

Before the
Federal Communications Commission
Washington, DC 20554

In the Matter of
Request for Review of the
Decision of the
Universal Service Administrator by
Windham Public Schools
Willimantic, Connecticut
Federal-State Joint Board on
Universal Service
Changes to the Board of Directors of the
National Exchange Carrier Association, Inc.
File No. SLD-186993
CC Docket No. 96-45
CC Docket No. 97-21

ORDER

Adopted: February 8, 2001

Released: February 9, 2001

By the Accounting Policy Division, Common Carrier Bureau:

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

2. SLD issued a Funding Commitment Decision Letter on June 23, 2000, denying Windham's request for discounted services under the schools and libraries universal service support mechanism. Specifically, SLD denied Windham's request for discounts for telecommunications services, Funding Request Number (FRN) 390370. On December 13, 2000, Windham filed an appeal of SLD's decision to deny FRN 390370. On December 15, 2000, SLD issued an Administrator's Decision on Appeal indicating that it would not consider Windham's appeal because it was received more than 30 days after the Funding Commitment

1 Letter from Millie C. Wheeler, Windham Public Schools, to Federal Communications Commission, filed January 3, 2001 (Request for Review).

2 Letter from Schools and Libraries Division, Universal Service Administrative Company, to Millie C. Wheeler, Windham Public Schools, dated June 23, 2000 (Funding Commitment Decision Letter).

3 Letter from Millie C. Wheeler, Windham Public Schools, to Schools and Libraries Division, Universal Service Administrative Company, filed December 13, 2000.

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Decision Letter was issued.<sup>4</sup> Windham 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 as to which review is sought.<sup>5</sup> Documents are considered to be filed with the Commission or SLD only upon receipt.<sup>6</sup> 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 Windham failed to file an appeal of the June 23, 2000 Funding Commitment Decision Letter within the requisite 30-day appeal period, we affirm SLD's decision to dismiss Windham's 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 Windham Public Schools, Windham, Connecticut on January 3, 2001, IS DENIED.

FEDERAL COMMUNICATIONS COMMISSION

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

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<sup>4</sup> Letter from Schools and Libraries Division, Universal Service Administrative Company, to Millie C. Wheeler, Windham Public Schools, dated December 15, 2000 (Administrator's Decision on Appeal).

<sup>5</sup> 47 C.F.R. § 54.720.

<sup>6</sup> 47 C.F.R. § 1.7.