

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

In the Matter of	)	
	)	
Requests for Review of the Decision of the Universal Service Administrator by	)	
	)	
Approach Learning and Assessment Centers Santa Ana, California	)	File Nos. SLD-297762, 342756
	)	
Fremont County Library System Lander, Wyoming	)	File No. SLD-368775
	)	
South Baltimore Learning Center Baltimore, Maryland	)	File No. SLD-192919
	)	
Yeshiva Vinitz D’Khal Torath Chaim Monsey, New York	)	File Nos. SLD-287318, 287319, 307499, 347544, and 347546
	)	
Schools and Libraries Universal Service Support Mechanism	)	CC Docket No. 02-6
	)	

**ORDER**

**Adopted: November 10, 2004**

**Released: November 12, 2004**

By the Deputy Chief, Telecommunications Access Policy Division, Wireline Competition Bureau:

1. Approach Learning Assessment Centers, Santa Ana, California; Fremont County Library System, Lander, Wyoming; South Baltimore Learning Center, Baltimore, Maryland; and Yeshivath Vinitz D’Khal Torath Chaim, Monsey, New York (collectively, Petitioners) seek review of decisions by the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (Administrator).<sup>1</sup> For a review of decisions by SLD, appeals to the Commission must be filed within 60

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<sup>1</sup> Letter from Fran Older, Approach Learning Assessment Centers, to Federal Communications Commission, filed August 30, 2004; Letter from Joyce Ballard, Fremont County Library System, to Federal Communications Commission, filed April 8, 2004; Letter from Michael Akman, South Baltimore Learning Center, to Federal Communications Commission, filed July 19, 2004; Letters from Israel Neiman, Yeshivath Vinitz D’Khal Torath Chaim, to Federal Communications Commission, filed June 22, 2004 (Requests for Review). *See also* Administrator’s Decision on Appeal Letters from Schools and Libraries Division, Universal Service Administrative Company, regarding SLD Numbers 297762 and 324756, to Fran Older, Approach Learning Assessment Centers, dated April 22, 2004; Administrator’s Decision on Appeal Letter from Schools and Libraries Division, Universal Service Administrative Company, to Joyce Ballard, Fremont County Library System, dated January 16, 2004; Administrator’s Decision on Appeal Letter from Schools and Libraries Division, Universal Service Administrative Company, to Jim Fragomeni, South Baltimore Learning Center, dated April 16, 2004; and Administrator’s Decision on Appeal Letters from Schools and Libraries Division, Universal Service Administrative Company, regarding SLD numbers 287318, 287319, 307499, 347544, and 347546, to Israel Neiman, Yeshivath Vinitz D’Khal Torath Chaim, dated April 14, 2004. 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).

days of the issuance of the SLD decision date.<sup>2</sup> Here, Petitioners filed appeals after the 60-day period, in contravention of our rules. We therefore deny their Requests for Review.

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 Requests for Review filed on August 30, 2004 by Approach Learning and Assessment Centers, Santa Ana, California; April 8, 2004 by Fremont County Library System, Lander, Wyoming; July 19, 2004 by South Baltimore Learning Center, Baltimore, Maryland; and June 22, 2004 by Yeshivath Vinitz D'Khal Torah Chaim, Monsey, New York ARE DENIED.

FEDERAL COMMUNICATIONS COMMISSION

Vickie S. Robinson  
Deputy Chief, Telecommunications Access Policy Division  
Wireline Competition Bureau

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<sup>2</sup> Commission rules previously required that appeals must be filed with the Commission or SLD within 30 days of the issuance of the decision that the party seeks to have reviewed. This deadline was modified in 2001 by an interim order, extending the deadline to 60 days. *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, 17 FCC Rcd 339 (Com. Car. Bur. 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). In 2003, the Commission permanently extended the time limit for filing an initial appeal with SLD and the Commission to 60 days. *See Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Second Report and Order and Further Notice of Proposed Rulemaking, 18 FCC Rcd 9202, 9221, paras. 55-56 (2003). 47 C.F.R. § 54.720(b).