

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

In the Matter of)	
)	
Request for Review of the)	
Decision of the)	
Universal Service Administrator by)	
)	
Newburgh Enlarged City School District)	File No. SLD-151012
Newburgh, 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: October 30, 2001

Released: October 31, 2001

By the Accounting Policy Division, Common Carrier Bureau:

1. Before the Division is a Petition for Reconsideration (Petition) filed by Newburgh Enlarged City School District (Newburgh), Newburgh, New York.¹ In the Petition, Newburgh asks the Division to reconsider its January 23, 2001 decision dismissing Newburgh's Request for Review as untimely.² Because the Petition for Reconsideration was itself untimely filed, we must dismiss it without further consideration.

2. Petitions for reconsideration of Commission actions must be filed within 30 days of the public notice of the action.³ For non-rulemaking documents released by the Commission or staff, the date of public notice is the release date.⁴ The release date of the decision Newburgh seeks to have reviewed was January 23, 2001.⁵ Newburgh's Petition bears a date-stamp of March 26, 2001, the date of its receipt by the Commission. The Petition was filed 58 days after public notice and hence is untimely.

¹ Letter from Roger George, Newburgh Enlarged City School District, to Federal Communications Commission, filed March 26, 2001 (*Petition for Reconsideration*).

² *Id.*

³ 47 C.F.R. § 1.106(f).

⁴ 47 C.F.R. § 1.4(b)(2).

⁵ *Request for Review by Newburgh Enlarged City School District, Federal-State Joint Board on Universal Service, Changes to the Board of Directors of the National Exchange Carrier Association, Inc.*, File No. SLD-151012, CC Dockets No. 96-45 and 97-21, Order, DA 01-146 (Com. Car. Bur. rel. January 23, 2001).

3. ACCORDINGLY, IT IS ORDERED, pursuant to authority delegated under sections 0.91, 0.291, and 1.106(a)(1) of the Commission's rules, 47 C.F.R. §§ 0.91, 0.291, and 1.106(a)(1), that the Petition for Reconsideration filed by Newburgh Enlarged City School District, Newburgh, New York, on March 26, 2001 IS DISMISSED.

FEDERAL COMMUNICATIONS COMMISSION

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