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Federal Communications Commission
Office of the Secretary

From: Daryl Zakov [DZakov@bennetlaw.com]
Sent: Wednesday, April 04, 2012 8:44 PM
To: Timothy May
Cc: Carri Bennet
Subject: CMAS Status for Element Mobile
Dear Mr. May,

As you recall, yesterday our firm informed you of clients that have elected to participate in the Commercial Mobile Alert System (CMAS) but who have also encountered delays that threaten their ability to launch the service by Saturday, April 7, 2012. Please find below a summary of the activities taken by one of those clients, Wisconsin RSA #7 dba Element Mobile, with respect to CMAS:

Element Mobile filed an election letter to participate in CMAS on Friday, January 27, 2012. Prior to 2011, the license area, mobile network and customers that constitute Element Mobile (which is a cellular partnership) had been managed by Verizon Wireless. At the beginning of 2011 Verizon ceased to be the operating manager and Element Mobile became independent of the Verizon/Alltel brand.

Element Mobile executed a Statement of Work (Outsourcing Agreement) with Intrado Inc. (Intrado) on May 23, 2011. Testing of CMAS began in October 2011. Upon commercial launch, the Element Mobile switch was configured with the IS-824 software necessary to support the CMAS product in a CDMA environment. Despite inordinate difficulties in acquiring CDMA devices that were CMAS-compatible, all testing was completed by January 9, 2012. Element Mobile signed the test agreement with FEMA on January 12, 2012 and its production agreement with FEMA on April 2, 2012.

Element Mobile has conducted weekly meetings with Intrado since the CMAS testing was completed in January 2012. Intrado informed Element Mobile recently that it is waiting for FEMA to respond to requests for connectivity to the Intrado CBC Gateway to complete final testing, but that this date may not occur prior to April 7, 2012.

Despite being a company that has offered commercial service for less than fifteen months, Element Mobile has gone to great lengths to complete all actions within its powers to be capable of supporting CMAS and any delay in providing the service is the result of testing or administrative delay on the part of its third party vendor Intrado and/or FEMA. Accordingly, Element Mobile requests from the Commission an additional 30-60 days to work through this short term issue so that it may launch CMAS to its customers.

Cordially,

-Daryl

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