

WILKINSON ) BARKER ) KNAUER ) LLP

2300 N STREET, NW  
SUITE 700  
WASHINGTON, DC 20037  
TEL 202.783.4141  
FAX 202.783.5851  
www.wbklaw.com  
WILLIAM J. SILL  
202-383-3419  
wsill@wbklaw.com

January 15, 2002

Magalie Roman Salas  
Secretary of the Commission  
Federal Communications Commission  
445 - 12th Street, S.W., Room TW-A325  
Washington, DC 20554

Re: *Washington RSA No. 8 Limited Partnership and Eastern Sub-RSA Limited Partnership Quarterly TTY Status Report CC Docket No. 94-102*

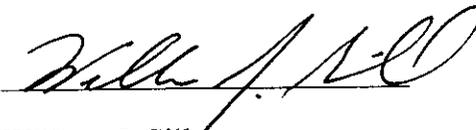
Dear Ms. Salas:

Washington RSA No. 8 Limited Partnership and Eastern Sub-RSA Limited Partnership (collectively "WA8LP and ESRLP") hereby submit jointly their TTY Quarterly Status Report.

Please do not hesitate to contact the undersigned with any questions that you may have at (202) 783-4141.

Very truly yours,

WILKINSON BARKER KNAUER, LLP

By:   
William J. Sill

Attachment

cc: Kris Monteith, Chief, Policy Division  
Wireless Telecommunications Bureau  
Pam Gregory, Chief, Disabilities Rights Office  
Consumer Information Bureau

**Washington RSA No. 8 Limited Partnership  
and Eastern Sub-RSA Limited Partnership  
Quarterly TTY Report  
January 15th, 2002  
CC Docket No. 94-102**

In response to the Federal Communications Commission's ("FCC"), Fourth Report and Order,<sup>1</sup> in its Enhanced 911 proceeding in which it established new deadlines for digital wireless carriers to be capable of transmitting 911 calls made using TTY devices, Washington RSA No. 8 Limited Partnership, the licensee of Washington 8 – Whitman RSA (Block B), Idaho 1 – Boundary RSA (Block B2), and Idaho 2 – Idaho RSA (Block B2), and Eastern Sub-RSA Limited Partnership, the licensee of Washington 5 – Kittitas RSA (Block B2) (collectively "WA8LP and ESRLP" or "the Partnerships") hereby submit jointly their third TTY Quarterly Status Report ("Report").<sup>2</sup>

WA8LP and ESRLP regret that there are no changes to report from the October 24, 2001 filing. WA8LP and ESRLP continue to work diligently with Nortel Networks ("Nortel"), their infrastructure vendor, to ensure timely TTY access to E911 for all their customers. The October 24, 2001 filing cautioned that: "...[T]he absence of firm commitments and definite standards from both infrastructure and handset vendors remains a major obstacle to meeting the December 31, 2001 deadline" for obtaining all software upgrades and equipment necessary to make their system capable of transmitting TTY 911 calls. Despite WA8LP's and ESRLP's best efforts, this major obstacle proved to be an insurmountable obstacle to meeting the December 31 deadline as the Partnerships' vendor remains unable to provide the Partnerships with the necessary software and equipment.

The Partnerships believe that the reporting process, rather than a waiver process, is the appropriate mechanism to update the FCC concerning the December 31 deadline for two reasons. First, the disparate regulatory treatment afforded the two deadlines indicates that the Commission did not intend the December 31, 2001 deadline to have the same force of law as the June 30, 2002 deadline. Unlike the June 30, 2002 deadline, the December deadline appears only in an *Order*, rather than being codified in the FCC's regulations.<sup>3</sup> The Commission clearly has carved the June 30, 2002 deadline into regulatory 'stone' whereas the December deadline is more in the nature of an expectation. Second, the Commission created its Reporting Process so it could learn "useful information concerning equipment development and deployment, as well as actions taken by carriers."<sup>4</sup> The Partnerships believe that information concerning the carriers' inability to meet the deadline is exactly type of information the FCC seeks. In the event that the

---

<sup>1</sup> Revision of the Commission's Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems, CC Docket No. 94-102, *Fourth Report and Order*, 15 FCC Rcd. 25216 (2000) [hereafter "*Order*"].

<sup>2</sup> This Report is being submitted by both carriers jointly, as ESRLP does not have its own switch and instead leases its switching capacity from WA8LP. Thus, ESRLP is reliant upon WA8LP's receipt of the requisite software in order to be compliant with the FCC's TTY rules.

<sup>3</sup> The Commission explicitly amended Section 20.18(c) to include the June 2002 deadline but opted not to amend its rules to include the December 31, 2001. *Order*, at 25230 App. C.

<sup>4</sup> *Order* at 25221.

FCC notifies the Partnership that it deems a waiver necessary, the Partnerships will file such a waiver request with the Commission.

The Partnerships will continue to press their vendor for the necessary software upgrades and equipment necessary to meet the June 30, 2002 deadline. WA8LP and ESRLP are committed to take all necessary actions so that they are prepared to transmit TTY 911 service to its customers by June 30, 2002.