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November 1, 2006

Via electronic filing

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SE
Washington, DC 20554

Re: Cable & Communications Corporation
CC Docket No. 94-102
November 1, 2006 Report

Dear Ms. Dortch:

Pursuant to the Commission's *Order*,¹ Cable & Communications Corporation ("C&CC") hereby submits the following report on its progress in achieving the goal of 95% penetration of ALI-capable handsets among its subscribers.

Summary

In its progress report filed herein on May 1, 2006, C&CC reported an ALI-compliant handset penetration rate of 47%. As of July 21, 2006, that number had grown to 55%. As of October 13, 2006, C&CC has achieved a 60% penetration rate, again short of its (revised) benchmark rate of 62%. Originally having projected meeting the 60% benchmark by August 1, 2006, C&CC reports its growing concern that the current deadline of September 23, 2007 may not allow sufficient time to meet the goal of 95% penetration. In spite of C&CC's diligent and focused education and marketing efforts over the past three months, the slowing rate of conversion from analog to digital handsets suggests that the market is "hardened" – that is, the vast majority of those subscribers willing to retire analog phones have already done so. Accordingly, while C&CC will explore alternative outreach and marketing efforts in the coming months, it is forced again to revise its penetration benchmark projections, and candidly report its concern about reaching the 95% goal within the current timetable.

In accordance with paragraph 21 of the *Order* and its past practices, C&CC continues to coordinate with area PSAPs and other emergency service providers, keeping them apprised of its activities and progress in meeting handset penetration goals. This information is shared formally through serving PSAPs with copies of all FCC filings related to this issue, as well as informally, through occasional telephone conversations and meetings.

In recognition of the remaining condition imposed by paragraph 21 of the *Order*, C&CC reports also its continuing regular reminders to subscribers that upgrading their analog handsets will enable them to transmit their location information automatically once PSAPs have implemented Phase II E911 capabilities. In addition, C&CC will inform subscribers when Phase I and Phase II requests are received from PSAPs, and will provide regular updates regarding the anticipated implementation dates.

¹ *In the Matter of Revision of the Commission's Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems*, Cable & Communications Corporation Petition for Waiver of Section 20.18(g)(1)(v) of the Commission's Rules, *Order*, FCC 06-39 (rel. Mar. 23, 2006) ("*Order*"). The *Order* granted Cable & Communications Corporation ("C&CC") an extension of 18 months after its release to meet the requirement of Section 20.18(g)(1)(v) that 95% of the handsets used by its subscribers be location-capable, subject to specific conditions and reporting requirements. The instant report is the third required under the *Order*.

Report

Pursuant to paragraph 22 of the *Order*, C&CC provides the following information:

(1) The number and status of Phase II requests from PSAPs (including those requests it may consider invalid):

C&CC has received no Phase I or Phase II request from any PSAP.

(2) The estimated dates on which Phase II service will be available to PSAPs served by its network:

C&CC provides cellular service to a geographic area served by nine (9) different PSAPs in Montana and one in North Dakota. Each Montana PSAP is willing to work with C&CC regarding the timing for implementation of a Phase I or Phase II request. C&CC's May 1, 2006 Report provided detailed information regarding the status E-911 implementation plans for each PSAP, and updated that information in its second report. The following information reflects reported modifications to anticipated PSAP implementation readiness plans reported previously:

<u>PSAP</u>	<u>Anticipated PSAP Implementation Date</u>
Fallon County PSAP Mgr. (serving Fallon, Carter, Prairie, and Wibaux Counties)	Phase I implementation planned for the end of March, 2007, after which testing will initiate; no current estimate regarding Phase II
Garfield Co. Sheriff	Anticipate Phase I and Phase II capable within the next 3-5 months; anticipate that Phase I and Phase II requests will be issued but will work with each carrier to coordinate with carrier's anticipated readiness

(3) The status of its coordination efforts with PSAPs for alternative 95% handset penetration dates

As reported above, all PSAPs have been informed of the extension until September 23, 2007, or eighteen months after the release of the *Order*. All Montana PSAPs have indicated a willingness to work closely with C&CC regarding Phase II implementation schedules.

(4) Efforts to encourage customers to upgrade to location-capable handsets:

C&CC continues its two-prong approach to encouraging customers to upgrade their handsets through subscriber education and the provision of subscriber upgrade incentives.

C&CC continues its marketing campaign to encourage utilization of a digital handset offering a free phone and free activation to existing subscribers who extend contracts for a two-year period, or to a new subscriber signing a two-year contract. Booster antennas are also sold at a significant discount. These promotions are featured in newspaper and radio advertising, and featured on the community advertising channel on cable systems throughout the C&CC service area. In addition, posters promoting this campaign are displayed in each business office, and many local county fairs. Billing inserts and cable advertising are also utilized to remind subscribers of the benefits of digital upgrades. Examples of advertising and outreach efforts are attached. All promotions and upgrade incentive programs, as well as customer educational information, is also available on C&CC's web site.

C&CC continues its build-out program to improve service. Its Alzada cell site application is still pending, but with the recent grant of its proposed North Lambert and Vida South cell site applications, it is anticipated that these additional cell sites will be operational by the second quarter of 2007.

(5) Percentage of customers with location-capable phones:

C&CC reports that 60% of its customers had location-capable phones as of October 13, 2006.

(6) Status in achieving compliance and whether it is on schedule to meet the revised deadline

C&CC did not succeed in meeting the revised 62% penetration goal proposed in its last report. Neither internal benchmark for new or upgrading subscribers was met, resulting in inability to meet the 62% interim goal. Accordingly, C&CC again revised its proposed penetration benchmark schedule as follows:

February 1, 2007 – 70%

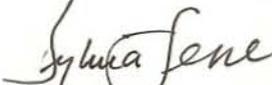
May 1, 2007 – 85%

August 1, 2007 – 95%

Reporting its severe reservations of its ability to meet this ambitious goal in the face of subscriber recalcitrance, C&CC will nevertheless continue its aggressive marketing campaigns and explore additional avenues to stimulate interest in digital upgrades. In addition, C&CC will continue to work with PSAPs, and anticipates collaborating with certain PSAPs in public education campaigns when Phase II capabilities are introduced.

Please direct any questions or correspondence concerning this matter to this office.

Respectfully submitted,


Sylvia Lesse



Mid-Rivers
C E L L U L A R

FREE

**Motorola V266 digital cellular telephone
with a two-year agreement.**

**Mid-Rivers at the Garfield County Bank,
Wednesday, September 27, 2006
10:30 am - 12:00 p.m. and 1:00 - 2:30 p.m.**

**Ask us about
Text Messaging and
Mobile Internet, two new
Mid-Rivers Cellular
services and Unlimited
Long Distance with calls
placed from a
Mid-Rivers tower.**

Mid-Rivers Telephone Cooperative, Inc., dba



30-sec “Free Flip Phone” Cellular radio ad

Created 9/30/06

**Get a FREE Motorola v 266 digital flip phone now through
October 31st from Mid-Rivers Cellular. Just sign for a new
service or extend your existing contract and receive this new
FREE digital cell phone. Mid-Rivers cellular plans are as low as
\$19.95 per month. To sign up today, visit your nearest Mid-
Rivers Cellular office. We’re Mid-Rivers...your community
partner and Montana’s premier communications company.**



October Cellular Special:

Offer expires October 31

Sign for new service or extend an existing contract and receive a FREE Motorola V266 digital cellular flip phone!

Mid-Rivers Cellular • 1-800-452-2288
www.midrivers.com

Unlimited Long Distance

Choose one of the select Mid-Rivers plans and receive unlimited nationwide long distance from a home tower. Now you can talk to friends and family with no additional airtime or long distance fees when calling from a Mid-Rivers home tower. To sign for unlimited long distance, visit your local Mid-Rivers Customer Service office or call 1-800-452-2288.

Now Available:

Text Messaging

Plans starting at \$2.99 per month.

Mobile Internet

Plans starting at \$6.99 per month.



Turn this over for more information about Mid-Rivers Cellular.

Lifeline, Link-Up & Toll Blocking

Mid-Rivers Cellular offers two low-income telephone assistance programs known as Lifeline and Link-Up. Lifeline provides Federal Universal Service support to reduce monthly service charges paid by qualifying low-income customers. Link-Up provides Federal Universal Service support to reduce service connection and line extension charges paid by qualifying low-income customers.

Mid-Rivers Cellular also offers toll blocking. Toll blocking is a service that prevents long distance calling from your telephone.

Please contact your nearest Mid-Rivers Cellular customer service office or call Mid-Rivers Cellular at 1-800-452-2288 for further information.

Turn this over for more information about Mid-Rivers Cellular.

To take advantage of the future implementation of Phase II E-911 automatic location capabilities, you must have a digital cellular phone. If, during an emergency, you are unable to give your location to the PSAPs (911 centers), that information will be sent automatically from a digital cellular phone. Therefore, it is recommended that you procure a digital cellular phone as soon as possible.

Cellular Strength

for your Mid-Rivers Digital Cellular Service



Mid-Rivers cell phone



external antenna



STRONG SIGNAL



Mid-Rivers cell phone



3-watt booster



STRONGER SIGNAL

Sign a two-year contract or extend your existing Mid-Rivers Cellular contract by March 31, 2006 and receive **either**:

1. A **FREE** external antenna & connector (\$34 value) or,
2. **\$50 OFF** the cost of a 3-watt cellular booster.

Call your nearest Mid-Rivers Service Center today!

DECLARATION OF GERRY ANDERSON

I, Gerry Anderson, General Manager of Cable & Communications Corporation, do hereby declare under penalty of perjury that I have read the foregoing "November 1, 2006 Report" and that the facts stated therein are true and correct, to the best of my knowledge, information and belief.

October 31, 2006
Date



Gerry Anderson

Certificate of Service

I, Sylvia Lesse, of Communications Advisory Counsel, LLC, hereby certify that on this 1st day of November, 2006, I caused to be delivered, via first-class US mail, postage prepaid, a copy of the foregoing "November 1, 2006 Report" on the following:

Captain Kevin Krausz
Miles City Police Dept.
PSAP for Custer County, Montana
PSAP for Garfield County, Montana
2420 Bridge Street
Miles City MT 59301

Sheriff Kelly Pierson
Garfield County Sheriff's Office
PO Box 103
Jordan MT 59337

Chief Alan Michaels
Glendive Police Department
PSAP for Dawson County, Montana
PO Box 1372
Glendive MT 59330

Chuck Lee
PSAP Manager - Fallon County
PSAP for Fallon, Carter,
Prairie and Wibaux Co's, MT
PO Box 1061
Baker, MT 59313

Sheriff Rusty Jardee
Carter County Sheriff
PO Box 323
Ekalaka MT 59324

Russ Lindblom
North Dakota 911 Manager
PO Box 877
Bismarck, ND 58502-0877

Jeff Cohen*
Wireless Telecommunications Bureau
Federal Communications Commission
445 Twelfth St, SW
Washington, DC 20554

Michael J. Wilhelm*
Chief, Pub.Safety & Critical Infrastruc. Div.
Wireless Telecommunications Bureau
Federal Communications Commission
445 Twelfth St., SW
Washington, DC 20554

* Via electronic mail

Sheriff William Klunder
Prairie County Sheriff's Office
PO Box 126
Terry MT 59349

Sheriff Darby S. Harrington
Wibaux County Sheriff's Office
PO Box 322
Wibaux MT 59353

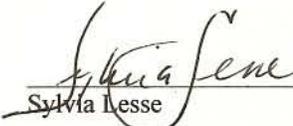
Sheriff Dave Harris
McCone County Sheriff's Office
PSAP for McCone County, Montana
905 B Avenue, PO Box 201
Circle, MT 59215

Sheriff John Blain
Powder Riv. Co. Sheriff's Office
PSAP for Powder River Co., MT
Box 71 Courthouse Square
Broadus MT 59317

Sheriff Brad Baisch
Richland County Sheriff's Office
PSAP for Richland Co., MT
110 2nd Ave NW
Sidney, MT 59270

Lisa Solf
Petroleum County PSAP
PO Box 226
Winnett, MT 59087

Jim Kenner, IT Dept.
Rosebud County Sheriff's Office
Box 85 180 S 13th St
Forsyth, MT 59327


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