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FILED/ACCEPTED

APR 12 2012

Federal Communications Commission
Office of the Secretary

April 12, 2012

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VIA HAND DELIVERY

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, DC 20554

STAMP & RETURN

Re: Response to Request for Additional Information and Supplement to Windy City Cellular, LLC Petition for Waiver Redacted-For Public Inspection Version in WC Docket Nos. 10-90, 07-135, 05-337 and 03-109; CC Docket Nos. 01-92; and GN Docket No. 09-51.

Dear Ms. Dortch:

In response to a request for additional information made by FCC Staff during a meeting on Thursday, April 5, 2012, [1] Windy City Cellular, LLC ("WCC") now supplements its Petition for Waiver with the attached information.

WCC wants to emphasize that the flash-cut implementation of an annual cap on per-line support for competitive eligible telecommunications carriers, which went into effect without any prior notice on January 1, 2012, has severely impacted WCC's business operations and has already created a dangerous situation for the people in Adak, Alaska. If the Commission does not move quickly to grant WCC's limited waiver, irreparable harm will occur that could devastate this vulnerable, remote Alaskan community.

WCC now has **less than 11 weeks** before it must shut down operations, leaving entire areas in Adak completely without voice and broadband services. The safety of the people in Adak has already been jeopardized as a direct result of the Order. Because of the 84% cut in funding, WCC was forced not to renew a contract with its backup provider of backhaul service. Two weeks ago, 60-100 mile per hour winds and wet snow temporarily knocked out the only satellite

[1] Letter from Monica Desai to Marlene H. Dortch, Notice of Ex Parte in CC docket no. 01-92, *et al.*, dated April 9, 2012; *see also* Letter from Monica Desai to Marlene H. Dortch, Notice of Ex Parte in CC docket no. 01-92, *et al.*, dated April 6, 2012.

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remaining in use, leaving WCC customers without E911, email, Internet and phone service for one full day. The level of public safety risk to the people of Adak, where such harsh weather conditions and volatility is typical, cannot be overstated. Just yesterday, the Alaska Earthquake Information Center recorded a moderate earthquake 36 miles southeast of Adak.[2] Each day that goes by without a waiver is another day that lives literally could be lost. All it takes is another high wind storm to knock out service and leave Adak's customers without any communications access in an emergency. Or leave Adak's one police officer, who depends heavily on WCC service, potentially stranded with no communications access.

The economy in Adak is also already being directly harmed by the USF/ICC Transformation Order. WCC has already been forced to lay off one employee because of the unexpected, drastic cut in funding. As part of its Exit Plan in the absence of a waiver, WCC will have to release three more positions within four weeks. Taken together, this means that by May 11, 2012, WCC will have lost one-third of its work force as a direct consequence of the Commission's flash cut annual cap. Not only are these jobs important to the economy of Adak, but these positions are crucial to respond to WCC service outages, provide technical support, and handle consumer needs.

Without an expeditious waiver, WCC will continue to be forced to take substantial cost cutting measures that will further threaten the reliability of cell service in this remote area, the safety of the Adak population, and the fragile Adak economy. Should you have any questions concerning the foregoing request, please contact the undersigned.

Sincerely,

Monica Desai
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[2] *See* "Moderate earthquakes shakes residents of Adak in Aleutian Islands." *The Republic*, April 11, 2012, available at http://www.therepublic.com/view/story/66e39dd844364d1997153f8381217f11/AK--Adak-Earthquake/.

Density, Geographic Characteristics of Study Area

Exhibit 1

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Make-Up of Corporate Operation Expenses

Exhibit 3

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Projected Revenues & Expenses on Cell-Site Basis for Five Years With & Without the Waiver

Exhibit 8

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