

HERMAN & WHITEAKER, LLC

DONALD L. HERMAN, JR.  
GREGORY W. WHITEAKER  
SUSAN C. GOLDHAR ORNSTEIN

TEL 202-600-7272  
FAX 202-706-6056  
3204 TOWER OAKS BLVD  
SUITE 180  
ROCKVILLE, MD 20852

October 1, 2012

**VIA ELECTRONIC FILING**

Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12th Street, SW  
Washington, D.C. 20554

**Re: CC Docket No. 94-102**  
**Missouri RSA # 5 Partnership d/b/a Chariton Valley Wireless Services**  
**Petition for Waiver of Section 20.18(h)(1) of the Commission's Rules**  
***Withdrawal of Request as Moot***

Dear Ms. Dortch:

Missouri RSA # 5 Partnership d/b/a Chariton Valley Wireless Services a/k/a Missouri RSA 5 Partnership d/b/a Chariton Valley Wireless Services (“Chariton Valley”), by its attorneys, and pursuant to the request of Federal Communications Commission (“FCC” or “Commission”) staff, hereby withdraws the above-referenced petition for waiver of Section 20.18(h)(1) of the Commission's Rules filed February 12, 2007 (the “2007 Request”). The 2007 Request sought a waiver of the Phase II E911 location accuracy standards codified in the then current version of rule 20.18(h)(1).

Subsequent to the filing of the 2007 Request, the Commission revised the E911 location accuracy requirements and amended rule 20.18(h)(1).<sup>1</sup> Among other things, the Commission required licensees to meet location accuracy standards on a per-county or per-PSAP basis and implemented a phased schedule over which licensees must meet increasing standards of accuracy. The Commission established January 18, 2012, as the first benchmark for licensees (such as Chariton Valley) using network-based location technologies.<sup>2</sup> The Commission also allowed licensees to exclude certain counties or portions of counties from the location accuracy requirements. In light of the revised location accuracy requirements and implementation schedule, the 2007 Request is moot.

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<sup>1</sup> See *Wireless E911 Location Accuracy Requirements*, Second Report and Order, 25 FCC Rcd 18909 (2010) (“*Location Accuracy Second R&O*”).

<sup>2</sup> See 47 C.F.R. § 20.18(h)(1)(i)(A).

On January 17, 2012, Chariton Valley requested a waiver and extension of the first location accuracy implementation deadline as set-forth in revised rule 20.18(h)(1).<sup>3</sup> The 2012 Request cited and discussed, among other things, the 2007 Request. Chariton Valley's withdrawal of the 2007 Request is without prejudice to Chariton Valley's prosecution of the 2012 Request and its continued reliance on, and incorporation of, facts set-forth in the 2007 Request.

If you have any questions concerning this matter, please contact the undersigned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'G. Whiteaker', with a long horizontal flourish extending to the right.

Gregory W. Whiteaker  
*Counsel for Missouri RSA # 5 Partnership d/b/a Chariton  
Valley Wireless Services*

cc: David Siehl (via Email)  
Zenji Nakazawa (via Email)

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<sup>3</sup> See Missouri RSA 5 Partnership d/b/a Chariton Valley Wireless Services, Request for Waiver of Section 20.18(h)(1)(i)(A), filed January 17, 2012, in PS Docket No. 07-114 (“2012 Request”).