

**3 RIVERS PCS, INC. d/b/a
3 RIVERS WIRELESS
P.O. BOX 3387
GREAT FALLS, MONTANA 59403-3387**

**Marlene H. Dortch, Secretary
Office of the Secretary
Federal Communications Commission
Washington, D.C. 20554**

**Re: WT Docket No. 01-309
HAC Digital Wireless Telephones
Broadband PCS Station WPOI209**

First Semi-Annual Report

Dear Ms. Dortch:

This report is filed pursuant to the requirements of Paragraph Nos. 89 – 91 of the Commission's *Report and Order (WT Docket No. 01-309)*, FCC 03-168, released August 14, 2003 ("R&O").

By way of background information, 3 Rivers PCS, Inc. d/b/a 3 Rivers Wireless ("3 Rivers") is a Tier III Commercial Mobile Radio Service carrier, as defined in the Commission's E-911 *Order to Stay*, FCC 02-210, released July 26, 2002. It is the licensee of station WPOI209 in the Broadband Personal Communications Service (PCS), which is a license partitioned from the 30 MHz Block A license granted to GTE Macro Communications Corporation (GTE), on June 23, 1995, for the Spokane-Billings Major Trading Area (MTA). On April 17, 1997, the Commission approved the application to partition to 3 Rivers a portion of GTE's license for the Spokane-Billings MTA, to include the Great Falls, Billings, Bozeman, Helena and Butte (except for Powell County) Basic Trading Areas. 3 Rivers utilizes Nortel Networks' CDMA equipment for its PCS network.

To achieve compliance with the Hearing Aid Compatibility ("HAC") requirements of the *R&O*, 3 Rivers is literally at the mercy of the handset manufacturers to develop and market HAC-compliant digital wireless handsets. As a small, Tier III wireless carrier, 3 Rivers has no influence over the product development and distribution decisions of wireless handset manufacturers; and, accordingly, 3 Rivers must rely on the manufacturers to develop HAC-compliant digital wireless handsets for use on its system.

Given the foregoing, the information requested by the Commission follows:

Item 1 -- Digital Wireless Phones Tested: 3 Rivers has not tested any digital wireless telephones for HAC compliance. However, we have done one-on-one testing with individual customers who use a hearing aid to help them determine which phones that are currently available will work best for them and also which ringers on a given phone will be easiest for them to hear. We anticipate that basic testing for HAC compliance will be done by the handset manufacturers.

Item 2 -- Laboratory Used: None. *See* response to Item 1.

Item 3 -- Test Results For Each Phone Tested: Not applicable. *See* response to Item 1.

Item 4 -- Identification Of Compliant Phone Models and Ratings According To ANSI C63.19: Upon information and belief, none of the handsets marketed by 3 Rivers meets the U3 or U3T rating under ANSI Standard C63.19.

Item 5 -- Report On The Status Of Product Labeling: None. It is anticipated that product labeling will be handled by the handset manufacturers.

Item 6 -- Report on Outreach Efforts: 3 Rivers is developing a hearing aid compatibility information sheet to assist hearing impaired customers in selecting current model phones and accessories most suitable to their needs and in selecting new HAC-compliant phones as they become available. We will make sure that our sales and customer service personnel are knowledgeable in this area and understand how best they can help people who use a hearing aid. We have also used information provided by the Montana State School for the Deaf and Blind. In addition, we are involved in extensive testing with the Montana State Relay center in the use of TTY/TDD equipment and have been an active participant in their "711" service launch statewide. Through involvement in a local Lions Club, we also participate in various public service activities among both the deaf and blind communities.

Item 7 -- Information Related To Retail Availability of Compliant Phones: Upon information and belief, there are currently no handsets commercially available that meet the U3 or U3T rating under ANSI Standard C63.19.

Item 8 -- Information Related To Incorporating Hearing Aid Compatibility Features Into Newer Models Of Digital Wireless Phones: The incorporation of HAC features into newer models of digital wireless telephones will be determined and accomplished by the handset manufacturers.

Item 9 -- Any Activities Related To ANSI 63.19 Or Other Standards Work Intended To Promote Compliance With The Requirements Of The Commission's Report and Order: While we have had just a few requests for phones from the hearing impaired, to date we have been able to solve their issues through the combined use of careful handset selection, text messaging, TTY/TDD configurations, and ringer selection. In fact, our involvement with the Montana School for the Deaf and Blind and the State

TTY Relay service has provided us with considerable insight into how to provide service for the hearing impaired; and we will continue that involvement so as to be proactive in helping persons with hearing impairment to select and use a phone to its greatest potential for them.

Item 10 -- Total Numbers Of Compliant And Non-Compliant Phone Models Offered As Of The Date Of This Report: Upon information and belief, there are currently no handsets commercially available that meet the U3 or U3T rating under ANSI Standard C63.19. However, of the 12 models of digital wireless phones that we are presently selling, seven models have some enhanced capability of use with hearing aids. These are as follows:

LG VX-10, VX-4400
Motorola T720, V601
Nokia 3585i, 5170i, 5185i

Item 11 -- Any Ongoing Efforts For Interoperability Testing With Hearing Aid Devices: Interoperability testing will be performed by the handset manufacturers.

Very truly yours,

**3 Rivers PCS, Inc. d/b/a
3 Rivers Wireless**

By:



Ernest J. Peterson
General Manager

Dated: May 14, 2004

Any inquiries concerning this filing should be referred to:

*Harold Mordkofsky
Blooston, Mordkofsky, Dickens, Duffy & Prendergast
2120 L Street, N.W.
Washington, DC 20037
Tel. (202) 828-5520
Fax (202) 828-5568
Email halmor@bloostonlaw.com*