

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

RECEIVED

AUG - 6 2002

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

In the Matter of	)	
	)	
Waiver of the Rules of the Federal	)	FO Docket Nos. 91-171/91-301
Communications Commission Relating	)	
to Implementation of the Emergency	)	Roome Telecommunications, Inc.
Broadcast System	)	d/b/a RTI Cable Television

To: Chief, Technical & Public Safety Division, Enforcement Bureau

**PETITION FOR WAIVER OF  
EMERGENCY ALERT SYSTEM REQUIREMENTS**

Roome Telecommunications, Inc. d/b/a RTI Cable Television (hereinafter "Petitioner"), by its attorneys, respectfully requests a waiver of Section 11.11(a) of FCC Rules, 47 U.S.C. § 11.11.(a) Specifically, Petitioner seeks a 36-month waiver of the requirement that cable television system operators implement Emergency Alert System ("EAS") equipment and procedures by October 1, 2002. Section 11.11(a) requires small cable television systems serving fewer than 5,000 subscribers either to provide the national level EAS message on all programmed channels - including the required testing - or to install EAS equipment and provide a video interrupt and audio alert on all programmed channels and EAS audio and visual messages on at least one programmed channel by October 1, 2002.

As set forth below, circumstances exist wherein EAS-compliant technology compatible with Petitioner's cable television system facilities is not yet commercially available at a financially reasonable expense, and may not be available for an undetermined period of time. Installation at current prices threatens the financial viability of Petitioner's system. For the reasons shown herein,

Petitioner requests a temporary, 36-month waiver of the EAS requirements, and particularly of the requirement that EAS implementation be achieved by October 1, 2002.

Petitioner relies herein upon the mechanism for waiver established in the Second Report and Order in FO Docket Nos. 91-301 and 91-171, 12 FCC Rcd at 15513, n.59 (1997) ("2<sup>nd</sup> Report and Order"), and confirmed in the Report and Order in EB Docket No. 01-66 FCC 02-64 (by the Commission), released February 26, 2002 ("Report and Order"). As demonstrated herein, good cause exists for this waiver because it is economically and technically infeasible for Petitioner to comply with the October 1, 2002 deadline for EAS implementation.<sup>1/</sup>

### **Background and Facts**

1. The FCC has adopted rules to implement Section 624(g) of the Communications Act, as amended by the Cable Act of 1992, fulfilling the Congressional directive that every cable television operator ensure that viewers of video programming on cable systems are afforded the same information as is afforded by the emergency broadcasting system.<sup>2/</sup> The Commission began by replacing the Emergency Broadcast System with the Emergency Alert System ("EAS").<sup>3/</sup>

---

<sup>1/</sup> "The Commission may exercise its discretion to waive a rule where particular facts would make strict compliance inconsistent with the public interest." WALT Radio v. FCC, 418 F.2d 1153, 1159 (D.C. Cir. 1969). Waiver of a Commission rule is appropriate where (1) the underlying purpose of the rule will not be served, or would be frustrated, by its application in a particular case, and grant of the waiver is otherwise in the public interest, or (2) unique facts or circumstances render application of the rule inequitable, unduly burdensome or otherwise contrary to the public interest, and there is no reasonable alternative.

<sup>2/</sup> See Cable Television Consumer Protection and Competition Act of 1992, Pub. L. No. 102-385, §16(b), 106 Stat. 1460 (1992).

<sup>3/</sup> Report and Order and Further Notice of Proposed Rulemaking, 10 FCC Rcd 1786 (1994),  
(continued...)

Subsequently, the Commission declined to provide an exemption for small systems or to adopt a specific waiver policy.<sup>4/</sup> However, the Commission did establish a policy whereby it would receive requests for individual relief, to be considered on a case-by-case basis, and to be granted in appropriate circumstances upon sufficient showing of need. That policy has been confirmed as a means of relief for small system operators who make a showing of financial hardship.<sup>5/</sup> The Commission has indicated that requests for waiver are required to contain at least the following:

1. justification for the waiver;
- 2) information about the financial status of the entity, such as a balance sheet and income statement for the past two years (audited, if available);
- 3) the number of other entities that serve the requesting entity's coverage area and that are expected to install new EAS equipment; and
- 4) the likelihood (such as proximity or frequency) of hazardous risks to the requesting entity's audience.<sup>6/</sup>

2. Petitioner has made efforts to assess what steps it would need to take to meet the October 1, 2002 deadline, and has determined that compliance is presently unfeasible due to the unavailability of equipment to facilitate compliance with Section 11.11(a) in an economically reasonable manner. Specifically, Petitioner has procured information from its engineering consultants concerning the cost

---

<sup>3/</sup>(...continued)

reconsideration granted in part, denied in part, Memorandum Opinion and Order, 10 FCC Rcd 11494 (1995).

<sup>4/</sup> Second Report and Order, 15 FCC Rcd 15503, at ¶19 and ¶38 (1997)

<sup>5/</sup> Report and Order, at ¶73.

<sup>6/</sup> Id.

of equipment. Petitioner has sought guidance from its advisors and industry colleagues to find affordable solutions for small, independent cable operators. However, no satisfactory solution has been identified that would allow Petitioner to become EAS compliant by October 1, 2002.

### **Petitioner's System and EAS Cost Estimates**

3. Petitioner is a coaxial cable television system operator serving only 150 subscribers from a headend located in Halsey, Oregon, community unit identification number OR0456-Halsey. Petitioner is accordingly in the category of cable television systems serving fewer than 5,000 subscribers..

4. In adopting the EAS requirements, the FCC estimated that the cost of becoming capable of providing audio and video EAS messages on one channel, along with an audio alert message and a video interrupt on all programmed channels, would be approximately \$6,000 to \$10,000 per headend for coaxial cable systems.<sup>7/</sup> The FCC furthermore estimated that the cost per subscriber for a 1,000 subscriber system would be approximately twelve cents per month over a seven year period, and that the cost per subscriber for a 100 subscriber system would be \$1.20 per month over a seven year period.<sup>8/</sup> At the same time the Commission recognized that smaller systems do not have access to the financial resources, purchasing discounts and other efficiencies of larger companies. In this context the Commission chose to make no distinction between those cable systems which are

---

<sup>7/</sup> Id., at ¶23.

<sup>8/</sup> Id.

affiliated with larger companies and those which are not.<sup>9/</sup>

5. The Commission's estimates are born out by Petitioner's own research. Petitioner's EAS equipment costs are quoted at \$6,000, *excluding* necessary accessories and installation, which would add about \$470 per transmission site. Having obtained these figures, Petitioner has investigated financing possibilities for the purchases. Petitioner's efforts have proved unsuccessful because of leverage restrictions placed upon Petitioner by existing lenders.

6. Assuming that favorable financing terms were to become available, Petitioner estimates that it would have to spend over \$8,500 over seven years to implement EAS. The cost of EAS is too great a burden to place upon this small system, whose entire operation cumulatively showed a loss of \$25,056 in year 2001 and a loss of \$9,940 in year 2000.<sup>10/</sup> The financial burden of EAS implementation would have a severe impact on Petitioner, which is struggling to maintain the operation of its rural facilities.

#### **Alternative Sources of Emergency Alerting, and Types and Frequency of Risks**

7. Petitioner carries on its system all of the local broadcasting affiliates for ABC, CBS, NBC, FOX and PBS. All of those stations carry weather crawlers and are active in interrupting programs to show weather and other emergency developments throughout Petitioner's service area. The system is served by at least one 24-hour news network (CNN), making national breaking news available to all subscribers on the basic tier. The system also carries the "Zap2it" channel 24 hours a day, which

---

<sup>9/</sup> Id., at ¶26. The fact that Petitioner also serves as the local telephone exchange company in Halsey, Oregon is therefore not a subject for consideration in this matter.

<sup>10/</sup> Petitioner's unaudited adjusted income statement and balance sheet for years 2001 and 2000 are attached hereto.

constantly conveys textual data on local weather conditions. Petitioner can also program Zap2it to impart scrolling textual alerts and instructions regarding which channel(s) to tune to for more information. Finally, local and county Civil Defense systems are installed to cover the community served by Petitioner. No other MDS or cable television systems serve the community, so there are none that would be expected to install new EAS equipment in Petitioner's service area.

8. The main risk to the served community that involves emergency alerting is the occasional weather emergency. Tornadoes, floods, blizzards and wildfires are the common hazards. Petitioner strives to keep its system operating during times of danger so that viewers can tune into local broadcast stations for specific alert information. Many of Petitioner's subscribers live on open farms or otherwise have views of developing local weather, and keep a close eye on the weather. They are well aware of the hazards of severe weather systems and of the precautions to be taken to mitigate damage and avoid injury. Many of Petitioner's customers own their own weather radios.

9. The likelihood of the occurrence of an unusual or surprise national emergency that would directly affect Petitioner's subscribers is remote. The city of Halsey is not in close proximity to a nuclear reactor or major airport. It is not located near an international border, and no major prisons, reservoirs, hospital, military or weapons facilities are installed nearby. It is therefore likely that if a national emergency were to occur, Petitioner's subscribers would be informed by the existing alerting systems and by the television programming that Petitioner now provides. For this reason it is in the subscribers' interests that Petitioner's operation remain in service, at low monthly rates, and that it not be compromised by the financial burden of a specially installed EAS system.

**Justification for Waiver**

10. As demonstrated herein, Petitioner's compliance with the EAS by October 1, 2002 is not reasonably achievable because it is technically and economically infeasible. Petitioner continues to work closely with suppliers and programmers to find EAS solutions for use by small cable systems, including FCC-certified decoder-only units, recently approved by the Commission in its Report and Order, should such units become available on the market. Petitioner remains willing to install compliant EAS equipment. To do so by the October 1, 2002 deadline, however, would require an \$8,500 expenditure and place Petitioner at serious business risk. The cost of EAS will be reduced as alternative small system solutions are adopted. Petitioner and its customers will benefit if Petitioner's installation of EAS is postponed until such time.

11. Grant of Petitioner's request for a waiver of Section 11.11(a) is in the public interest. The unique and unusual circumstances surrounding the Petitioner's inability to comply with the implementation deadline is due to some of the very circumstances which were contemplated by the Commission as being grounds for relief from EAS obligations. Special consideration is warranted under the circumstances presented, which, while common among small systems, have been demonstrated herein to be uniquely applicable to Petitioner's operation and efforts in this matter.

12. Enforcement against Petitioner would threaten the ongoing viability of Petitioner's rural cable television system. Petitioner consistently attempts to offer the best service possible to its subscribers, some of whom would otherwise not receive local programming and other services in the remote areas where they reside. In this case, Petitioner requests the opportunity to continue to provide the high quality of service that it presently offers to its customers, without the risk of jeopardy resulting from the high cost of EAS implementation.

**CONCLUSION**

For the reasons explained, Petitioner requests that it be relieved of the obligation to provide EAS, and in particular, that it be granted a temporary, 36-month waiver of the October 1, 2002 date for commencement of compliance with Section 11.11(a) of the FCC's rules. The Petitioner's showing herein is consistent with the requirements for relief set forth in the FCC's Report and Order in this matter. Furthermore, the public interest benefit of such grant equals or exceeds that which the Commission has found in other instances to be sufficient for waiver of the EAS requirements. Accordingly, Petitioner requests that a waiver be granted as proposed.

The Commission may contact Joyce Nelsen, Accountant, Roome Telecommunications, Inc. d/b/a RTI Cable Television, 705 West 2nd Street, Halsey, Oregon 97348, phone:(541) 369-2211 ext 221, fax: (541) 369-2233, with any questions regarding this request. Please direct a copy of any written communications to Petitioner to Lukas, Nace, Gutierrez & Sachs, Chtd., Attention Pamela L. Gist, 1111 19<sup>th</sup> Street N.W. Suite 1200, Washington, D.C. 20036; Phone: (202) 828-9473; Fax: (202) 828-8408; Email: [pgist@fcclaw.com](mailto:pgist@fcclaw.com).

Respectfully submitted,

**ROOME TELECOMMUNICATIONS, INC.**  
**d/b/a RTI CABLE TELEVISION**

By:   
Pamela L. Gist  
Its Attorney

Date: August 6, 2002

Lukas, Nace, Gutierrez & Sachs, Chartered  
1111 19th Street N.W., Suite 1200  
Washington, D.C. 20036  
Ph# 202-857-3500

RTI/CABLE TELEVISION  
 FINANCIAL STATEMENTS  
 DEC 31, 2001  
 UNAUDITED

NO	DESCRIPTION	CURRENT THIS YEAR	PERIOD LAST YEAR	Y E A R THIS YEAR	T O LAST YEAR	D A T E LAST YEAR
7990.030	CATV - SUBSCRIBER SALES	4,087.21	4,406.02	49,010.74		53,178.83
7990.050	CATV - CHANNEL COMMISSIONS	32.56	72.81	236.36		327.69
7990.070	CATV - INTEREST INCOME	16.31	169.24	701.24		1,855.17
7990.080	CATV - LATE CHARGES	28.45	14.43	108.41		113.77
	TOTAL REVENUE	4,164.53	4,662.50	50,056.75		55,475.46
7990.090	CATV - LABOR	1,876.07	955.13	12,479.35		9,371.39
7990.110	CATV - COST OF SALES	.00	31.15	.00		31.15
7990.120	CATV - POSTAGE & FREIGHT	29.71	14.85	489.15		122.46
7990.130	CATV - SUPPLIES	1,277.17	.00	6,050.15		3,023.91
7990.140	CATV - POLE RENTAL	.00	.00	3,440.35		744.23
7990.160	CATV - REPAIRS & MAINTENANCE	.00	.00	255.00		499.42
7990.170	CATV - CUSTOMER BILLING/SVCE	264.98	319.32	3,833.00		4,827.48
7990.200	CATV - CHANNEL FEES	1,079.68	1,848.64	19,464.77		21,398.64
7990.210	CATV - OTHER FEES & SUBSCRIPT	152.69	106.40	1,611.48		1,750.45
7990.220	CATV - 5% FRANCHISE TAX	285.08	80.80	1,515.22		1,012.71
7990.250	CATV - ACCOUNTING LABOR	38.91	49.33	731.70		886.72
7990.260	CATV - CONTRACT LABOR	1,076.04	.00	6,733.56		3,460.28
7990.290	CATV - TELEPHONE	37.15	24.51	304.33		344.75
7990.300	CATV - HOUSE SERVICES	146.61	171.01	1,735.80		1,726.42
310	CATV - INSURANCE	54.00	56.50	663.00		666.00
320	CATV - BUILDING RENT	185.00	96.00	1,341.00		1,583.00
7990.340	CATV - VEHICLES	318.00	344.00	2,329.00		2,446.00
7990.360	CATV - TAXES AND BENEFITS	(130.00)	139.00	2,897.00		2,762.00
7990.370	CATV - DEPRECIATION	782.00	705.00	8,955.00		8,566.00
7990.400	CATV - BAD DEBTS	.00	(96.73)	283.71		25.03
7990.440	CATV - OTHER EXPENSE	.00	167.88	.00		167.88
	TOTAL EXPENSES:	7,473.09	5,012.79	75,112.57		65,415.92
	NET INCOME:	(3,308.56)	(350.29)	(25,055.82)		(9,940.46)

RTI/CABLE TELEVISION  
 FINANCIAL STATEMENTS  
 DEC 31, 2001  
 UNAUDITED

NO	DESCRIPTION	CURRENT THIS YEAR	PERIOD LAST YEAR	Y E A R THIS YEAR	T O LAST YEAR	D A T E LAST YEAR
-----						
BALANCE SHEET						
ASSETS AND OTHER DEBITS						
1406.070	CATV - Cash in Bank - Checking	435.36	(1,920.41)	10,062.20		34,184.17
1406.080	CATV - Working Cash Advances	.00	.00	15.00		15.00
1406.100	CATV - A/R Customers	1,310.70	328.25	5,886.80		4,990.86
1406.140	CATV - Inventory	(572.57)	(31.15)	2,110.91		2,683.48
	<b>TOTAL CURRENT ASSETS</b>	<b>1,173.49</b>	<b>(1,623.31)</b>	<b>18,074.91</b>		<b>41,873.51</b>
1406.310	CATV - Headend Building	.00	.00	5,111.31		5,111.31
1406.320	CATV - Head End Equipment	(9,696.25)	.00	115,819.26		113,266.69
1406.330	CATV - Outside Plant	.00	.00	47,756.20		47,756.20
1406.340	CATV - Aerial Cable	.00	.00	23,751.12		23,751.12
1406.350	CATV - Furn & Office Equipment	.00	.00	1,735.00		1,735.00
1406.370	CATV - Tools & Test Equipment	.00	.00	8,810.52		8,810.52
1406.400	CATV - A/D - Head End Building	(21.00)	(21.00)	(4,640.35)		(4,388.35)
1406.410	CATV - A/D - Head End Equip	9,175.25	(444.00)	(104,916.42)		(108,789.67)
1406.420	CATV - A/D - Outside Plant	(211.00)	(211.00)	(35,607.70)		(33,075.70)
1406.430	CATV - A/D - Aerial Cable	.00	.00	(23,751.12)		(23,751.12)
440	CATV - A/D - F & O Equipment	(29.00)	(29.00)	(536.00)		(188.00)
460	CATV - A/D - Tools & Tst Equip	.00	.00	(8,810.52)		(8,810.52)
	<b>TOTAL LONG TERM ASSETS</b>	<b>(782.00)</b>	<b>(705.00)</b>	<b>24,721.30</b>		<b>21,427.48</b>
	<b>TOTAL ASSETS</b>	<b>391.49</b>	<b>(2,328.31)</b>	<b>42,796.21</b>		<b>63,300.99</b>

RTI/CABLE TELEVISION  
 FINANCIAL STATEMENTS  
 DEC 31, 2001  
 UNAUDITED

NO	DESCRIPTION	CURRENT THIS YEAR	PERIOD LAST YEAR	Y E A R THIS YEAR	T O DATE LAST YEAR
-----					
LIABILITIES AND OTHER CREDITS					
	Unapp. Retained Earnings	(1,157.56)	(350.29)	(97,626.83)	(96,949.15)
	TOTAL STOCKHOLDERS EQUITY	(1,157.56)	(350.29)	(97,626.83)	(96,949.15)
1406.210	CATV - A/P Telco	(391.17)	2,211.74	(18,766.74)	(17,364.05)
1406.220	CATV - A/P Access One	.00	.00	(151,240.01)	(151,240.01)
1406.230	CATV - A/P Trade	(1,171.83)	(199.72)	(4,157.31)	(2,846.51)
1406.280	CATV - Advance Billings	13.95	(34.00)	(4,042.16)	(4,355.61)
	TOTAL CURRENT LIABILITIES	1,549.05	(1,978.02)	178,206.22	175,806.18
	TOTAL LONG TERM LIABILITIES	.00	.00	.00	.00
	TOTAL LIABIL & STOCKHOL EQUITY	391.49	(2,328.31)	80,579.39	78,857.03

RTI/CABLE TELEVISION  
 FINANCIAL STATEMENTS  
 DEC 31, 2000  
 UNAUDITED

ACCT NO	DESCRIPTION	CURRENT THIS YEAR	PERIOD LAST YEAR	Y E A R THIS YEAR	T O LAST YEAR	D A T E LAST YEAR
7990.030	CATV - SUBSCRIBER SALES	4,406.02	4,356.65	53,178.83		57,056.98
7990.050	CATV - CHANNEL COMMISSIONS	72.81	44.08	327.69		328.54
7990.070	CATV - INTEREST INCOME	169.24	111.76	1,855.17		883.81
7990.080	CATV - LATE CHARGES	14.43	11.16	113.77		80.74
	TOTAL REVENUE	4,662.50	4,523.65	55,475.46		58,350.07
7990.090	CATV - LABOR	955.13	469.50	9,371.39		5,415.64
7990.110	CATV - COST OF SALES	.00	558.60	.00		558.60
7990.120	CATV - POSTAGE & FREIGHT	14.85	.00	122.46		51.08
7990.130	CATV - SUPPLIES	.00	.00	3,023.91		674.10
7990.140	CATV - POLE RENTAL	.00	.00	744.23		1,148.45
7990.160	CATV - REPAIRS & MAINTENANCE	.00	.00	499.42		145.95
7990.170	CATV - CUSTOMER BILLING/SVCE	319.32	348.68	4,827.48		4,240.58
7990.200	CATV - CHANNEL FEES	1,848.64	1,455.13	21,398.64		19,715.22
7990.210	CATV - OTHER FEES & SUBSCRIPT	106.40	111.40	1,750.45		1,618.12
7990.220	CATV - 3% FRANCHISE TAX	80.80	87.39	1,012.71		1,095.30
7990.250	CATV - ACCOUNTING LABOR	49.33	68.65	886.72		803.84
7990.260	CATV - CONTRACT LABOR	.00	.00	3,460.28		378.19
7990.270	CATV - OFFICE SUPPLIES	.00	.00	.00		138.79
7990.290	CATV - TELEPHONE	24.51	52.29	344.75		449.32
7990.300	CATV - HOUSE SERVICES	171.01	130.57	1,726.42		1,729.85
7990.310	CATV - INSURANCE	56.50	54.50	666.00		669.00
7990.320	CATV - BUILDING RENT	96.00	79.00	1,583.00		1,137.00
7990.340	CATV - VEHICLES	344.00	325.00	2,446.00		879.00
7990.360	CATV - TAXES AND BENEFITS	139.00	210.00	2,762.00		1,916.00
7990.370	CATV - DEPRECIATION	705.00	1,072.00	8,566.00		12,772.00
7990.400	CATV - BAD DEBTS	(96.73)	9.95	25.03		(20.66)
7990.450	CATV-FED/STATE INCOMES TAXES	.00	1,151.00	.00		1,151.00
	TOTAL EXPENSES:	4,813.76	6,183.66	65,216.89		56,666.37
	NET INCOME:	(151.26)	(1,660.01)	(9,741.43)		1,683.70

RTI/CABLE TELEVISION  
 FINANCIAL STATEMENTS  
 DEC 31, 2000  
 UNAUDITED

NO	DESCRIPTION	CURRENT THIS YEAR	PERIOD LAST YEAR	Y E A R THIS YEAR	T O LAST YEAR	D A T E LAST YEAR
-----						
<b>BALANCE SHEET</b>						
<b>ASSETS AND OTHER DEBITS</b>						
1406.070	CATV - Cash in Bank - Checking	(1,920.41)	2,632.91	34,184.17		29,743.55
1406.080	CATV - Working Cash Advances	.00	.00	15.00		15.00
1406.100	CATV - A/R Customers	328.25	(346.98)	4,990.86		5,273.94
1406.140	CATV - Inventory	.00	(558.60)	2,714.63		2,714.63
	<b>TOTAL CURRENT ASSETS</b>	<b>(1,592.16)</b>	<b>1,727.33</b>	<b>41,904.66</b>		<b>37,747.12</b>
1406.310	CATV - Headend Building	.00	.00	5,111.31		5,111.31
1406.320	CATV - Head End Equipment	.00	.00	113,266.69		110,656.39
1406.330	CATV - Outside Plant	.00	.00	47,756.20		47,756.20
1406.340	CATV - Aerial Cable	.00	.00	23,751.12		23,751.12
1406.350	CATV - Furn & Office Equipment	.00	.00	1,735.00		2,146.00
1406.370	CATV - Tools & Test Equipment	.00	.00	8,810.52		8,810.52
1406.400	CATV - A/D - Head End Building	(21.00)	(21.00)	(4,388.35)		(4,136.35)
1406.410	CATV - A/D - Head End Equip	(444.00)	(840.00)	(108,789.67)		(103,195.67)
1406.420	CATV - A/D - Outside Plant	(211.00)	(211.00)	(33,075.70)		(30,543.70)
1406.430	CATV - A/D - Aerial Cable	.00	.00	(23,751.12)		(23,751.12)
1406.440	CATV - A/D - F & O Equipment	(29.00)	.00	(188.00)		(2,146.00)
1406.460	CATV - A/D - Tools & Test Equip	.00	.00	(8,810.52)		(8,810.52)
	<b>TOTAL LONG TERM ASSETS</b>	<b>(705.00)</b>	<b>(1,072.00)</b>	<b>21,427.48</b>		<b>25,648.18</b>
	<b>TOTAL ASSETS</b>	<b>(2,297.16)</b>	<b>655.33</b>	<b>63,332.14</b>		<b>63,395.30</b>

RTI/CABLE TELEVISION  
 FINANCIAL STATEMENTS  
 DEC 31, 2000  
 UNAUDITED

NO	DESCRIPTION	CURRENT THIS YEAR	PERIOD LAST YEAR	Y E A R T O THIS YEAR	D A T E LAST YEAR
<hr style="border-top: 1px dashed black;"/>					
LIABILITIES AND OTHER CREDITS					
	Unapp. Retained Earnings	(151.26)	(1,660.01)	(96,750.12)	(102,564.73)
	TOTAL STOCKHOLDERS EQUITY	(151.26)	(1,660.01)	(96,750.12)	(102,564.73)
1406.210	CATV - A/P Telco	2,379.62	(2,633.47)	(17,196.17)	(7,525.06)
1406.220	CATV - A/P Access One	.00	.00	(151,240.01)	(151,240.01)
1406.230	CATV - A/P Trade	(199.72)	220.28	(2,846.51)	(2,669.75)
1406.280	CATV - Advance Billings	(34.00)	97.85	(4,355.61)	(4,525.21)
	TOTAL CURRENT LIABILITIES	(2,145.90)	2,315.34	175,638.30	165,960.03
	TOTAL LONG TERM LIABILITIES	.00	.00	.00	.00
	TOTAL LIABIL & STOCKHOL EQUITY	(2,297.16)	655.33	78,888.18	63,395.30

**DECLARATION**

I, Joyce Nelsen, hereby state and declare:

1. I am Accountant for Roome Telecommunications, Inc. d/b/a RTI Cable Television, cable television operator and petitioner herein.

2. I am familiar with the facts contained in the foregoing Petition For Waiver of Emergency Alert System Requirements, and I verify that those facts are true and correct to the best of my knowledge and belief, except that I do not and need not attest to those facts which are subject to official notice by the Commission.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 6<sup>th</sup> day of August, 2002.

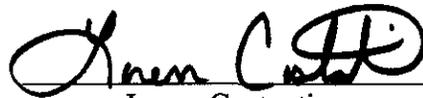
Joyce Nelsen

Joyce Nelsen  
Accountant

**CERTIFICATE OF SERVICE**

I, Loren Costantino, an employee in the law offices of Lukas, Nace, Gutierrez & Sachs, Chtd., do hereby certify that I have on this 6<sup>th</sup> day of August, 2002, sent by hand-delivery, a copy of the foregoing PETITION FOR WAIVER OF EMERGENCY ALERT SYSTEM REQUIREMENTS to the following:

Joseph P. Casey, Chief  
Technical & Public Safety Division  
Enforcement Bureau  
445 12th St., S.W., Room 7-A843  
Federal Communications Commission  
Washington, D.C. 20554

  
\_\_\_\_\_  
Loren Costantino