

SWIDLER BERLIN SHEREFF FRIEDMAN, LLP

THE WASHINGTON HARBOUR
3000 K STREET, NW, SUITE 300
WASHINGTON, DC 20007-5116
TELEPHONE (202) 424-7500
FACSIMILE (202) 424-7647
WWW.SWIDLAW.COM

Jeanne W. Stockman
Direct Dial: (202) 295-8392
Fax: (202) 424-7643
JWStockman@swidlaw.com

NEW YORK OFFICE
THE CHRYSLER BUILDING
405 LEXINGTON AVENUE
NEW YORK, NY 10174
TEL. (212) 973-0111
FAX (212) 891-9598

February 27, 2004

BY ELECTRONIC COMMENT FILING SYSTEM

Marlene Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
TW-A325
Washington, DC 20554

**Re: Modified Request for Further Modification of Deadlines of
Amarillo License, L.P. for Station KNKA574 and High Plains
Wireless, L.P. for Station KNLF919 on Implementation of
Wireless Enhanced 911 Phase II Automatic Location
Identification (ALI) System
CC Docket No. 94-102**

Dear Ms. Dortch:

On behalf of Amarillo License, L.P. ("Amarillo") and High Plains Wireless, L.P. ("High Plains"), we hereby submit their modified request for a modification of the deadlines for implementation of Wireless Enhanced 911 Phase II Automatic Location Identification ("ALI") Systems for Stations KNKA574 and KNLF919. Specifically, Amarillo and High Plains ask the Commission for an extension of time until April 15, 2004 to provide Phase II 911 enhanced service to at least 50 percent of the PSAP area or population within the companies' respective service areas.

Contact Information

1. Carrier Identifying Information:

Carrier Name: Amarillo License, L.P.
 FCC Registration Number: 0001656438

Carrier Name: High Plains Wireless, L.P.
 FCC Registration Number: 0001660489

2. The name, title, address, telephone number, facsimile number and e-mail address of the person or persons responsible for the carrier report.

Name: Sue Parrish
 Title: Technician
 Address: 7203 I-40 West, Suite M
 Amarillo, Texas
 Telephone: (806) 680-0065
 Facsimile: (806) 373-4346
 E-mail: suepar@cell1amarillo.com

Background

On June 26, 2002, Amarillo and High Plains received a request for E911 Phase II service from Potter-Randall County Emergency Communications District (the "Local PSAP"). Amarillo and High Plains intend to utilize a network-based location technology. Pursuant to Section 20.18(f) of the Commission's rules, Amarillo and High Plains were required to provide E911 Phase II service to 50 percent of the area or population of their respective coverage areas within six months, or by December 26, 2002 and to 100 percent of their respective coverage areas within 18 months, or by December 26, 2003.

A month after Amarillo and High Plains received the request from the Local PSAP, the Commission released *Revision of the Commission's Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems, E911 Compliance Deadlines for Non-Nationwide Tier III CMRS Carriers*, Order to Stay, CC Docket 94-102, FCC 02-210, released July 26, 2002 ("First Stay Order"), which included an extension of the deadline for implementation of E911 Phase II for those Tier III carriers requesting an extension. Specifically, the Commission required that those Tier III carriers planning to use network-based location systems meet the accuracy standards of Section 20.18(h) of the Commission's rules, 47 C.F.R. § 20.18(h), for 50 percent of the population or area of the PSAP area within the wireless system's service area within six months of a PSAP request or by September 1, 2003, whichever is later and for the entire PSAP area within the wireless system's service area within 18 months of a PSAP request or by September 1, 2004, whichever is later.

On August 9, 2002, Amarillo and High Plains filed a request that the Commission extend their implementation dates for a network-based location system to the same dates as those provided to other Tier III carriers in the First Stay Order.

On August 29, 2003, Amarillo and High Plains filed a "Request for Further Modification of Deadlines." Specifically, Amarillo and High Plains requested that the Commission extend their implementation dates until March 1, 2004 to provide Phase II 911 enhanced service to at least 50 percent of the PSAP area or population within the companies' respective service areas and until March 1, 2005 to provide Phase II 911 enhanced service to the entire PSAP area within their respective service areas.

On October 10, 2003, the Commission issued a further stay order. *Revision of the Commission's Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems, E911 Compliance Deadlines for Non-Nationwide Tier III CMRS Carriers*, Order to Stay, CC Docket 94-102, FCC 03-241, released October 10, 2003 ("Second Stay Order"). In the Second Stay Order, the Commission granted Amarillo and High Plains the same stay granted Tier III carriers in the First Stay Order, that is until September 1, 2003 to provide Phase II 911 enhanced service to 50 percent of the area or population of the PSAP area within the companies' respective service areas and until September 1, 2004 to provide Phase II 911 enhanced service to the entire PSAP area within the companies' respective service areas. The Second Stay Order did not consider the August 29, 2003 "Request for Further Modification of Deadlines" filed by Amarillo and High Plains.

On November 10, 2003, Amarillo and High Plains filed a "Petition for Partial Reconsideration of Order to Stay; Supplement to Request for Further Modification of Deadlines." In their petition, Amarillo and High Plains asked the Commission to reconsider the Second Stay Order by granting their August 29, 2003 request for an extension until March 1, 2004 to provide Phase II 911 enhanced service to at least 50 percent of the PSAP area or population within the companies' respective service areas. At the same time, Amarillo and High Plains withdrew without prejudice their August 29, 2003 request for an extension until March 1, 2005 to provide Phase II 911 enhanced service to the entire PSAP area within their respective service areas. As a result, Amarillo and High Plains are no longer seeking to alter the September 1, 2004 date as set by the Commission in the Second Stay Order. On November 17, 2003, Amarillo and High Plains supplemented their petition to include a letter from the Local PSAP consenting to their request.

On January 15, 2004, Amarillo and High Plains filed an interim report as required by the Second Stay Order. In the interim report, Amarillo and High Plains reported that they would be able to provide Phase II 911 enhanced service to at least 50 percent of the PSAP population within the companies' respective service areas by March 31, 2004, and Phase II 911 enhanced service to the entire PSAP area within their respective service areas by September 30, 2004. Amarillo and High Plains made a mistake as to dates. At the time, they meant to say that they would provide Phase II 911 enhanced service to 50 percent of the population of the PSAP area within their respective service areas by March

1, 2004 and to the entire PSAP area within their respective service areas by September 1, 2004. For the reasons discussed below, the mistake has become moot as to the March 2004 date. However, Amarillo and High Plains are hereby taking the opportunity to correct the interim report by confirming that they will be able to provide Phase II 911 enhanced service to the entire PSAP area within their respective service areas by September 1, 2004.

Modification to Request for Further Modification of Rule Section 20.18(f) Deadline

Amarillo and High Plains have encountered some delays in the installation of Phase II 911 enhanced service. As a result, they now expect installation and testing to be completed by April 15, 2004. Attached is a letter from Andrew Corporation ("Andrew") stating that site survey documentation was completed on February 17, 2004, and they expect installation to be completed on or before April 15. Also attached is a letter from the Local PSAP consenting to an extension until April 15, 2004. Section 20.18(j)(5) of the Commission's rules, 47 C.F.R. § 20.18(j)(5), permits carriers and PSAPs to modify deadlines by mutual consent. Since the Local PSAP has consented to the April 15 deadline, this request by Amarillo and High Plains is fully justified.

Therefore, Amarillo and High Plains respectfully request that the Commission extend their implementation deadline until April 15, 2004 to provide Phase II 911 enhanced service to at least 50 percent of the population of the PSAP area within their respective wireless service areas.

Please address any inquiries regarding this matter to the undersigned.

Respectfully submitted,



Jeanne W. Stockman



Andrew Corporation
Geometrix Division
2002 Edmund Halley Drive
Third Floor
Reston, VA 20191
Tel: (703) 860-9700
Fax: (703) 860-7385
www.andrew.com

February 20, 2004

To whom it may concern:

This letter is to verify that Cellular One of Amarillo/High Plains Wireless has issued a purchase order for Wireless Location equipment from Andrew Corp. Site Survey documentation was completed in Amarillo, Texas on 2/17/2004. Site preparations by local personnel and equipment installation by Andrew technicians is scheduled on or prior to April 15, 2004.

Respectfully submitted,
Randy Wynn
Sr. Program Manager
Andrew Corporation

**POTTER-RANDALL COUNTY
EMERGENCY COMMUNICATIONS DISTRICT**



February 18, 2004

Mr. Danny McWhorter
Vice President/General Manager
Cellular One of Amarillo/High Plains Wireless
7203 I-40 West, Suite M
Amarillo, TX 79106

RE: Implementation Delay of Phase II

Dear Mr. McWhorter,

Potter-Randall County Emergency Communications District agrees to the delay in implementation of Phase II until April 15, 2004. We understand the necessary delay in implementation is to provide adequate testing to insure the new equipment is at peak performance.

The District is prepared to assist Cellular One in the testing and performance to meet the FCC guidelines.

Sincerely,

Charlie Broomhead
Executive Director