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**Via Electronic Filing**

Ms. Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12th Street, S.W., TW-B204  
Washington, D.C. 20554

**Re: Oral *Ex Parte* Presentation, In the Matter of IP-Enabled Services, WC Docket No. 04-36, and E911 Requirements for IP-Enabled Service Providers, WC Docket No. 05-196**

Dear Ms. Dortch:

On August 17, 2005, Curtis L. Groves, Karen Reidy, and Amy Wolverton, MCI, met with Christi Shewman of the Wireline Competition Bureau, and Elizabeth Mumaw, Marcy Greene, David L. H. Hunt, and Kathryn S. Berthot of the Enforcement Bureau to discuss the above-referenced proceedings and express support for CompTel's petition seeking clarification that the customer notification and acknowledgment requirements for interconnected VoIP providers set forth in Section 9.5(e) of the Commission's Rules<sup>1</sup> do not apply to interconnected VoIP service providers providing non-nomadic VoIP services to business customers receiving T1 equivalent services.

MCI is committed to public safety and fully supports the Commission's efforts to accelerate the deployment of E-911 services by VoIP providers. From the initial launch of its hosted IP Telephony solution for business customers, MCI Advantage, MCI has supported E-911 service as a standard feature, long before there was a regulatory mandate to do so. MCI is an active member of the Voice on the Net Coalition, which together with the National Emergency Numbering Association has been working for several years to identify solutions to the issues raised by VoIP E-911.

In the meeting, MCI described MCI Advantage, a complete convergence solution that consolidates business customers' voice and data applications over a single data network. MCI Advantage provides customers with one network for all communications (voice, data, and Internet), and one network for all features (voice mail, call forwarding, etc.), and one website to

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<sup>1</sup> Established in *IP-Enabled Services and E911 Requirements for IP-Enabled Service Providers*, First Report and Order and Notice of Proposed Rulemaking, FCC 05-116 (rel. June 3, 2005) (VoIP E911 Order).

control and manage voice applications. Notably, MCI Advantage is designed to replace existing analog local business lines or PBX functionality; it is not designed to augment or supplement existing wireline service. Most MCI Advantage customers are small to medium sized business customers who receive network access via a variety of options, including T1 or fractional T1 (768k) facilities or their equivalents.

Since launching the product, MCI has provided MCI Advantage customers with E-911 service at their business locations and continues to do so. E-911 is a standard feature of MCI Advantage, and the call flow utilizes the existing dedicated 911 network.

As was detailed in MCI's August 10, 2005, "Subscriber Notification Report," MCI has provided the requisite notice of the limitations associated with E-911 service to its MCI Advantage customers, in compliance with the Commission's *VoIP E911 Order*. Furthermore, MCI continues to attempt to contact those customers who have not provided the acknowledgments required by the *VoIP E911 Order*. MCI has sent emails and placed phone calls to these customers on a weekly basis, and MCI will continue to attempt to contact them in order to obtain the acknowledgments. As we discussed in the meeting, approximately 15% of MCI Advantage customers have not yet acknowledged the E-911 warnings.

Although MCI has complied with and intends to continue to comply with the notice requirements, MCI expressed its support for CompTel's argument that "there is no functional difference, limitation, or additional risk associated with the availability of E-911 via Interconnected VoIP services provided on a non-mobile basis solely to business customers, than over traditional digital T1 business services." MCI therefore expressed support for the relief sought by CompTel.

MCI further discussed the Enforcement Bureau's expectation that "if an Interconnected VoIP provider has not received subscriber notification acknowledgments from 100% of its existing customers by August 29, 2005, then the interconnected VoIP provider will disconnect, no later than August 30, 2005, all subscribers from whom it has not received such acknowledgments."<sup>2</sup> Disconnection poses a significant burden and threat to small businesses. For those customers, disconnection takes down their voice connection to the outside world, as these customers have replaced their traditional analog voice service with a VoIP product, such as MCI Advantage, and have no voice alternative other than their VoIP service. These customers would have no phone service – and no E-911 service, which MCI Advantage customers currently have today -- until their service is restored, which at best would take a full day.

Accordingly, as the August 30<sup>th</sup> is fast approaching, MCI stated that it would be appropriate for the Enforcement Bureau to continue to not seek enforcement of the notification requirements,

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<sup>2</sup> Public Notice, WC Docket Nos. 04-36, 05-196, DA 05-2085 (rel. July 26, 2005).

including the acknowledgment requirement, of the *VoIP E911 Order*, with respect to the customers implicated by the CompTel petition, until CompTel petition is resolved.

Pursuant to the Commission's Rules, this *ex parte* notice is being filed through the Commission's Electronic Comment Filing System procedures. Please do not hesitate to contact me at 202-736-6513 should you have any questions regarding this filing.

Respectfully submitted,

\_\_\_\_\_/s/\_\_\_\_\_  
Amy Wolverton

cc: Christi Shewman, Elizabeth Mumaw, Marcey Greene, David L. H. Hunt, Kathryn S. Berthot, Berry Best Copy and Printing