R. § 54.720.

<sup>6</sup> 47 C.F.R. § 1.7.