

Before the
Federal Communications Commission
Washington, DC 20554

In the Matter of)	
)	
Request for Review of the)	
Decision of the)	
Universal Service Administrator by)	
)	
Solon City Schools)	File No. SLD-68608
Solon, Ohio)	
)	
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. The Accounting Policy Division has under consideration a Letter of Appeal filed by Solon City Schools (Solon), Solon, Ohio, seeking review of a decision issued by the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (Administrator).¹ Solon seeks review of SLD’s refusal to consider Solon’s appeal to SLD on the grounds that it was untimely filed. For the reasons set forth below, we deny Solon’s appeal.

2. SLD issued a Funding Commitment Decision Letter on September 28, 2000, approving Solon’s request for discounted services under the schools and libraries universal service support mechanism.² Specifically, SLD approved Solon’s request for discounts for internet access, Funding Request Number (FRN) 65038. On November 7, 2000, Solon filed an appeal stating that the contract expiration dates shown in the Funding Commitment Decision Letter were wrong and the total pre-discount amount should be changed.³ On November 17, 2000, SLD issued an Administrator's Decision on Appeal indicating that it would not consider Solon’s appeal because it was received more than 30 days after the Funding Commitment

¹ Letter from Kirk B. Miller, Solon City Schools, to Federal Communications Commission, filed December 5, 2000 (Letter of Appeal).

² Letter from Schools and Libraries Division, Universal Service Administrative Company, to Kirk Miller, Solon City Schools, dated September 28, 2000 (Funding Commitment Decision Letter).

³ Letter from Kirk B. Miller, Solon City Schools, to Schools and Libraries Division, Universal Service Administrative Company, filed November 7, 2000.

Decision Letter was issued.⁴ Solon 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.⁵ Documents are considered to be filed with the Commission or SLD only upon receipt.⁶ 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 Solon failed to file an appeal of the September 28, 2000 Funding Commitment Decision Letter within the requisite 30-day appeal period, we affirm SLD's decision to dismiss Solon'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 Solon City Schools, Solon, Ohio on December 5, 2000, IS DENIED.

FEDERAL COMMUNICATIONS COMMISSION

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

⁴ Letter from Schools and Libraries Division, Universal Service Administrative Company, to Kirk B. Miller, Solon City Schools, dated November 17, 2000 (Administrator's Decision on Appeal).

⁵ 47 C.F.R. § 54.720.

⁶ 47 C.F.R. § 1.7.