

Before the
Federal Communications Commission
Washington, DC 20554

In the Matter of)	
)	
Request for Review of the)	
Decision of the)	
Universal Service Administrator by)	
)	
Little Miami Local School District)	File No. SLD-153675
Morrow, Ohio)	
)	
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: March 29, 2001

Released: March 30, 2001

By the Accounting Policy Division, Common Carrier Bureau:

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

2. SLD issued a Funding Commitment Decision Letter on August 10, 1999, denying Little Miami’s request for discounted services under the schools and libraries universal service support mechanism.² Specifically, SLD denied Little Miami’s request for discounts for telecommunications services, Funding Request Numbers (FRNs) 275740 and 275741. On May 8, 2000, Little Miami filed an appeal of SLD’s decision to deny FRNs 275740 and 275741.³ On May 11, 2000, SLD issued an Administrator's Decision on Appeal indicating that it would not consider Little Miami’s appeal because it was received more than 30 days after the Funding

¹ Letter from George Long, Little Miami Local School District, to Federal Communications Commission, filed May 18, 2000 (Request for Review).

² Letter from Schools and Libraries Division, Universal Service Administrative Company, to George Long, Little Miami Local School District, dated August 10, 1999 (Funding Commitment Decision Letter).

³ Letter from George Long, Little Miami Local School District, to Schools and Libraries Division, Universal Service Administrative Company, filed May 8, 2000.

Commitment Decision Letter was issued.⁴ Little Miami 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.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 Little Miami failed to file an appeal of the August 10, 1999 Funding Commitment Decision Letter within the requisite 30-day appeal period, we affirm SLD's decision to dismiss Little Miami'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 Little Miami Local School District, Morrow, Ohio on May 18, 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 George Long, Little Miami Local School District, dated May 11, 2000 (Administrator's Decision on Appeal).

⁵ 47 C.F.R. § 54.720.

⁶ 47 C.F.R. § 1.7.