

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

In the Matter of)	
)	
Request for Review of the)	
Decision of the)	
Universal Service Administrator by)	
)	
New Jersey State Library)	File No. SLD-169943
Trenton, 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: May 29, 2001

Released: May 30, 2001

By the Accounting Policy Division, Common Carrier Bureau:

1. The Accounting Policy Division has under consideration a Request for Review filed by New Jersey State Library (NJ State Library), Trenton, New Jersey, seeking review of a decision issued by the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (Administrator).¹ NJ State Library seeks review of SLD's refusal to consider NJ State Library's appeal to SLD on the grounds that it was untimely filed. For the reasons set forth below, we dismiss NJ State Library's Request for Review because its issues are moot.

2. SLD issued a Funding Commitment Decision Letter on May 19, 2000, approving NJ State Library's request for discounted services under the schools and libraries universal service support mechanism.² Specifically, SLD approved NJ State Library's request for discounts for Internet access, Funding Request Number (FRN) 336232.³ On June 14, 2000, NJ State Library filed an appeal with SLD stating that the billed entity information it listed on FCC Form 471 for FRN 336232 is incorrect and requesting to substitute the correct billed entity

¹ Letter from Linda Kay, New Jersey State Library, to Federal Communications Commission, filed June 30, 2000 (Request for Review).

² Letter from Schools and Libraries Division, Universal Service Administrative Company, to Linda Kay, New Jersey State Library, dated May 19, 2000 (Funding Commitment Decision Letter).

³ Funding Commitment Decision Letter at 5.

information.⁴ On June 21, 2000, SLD issued an Administrator's Decision on Appeal indicating that it would not consider NJ State Library's appeal requesting a billed entity information change because it was received more than 30 days after the Funding Commitment Decision Letter was issued.⁵ NJ State Library 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.⁶ Documents are considered to be filed with the Commission or SLD only upon receipt.⁷ 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. In reviewing the record, we have found that the Administrator's Decision on Appeal dated June 21, 2000 was for SLD application 170080, not SLD application 169943. Further, SLD issued an Administrator's Decision on Appeal on April 16, 2001 approving NJ State Library's appeal which requested corrections to the billed entity information on its SLD application 169943.⁸ Because SLD has approved NJ State Library appeal, we dismiss NJ State Library's Request for Review because it is moot.

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 New Jersey State Library, Trenton, New Jersey on June 30, 2000, IS DISMISSED.

FEDERAL COMMUNICATIONS COMMISSION

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

⁴ Letter from Linda Kay, New Jersey State Library, to Schools and Libraries Division, Universal Service Administrative Company, filed June 14, 2000.

⁵ Letter from Schools and Libraries Division, Universal Service Administrative Company, to Linda Kay regarding SLD application 170080, New Jersey State Library, dated June 21, 2000 (Administrator's Decision on Appeal).

⁶ 47 C.F.R. § 54.720.

⁷ 47 C.F.R. § 1.7.

⁸ Letter from Schools and Libraries Division, Universal Service Administrative Company, to Linda Kay regarding SLD application 169943, New Jersey State Library, dated April 16, 2001.