

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

In the Matter of)	
)	
Request for Review of the)	
Decision of the)	
Universal Service Administrator by)	
)	
Levittown Union Free School District)	File No. SLD- 144841
Levittown, 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: January 26, 2001

Released: January 29, 2001

By the Accounting Policy Division, Common Carrier Bureau:

1. This Order dismisses the Letter of Appeal filed by Levittown Union Free School District (Levittown Union), Levittown, New York, seeking review of a decision issued by the Universal Service Administrative Company's Schools and Libraries Division on May 10, 2000.¹ The Commission received Levittown Union's Letter of Appeal on November 28, 2000.² Under section 54.720 of the Commission's rules, any such appeal must be filed within 30 days of the issuance of the decision as to which review is sought.³ Documents are considered to be filed with the Commission only upon receipt.⁴ Because the instant Letter of Appeal was not filed within the specified 30-day period, it will be dismissed without further consideration.

¹ See Letter from the Schools and Libraries Division, Universal Service Administrative Co., to Winston E. Himsworth, Levittown Union Free School District, dated May 10, 2000. Levittown asserts that it did not receive the May 10, 2000 decision letter, and became aware of the decision only after having contacted SLD. A review of the record indicates that SLD did issue an Administrator's Decision on Appeal on May 10, 2000. Merely stating that a letter was not received at the address provided to SLD and to which prior correspondence had been successfully mailed is insufficient grounds for reconsideration. See *Request for Review by Whitehall City School District*, Docket Nos. 96-45 and 97-21, Order, DA 00-1892 (rel. August 18, 2000); *Juan Galiano*, Memorandum Opinion and Order, 5 FCC Rcd 6442, 6443 (1990) ("[I]f the Commission were to entertain and accept unsupported arguments that letters mailed in Commission proceedings were not delivered... procedural havoc and abuse would result.").

² Letter from Winston E. Himsworth, to Federal Communications Commission, filed November 28, 2000 (Letter of Appeal).

³ 47 C.F.R. § 54.720.

⁴ 47 C.F.R. § 1.7.

2. 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 November 28, 2000, by Levittown Union Free School District, Levittown, New York, IS DISMISSED.

FEDERAL COMMUNICATIONS COMMISSION

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