

**Statement of
Commissioner Michael Copps,
Concurring**

Re: McLeodUSA Telecommunications Services, Inc., Application for Review

The Commission today addresses a situation in which a company mailed the regulatory fees it owed to the Commission five days prior to the deadline. The check was processed one day after the deadline, and for this one day, McLeodUSA was penalized over \$90,000 – a 25 percent penalty. I concur in the decision because the statute and our rules require such a penalty. I am disappointed, however, that the Commission does not seek comment on approaches that could address such situations in the future. For example, the FCC bases the deadline for its schools and libraries universal service program on the postmark date of the filing. The IRS uses a similar method for payment of taxes. Using the postmark date or some other alternative might better take into account those who are located further away or who face unforeseen delays in mail delivery that are beyond their control.