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

In the Matter of	)	
	)	
Revision of the Commission's Rules to	)	
Ensure Compatibility With Enhanced 911	)	CC Docket No. 94-102
Emergency Calling Systems	)	
	)	

REPLY COMMENTS OF VERIZON

LECs today provide traditional multi-line telephone system operators with the necessary tools to provide E-911 access. And, as Verizon has shown, states have made substantial progress in considering the appropriate balance between maximizing public safety access and imposing new obligations on businesses and carriers. There is thus no basis to adopt unwarranted and duplicative federal requirements, under NENA's Model Legislation or otherwise, on LECs to facilitate multi-line telephone system E-911 compliance.

Commenters urging federal action generally fall into two camps – those that are critical of LEC delivery of E-911 access services and those that complain about the different requirements undertaken by the states. Neither of these arguments, however, presents a need for federal action.

First, Avaya suggests that "it is extremely unlikely" that each LEC would offer "the necessary services required to provide E911 services for the wide range of different MLTS technologies." *Avaya* at 12. Avaya offers no concrete evidence to support this claim, and Verizon demonstrated that across its service areas, it offers multi-line

telephone system operators E-911 solutions, pursuant to tariff or private arrangement depending upon state requirements.[1] Indeed, public interest groups agree that "[t]echnical solutions to the MLTS problem exist, and have been offered by multiple equipment vendors for many years." *APCO* at 2. E-911 service providers also concur: "carrier services are not an impediment to the widespread implementation of E-911 by MLTS owners." *RedSky* at 5 (emphasis in original).

Second, APCO suggests that there is "extreme variation in costs imposed by local exchange carriers" for E-911 database access, and notes that costs vary within "the same company." *APCO* at 4. The implication that LEC database pricing is arbitrary is inaccurate: "most carriers generally follow the same process and have similar pricing structures for an MLTS owner to access the carrier's ALI database for E-911 purposes." *RedSky* at 5; *Verizon* at 3-4. Nonetheless, because E-911 access for multi-line telephone systems are developed at the state and local level, with differing governmental and operational requirements, the Private Switch/Automatic Location Information (PS/ALI)

---

[1] *See Verizon at 3-4; see also Qwest,* Declaration of James C. Carroll. *See also RedSky* at 5 ("All incumbent local carriers provide the basics necessities that are required to support E-911 for MLTS, namely the provisioning of ISDN-PRI or CAMA for call processing, DID numbers, the establishment of an ALI database account so the MLTS owner can establish and maintain ALI records with the regional ALI database, and monthly billing for ongoing ALI maintenance."). Criticism of the manner in which LECs provide trunking options only rehashes the same arguments previously refuted by Verizon. The Enterprise Communications Association states with respect to ISDN facilities that "[t]here does not appear to be any reason why every LEC cannot provide such transmission facilities on request." *Enterprise Communications Association* at 11. Verizon has demonstrated on multiple occasions that the costs to update all central offices with ISDN technologies are prohibitive. Verizon provides either, and in many instances both, CAMA trunks or ISDN facilities to transmit E-911 location information to public safety personnel. Comments of Verizon, CC Docket No. 94-102, at 6 (Mar. 29, 2004) ("*Verizon 2004 Comments*"); *Verizon Comments* at 3. Verizon has also responded directly to prior calls for the adoption of the ANSI T1.628-2000 interface, which is neither widely adopted nor an industry standard. *Verizon 2004 Comments* at n.11; *Enterprise Communications Association* at 11.

software product, or its equivalent, does vary – for example between flat rate monthly pricing or record-based pricing – to some degree by jurisdiction. Differences in price, however, is not a basis for federal action. Moreover, Verizon is working with, and among, its jurisdictions to standardize its rate design.

Third, RedSky seeks a number of technical modifications to E-911 database management that are inconsistent with the decentralized operation of the 9-1-1 system, would impose significant costs on LECs and public safety answering points and could compromise the integrity of the databases. Specifically, RedSky would (1) limit the number of contracts necessary to provide E-911 access nationwide; (2) impose a uniform XML interface for database entries; (3) create a single point of entry for all E-911 database records; and (4) prohibit the use of certain security features required to access the ALI databases. *RedSky* at 6.

The potential inefficiencies in the current structure for multi-line telephone system operators pale in comparison to the substantial costs necessary to design, test, and implement a nationwide E-911 database, point of entry, or uniform interface.[2] Further, adoption of these modifications would not increase E-911 access by a single multi-line telephone system and could be rendered obsolete in the near term if IP-based systems require a different structure.[3] Moreover, the proposed modifications could jeopardize the

---

[2] If the Commission were to consider the adoption of any of these sweeping changes, the Commission would need to provide a direct means for LECs to recover the costs associated with the necessary modifications to E-911 databases. *See Verizon 2004 Comments* at n.10.

[3] A number of commenters raise concerns with respect to E-911 access for IP-enabled functionalities of multi-line telephone systems or IP-based systems. *See, e.g., Enterprise Communications Association* at 11-14. These concerns largely focus on the technological limitations inherent in the underlying IP technology as opposed to their

accuracy and security of current E-911 database records by greatly expanding the number of entities permitted to update particular E-911 databases, including by automated software, while prohibiting the use of strict security procedures.

That said, Verizon works with customers operating in multiple states to simplify and reduce, to the extent feasible, the necessary paperwork and contracts required to provide E-911 access. Verizon also tries to accommodate any requests of manufacturers and operators to incorporate particular interfaces in to E-911 databases. In doing so, however, Verizon must ensure that the accuracy and security of the E-911 databases are not compromised. In any event, that some customers desire accommodations to meet their individual challenges provides no basis for federal action.

Finally, commenters addressing the sufficiency of state action to address E-911 compliance for traditional multi-line telephone systems fail to provide any specific limitations or problems with the current regulatory structure to warrant federal regulations. Demands for federal action to avoid "patchwork" state regulation fail to provide any substantiated evidence of the asserted costs associated with "inconsistent" state requirements, and fail to account for the widespread availability of E-911 solutions under current rules. *Enterprise Communication Association* at 9-10; *Avaya* at 13-14. Others assert broadly that "[f]ederal action is essential" without explanation as to why current state requirements are inadequate. *Metropolitan 911 Board* at 7.

---

incorporation into multi-line telephone systems. As such, these concerns are best addressed in the Commission's IP-enabled services docket and other appropriate fora, including the Network Reliability and Interoperability Council. Indeed, the FCC explicitly sought comment in the IP-enabled services Notice on the "applicability of 911, E911, and related critical infrastructure regulation to VoIP and other IP-enabled services." *IP-Enabled Services,* Notice of Proposed Rulemaking, 19 FCC Rcd 4863, ¶ 53 (2004).

Even among those advocating Commission action, there is substantial disagreement as to the basis for federal regulation: manufacturers are critical of the intrusive and demanding requirements of state obligations, while public safety advocates suggest that those same state requirements are ineffective. *Compare Enterprise Communication Association* at 7-9 *to APCO* at 3-4. The adoption of burdensome E-911 access obligations for multi-line telephone systems requires a delicate balance between maximizing public safety access to all citizens and imposing costly mandates on multi-line telephone system operators, including small businesses, non-profit organizations, and universities. That balance is properly left to state legislatures.

Respectfully submitted,

By: /s/ *Jeffrey S. Linde*r

Jeffrey S. Linder
Bradley K. Gillen
WILEY REIN & FIELDING LLP
1776 K Street, N.W.
Washington, D.C. 20006
(202) 719-7000

Michael E. Glover
Edward Shakin
Julie Chen Clocker
VERIZON
1515 North Courthouse Road
Suite 500
Arlington, VA 22201-2909
(703) 351-3071

Attorneys for the
Verizon telephone companies

March 29, 2005