

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

In the Matter of )  
)  
Revision of the Commission's Rules ) CC Docket No. 94-102  
To Ensure Compatibility with )  
Enhanced E911 Emergency Calling Systems )  
)  
Phase II Compliance Deadlines for Non- )  
Nationwide CMRS Carriers )

To: Wireless Telecommunications Bureau, Policy Division

**SUPPLEMENT TO  
NORTH CAROLINA RSA 3 CELLULAR TELEPHONE COMPANY  
D/B/A CAROLINA WEST WIRELESS  
PETITION FOR EXTENSION OF THE  
HANDSET ACTIVATION SCHEDULE BEGINNING  
NOVEMBER 30, 2003 FOR PHASE II OF ENHANCED 911 SERVICES**

North Carolina RSA 3 Cellular Telephone Company d/b/a Carolina West Wireless ("Petitioner"), by its attorneys, hereby supplements its request for a temporary waiver of Section 20.18(g) of the Commission's rules and the modifying provisions of the Commission's Order in *Revision of Commission's Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems*, CC Docket 94-102, Order To Stay (rel. July 26, 2002), and an extension of the November 30, 2003 and subsequent deadlines to implement Phase II of Enhanced 911 ("E911") services.

Petitioner herein reports that it has successfully implemented a handset-based solution for the delivery of Phase II E911 services over Petitioner's newly installed Code Division Multiple

Access (“CDMA”) digital network. Presently 100 percent of all new handsets activated on Petitioner’s system are location capable.

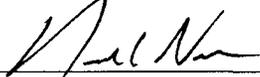
Petitioner had sought a temporary waiver of up to nine months, or until August 31, 2004, to commence delivery of Phase II location services and to assure that 25 percent of all new handsets activated on its system will be location capable. Comparable extensions were requested to achieve the 50 percent and 100 percent activation thresholds. Petitioner has met and exceeded this goal. Petitioner commenced Phase II service and started to activate only location capable phones by June 18, 2004. Nortel’s digital CDMA infrastructure and TCS’s Phase II enabling features are functional, and Phase II data is being delivered to all seven of the Public Safety Answering Points (“PSAPs”) in Petitioner’s service area.

Petitioner continues to foresee a challenge in assuring that penetration of location-capable handsets among Petitioner’s subscribers will reach 95 percent no later than December 31, 2005. Now that the CDMA conversion is complete, subscribers will gradually adopt personal equipment upgrades, transitioning from TDMA and analog handsets to handsets compatible with the CDMA Phase II data delivery system. Petitioner will continue to encourage subscribers to convert from TDMA and analog phones as quickly as possible. The PSAPs in Petitioner’s area remain aware that the continuing transition of Petitioner’s subscriber base will proceed over a period of time. Specific relief from the 95 percent penetration deadline will be requested by Petitioner at a later date if Petitioner senses a slow movement among its subscribers in purchasing new location-capable handsets.

Petitioner is pleased to report its progress, and is appreciative of the Commission's consideration of Petitioner's circumstances.

Respectfully submitted,

**NORTH CAROLINA RSA 3  
CELLULAR TELEPHONE COMPANY  
d/b/a CAROLINA WEST CELLULAR**

By:  \_\_\_\_\_

David L. Nace  
Pamela L. Gist  
Its Attorneys

Lukas, Nace, Gutierrez & Sachs, Chartered  
1111 19<sup>th</sup> Street N.W. Suite 1200  
Washington, D.C. 20036  
(202) 857-3500  
June 28, 2004

**DECLARATION**

I, John McMillan, hereby state and declare:

1. I am General Manager of North Carolina RSA 3 Cellular Telephone Company d/b/a Carolina West Wireless.
2. I am familiar with the facts contained in the foregoing supplement to petition, 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 that are subject to official notice by the Commission.

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

Executed on this 24 day of June, 2004.

  
\_\_\_\_\_  
John McMillan

## CERTIFICATE OF SERVICE

I, Daniel Ladmirault, an employee in the law offices of Lukas, Nace, Gutierrez & Sachs, Chartered, do hereby certify that I have on this 28<sup>th</sup> day of June 2004, sent by U.S. mail, first-class delivery, a copy of the foregoing Supplement To Petition to the following:

John Muleta, Chief  
Wireless Telecommunications Bureau  
Federal Communications Commission  
445 12th Street, S.W., Room 3-C252  
Washington, D.C. 20554

David Solomon, Chief  
Enforcement Bureau  
Federal Communications Commission  
445 12th Street, S.W., Room 7-C485  
Washington, D.C. 20554

Blaise Scinto, Acting Chief  
Policy Division  
Wireless Telecommunications Bureau  
Federal Communications Commission  
445 12th Street, S.W., Room 3-C133  
Washington, D.C. 20554

Jennifer Tomchin, Legal Advisor  
Policy Division  
Wireless Telecommunications Bureau  
Federal Communications Commission  
445 12th Street, S.W., Room 3-C400  
Washington, D.C. 20554

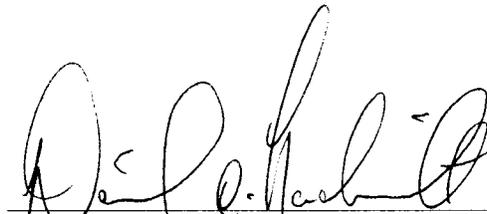
Robert M. Gurss, Director, Legal & Government Affairs  
APCO International  
1725 DeSales Street, NW, #808  
Washington, D.C. 20036

James R. Hobson  
Miller & Van Eaton, P.L.L.C.  
1155 Connecticut Ave. N.W., Suite 1000  
Washington, D.C. 20036  
*Counsel for NENA and NASNA*

John Ramsey, Executive Director  
APCO International, Inc. World Headquarters  
351 N. Williamson Blvd.  
Daytona Beach, FL 32114-1112

Terry Peters, Executive Director  
NENA  
4350 N. Fairfax Drive, Suite 750  
Arlington, VA 22203

Evelyn Bailey, Executive Director, NASNA  
Vermont Enhanced 9-1-1 Board  
94 State Street  
Drawer 20  
Montpelier, VT 05620-6501



Daniel Ladmirault