

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of)
)
Revision Of The Commission's) CC Docket No. 94-102
Rules To Ensure Compatibility)
With Enhanced 911 Emergency)
Calling Systems)
)
Petition for Limited Waiver)

To: Chief, Wireless Telecommunications Bureau

REPLY TO COMMENTS OF NENA, APCO AND NASNA

SLO Cellular, Inc. d/b/a Cellular One of San Luis Obispo and its commonly-controlled affiliate, Entertainment Unlimited, Inc. (collectively "the Petitioners"), by their attorney and pursuant to Section 1.45(c) of the Commission's Rules, hereby reply to the joint "Comments of NENA, APCO and NASNA" ("Comments"), filed January 2, 2003 by the National Emergency Number Association ("NENA"), the Association of Public-Safety Communications Officials-International, Inc. ("APCO") and the National Association of State Nine One One Administrators ("NASNA") (collectively "the Public Safety Organizations"), and directed against the Petitioners' "Amendment to Petition for Limited Waiver of Section 20.18(c) of the Commission's Rules" ("the Amendment"), filed December 24, 2002. In support hereof, the following is shown:

1. By way of background information, on June 28, 2002, the Petitioners jointly filed with the Commission their "Petition for Limited Waiver of Section 20.18(c) of the Commission's Rules" ("Petition") requesting a limited waiver of the Commission's Rule 20.18(c)-imposed June 30, 2002 deadline for operators of digital

wireless systems to be capable of transmitting 911 calls from speech or hearing impaired individuals through the use of Text Telephone ("TTY") devices; and also requesting an extension of time, up to and including December 30, 2002, within which to comply with Section 20.18(c) of the Rules. Notably in light of their current argument, the Public Safety Organizations filed no comments directed against the Petition. On July 15, 2002 and October 15, 2002, the Petitioners filed required quarterly reports. On December 24, 2002, the Petitioners filed the Amendment which is the subject matter of the present litigation. Because the June 28, 2002 Petition remained pending before the Commission, the Amendment simply amended the Petition to request a compliance deadline of March 31, 2003 instead of the originally requested December 30, 2002 deadline.

2. In their Comments, the Public Safety Organizations advance the ludicrous argument that "[n]o reason is given for the extension request and it may not be granted in its present form" (Comments, pg. 1). Significantly, the Public Safety Organizations cite with apparent approval the June 28, 2002 Petition, noting that it "explained at some length the basis for the petition;" and likewise cite with apparent approval the July 15 and October 15, 2002 quarterly reports, noting that the reports update "the vendor service schedules which had prompted the initial [Petition]" (Comments, pg. 1). As their requested relief, the Public Safety Organizations state that the Commission "[should insist on a similar status report, covering the period since October 15, 2002,

before it acts on [the Petitioners'] most recent extension request" (Comments, pg. 1).

3. The Public Safety Organizations are simply wrong to suggest that the reasons on file with the Commission are not adequate to support the Petitioners' extension request, and that the extension request may not be granted in its present form. As Tier III carriers¹ serving smaller markets, the Petitioners were overly optimistic in initially believing that they could achieve compliance by December 30, 2002. Accordingly, they timely-amended their pending Petition to request a more reasonable, March 30, 2003 compliance deadline. The reasons in support of the Amendment are as contained in the June 28, 2002 Petition, a Petition which the Public Safety Organizations never opposed and which contained showings which the Public Safety Organizations cite with apparent approval in their Comments. Thus, the Public Safety Organizations tacitly acknowledge that the reasons on file with the Commission amply support the relief requested by the Petitioners.

4. With respect to the Public Safety Organizations' request that a status report be filed covering the period since October 15, 2002, the Petitioners note that they intend to file such a report with the Commission on or before January 15, 2003.

¹ The Petitioners are Tier III carriers, as defined in the Commission's Order to Stay, FCC 02-210, released July 26, 2002.

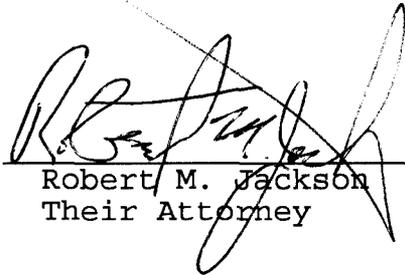
WHEREFORE, the Petitioners request that the relief requested in the Comments be denied; and that the June 28, 2002 Petition, as amended December 24, 2002, be granted.

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Dated: January 7, 2003

Respectfully submitted,
**SLO Cellular, Inc. d/b/a
Cellular One of San Luis Obispo
& Entertainment Unlimited, Inc.**

By:



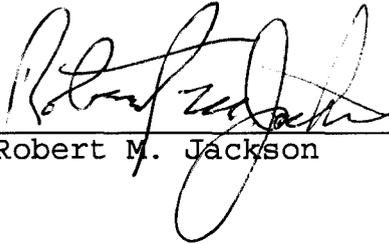
Robert M. Jackson
Their Attorney

CERTIFICATE OF SERVICE

I hereby certify that I am an attorney with the law offices of Blooston, Mordkofsky, Dickens, Duffy & Prendergast, and that on January 7, 2003 I caused to be mailed by first class United States mail, postage prepaid, a copy of the foregoing "**Reply to Comments of NENA, APCO and NASNA**" to the following:

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