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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY2300 N STREET, NW
SUITE 700
WASHINGTON, DC 20037
TEL 202 783 4141
FAX 202 783 5851
www.wbklaw.com

April 19, 2004

Ms. Marlene H. Dortch
Secretary of the Commission
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554John Muleta
Chief, Wireless Telecommunications Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554David Solomon
Chief, Enforcement Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554Re: *Cellular Phone of Kentucky, Inc.*
E911 Interim Report for Tier III Carriers
CC Docket No. 94-102

Dear Ms. Dortch:

Pursuant to the Commission's Order to Stay, in the above referenced docket,¹ Cellular Phone of Kentucky, Inc. ("CPK") hereby submits its E911 Interim Report for Tier III Carriers. This Report provides the Commission with the current status of CPK's E911 efforts and its progress towards compliance with the Commission's E911 Phase II benchmarks.²

¹ *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, CC Docket 94-102, Order to Stay, FCC 03-241, 18 FCC Rcd 20,987 (2003).*

² CPK respectfully requests waiver of the January 15, 2004 deadline for filing this Interim Report and asks that the Commission accept this report *nunc pro tunc* as of the applicable deadline. The delay in filing this Interim Report was the result of an administrative oversight. As this Report documents, CPK has been channeling its efforts into Phase I implementation.

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Please do not hesitate to contact the undersigned with any questions that you may have at (202) 783-4141.

Sincerely,

WILKINSON BARKER KNAUER, LLP

By:

A handwritten signature in cursive script, appearing to read "William J. Sill".

William J. Sill
J. Wade Lindsay

Attachment

INTERIM REPORT FOR TIER III CARRIERS

CELLULAR PHONE OF KENTUCKY, INC. Block B Licensee of KY6 – Madison RSA

Cellular Phone of Kentucky, Inc. (“CPK”) hereby provides the Commission with its E911 Interim Report (“Report”) for Tier III carriers.¹ As a Tier III carrier, CPK is submitting this Report in order to provide the Commission with the current status of its E911 efforts and its progress towards compliance with the Commission’s Phase II benchmarks. CPK is the cellular licensee on the B1 portion of the Block B frequencies in the Kentucky 6 - Madison RSA (call sign KNKN965). In preparing the instant Report, CPK has followed the guidelines provided by the Commission in its June 30, 2003 Public Notice.²

CPK understands the importance of E911 and its obligation as a licensee to assist in ensuring that E911 connectivity for Phase I and Phase II service is properly implemented. CPK is using the services of Syniverse Technologies (“Syniverse”) (f/k/a Telecommunications Service Incorporated) to assist it with its E911 implementation. Syniverse is a third party vendor with years of experience in assisting wireless carriers, such as CPK, in their E911 implementation efforts by providing both project management and implementation services. Syniverse has played a key role in CPK’s E911 implementation process, coordinating the implementation process and assisting CPK with technical problems as they arose. Syniverse, with the participation of the relevant Public Switched Safety Points (“PSAPs”) and Local Exchange Carriers (“LECs”), developed an implementation process by which each party was assigned implementation tasks with mutually agreed upon deadlines. To ensure that the parties were all involved and kept current, Syniverse hosts periodic conference calls with all the parties to discuss developments and gauge progress.

The number of Phase I and Phase II requests from PSAPs (including those the carrier may consider invalid):

CPK has received three (3) Phase I requests from PSAPS throughout the KY-6 (B1) RSA. CPK has not received any Phase II requests from any PSAPs in the State of Kentucky. The three Phase I requests were dated as follows: London-Laurel PSAP – November 16, 2000; Kentucky State Police (“KSP”) Post #11 covering Clay and Rockcastle counties – May 5, 2000,³ and; Pulaski County PSAP – September 30, 2002. These requests, however, did not reach the appropriate personnel over at CPK as the letters were sent to incorrect addresses. Indeed, upon learning that the Phase I letters existed, CPK immediately went to the PSAPs to explain the situation and request copies

¹ CPK respectfully requests waiver of the January 15, 2004 deadline for filing this Interim Report and asks that the Commission accept this report *nunc pro tunc* as of the applicable deadline. The delay in filing this Interim Report was the result of an administrative oversight. As this Report documents, CPK has been channeling its efforts into its Phase I implementation.

² See Public Notice, Wireless Telecommunications Bureau Provides Further Guidance On Interim Report Filings by Small Sized Carriers, DA 03-2113, rel. June 30, 2003.

³ The KSP sent one generic request to all carriers on May 5, 2000.

of the Phase I service requests. Accordingly, CPK received *bona fide* requests as follows: London-Laurel PSAP – November 2002; KSP Post #11 – November 13, 2002; and Pulaski County PSAP – February 13, 2003.

Prior to CPK being aware of these requests, however, Syniverse and CPK were already working with the counties in CPK's service area to ensure timely and reliable E911 Phase I service. Syniverse and the PSAPs conducted regularly scheduled meetings to discuss implementation milestones and the work that needed to be done to achieve these milestones. Specifically, Syniverse sent out surveys and information requests to the PSAPs and the LECs in order to ascertain the various elements and components of E911 Phase I that CPK would need to implement. This information was deemed essential for CPK to begin implementation efforts and to establish the requisite implementation schedule.

Originally, Syniverse had requested that the PSAPs return their surveys to Syniverse by December 18, 2002. Pulaski County, however, did not provide Syniverse with the requisite survey until February 13, 2003. Moreover, Syniverse requested that the PSAPs return their updated Master Street Address Guides ("MSAG") by February 2003. The MSAG is a critical document as it provides information regarding where emergency rescue efforts should be sent. None of the PSAPs met this MSAG deadline. All three PSAPs untimely responded in mid-April with their MSAG updates. Delays by the PSAPs in returning the requested information have contributed in a significant manner to the delays associated with CPK's ability to provide E911 Phase I service because without this most basic information, such as the number of trunks from the selective router to the PSAP or the location of the ALI database, CPK was unable to proceed with implementation. Delays in concluding negotiations for interconnection agreements with the LECs and ordering and installing the necessary trunk groups also slowed CPK's ability to respond to the Phase I requests it has received. These matters have now all been resolved and CPK has completed Phase I E911 deployment.

The carrier's specific technology choice (*i.e.*, network-based or handset-based solutions, as well as the type of technology used):

As previously reported to the Commission, CPK will be utilizing a handset-based location technology solution for Phase II E911. CPK, however, has not been able to implement this choice because, to the best of CPK's knowledge, ALI-capable TDMA handsets are simply not available to Tier III carriers. Given the impossibility of securing ALI-capable handsets, CPK has decided to undertake a CDMA overlay on its TDMA network.

For a small carrier such as CPK, the purchase and installation of a CDMA overlay is a daunting and capital intensive endeavor. As a result, CPK has had to revise its schedule and now believes that it will begin to roll-out its CDMA overlay in the fourth (4th) quarter of 2004. Because the overlay has taken more time than initially anticipated CPK filed, on April 14, 2004, for a further extension of the FCC's deadlines related to

selling ALI-capable handsets.⁴ Specifically, CPK has requested an extension of its September 1, 2003 deadline to begin selling and activating location-capable handsets until October 4, 2004; CPK has requested an extension of its January 31, 2005 deadline to have 25% of all new activated handsets location capable until July 29, 2005; CPK has requested an extension of its May 31, 2005 deadline to have 50% of all new activated handsets location capable until November, 30, 2005; and CPK has requested an extension of its September 30, 2005 deadline to have 100% of all new handsets location capable until March 31, 2006. Finally, CPK has requested an extension of the ultimate December 31, 2005 implementation date for 95% penetration rate for ALI-capable phones until June 30, 2006.

Status on ordering and/or installing necessary network equipment:

CPK has not received any requests for Phase II E911 service, and thus has not begun to order the network equipment that will be needed to implement Phase II E911 service. As outlined above, CPK is close to successfully implementing Phase I E911 service throughout CPK's service area. Syniverse and CPK will turn to implementation of E911 Phase II service upon completion of Phase I service. CPK will begin working on its Phase II E911 implementation with Syniverse despite there being no E911 Phase II service request from any of the PSAPs covering its area.

If the carrier is pursuing a handset-based solution, the Report must also include information on whether ALI-capable handsets are now available, and whether the carrier has obtained ALI-capable handsets or has agreements in place to obtain these handsets:

As noted above, CPK is pursuing a handset-based solution for its system, but requires a waiver of the FCC's deadlines, in order to facilitate this solution. Further, CPK notes that Phase II E911 service has not been requested by the PSAPs in CPK's service area.

The estimated date on which Phase II service will first be available in the carrier's network:

Without a valid PSAP request for E911 Phase II service, CPK cannot estimate when such service will be available. Moreover, E911 Phase II implementation will depend upon CPK's ability to complete the transition to CDMA technology. Should a PSAP request such service in the near future, however, CPK will be able to provide Phase II service only in those areas in which its has completed the CDMA overlay.

⁴ See Supplement and Further Petition of Cellular Phone of Kentucky, Inc. for Limited Waiver and Extension of Time of Section 20.18(g) of the Commission's Rules, filed April 14, 2004.

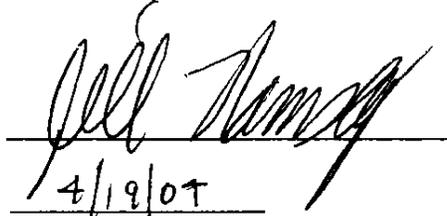
Information on whether the carrier is on schedule to meet the ultimate implementation date of December 31, 2005.

CPK currently does not believe that the 95% penetration rate for ALI-capable phones by the December 31, 2005 deadline is achievable and, therefore, as noted above, has sought an extension of this deadline until June 30, 2006. CPK will provide the Commission with additional updates if any hurdles appear which could endanger its ability to meet the June 30, 2006 deadline.

DECLARATION OF JILL RAMSEY

I, Jill Ramsey, am an officer of Cellular Phone of Kentucky, Inc. d/b/a Ramcell of Kentucky, and I hereby certify that, to the best of my knowledge and belief, the information contained on this form and the attached document is complete and accurate.

Signed: _____

A handwritten signature in cursive script, appearing to read "Jill Ramsey", written over a horizontal line.

Date: _____

4/19/07