

FCC MAIL SECTION

Federal Communications Commission

DA 99-2680

DEC 7 2 20 PM '99

Before the
DISPATCHED FEDERAL COMMUNICATIONS COMMISSION
 Washington, D.C.

In the Matter of)	
)	
Revision of the Commission's Rules)	
To Ensure Compatibility with)	CC Docket No. 94-102
Enhanced 911 Emergency)	RM-8143
Calling Systems)	

ORDER

Adopted: December 1, 1999; **Released:** December 1, 1999

By the Chief, Policy Division, Wireless Telecommunications Bureau:

1. On December 30, 1998, the Commission adopted the *TTY Waiver Order*,¹ granting a temporary waiver² of Section 20.18(c) of the Commission's Rules³ (to the extent that section relates to the transmission of 911 calls made from TTY devices using digital wireless systems) to all parties who had filed petitions seeking waiver of that rule.⁴ The temporary waiver applied to all parties filing petitions as of the adoption date of the *TTY Waiver Order* (*i.e.*, December 30, 1998) and all such parties were identified in the Appendix of the Order.⁵

2. We recently received a petition for waiver of Section 20.18(c) from Redwood Wireless Corporation, Redwood Wireless Minnesota, L.L.C., and Redwood Wireless Wisconsin, L.L.C.

¹ Revision of the Commission's Rules To Ensure Compatibility with Enhanced 911 Emergency Calling Systems, CC Docket No. 94-102, Order, 14 FCC Rcd 1700 (1998) (*TTY Waiver Order*).

² The waivers were granted by the Commission on a temporary basis, until its "subsequent disposition [on the merits] of the individual waiver petitions filed by each . . . party." *Id.* at para. 5.

³ 47 C.F.R. § 20.18(c).

⁴ Any carrier subject to the requirements of Section 20.18(c) must be in compliance with the rule as of January 1, 1999. See Revision of the Commission's Rules To Ensure Compatibility with Enhanced 911 Emergency Calling Systems, CC Docket No. 94-102, Order, 14 FCC Rcd 694 (Wireless Telecom. Bur. 1999).

⁵ See *TTY Waiver Order*, Appendix.

(collectively, "Redwood").⁶ Redwood indicates in its petition that it intends to initiate commercial broadband PCS service "in the not too distant future."⁷

3. Because Section 20.18(c), as it relates to carriers operating digital systems, did not apply to Redwood in December 1998, it would not have been expected to file a petition at that time.⁸ Thus, while a strict reading of the *TTY Waiver Order* would indicate that we would grant only petitions filed as of the adoption date of the Order, we conclude that Redwood should be granted the same temporary waiver of Section 20.18(c) that was granted to the parties identified in the *TTY Waiver Order*.

4. Accordingly, IT IS ORDERED that the petition for waiver of Section 20.18(c) of the Commission's Rules filed by Redwood Wireless Corporation, Redwood Wireless Minnesota, L.L.C., and Redwood Wireless Wisconsin, L.L.C. IS GRANTED, subject to the terms and conditions indicated in the *TTY Waiver Order*, which was adopted by the Commission on December 30, 1998.⁹

5. This action is taken pursuant to delegated authority of the Wireless Telecommunications Bureau under Section 0.331 of the Commission's Rules.¹⁰

FEDERAL COMMUNICATIONS COMMISSION



Kris A. Monteith
Chief, Policy Division
Wireless Telecommunications Bureau

⁶ Redwood Petition for Waiver, CC Docket No. 94-102, filed Aug. 5, 1999.

⁷ *Id.*

⁸ Redwood was not providing digital service on January 1, 1999 (the date by which carriers were required to be in compliance with Section 20.18(c) for digital wireless systems) and was therefore not subject to compliance with Section 20.18(c) at that time.

⁹ See *TTY Waiver Order* at paras. 4-7.

¹⁰ 47 C.F.R. § 0.331.