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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

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

REPLY COMMENTS OF THE RURAL CELLULAR ASSOCIATION

The Rural Cellular Association ("RCA"),¹ by counsel, hereby responds to the Commission's Public Notice in which it invited comment on a petition by ACS Wireless, Inc. ("ACSW") for a temporary waiver of the June 30, 2002 deadline for compliance with 911 text telephone ("TTY") obligations for digital wireless carriers.²

In response to a request for comment on similar petitions for waiver of the Commission's TTY requirement, RCA joined with petitioners and commenters to confirm that the affected small and rural carriers confront unique and unusual circumstances that are beyond their control, and that application of the June 30, 2002 deadline would be unduly burdensome and contrary to the public interest.³ Rather than burdening the record by repeating the information which

¹ RCA is an association representing the interests of small and rural wireless licensees providing commercial services to subscribers throughout the nation. Its member companies provide service in more than 135 rural and small metropolitan markets where approximately 14.6 million people reside. RCA was formed in 1993 to address the distinctive issues facing rural wireless service providers.

² *Wireless Telecommunications Bureau Seeks Comment on ACS Wireless Petition for Waiver of Deadline by Which Digital Wireless Systems Must Be Capable of Transmitting 911 Calls From TTY Devices*: Public Notice, CC Docket No. 94-102, DA 02-993 (rel. April 30, 2002) ("Notice").

³ Reply Comments of RCA in CC Docket No. 94-102 filed April 18, 2002 and May 20, 2002.

Reply Comments of the Rural Cellular Association
CC Docket No. 94-102
May 30, 2002

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demonstrates on a case-by-case basis that similarly situated small and rural wireless carriers, such as ACSW, should be granted the requested relief,⁴ RCA again urges the Commission to conserve its own and carrier resources by granting temporary waivers to all wireless carriers that find themselves in similar circumstances. Alternatively, the Commission may wish to consider establishing a procedure for the filing and expedited processing of similar temporary waiver petitions.

The public would not be harmed by grant of such relief. As demonstrated by petitioners, individuals with speech or hearing disabilities could still continue to use TTY devices with wireless telephones in the analog mode.⁵ Further, the public interest would be served by consistent treatment of wireless carriers that find themselves in similar circumstances.

⁴ The circumstances surrounding ACSW's Petition for Waiver is similar to those set forth in petitions filed on behalf of six other small, rural wireless carriers in that the six carriers and ACSW seek extension of the deadline based upon their need to migrate away from a TDMA technology to alternative technologies in the near future. *Compare* ACSW's Petition for Waiver at 7 with *Wireless Telecommunications Bureau Seeks Comment on Petitions for Temporary Waiver of Deadline by Which Digital Wireless Systems Must Be Capable of Transmitting 911 Calls From TTY Devices*: Public Notice, CC Docket No. 94-102, DA 02-640 at 1 (rel. March 19, 2002). RCA has demonstrated previously that grant of the requested relief for such similarly situated wireless carriers is appropriate and in the public interest. *See* Reply Comments of RCA filed April 18, 2002 at 2-3.

⁵ *See, e.g.*, ACSW's Petition for Waiver at 7-8; Enterprise Wireless PCS, LLC's Petition for Waiver filed December 31, 2001 at 7.

Accordingly, to further the public interest and conserve Commission resources, the Commission should grant relief to ACSW and other small, rural wireless carriers that are similarly situated.

Respectfully submitted,

RURAL CELLULAR ASSOCIATION

By: 

Sylvia Lesse
John Kuykendall

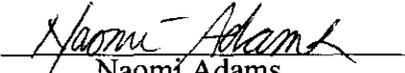
Its Attorneys

Kraskin, Lesse & Cosson, LLP
2120 L Street, N.W.
Suite 520
Washington, D.C. 20037
(202) 296-8890

May 30, 2002

CERTIFICATE OF SERVICE

I, Naomi Adams, of Kraskin, Lesse & Cosson, LLP, 2120 L Street, NW, Suite 520, Washington, DC 20037, do hereby certify that a copy of the foregoing "Reply Comments of the Rural Cellular Association" was served on this 30th day of May 2002, via hand delivery or first class, U.S. Mail, postage prepaid to the following parties:


Naomi Adams

Chairman Michael Powell *
Federal Communications Commission
445 12th Street, SW, Room 8-B201
Washington, DC 20554

Commissioner Michael J. Copps *
Federal Communications Commission
445 12th Street, SW, Room 8-A302
Washington, DC 20554

Commissioner Kathleen Abernathy *
Federal Communications Commission
445 12th Street, SW, Room 8-A204
Washington, DC 20554

Commissioner Kevin Martin *
Federal Communications Commission
445 12th Street, SW, Room 8-C302
Washington, DC 20554

Thomas J. Sugrue, Chief *
Wireless Telecommunications Bureau
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Elisabeth H. Ross
Allison M. Ellis
Birch Horton Bittner & Cherot
1155 Connecticut Avenue, N.W.
Suite 1200
Washington, D.C. 20036
Counsel for ACS Wireless, Inc.

Qualex International *
445 12th Street, SW
Room CY-B402
Washington, DC 20554
(diskette)

* via hand delivery