

McDermott Will & Emery

Boston Brussels Chicago Düsseldorf London Los Angeles Miami Milan
Munich New York Orange County Rome San Diego Silicon Valley Washington, D.C.

Christine M. Gill
Attorney at Law
cgill@mwe.com
202.756.8283

September 9, 2005

Filed Electronically

Marlene H. Dortch
Secretary
Federal Communications Commission
Office of the Secretary
445 Twelfth Street, SW
Washington, D.C. 20554

Re: Notice of *Ex Parte* Presentation, CC Docket No. 94-102

Dear Ms. Dortch:

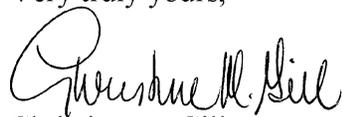
On September 9, 2005, Michael D. Rosenthal of SouthernLINC Wireless, my colleague, David Rines, and I met with Jeffrey Cohen, Michael Wilhelm, and Nicole McGinnis of the Public Safety and Critical Infrastructure Division of the Wireless Telecommunications Bureau to discuss the Request submitted by SouthernLINC Wireless on July 26, 2005, for a limited waiver of Section 20.18(g)(1)(v) of the Commission's Rules, 47 C.F.R. § 20.18(g)(1)(v), which requires commercial mobile radio service (CMRS) providers utilizing handset-based E911 Phase II solutions to achieve ninety-five percent penetration of automatic location identification (ALI)-capable handsets among their subscribers by December 31, 2005.

We discussed the reasons underlying SouthernLINC Wireless's request for a limited waiver that would allow SouthernLINC Wireless an additional twenty-four months to achieve ninety-five percent penetration of location-capable handsets among its subscriber base, including the impact of the A-GPS software defect that rendered the A-GPS services in affected handsets unusable for E911 location, the unavailability of location-capable handsets that provide the same or similar range and coverage as existing 1 watt and 3 watt units relied on by many SouthernLINC Wireless subscribers (including many public safety, government, and critical infrastructure end users), and the insufficiency of customer churn as a means for achieving ninety-five percent penetration of location-capable handsets. We also discussed the efforts being undertaken by SouthernLINC Wireless to overcome these obstacles in order to migrate as much of its subscriber base as possible to location-capable handsets.

Finally, we discussed the impact of Hurricane Katrina on SouthernLINC Wireless's operations in the Gulf Coast regions of Mississippi and Alabama. Due to the robust nature of its infrastructure and to advance preparatory efforts, ninety-eight percent of SouthernLINC Wireless's sites were operational as of Thursday, September 1, 2005, less than two days after Hurricane Katrina made landfall, and SouthernLINC Wireless has been able to provide critical communications support in hard-hit areas such as Gulfport, Mississippi, to emergency and government personnel engaged in rescue and relief efforts.

In accordance with the Commission's rules, one copy of this *ex parte* notice is being filed electronically for inclusion in the record of the above-referenced proceeding.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Christine M. Gill".

Christine M. Gill

cc: Michael Wilhelm
Jeffrey Cohen
Nicole McGinnis