

Before the
Federal Communications Commission
Washington, DC 20554

In the Matter of )
Request for Review of the )
Decision of the )
Universal Service Administrator by )
Santa Rosa Consolidated Schools ) File No. SLD-189095
Santa Rosa, New Mexico )
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 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 Santa Rosa Consolidated Schools (Santa Rosa), Santa Rosa, New Mexico, seeking review of a decision issued by the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (Administrator). Santa Rosa seeks review of SLD's refusal to consider Santa Rosa's appeal to SLD on the grounds that it was untimely filed. For the reasons set forth below, we deny Santa Rosa's appeal.

2. SLD issued a Funding Commitment Decision Letter on June 30, 2000, approving Santa Rosa's request for discounted services under the schools and libraries universal service support mechanism. On August 14, 2000, Santa Rosa filed an appeal of SLD's decision, stating that it did not receive the amount requested for Funding Request Number 397275. On August 17, 2000, SLD issued an Administrator's Decision on Appeal indicating that it would not consider Santa Rosa's appeal because it was received more than 30 days after the Funding

1 Letter from Daniel Flores, Santa Rosa Consolidated Schools, to Federal Communications Commission, filed September 20, 2000 (Letter of Appeal).

2 Letter from Schools and Libraries Division, Universal Service Administrative Company, to William Ortiz, Santa Rosa Consolidated Schools, dated June 30, 2000 (Funding Commitment Decision Letter).

3 Letter from Daniel Flores, Santa Rosa Consolidated Schools, to Schools and Libraries Division, Universal Service Administrative Company, filed August 14, 2000.

---

Commitment Decision Letter was issued.<sup>4</sup> Santa Rosa 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 Santa Rosa failed to file an appeal of the June 30, 2000 Funding Commitment Decision Letter within the requisite 30-day appeal period, we affirm SLD's decision to dismiss Santa Rosa'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 Santa Rosa Consolidated Schools, Santa Rosa, New Mexico on September 20, 2000, IS DENIED.

FEDERAL COMMUNICATIONS COMMISSION

Mark G. Seifert  
Deputy Chief, Accounting Policy Division  
Common Carrier Bureau

---

<sup>4</sup> Letter from Schools and Libraries Division, Universal Service Administrative Company, to Daniel Flores, Santa Rosa Consolidated Schools, dated August 17, 2000 (Administrator's Decision on Appeal).

<sup>5</sup> 47 C.F.R. § 54.720.

<sup>6</sup> 47 C.F.R. § 1.7.