

**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 Babylon Union Free School District	)	File No. SLD-160553
North Babylon, New York	)	
	)	
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: May 8, 2001**

**Released: May 9, 2001**

By the Accounting Policy Division, Common Carrier Bureau:

1. The Accounting Policy Division has under consideration a Request for Review filed by North Babylon Union Free School District (North Babylon), North Babylon, New York, seeking review of a decision issued by the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (Administrator).<sup>1</sup> North Babylon seeks review of SLD’s refusal to consider North Babylon’s appeal to SLD on the grounds that it was untimely filed. For the reasons set forth below, we deny North Babylon’s appeal.

2. SLD issued a Funding Commitment Decision Letter on July 21, 2000, denying North Babylon’s request for discounted services under the schools and libraries universal service support mechanism.<sup>2</sup> Specifically, SLD denied North Babylon’s request for discounts for internal connections, Funding Request Number (FRN) 423676. On March 20, 2001, North Babylon filed an appeal of SLD’s decision to deny FRN 423676.<sup>3</sup> On March 23, 2001, SLD issued an Administrator's Decision on Appeal indicating that it would not consider North Babylon’s appeal because it was received more than 30 days after the Funding Commitment

<sup>1</sup> Letter from Rosanne Sweeney, North Babylon Union Free School District, to Federal Communications Commission, filed April 30, 2001 (Request for Review).

<sup>2</sup> Letter from Schools and Libraries Division, Universal Service Administrative Company, to Randall Dobler, North Babylon Union Free School District, dated July 21, 2000 (Funding Commitment Decision Letter).

<sup>3</sup> Letter from Rosanne Sweeney, North Babylon Union Free School District, to Schools and Libraries Division, Universal Service Administrative Company, filed March 20, 2001.

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Decision Letter was issued.<sup>4</sup> North Babylon subsequently filed the instant Request for Review 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 Babylon failed to file an appeal of the July 21, 2000 Funding Commitment Decision Letter within the requisite 30-day appeal period, we affirm SLD's decision to dismiss North Babylon's appeal to SLD as untimely and deny the instant Request for Review.

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 Request for Review filed by North Babylon Union Free School District, North Babylon, New York on April 30, 2001, 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 Rosanne Sweeney, North Babylon Union Free School District, dated March 23, 2001 (Administrator's Decision on Appeal).

<sup>5</sup> 47 C.F.R. § 54.720.

<sup>6</sup> 47 C.F.R. § 1.7.