

Before the
Federal Communications Commission
Washington, DC 20554

In the Matter of)	
)	
Request for Review of the)	
Decision of the)	
Universal Service Administrator by)	
)	
Lakeview Community Schools)	File No. SLD-191720
Columbus, Nebraska)	
)	
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 5, 2001

Released: January 8, 2001

By the Accounting Policy Division, Common Carrier Bureau:

1. The Accounting Policy Division has under consideration a Letter of Appeal filed by Lakeview Community Schools (Lakeview), Columbus, Nebraska, seeking review of a decision issued by the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (Administrator).¹ Lakeview seeks review of SLD’s refusal to consider Lakeview’s appeal to SLD on the grounds that it was untimely filed. For the reasons set forth below, we deny Lakeview’s appeal.

2. SLD issued a Funding Commitment Decision Letter on May 5, 2000, denying Lakeview’s request for discounted services under the schools and libraries universal service support mechanism.² Specifically, SLD denied Lakeview’s request for discounts for telecommunications services, Funding Request Number (FRN) 409295. On November 16, 2000, Lakeview filed an appeal of SLD’s decision to deny FRN 409295.³ On November 21, 2000, SLD issued an Administrator's Decision on Appeal indicating that it would not consider Lakeview’s appeal because it was received more than 30 days after the Funding Commitment

¹ Letter from Kurt Harrison, Lakeview Community Schools, to Federal Communications Commission, filed December 5, 2000 (Letter of Appeal).

² Letter from Schools and Libraries Division, Universal Service Administrative Company, to Kurt Harrison, Lakeview Community Schools, dated May 5, 2000 (Funding Commitment Decision Letter).

³ Letter from Kurt Harrison, Lakeview Community Schools, to Schools and Libraries Division, Universal Service Administrative Company, filed November 16, 2000.

Decision Letter was issued.⁴ Lakeview 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 Lakeview failed to file an appeal of the May 5, 2000 Funding Commitment Decision Letter within the requisite 30-day appeal period, we affirm SLD's decision to dismiss Lakeview'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 Lakeview Community Schools, Columbus, Nebraska 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 Kurt Harrison, Lakeview Community Schools, dated November 21, 2000 (Administrator's Decision on Appeal).

⁵ 47 C.F.R. § 54.720.

⁶ 47 C.F.R. § 1.7.