

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

In the Matter of)	
)	
Petitions for Reconsideration by)	
)	
Lincoln Parish School Board)	File Nos. SLD-344917, 359293, 373945,
Ruston, Louisiana)	373993, 378343
)	
United Talmudical Academy)	File No. SLD-105791
Brooklyn, New York)	
)	
Western Heights School District I-41)	File No. SLD-197613
Oklahoma City, Oklahoma)	
)	
Schools and Libraries Universal Service)	CC Docket No. 02-6
Support Mechanism)	

ORDER

Adopted: June 8, 2011

Released: June 8, 2011

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

1. In this order, we dismiss as untimely three petitions for reconsideration of decisions by the Wireline Competition Bureau (Bureau) or the Commission.¹ Petitions for reconsideration must be filed within 30 days of public notice of the action.² For non-rulemaking documents released by the Commission or staff, the date of public notice is the release date.³

2. Lincoln Parish: Lincoln Parish School Board (Lincoln Parish) seeks review of the Bureau's April 12, 2004 order affirming a decision made by the Universal Service Administrative Company (USAC) to deny funding because Lincoln Parish failed to file an appeal on time after filing its

¹ The Bureau has the authority to act on petitions requesting reconsideration of final actions taken pursuant to delegated authority. 47 C.F.R. § 1.106(a)(1). The Bureau also has the authority to dismiss petitions for reconsideration of a Commission action that plainly do not warrant consideration by the Commission, such as petitions that are late-filed. 47 C.F.R. § 1.106(p)(9); *see also Amendment of Certain of the Commission's Part 1 Rules of Practice and Procedure and Part 0 Rules of Commission Organization*, GC Docket No. 10-44, Report and Order, 26 FCC Rcd 1594, 1606-07, para. 27-28 (rel. Feb. 4, 2011) (authorizing bureaus to dismiss petitions for reconsideration of Commission action that are procedurally defective). Letter from Deborah Sandidge, Lincoln Parish School Board, to the Office of the Secretary, Federal Communications Commission, filed June 28, 2006, 1 (Lincoln Parish Petition for Reconsideration); Letter from Mozes Greenfield, Telecommunications Project Director, United Talmudical Academy, to Office of the Secretary, Federal Communications Commission, CC Docket Nos. 96-45 and 97-21, filed Dec. 22, 2003, 1 (UTA Petition for Reconsideration); Letter from Orin Heend, Funds for Learning, to the Federal Communications Commission, filed March 14, 2003, (Western Heights Petition for Reconsideration).

² 47 C.F.R. § 1.106(f).

³ 47 C.F.R. § 1.4(b)(2).

FCC Form 471 application outside the funding window.⁴ On June 28, 2006, Lincoln Parish filed the instant petition for reconsideration,⁵ more than two years after the Bureau's April 12, 2004 order. We therefore dismiss Lincoln Parish's petition for reconsideration because it is untimely.

3. UTA: United Talmudical Academy (UTA) seeks review of two orders issued on January 4, 2000 and October 24, 2003.⁶ In *United Talmudical Academy I*, the Commission remanded UTA's request for basic telephone services to USAC to determine whether its individual services passed its necessary resources review.⁷ In *United Talmudical Academy III*, the Commission upheld USAC's denial of funding on remand.⁸ On December 22, 2003, UTA filed the instant petition for reconsideration,⁹ almost four years after public notice of *United Talmudical Academy I* and 59 days after public notice of *United Talmudical Academy III*. We therefore dismiss UTA's petition for reconsideration because it is untimely.

4. Western Heights: Western Heights School District (Western Heights) seeks review of a Bureau order affirming a decision made by the USAC to deny funding after finding that 30 percent of Western Heights's request was for ineligible services.¹⁰ On March 14, 2003, Western Heights filed the instant petition for reconsideration,¹¹ 58 days after the January 5, 2003 order. We therefore dismiss Western Heights' petition for reconsideration because it is untimely.

⁴ *Requests for Waiver by Sacred Heart School, et al., Schools and Libraries Universal Service Mechanism*, File No. SLD-349393, et al., CC Docket No. 02-6, Order, 19 FCC Rcd 6367 (Wireline Comp. Bur. 2004) (Sacred Heart School Order).

⁵ Lincoln Parish Petition for Reconsideration at 1.

⁶ See *Request for Review by United Talmudical Academy, Federal-State Board on Universal Service, Changes to the Board of Directors of the National Exchange Carrier Association, Inc.*, File No. SLD-105791, CC Dockets No. 96-45 and 97-21, 15 FCC Rcd 423 (2000) (*United Talmudical Academy I*); *Application for Review by the United Talmudical Academy, Schools and Libraries Universal Service Support Mechanism*, File No. SLD-105791, CC Docket No. 02-6, Order, 18 FCC Rcd 22785 (2003) (*United Talmudical Academy III*). In *United Talmudical Academy II*, the Bureau upheld the decision of the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) to deny UTA's funding requests. *Request for Review by United Talmudical Academy, Federal-State Joint Board on Universal Service, Changes to the Board of Directors of the National Exchange Carrier Association, Inc.*, File No. SLD-105791, CC Dockets No. 96-45 and 97-21, Order, 16 FCC Rcd 18812 (Com. Car. Bur. 2001) (*United Talmudical Academy II*). UTA is not seeking reconsideration of that decision. See UTA Petition for Reconsideration at 1.

⁷ *United Talmudical Academy I*, 15 FCC Rcd at 431-32, paras. 18-22.

⁸ *United Talmudical Academy III*, 18 FCC Rcd at 22789, 22791, paras. 10, 12, 17-18.

⁹ UTA Petition for Reconsideration at 1. While UTA seeks review of Commission decisions, the Bureau dismisses its petition for reconsideration under delegated authority because the reconsideration petition was procedurally defective. *Supra* fn.1.

¹⁰ *Request for Review of the Decision of the Universal Service Administrator by Western Heights School District I-41*, File No. SLD-197613, CC Docket Nos. 96-45 and 97-21, Order, 18 FCC Rcd 381 (Wireline Comp. Bur. 2003) (Western Heights Order).

¹¹ Western Heights Petition for Reconsideration.

5. ACCORDINGLY, IT IS ORDERED, pursuant to authority contained in sections 1-4 and 254 of the Communications Act, as amended, 47 U.S.C. §§ 151-154 and 254, and pursuant to authority in sections 0.91, 0.291, 1.3, 1.106, and 54.722(a) of the Commission's rules, 47 C.F.R. §§ 0.91, 0.291, 1.3, 1.106, and 54.722(a), that the petitions for reconsideration filed by Lincoln Parish, UTA, and Western Heights are DISMISSED.

FEDERAL COMMUNICATIONS COMMISSION

Gina Spade
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Wireline Competition Bureau