

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)
)
SLO Cellular, Inc. d/b/a Cellular One)
Of San Luis Obispo & Entertainment)
Unlimited)
)
Section 68.4(a) of the Commission's Rules)
Governing Hearing Aid Compatible)
Telephones) **WT Docket No. 01-309**
)
Request for Temporary Waiver, or)
Temporary Stay, of)
The Commission's HAC Rules)

To: The Commission

ERRATA TO PETITION FOR RECONSIDERATION

SLO Cellular, Inc. d/b/a Cellular One of San Luis Obispo ("SLO") and Entertainment Unlimited, by their attorney, hereby submit this *errata* to correct a typographical error in the "Summary" to the "Petition for Reconsideration" in the captioned matter, filed March 28, 2007.

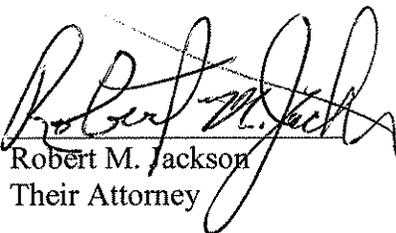
Due to a typographical error, the first sentence of the third paragraph on the first page of the "Summary" incorrectly stated that SLO achieved compliance for its GSM handsets on December 1, 2007. In fact, this date should be December 1, 2006, as

reflected in the text of the pleading. A corrected "Summary " is attached.

Respectfully submitted,

**SLO Cellular, Inc. d/b/a
Cellular One of San Luis Obispo
& Entertainment Unlimited**

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Their Attorney

Filed: March 28, 2008

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**Section 68.4(a) of the Commission's Rules) WT Docket No. 01-309
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Handsets)**

**Request for Temporary Waiver, or)
Temporary Stay, of the Commission's)
HAC Rules)**

To: The Commission

PETITION FOR RECONSIDERATION

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Filed: March 28, 2008

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Summary

SLO Cellular, Inc. d/b/a Cellular One of San Luis Obispo (“SLO”) and Entertainment Unlimited (“EU”) request reconsideration of the Commission’s *Memorandum Opinion and Order, WT Docket No. 01-309, FCC 08-67*, released February 27, 2008 (“*HAC Waiver Order*”) insofar as it denied their requests for waivers of the Hearing Aid Compatible (“HAC”) digital wireless handset regulations codified in Rule Section 20.19 for GSM and TDMA facilities, and referred the matters to the Enforcement Bureau.

The Commission’s action did not constitute reasoned decision making; and was arbitrary, capricious and an abuse of discretion and otherwise contrary to law.

With respect to SLO’s GSM facilities, the *HAC Waiver Order* adopted a January 1, 2007 compliance date for determining which waiver requests would be granted but failed to apply that date in the case of SLO, which came into compliance on December 1, 2006 and, in addition, was diligent. The Commission criticized SLO as lacking diligence, but failed to account for the complexities of the GSM overbuild. The Commission took official notice in the case of one petitioner that compliant handsets were not available to Tier III carriers, but failed to apply this finding to the other petitioners even though the finding applied to them equally and to SLO by analogy.

With respect to SLO’s and EU’s waiver requests pertaining to the TDMA facilities, the Commission erred in determining that waiver relief cannot be granted

beyond September 18, 2006 in the case of TDMA systems; failed to acknowledge that HAC-compliant TDMA are no longer being manufactured; compelled SLO and EU to do the impossible; and was not in accord with the standards of WART Radio and Rule Section 1.925(b)(3).

SLO and EU met the standards for securing a waiver.