

**Before the  
Federal Communications Commission  
Washington, DC 20554**

|                                             |   |                     |
|---------------------------------------------|---|---------------------|
| In the Matter of                            | ) |                     |
|                                             | ) |                     |
| Request for Review of the                   | ) |                     |
| Decision of the                             | ) |                     |
| Universal Service Administrator by          | ) |                     |
|                                             | ) |                     |
| North Attleborough School District          | ) | File No. SLD-199387 |
| North Attleborough, Massachusetts           | ) |                     |
|                                             | ) |                     |
| 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: November 9, 2000****Released: November 13, 2000**

By the Accounting Policy Division, Common Carrier Bureau:

1. The Accounting Policy Division has under consideration a Letter of Appeal filed by North Attleborough Public Schools (North Attleborough), North Attleborough, Massachusetts, seeking review of a decision issued by the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (Administrator).<sup>1</sup> North Attleborough seeks review of SLD's refusal to consider North Attleborough's appeal to SLD on the grounds that it was untimely filed. For the reasons set forth below, we deny North Attleborough's appeal.

2. SLD issued a Funding Commitment Decision Letter on April 14, 2000, denying North Attleborough's request for discounted services under the schools and libraries universal service support mechanism.<sup>2</sup> Specifically, SLD denied North Attleborough's request for discounts for internal connections, Funding Request Number (FRN) 434670. On June 12, 2000, North Attleborough filed an appeal of SLD's decision to deny FRN 434670.<sup>3</sup> On June 14, 2000, SLD issued an Administrator's Decision on Appeal indicating that it would not consider North Attleborough's appeal because it was received more than 30 days after the Funding Commitment

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<sup>1</sup> Letter from Roland Denault, North Attleborough School District, to Federal Communications Commission, filed July 28, 2000 (Letter of Appeal).

<sup>2</sup> Letter from Schools and Libraries Division, Universal Service Administrative Company, to Emily Nicodemus, North Attleborough School District, dated April 14, 2000 (Funding Commitment Decision Letter).

<sup>3</sup> Letter from Emily Nicodemus, North Attleborough School District, to Schools and Libraries Division, Universal Service Administrative Company, filed June 12, 2000.

Decision Letter was issued.<sup>4</sup> North Attleborough 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 North Attleborough 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 North Attleborough'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 North Attleborough School District, North Attleborough, Massachusetts on July 28, 2000, IS DENIED.

FEDERAL COMMUNICATIONS COMMISSION

Mark G. Seifert  
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 Emily Nicodemus, North Attleborough School District, dated June 14, 2000 (Administrator's Decision on Appeal).

<sup>5</sup> 47 C.F.R. § 54.720.

<sup>6</sup> 47 C.F.R. § 1.7.