

Before the
Federal Communications Commission
Washington, DC 20554

In the Matter of)
Request for Review of the)
Decision of the)
Universal Service Administrator by)
Moscow Unified School District) File No. SLD-54997
Satanta, Kansas)
Schools and Libraries Universal Service Support) CC Docket No. 02-6
Mechanism)

ORDER

Adopted: November 10, 2004

Released: November 12, 2004

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

1. Moscow Unified School District (Moscow), Satanta, Kansas, seeks review of a March 19, 1999 decision by the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (Administrator). For a review of decisions by SLD issued before August 13, 2001, appeals to the Commission must be filed within 30 days of the issuance of the SLD decision date. Here, Moscow filed its appeal on May 17, 1999, after the 30-day period, in contravention of our rules. We therefore dismiss the appeal.

1 Letter from Larry Philippi, Moscow Unified School District, to Federal Communications Commission, filed May 17, 1999 (Request for Review). Letter from Schools and Libraries Division, Universal Service Administrative Company, to Larry Philippi, Moscow Unified School District, dated March 19, 1999. 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).

2 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).

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 Requestfor Review filed by Moscow Unified School District, Satanta, Kansas on May 17, 1999 IS DISMISSED.

FEDERAL COMMUNICATIONS COMMISSION

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