

Before the
Federal Communications Commission
Washington, DC 20554

In the Matter of )
Request for Review of the )
Decision of the )
Universal Service Administrator by )
Santa Ana Unified School District ) File No. SLD-185408
Santa Ana, California )
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 Santa Ana Unified School District (Santa Ana), Santa Ana, California, seeking review of a decision issued by the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (Administrator). Santa Ana seeks review of SLD's refusal to consider Santa Ana's appeal to SLD on the grounds that it was untimely filed. For the reasons set forth below, we deny Santa Ana's appeal.

2. SLD issued a Funding Commitment Decision Letter on April 14, 2000, denying Santa Ana's request for discounted services under the schools and libraries universal service support mechanism. Specifically, SLD denied Santa Ana's request for discounts for Telecommunications services, Funding Request Number (FRN) 410362. On September 19, 2000, Santa Ana filed an appeal of SLD's decision to deny FRN 410362. On September 25, 2000, SLD issued an Administrator's Decision on Appeal indicating that it would not consider Santa Ana's appeal because it was received more than 30 days after the Funding Commitment

1 Letter from Karen Aeppli, Santa Ana Unified School District, to Federal Communications Commission, filed October 6, 2000 (Letter of Appeal).

2 Letter from Schools and Libraries Division, Universal Service Administrative Company, to Bill Moncure, Santa Ana Unified School District, dated April 14, 2000 (Funding Commitment Decision Letter).

3 Letter from Karen Aeppli, Santa Ana Unified School District, to Schools and Libraries Division, Universal Service Administrative Company, filed September 19, 2000.

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Decision Letter was issued.<sup>4</sup> Santa Ana 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.<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 Santa Ana failed to file an appeal of the April 14, 2000 Funding Commitment Decision Letter within the requisite 30-day appeal period, we affirm SLD's decision to dismiss Santa Ana'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 Santa Ana Unified School District, Santa Ana, California on October 6, 2000, 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 Karen Aepli, Santa Ana Unified School District, dated September 25, 2000 (Administrator's Decision on Appeal).

<sup>5</sup> 47 C.F.R. § 54.720.

<sup>6</sup> 47 C.F.R. § 1.7.