

Before the  
Federal Communications Commission  
Washington, DC 20554

In the Matter of	)	
	)	
Request for Review of the	)	
Decision of the	)	
Universal Service Administrator by	)	
	)	
Scotch Plains-Farnwood Public Schools	)	File Nos. SLD-192955, SLD-194558
Scotch Plains, New Jersey	)	
	)	
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: October 6, 2000**

**Released: October 10, 2000**

By the Accounting Policy Division, Common Carrier Bureau:

1. The Accounting Policy Division has under consideration Letters of Appeal filed by Scotch Plains-Farnwood Public Schools (Scotch Plains), Scotch Plains, New Jersey, seeking review of decisions issued by the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC or Administrator).<sup>1</sup> Scotch Plains seeks review of SLD’s refusal to consider Scotch Plains’ appeals to SLD on the grounds that they were untimely filed. For the reasons set forth below, we deny Scotch Plains’ appeals.

2. SLD issued two Funding Commitment Decision Letters on April 14, 2000, denying Scotch Plains’ requests for discounted services under the schools and libraries universal service support mechanism.<sup>2</sup> Specifically, SLD denied Scotch Plains’ requests for discounts for Internet Access and telecommunications services, SLD-192955 and SLD-194558. On May 17,

<sup>1</sup> Letter from Donald L. Williams, Scotch Plains-Farnwood Public Schools, to Federal Communications Commission, filed May 30, 2000 (regarding SLD-194558); Letter from Donald L. Williams, Scotch Plains-Farnwood Public Schools, to Federal Communications Commission, filed May 31, 2000 (regarding SLD-192955) (Letters of Appeal).

<sup>2</sup> Letter from Schools and Libraries Division, Universal Service Administrative Company, to Donald Williams, Scotch Plains-Farnwood Public Schools, dated April 14, 2000 (regarding SLD-192955); Letter from Schools and Libraries Division, Universal Service Administrative Company, to Donald Williams, Scotch Plains-Farnwood Public Schools, dated April 14, 2000 (regarding SLD-194558) (Funding Commitment Decision Letters).

2000, Scotch Plains filed appeals of SLD's decisions denying SLD-192955 and SLD-194558.<sup>3</sup> On May 23, 2000, SLD issued two Administrator's Decisions on Appeal indicating that it would not consider Scotch Plains' appeals because they were received more than 30 days after the Funding Commitment Decision Letters were issued.<sup>4</sup> Scotch Plains subsequently filed the instant Letters 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 Scotch Plains failed to file appeals of the April 14, 2000 Funding Commitment Decision Letters within the requisite 30-day appeal period, we affirm SLD's decisions dismissing Scotch Plains' appeals to SLD as untimely and deny the instant Letters 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 Letters of Appeal filed by Scotch Plains-Farnwood Public Schools, Scotch Plains, New Jersey on May 30, 2000, and May 31, 2000, ARE DENIED.

FEDERAL COMMUNICATIONS COMMISSION

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

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<sup>3</sup> Letter from Donald L. Williams, Scotch Plains-Farnwood Public Schools, to Schools and Libraries Division, Universal Service Administrative Company, filed May 17, 2000 (regarding 192955); Letter from Donald L. Williams, Scotch Plains-Farnwood Public Schools, to Schools and Libraries Division, Universal Service Administrative Company, filed May 17, 2000 (regarding SLD-194558).

<sup>4</sup> Letter from Schools and Libraries Division, Universal Service Administrative Company, to Donald Williams, Scotch Plains-Farnwood Public Schools, dated May 23, 2000 (regarding SLD-192955); Letter from Schools and Libraries Division, Universal Service Administrative Company, to Donald Williams, Scotch Plains-Farnwood Public Schools, dated May 23, 2000 (regarding SLD-194558) (Administrator's Decisions on Appeal).

<sup>5</sup> 47 C.F.R. § 54.720.

<sup>6</sup> 47 C.F.R. § 1.7.