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February 18, 2005

Ms. Marlene Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

Re: Dockets 99-200, 04-36 (FCC 05-20, released February 1, 2005)  
Ex parte communication, pursuant to Section 1.1206 of the Rules

Dear Mrs. Dortch:

John Melcher and I met yesterday with Cheryl Callahan, Sanford Williams and Christi Shewman of the Wireline Competition Bureau to discuss certain consequences for IP 9-1-1 of the SBCIS waiver order referenced above. The waiver order was issued in Docket 99-200. Our discussion also covered issues pending in the IP service general rulemaking, Docket 04-36.

Mr. Melcher is Executive Director of Greater Harris County ("GHC") 9-1-1 Emergency Network, a regional emergency communications district in the Houston area. He is also a Past President of the National Emergency Number Association ("NENA"). John spoke from the attached slides, noting that some of the information in them is tentative and fluid, pending further disclosures by SBC and SBCIS. This is particularly true for the third slide, "Non-Compliant Behavior."

Mr. Melcher explained that concerns about IP 9-1-1 among elected and public safety officials in the GHC area have been heightened by a recent residential break-in, accompanied by non-fatal shootings, in which repeated attempts to reach 9-1-1 on a VOIP service failed. The incident has increased pressure for IP capabilities that would match features of automatic number identification and location that accompany most conventional wire calls to 9-1-1. These features enable prompt emergency response even when a caller is unable to give the information, and allow the call to be routed to the appropriate Public Safety Answering Point ("PSAP").

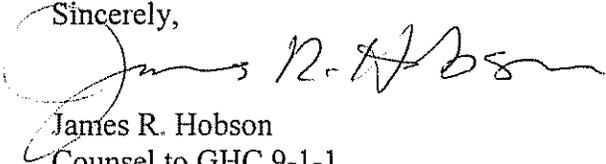
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- 2 -

GHC supports the waiver to SBCIS because it opens the way for more efficient and reliable VOIP access to the 9-1-1 network. However, GHC is concerned that SBCIS' IP competitors also have direct access to numbers and to tariffed or contract-based interconnection on the trunk side of LEC switches. Mr. Melcher explained his reluctance to urge other IP service providers to emulate SBCIS' waiver application if they cannot be assured of trunk-side interconnection.

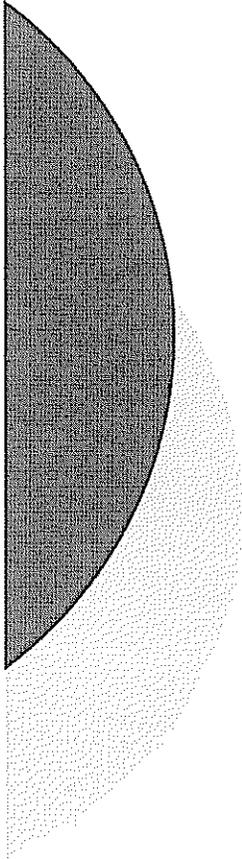
Please direct any questions to the undersigned.

Sincerely,



James R. Hobson  
Counsel to GHC 9-1-1

cc: Cheryl Callahan, Sanford Williams, Christi Shewman

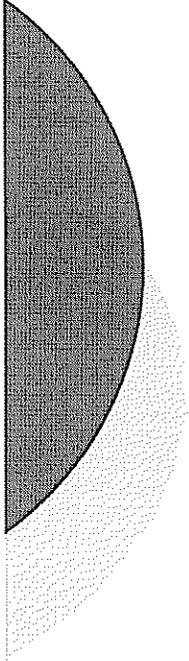


# FCC 05-20 Order Granting Waiver for SBCIS & Implications for 911 Services

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John Melcher  
Executive Director  
Greater Harris County 911 Emergency Network

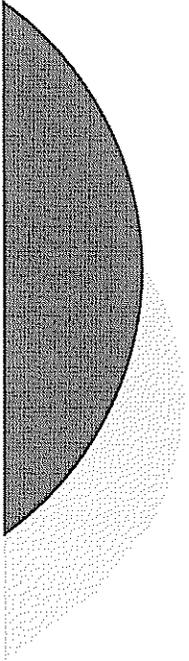
James R. Hobson  
Miller & Van Eaton



# GHC Concurrence with FCC Order

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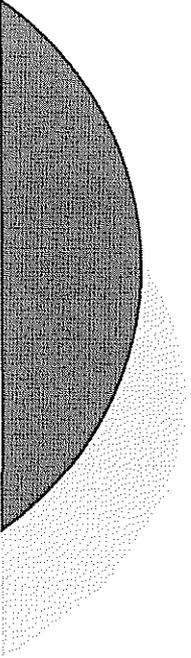
- Realizes efficiencies gained by carrier equivalent interconnection by IP-enabled service providers is in public interest.
- Concerned about potential SBCIS competitive advantage as subsidiary of SBC.
- Supports FCC conditions for granting of waiver:
  - PUC approved ICA
  - Order of interconnection pursuant to tariff that is generally available to other providers of IP-enabled services.



# Non-Compliant Behavior

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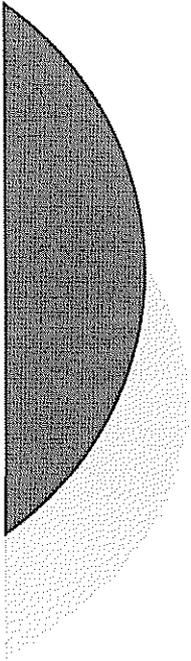
- SBC TIPTop Tariff has no access to 911 network and database services interconnection. [44.1 (B)(3)]
- SBC and SBCIS have executed a “commercial agreement” for SBCIS SS7 access to 911 Selective Router serving Houston by SBC.
- SBCIS will be given access by SBC to SBC 911 database systems where SBC is the 911 database provider.
- SBCIS is using Houston NPA 713 numbers for IP enabled services.



# GHC Supporting Data

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- SBCIS has submitted "Exhibit 1" for GHC approval. This is an attachment to an ICA delimiting 911 serving area, type and quantity of trunks to the 911 router, and listing by rate center of MSAGs required for accurate 911 record submission.
- SBCIS has submitted to GHC successful 911 trunk testing results for 713 numbers. Testing occurred 2/15/2005.
- SBCIS has verbally apprised GHC and Bexar Metro (San Antonio) of "commercial agreement" for 911 interconnection with SBC



# GHC Concerns

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- SBCIS, as a non-certified VoIP communications service provider, is enjoying the benefits of interconnection that currently may be unavailable to similar communications service providers.
- Many citizens in the GHC area have similar VoIP services from SBCIS competitors and do not have the same level of 911 service as SBCIS subscribers.
- This disparity is directly attributable to SBC's failure to formalize in tariff, accessibility letter, or Special Service Assembly Request (SSAR) intercarrier SS7 connectivity to the 911 router and 911 database systems by non-certified VoIP communication services providers.