

ORIGINAL

LAW OFFICES
BLOOSTON, MORDKOFKY, DICKENS, DUFFY & PRENDERGAST

2120 L STREET, NW
WASHINGTON, DC 20037

(202) 659-0830
FACSIMILE: (202) 828-5568

AFFILIATED SOUTH AMERICAN OFFICES

ESTUDIO JAUREGUI & ASSOCIATES
BUENOS AIRES, ARGENTINA

HAROLD MORDKOFKY
BENJAMIN H. DICKENS, JR.
JOHN A. PRENDERGAST
GERARD J. DUFFY
RICHARD D. RUBINO
MARY J. SISAK
D. CARY MITCHELL
KATHLEEN A. KAERCHER
MICHAEL B. ADAMS, JR.
DOUGLAS W. EVERETTE

ROBERT M. JACKSON
OF COUNSEL

RECEIVED PERRY W. WOOFER
LEGISLATIVE CONSULTANT

April 18, 2001

APR 18 2001 EUGENE MALISZEWSKYJ
DIRECTOR OF ENGINEERING
PRIVATE RADIO

ARTHUR BLOOSTON
1914 - 1999

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY
SEAN A. AUSTIN
CONSULTING ENGINEER
COMMERCIAL RADIO

WRITER'S DIRECT DIAL NUMBER
(202) 828-5519

Magalie R. Salas, Secretary
Office of the Secretary
Federal Communications Commission
455 12th Street, S.W.
Washington, D.C. 20554

**Re: Emery Telecommunications & Video, Inc.
CC Docket No. 94-102
Broadband Personal Communications Service**

**Station WPOK951
BTA 168 (Grand Junction, Colorado), Channel Block E**

**Station WPOK952
BTA 399 (Salt Lake City - Ogden, Utah), Channel Block E**

First Quarterly Report

Dear Ms. Salas:

On behalf of Emery Telecommunications & Video, Inc. (Emery Tel), we are submitting herewith its signed-original TTY implementation report pursuant to the Commission's *Fourth Report and Order*, in CC Docket No. 94-102, released December 14, 2000. A copy of the report, bearing a facsimile signature, was filed on April 16, 2001 in order to comply with the filing deadline since the signed-original report was not received in time to permit its filing.

Num. of Copies rec'd 0+4
LEABODE

Please direct any questions or correspondence regarding this filing to our office.

Very truly yours,

A handwritten signature in black ink, appearing to read "Richard D. Rubino", with a long horizontal flourish extending to the right.

Richard D. Rubino
Attorney for Emery
Telecommunications & Video, Inc.

cc: Kris Moneith, Chief, Policy Division, Wireless Telecommunications Bureau
Pam Gregory, Chief, Disabilities Rights Office
International Transcription Service

EMERY TELECOMMUNICATIONS & VIDEO, INC.
P.O. Box 550
Orangeville, Utah 84537

RECEIVED

APR 18 2001

**FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY**

Magalie Roman Salas, Secretary
Federal Communications Commission
Washington, D.C. 20554

Re: CC Docket No. 94-102
Broadband Personal Communications Service

Station WPOK951
BTA 168 (Grand Junction, Colorado), Channel Block E

Station WPOK952
BTA 399 (Salt Lake City – Ogden, Utah), Channel Block E

First Quarterly Report

Dear Ms. Salas:

This report is filed pursuant to the Commission's *Fourth Report and Order*, in CC Docket No. 94-102, released December 14, 2000, even though it is not certain whether we are required to make this filing at this time.

Emery Telecommunications & Video, Inc. is the licensee of the referenced stations in the Broadband Personal Communications Service. The licensed facilities have not yet been constructed and our first buildout showing is not due to be filed until June 26, 2002.

Reading together the *Fourth Report and Order* and Sections 20.18(a) and (c) of the Commission's Rules, it appears that the quarterly report filing requirement applies only to wireless systems that are already in operation, by stating that these requirements are applicable only to "service providers" and "carriers operating digital wireless systems." Since we are not yet providing service, it appears that we are not required to file this report. Accordingly, we are filing this report to preclude any inquiry from the Commission that might otherwise be forthcoming.

We wish to assure the Commission, nevertheless, that we will comply with the requirements of Section 20.18 of the Commission's Rules once our licensed facilities have been constructed and are providing service.

Very truly yours,

**EMERY TELECOMMUNICATIONS &
VIDEO, INC.**

By:



Officer

Dated: April 16, 2001