

**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 911 Emergency Calling Systems)
)
Petition for Enhanced 911 Phase II Waiver)
by Leaco Rural Telephone Cooperative, Inc.)

Leaco Rural Telephone Cooperative, Inc. Third Supplement to Petition for Temporary Waiver of Section 20.18(g) of the Commission’s Rules

Leaco Rural Telephone Cooperative, Inc. (“Leaco”), by its attorneys, hereby further supplements its September 1, 2005 Petition¹ for temporary waiver of Sections 20.18(g)(1)(i)-(v) of the Federal Communication Commission’s (“FCC” or “Commission”) Phase II enhanced 911 (“Phase II E911”) rules.² Specifically, this supplement updates the Commission on Leaco’s success in meeting its Phase II E911 benchmarks as outlined in its June 12, 2006 Second Supplement and Amendment to its September 1, 2005 Petition.³ Further, this supplement

¹ Leaco Rural Telephone Cooperative, Inc. Petition for Temporary Waiver of Section 20.18(g) of the Commission’s Rules, *Revision of the Commission’s Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems*, CC Docket No. 94-102, *E911 Phase II Compliance Deadlines for Tier III Carriers* (filed September 1, 2005) (“*Leaco Petition*”). See also Leaco Rural Telephone Cooperative, Inc. Supplement to Petition for Temporary Waiver of Section 20.18(g) of the Commission’s Rules, *Revision of the Commission’s Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems*, CC Docket No. 94-102, *E911 Phase II Compliance Deadlines for Tier III Carriers* (filed October 18, 2005) (“*Leaco First Supplement*”).

² 47 C.F.R. §§ 20.18(g)(1)(i)-(v).

³ Leaco’s June 12, 2006 Second Supplement and Amendment was in response to the Commission’s *Extension Order* in this matter. See *in re Revision of the Commission’s Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems*, CC Docket No. 94-102, *Petition for Enhanced 911 Phase II Waiver by Leaco Rural Telephone Cooperative, Inc.*, Order, FCC 05-210 (December 12, 2005) (“*Extension Order*”).

informs the Commission of Leaco's progress regarding its network upgrade and Leaco's communications with the New Mexico public safety community.

In its Second Supplement and Amendment, Leaco informed the Commission that it would begin selling and activating *only* location-capable handsets by September 15, 2006, thus meeting the Commission's 100 percent selling and activating benchmark.⁴ As of September 15, 2006, Leaco has met this benchmark and 100 percent of the handsets it is selling and activating are location-capable. Leaco, which is in constant contact with the New Mexico public safety community, has informed representatives from Leaco's local Public Safety Answering Points ("PSAPs") and the state E911 Coordinator that its customers are now able to purchase location-capable handsets.

In its Second Supplement and Amendment, Leaco stated that it planned to finish its conversion to a CDMA network capable of handling Phase II location data from handsets concurrently with its sale and activation of *only* location-capable handsets.⁵ While Leaco had originally expected to have finished its upgrade by September 15, 2006, due to delays inherent in overhauling a disperse rural network,⁶ Leaco now expects to have the most heavily-used portion of its network upgraded to CDMA by the end of October 2006 and the remaining outlying portions of its network converted to CDMA by the end of the year. Until the CDMA upgrade is complete, all handsets sold by Leaco will continue to function on Leaco's network. Leaco has

⁴ 47 C.F.R. §20.18(g)(1)(iv). *See* Second Supplement and Amendment at 3.

⁵ Second Supplement and Amendment at 3.

⁶ In its Second Supplement and Amendment, Leaco outlined the "massive amount" of work for a small carrier like Leaco to make the necessary structural and hardware changes to its network to convert from a TDMA-based network to CDMA. *Id.*

informed its local PSAPs and the state of this progress and remains committed to providing emergency services in rural New Mexico consistent with community expectations.⁷

Respectfully submitted,

By: _____/s/_____

Michael R. Bennet
Kenneth C. Johnson
Bennet & Bennet, PLLC
10 G Street, N.E.
7th Floor
Washington, D.C. 20002
(202) 371-1500

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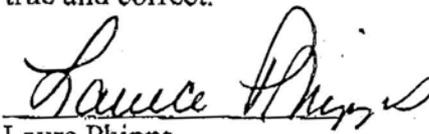
Its Attorneys

⁷ To date, Leaco has yet to receive a PSAP request for Phase II E911 service.

DECLARATION OF LAURA PHIPPS

I, Laura Phipps, do hereby declare under penalty of perjury the following:

1. I am the General Manager of Leaco Rural Telephone Cooperative, Inc.
2. I have read the foregoing "Third Supplement to Petition for Temporary Waiver of Section 20.18(g) of the Commission's Rules." I have personal knowledge of the facts set forth herein, and believe them to be true and correct.



Laura Phipps

9-15-06
Date