

Before the
Federal Communications Commission
Washington, DC 20554

In the Matter of)
Request for Review of the)
Decision of the)
Universal Service Administrator by)
Belt Schools) File No. SLD-223543
Great Falls, Montana)
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: October 15, 2001

Released: October 16, 2001

By the Accounting Policy Division, Common Carrier Bureau:

1. The Accounting Policy Division has under consideration a Request for Review filed by Belt Schools, Great Falls, Montana, seeking review of a decision issued by the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (Administrator).1 Belt Schools seeks review of SLD's decision to reject Belt Schools' appeal to SLD on the grounds that it was untimely filed. For the reasons set forth below, we deny Belt Schools' appeal.

2. SLD issued a Funding Commitment Decision Letter on July 23, 2001, granting Belt Schools' request for discounted services under the schools and libraries universal service support mechanism.2 Specifically, SLD granted Belt Schools' request for discounts for telecommunications service, Funding Request Number (FRN) 514394 but indicated that the estimated monthly charge was changed to reflect the documentation provided by the applicant and therefore the amount funded was modified.3 On August 28, 2001, Belt Schools filed an appeal of SLD's decision.4 On September 7, 2001, SLD issued an Administrator's Decision on

1 Letter from Tom Glover, Belt Schools, to Federal Communications Commission, filed September 25, 2001.

2 Letter from Schools and Libraries Division, Universal Service Administrative Company, to Tom Glover, Belt Schools, dated July 23, 2001 (Funding Commitment Decision Letter).

3 Funding Commitment Decision Letter.

4 Letter from Tom Glover, Belt Schools, to Schools and Libraries Division, Universal Service Administrative Company, filed August 28, 2001.

Appeal indicating that it would not consider Belt Schools' appeal because it was received more than 30 days after the Funding Commitment Decision Letter was issued.⁵ Belt Schools 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 that the party seeks to have reviewed.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. Because Belt Schools failed to file an appeal of the July 23, 2001 Funding Commitment Decision Letter within the requisite 30-day appeal period, we affirm SLD's decision to dismiss Belt Schools' 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 Belt Schools, Great Falls, Montana on September 25, 2001, IS DENIED.

FEDERAL COMMUNICATIONS COMMISSION

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

⁵ Letter from Schools and Libraries Division, Universal Service Administrative Company, to Tom Glover, Belt Schools, dated September 7, 2001.

⁶ 47 C.F.R. § 54.720.

⁷ 47 C.F.R. § 1.7.