

**Texas RSA 15B2 Limited Partnership d/b/a Five Star Wireless**  
**955 Water Street**  
**Kerrville, Texas 78029**

**Marlene H. Dortch, Secretary**  
**Office of the Secretary**  
**Federal Communications Commission**  
**445 – 12<sup>th</sup> Street, S.W.**  
**Washington, D.C. 20554**

**Re: CC Docket No. 94-102,**  
**95% ALI-Capable Handset Penetration Requirement,**  
**Rule Section 20.18(g)(1)(v).**

**Third Quarterly Report**

Dear Ms. Dortch:

By *Order (CC Docket No. 94-102)*, FCC 06-32, released March 15, 2006 (the "*Order*"), the Commission granted the Filer, Texas RSA 15B2 Limited Partnership d/b/a Five Star Wireless, an extension of time, up to and including March 15, 2007, within which to comply with the Rule Section 20.18(g)(1)(v) requirement that it achieve a 95% penetration level among its subscribers of ALI-capable handsets. The Filer has elected to deploy a handset-based E-911 solution. This report is submitted pursuant to the requirements of Paragraph No. 20 of the *Order*, and is as follows:

**Item 1: The number and status of E-911 Phase II requests from Public Safety Answering Points ("PSAPs"), including those requests that the Filer may consider invalid:** The Filer has not received any PSAP requests for E-911 Phase II service.

**Item 2: The dates on which E-911 Phase II service has been implemented or will be available to the PSAPs served by the Filer's system:** E-911 Phase II service has not been implemented on the Filer's system. In accordance with Commission requirements, E-911 Phase II service will be implemented within six months following receipt of a valid PSAP request.

**Item 3: The status of the Filer's coordination efforts with PSAPs for alternative 95% ALI-capable handset penetration dates:** The Filer is in regular contact with the PSAPs in its service area by means of e-mail and scheduled meetings which address the status of Phase II progress. The Filer has notified the PSAPs of the Filer's current distribution efforts for ALI-capable handsets.

**Item 4: The Filer's efforts to encourage customers to upgrade to ALI-capable handsets:** The Filer has initiated a system-wide advertising campaign offering new service plans at prices competitive with those of the national carriers. These new service plans require customer use of a Code Division Multiple Access ("CDMA") air interface

ALI-capable handset. With a minimum duration service contract, one model of an ALI-capable handset is provided without charge. Since June of 2006, the Filer has been using (and will continue to use) bill inserts to encourage customers with non-ALI-capable Time Division Multiple Access ("TDMA") handsets to trade them in for ALI-capable CDMA handsets. In addition, the Filer has a current promotion offering a free Kyocera Model KX16 CDMA ALI-capable handset to all new and renewal subscribers who donate one can of food to a food bank, a promotion which should increase the penetration level of ALI-capable handsets.

As discussed in the "Petition for Temporary Waiver or Temporary Stay," filed December 14, 2005, which forms the basis for the relief granted in the Order, the Filer's TDMA system has been overbuilt with a replacement CDMA system. The CDMA facilities are E-911 Phase II capable, while the TDMA facilities (which are to be phased out) are not E-911 Phase II capable.

**Item 5: The percentage of the Filer's customers with ALI-capable phones:**  
84.7%.

**Item 6: Until the Filer satisfies the 95% penetration requirement, detailed information on the Filer's status in achieving compliance, and whether the Filer is on schedule to meet the revised, March 15, 2007, deadline:** All new customers and existing customers who renew their service arrangements are required to obtain an ALI-capable handset. Given the progress made to date (and assuming that the same rate of progress persists over the coming months), the Filer anticipates that it will achieve compliance with the 95% ALI-capable handset penetration requirement sometime in December of 2006 or January of 2007, *i.e.*, several months prior to the March 15, 2007 deadline.

Very truly yours,

**Texas RSA 15B2 Limited  
Partnership d/b/a Five Star  
Wireless**

Dated: 10/27/06

By:   
W.G. (Bill) Stacy, III  
General Manager

**In accordance with Rule Section 1.12, please refer any inquiries or correspondence to:**

Robert M. Jackson  
Blooston, Mordkofsky, Dickens, Duffy & Prendergast, LLP  
2120 L Street, N.W.  
Suite 300  
Washington, D.C. 20037  
Tel.: 202-828-5515  
FAX: 202-828-5568  
E-mail: [rmj@bloostonlaw.com](mailto:rmj@bloostonlaw.com)