

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

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| In the Matter of |) | |
| |) | |
| Request for Review of the |) | |
| Decision of the |) | |
| Universal Service Administrator by |) | |
| |) | |
| Elgin Public Library |) | File No. SLD- 106134 |
| Elgin, Iowa |) | |
| |) | |
| Federal-State Joint Board on |) | WC Docket No. 96-45 |
| Universal Service |) | |
| |) | |
| Changes to the Board of Directors of the |) | WC Docket No. 97-21 |
| National Exchange Carrier Association, Inc. |) | |

ORDER

Adopted: April 10, 2002

Released: April 11, 2002

By the Telecommunications Access Policy Division, Wireline Competition Bureau:

1. This Order dismisses the Request for Review filed by Elgin Public Library (Elgin), Elgin, Iowa.¹ Elgin seeks review of a decision issued by the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (Administrator) on April 29, 1999.² The Commission received Elgin's Request for Review on October 2, 2001.³ For requests seeking review of decisions issued before August 13, 2001, under section 54.720(b) of the Commission's rules, any such appeal must be filed with the Commission or SLD within 30 days of the issuance of the decision that the party seeks to have reviewed.⁴ Documents are considered to be filed with the Commission only upon receipt.⁵ The 30-day deadline contained in section 54.720(b) of the Commission's rules applies to all such requests for review filed by a party

¹ Letter from Beverly Strong, Elgin Public Library, to Federal Communications Commission, filed October 2, 2001 (Request for Review).

² See Request for Review; Letter from the School and Libraries Division, Universal Service Administrative Company, to Beverly Strong, Elgin Public Library, dated April 29, 1999 (Administrator's Decision on Appeal Letter). Section 54.719(c) of the Commission's rules provides that any person aggrieved by an action taken by a division of the Administrator may seek review from the Commission. 47 C.F.R. § 54.719(c).

³ See Request for Review.

⁴ 47 C.F.R. § 54.720(b).

⁵ 47 C.F.R. § 1.7.

affected by a decision issued by the Administrator.⁶ Because the instant Request for Review was not filed within the requisite 30-day period, it will be dismissed without further consideration.

2. 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 October 2, 2001, by Elgin Public Library, Elgin, Iowa, IS DISMISSED.

FEDERAL COMMUNICATIONS COMMISSION

Mark G. Seifert
Deputy Chief, Telecommunications Access Policy Division
Wireline Competition Bureau

⁶ We note that, due to recent disruptions in the reliability of the mail service, the 30-day appeal period has been extended by an additional 30 days for requests seeking review of decisions issued on or after August 13, 2001. *See Implementation of Interim Filing Procedures for Filings of Requests for Review, Federal-State Joint Board on Universal Service*, CC Docket No. 96-45, Order, FCC 01-376 (rel. Dec. 26, 2001), as corrected by *Implementation of Interim Filing Procedures for Filings of Requests for Review, Federal-State Joint Board on Universal Service*, CC Docket No. 96-45, Errata (Com. Car. Bur. rel Dec. 28, 2001 and Jan. 4, 2002). Because the April 29, 1999 Administrator's Decision on Appeal Letter was issued before August 13, 2001, the extended appeal period does not apply to Elgin.