

**BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554**

In the Matter of)
)
Revision of the Commission's Rules to Ensure) CC Docket No. 94-
102
Compatibility with Enhanced E911 Emergency)
Calling Systems)

To: The Commission

**REQUEST FOR WAIVER OF THE DECEMBER 31, 2005
95% GPS SUBSCRIBER PENETRATION REQUIREMENT**

Blanca Telephone Comapny (Reporter), pursuant to 47 C.F.R. §§ 1.3 & 1.925, hereby seeks a limited waiver of the requirement found at 47 C.F.R. § 20.18(g)(1)(v) that a carrier "achieve 95 percent penetration of location-capable handsets among its subscribers." Reporter seeks a waiver until December 31, 2007 in which to meet the 95% location-capable handset penetration requirement. In support whereof, the following is respectfully submitted:

Reporter is licensed to provide Cellular Block B service in CMA356 - Colorado 9 - Costilla and CMA354 - Colorado 7 - Saguache. Reporter first obtained its cellular license in early 1995. Currently all of the handsets which Reporter makes available to subscribers are location capable. Reporter achieved the 100% location capable handset activations in advance of the mandated December 31, 2002, deadline established at 47

C.F.R. § 20.18(g)(1)(iv). Thus, for very close to three years the only handsets which Reporter has activated have been those which are location capable.

As of October 31, 2005, 35% of Reporter's subscriber base possessed location capable handsets. Non-GPS to GPS capable handset conversions continue, but we have a very small, but very stable, subscriber base and the rate of conversion to location capable handsets is currently about less than 2% per month. We serve a very hilly and mountainous area and our subscribers are not at all satisfied with the range provided by GPS capable handsets. The GPS capable handsets we offer cover a wide price range from inexpensive to more expensive and we offer short term and long term subscriber contracts. In order to obtain new calling features a subscriber must obtain a new location capable handset; Reporter is not expanding service offerings for subscribers utilizing non-GPS handsets.

Ironically the 65% of Reporter's subscribers discussed in the preceding paragraph as being reluctant to change to new technology constitutes a very loyal portion of our subscriber base. That loyalty translates into something all businesses desire: a lack of "churn." Because these subscribers do not churn their accounts, they do not receive new handsets and thus do not acquire the newer technology. Reporter hopes that the Commission does not fault Reporter for its customers' great loyalty to our company and to our mobile service.

Granting the waiver requested herein will not frustrate the Commission's underlying goal of making location services available to the public as specified in the 95% location-capable handset subscriber penetration requirement. Reporter has not yet received a PSAP request to provide Phase II location services, but our system is ready to provide Phase II service upon request to a PSAP which meets the

Commission's requirements. Because Phase II service is available in our market, because no PSAP has requested Phase II location services, because the only handsets we distribute are location capable, and because it is consumer decision making which keeps Reporter from achieving a 95% subscriber penetration level, granting the waiver will not delay any PSAP's provision or use of E911 location services and will not delay any subscriber who chooses to subscribe to a service which provides the location function. Accordingly, granting the instant waiver request will not frustrate the Commission's goal of achieving 95% subscriber penetration and will ensure that all current users of our wireless services

WHEREFORE, it is respectfully submitted that Reporter has demonstrated a good faith effort to reach the 95% location-capable handset penetration level, that Consumer reluctance appears to be the main factor precluding Reporter from reaching the 95% location-capable handset penetration level, that the Commission's goals would not be frustrated by a waiver grant, and that grant of the limited waiver requested herein would serve the public interest.

COMPANY

Respectfully submitted,
BLANCA TELEPHONE

#113

December 12, 2005

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