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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: *North Carolina RSA 1 Partnership*
Quarterly TTY Status Report -- CC Docket No. 94-102

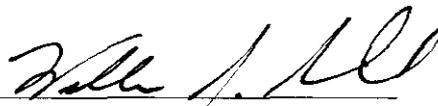
Dear Ms. Salas:

North Carolina RSA 1 Partnership ("NCRSA1") hereby submits its 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

**North Carolina RSA 1 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,¹ 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, North Carolina RSA 1 Partnership ("NCRSA1"), the licensee in the North Carolina 1 - Cherokee RSA (Block B), hereby submits its TTY Quarterly Status Report ("Report").

NCRSA1 continues to work diligently with its infrastructure vendor, to ensure timely TTY access to E911 for all its customers. The absence of firm commitments and definite standards from both infrastructure and handset vendors became a major obstacle in meeting the December 31, 2001 deadline for obtaining all software upgrades and equipment necessary to make NCRSA1's system capable of transmitting TTY 911 calls. Despite NCRSA1's best efforts, this major obstacle proved to be insurmountable as NCRSA1's vendor remains unable to provide the necessary software and equipment.

NCRSA1 believes 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.² 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."³ NCRSA1 believes that information concerning the carriers' inability to meet the deadline is exactly the type of information the FCC seeks. In the event that the FCC notifies NCRSA1 that it deems a waiver necessary, NCRSA1 will file such a waiver request with the Commission.

NCRSA1 will continue to press their vendor for the necessary software upgrades and equipment necessary to meet the June 30, 2002 deadline. NCRSA1 is committed to take all necessary actions so that it is prepared to transmit TTY 911 service to its customers by June 30, 2002.

¹ 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*"].

² 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.

³ *Order* at 25221.