

Before the
Federal Communications Commission
Washington, DC 20554

In the Matter of
Request for Review of the
Decision of the
Universal Service Administrator by
Madera Unified School District
Madera, California
Federal-State Joint Board on
Universal Service
Changes to the Board of Directors of the
National Exchange Carrier Association, Inc.
File No. SLD-200936
CC Docket No. 96-45
CC Docket No. 97-21

ORDER

Adopted: November 28, 2000

Released: November 29, 2000

By the Accounting Policy Division, Common Carrier Bureau:

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

2. SLD issued a Funding Commitment Decision Letter on July 7, 2000, denying Madera's request for discounted services under the schools and libraries universal service support mechanism.2 Specifically, SLD denied Madera's request for discounts for internal connections. On September 7, 2000, Madera filed an appeal of SLD's decision to deny funding.3 On September 11, 2000, SLD issued an Administrator's Decision on Appeal indicating that it would not consider Madera's appeal because it was received more than 30 days after the Funding

1 Letter from Steve Imrie, Madera Unified School District, to Federal Communications Commission, filed September 25, 2000 (Letter of Appeal).

2 Letter from Schools and Libraries Division, Universal Service Administrative Company, to Greg Shorts, Madera Unified School District, dated July 7, 2000 (Funding Commitment Decision Letter).

3 Letter from Steve Imrie, Madera Unified School District, to Schools and Libraries Division, Universal Service Administrative Company, filed September 7, 2000.

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Commitment Decision Letter was issued.<sup>4</sup> Madera 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 Madera failed to file an appeal of the July 7, 2000 Funding Commitment Decision Letter within the requisite 30-day appeal period, we affirm SLD's decision to dismiss Madera'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 Madera Unified School District, Madera, California on September 25, 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 Steve Imrie, Madera Unified School District, dated September 11, 2000 (Administrator's Decision on Appeal).

<sup>5</sup> 47 C.F.R. § 54.720.

<sup>6</sup> 47 C.F.R. § 1.7.