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September 1, 2005

Filed via ECFS
Marlene H. Dortch
Office of the Secretary
Federal Communications Commission
445 12th Street SW
Washington DC 20554

Re: Subscriber Acknowledgement Report of Comcast Corporation (September 1, 2005)

Dear Ms. Dortch:

Please find enclosed the Subscriber Acknowledgement Report of Comcast Corporation, dated September 1, 2005, in WC Docket No. 05-196.

Please let me know if you have any questions regarding this filing.

Sincerely,

/s/ Valerie Yates

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Before the
Federal Communications Commission

In the Matter of	)	
	)	
E911 Requirements for IP-Enabled Service Providers	)	WC Docket No. 05-196
	)	
	)	

COMCAST CORPORATION
SUBSCRIBER ACKNOWLEDGEMENT REPORT
SEPTEMBER 1, 2005

Pursuant to the August 26, 2005 Public Notice issued by the Enforcement Bureau ("Bureau") of the Federal Communications Commission ("Commission") in WC Docket No. 05-196,[1] Comcast Corporation ("Comcast") submits this report updating the record regarding its compliance with the Commission's recently adopted Enhanced 911 ("E911") requirements[2] on behalf of Comcast subsidiaries that are currently providing interconnected voice over Internet protocol ("VOIP") services.[3] This report supplements the information Comcast submitted on August 10, 2005.[4]

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[1] Enforcement Bureau Provides Further Guidance to Interconnected Voice Over Internet Protocol Service Providers Concerning Enforcement of Subscriber Acknowledgement Requirement, *Public Notice*, WC Docket Nos. 04-36 and 05-196 (rel. August 26, 2005).

[2] IP-Enabled Services and E911 Requirements for IP-Enabled Service Provider, First Report and Order and Notice of Proposed Rulemaking, WC Docket Nos. 04-36 and 05-196 (rel. June 3, 2005) ("VOIP E911 Order").

[3] This filing encompasses Comcast's primary IP-enabled voice service as well as an IP-enabled service Comcast provides to a limited number of circuit-switched telephone customers in the Detroit, Michigan area. These services are referred to collectively as "interconnected VOIP service."

[4] E911 Requirements for IP-Enabled Service Providers, *Subscriber Notification Report of Comcast Corporation*, WC Docket No. 05-196 (filed August 10, 2005) ("August 10th Report").

BACKGROUND

Comcast Corporation is principally involved in the development, management, and operation of broadband cable networks and programming content. Comcast Cable Communications, LLC, is the largest cable company in the United States, serving more than 21 million cable subscribers. Through its operating subsidiaries, Comcast Corporation also provides telecommunications services to residential and business customers in various portions of the United States. In addition to providing traditional, circuit-switched telecommunications services, Comcast has been using IP technology in the access network connected to the Class 5 switch serving a portion of its cable telephony customers in the Detroit market ("hybrid IP-circuit-switched service"). More recently, Comcast launched a new service that uses soft switches and Internet Protocol to transmit voice over its private, managed network ("IP-enabled voice service"). Comcast's IP-enabled voice service was first launched on a trial basis in the spring of 2004. It is now available to residential customers in ten markets.

The Commission's rules require providers of interconnected VOIP service to: (1) advise every new and existing subscriber, prominently and in plain language, of the circumstances under which E911 service may be limited or unavailable; (2) obtain and keep a record of affirmative acknowledgement by every subscriber, both new and existing, of having received and understood the E911 advisory; and (3) distribute to new and existing subscribers stickers or labels warning subscribers if E911 may be limited or unavailable and instructing the subscriber to place them on or near the equipment used in conjunction with the interconnected VOIP service.

As discussed in detail in its August 10th Report, Comcast designed its interconnected VOIP services to include 911 and E911 functionality and back-up power for possible outages in

a customer's home or in its network.[5] Prior to the Commission's VOIP E911 Order, Comcast provided customers of its interconnected VOIP service with appropriate information about the functionality and limitations of their E911 service. Comcast has always provided clear and understandable disclosures regarding possible limitations of its interconnected VOIP service in the User Guide and Subscriber Agreement provided to customers at the time of installation.[6] Moreover, Comcast has always required that its customers acknowledge their acceptance of these limitations by signing a work order[7] which references the Subscriber Agreement at the time of installation as well as by enrolling in, using, or paying for the services provided.[8] As a result, Comcast believes that, through these pre-existing mechanisms, it has fully complied with the Commission's advisory and acknowledgement rules.

As further proof of Comcast's commitment to the safety of its customers, Comcast has undertaken extensive additional efforts to provide its customers with supplemental advisory notifications and stickers and to obtain affirmative acknowledgements that each customer has received and understood the information provided. Updated information regarding the ongoing effort Comcast is making to ensure compliance with the Commission's VOIP E911 Order is set forth below.

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[5] *See* August 10th Report at page 3.

[6] Detroit-area customers of Comcast's hybrid IP-circuit-switched service are provided information regarding possible limitations of 911/E911 service in the tariff on file with the Michigan Public Service Commission.

[7] As discussed below, the work order forms have been revised since the release of the VOIP E911 Order. Prior to that revision, the work order forms did not include an explicit discussion of E911, but they clearly stated that the customer's signature confirms receipt of and consent to the terms of the Subscriber Agreement, which did (and does) include such an explicit discussion.

[8] The Subscriber Agreement clearly states that customers consent to the terms of the Subscriber Agreement by enrolling in, using, or paying for the services provided.

STATUS UPDATE

The Bureau has requested a detailed explanation regarding current compliance with the notice and warning sticker requirements from any provider that did not notify and issue warning stickers to 100% of its subscribers by the July 29, 2005 deadline. As discussed in its August 10th Report, by July 29, 2005, Comcast had mailed a supplemental E911 advisory and warning stickers to 100% of its customers. In addition, Comcast updated its work order forms to include an explicit description of the limitations of the E911 service provided with Comcast's interconnected VOIP service.[9] New customers must acknowledge those limitations by signing the work order at the time of installation. Comcast continues to provide E911 advisory information in the Subscriber Agreement and User Guide that customers are provided at installation as well as through information available its website. In addition, Comcast now distributes warning stickers as part of the Welcome Kit delivered to all new customers.

The Bureau has requested a quantification of the subscribers that have submitted an affirmative acknowledgement of the E911 advisory information. As discussed in its August 10th Report, Comcast has received an affirmative acknowledgement from all existing customers through their consent to the terms of the Subscriber Agreement.[10] This acknowledgement was memorialized by signature on the work order and through the ongoing actions of enrolling in, using, and paying for the services provided. Nevertheless, Comcast has sought supplemental

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[9] The new work order forms have been available in all markets since August 17, 2005. The August 10th Report mistakenly stated that the initial mailing occurred on July 8, 2005. The correct date is July 15, 2005. For those customers installed between Comcast's initial mailing on July 15, 2005 and the implementation of the new work order forms, Comcast has issued subsequent mailings that included the E911 advisory information and stickers. Additional mailings to new customers were made on the following dates in 2005: July 19, July 22, July 28, August 16 and August 23.

[10] As noted in footnote 6, Comcast's Detroit area customers of its hybrid IP-circuit-switched service are deemed to have agreed to the terms and conditions of the tariff on file with the Michigan Public Service Commission.

acknowledgements from all existing and new customers installed prior to the implementation of the revised work order forms. In addition to mailing our entire customer base, as described above, Comcast has sent tens of thousands of emails and placed over one hundred thousand outbound calls repeatedly urging any remaining non-responders to provide an affirmative acknowledgment to the supplemental E911 advisory.

The Bureau has requested a detailed description of any and all actions the provider plans to take with regard to any of its subscribers who do not affirmatively acknowledge having received and understood the E911 advisory. Over the seven weeks since the first batch of supplemental E911 advisories was mailed, Comcast has garnered tremendous practical experience in assessing the effectiveness of various practices for generating affirmative responses from its customers. While it has effective and efficient procedures in place for providing information about and obtaining customer acknowledgements regarding the E911 capabilities of Comcast's interconnected VOIP service during the sales and installation process, Comcast has had to develop and adapt its methods for obtaining supplemental acknowledgements from its existing customer base.

At this point, Comcast has expanded its use of outbound calling to obtain supplemental acknowledgements from any remaining customers who have not yet responded to the supplemental advisory information ("non-responders"). Any remaining non-responders are currently being called daily and urged to provide the supplemental acknowledgement. Comcast has been unable to reach certain segments of the customer base by telephone due to devices at the customer premises that disrupt calls from automated dialing systems. Comcast has recently implemented a program to generate a list of non-responding customers who cannot be reached by automated dialing systems. Customer care agents have now been tasked with calling those

customers personally to encourage them to listen to the E911 advisory and provide an acknowledgement that they have received and understood the information. In addition, Comcast has implemented a system for intercepting in-bound calls to its customer care centers by non-responders and diverting them to an automated system used to provide the E911 advisory information and to obtain supplemental acknowledgements.

Comcast is continuing to develop and improve the methods for obtaining supplemental acknowledgements from unresponsive customers, including making changes to our scripting to make the information more clear and the process more streamlined. In fact, Comcast's extensive and repeated efforts to secure supplemental acknowledgements have been perceived as annoying by its customers and have generated dozens of complaints. Any further action Comcast takes is done at the risk of jeopardizing its relationship with its non-responsive customers.

Finally, the Bureau has directed that this report must include either a statement that the provider will use a "soft" or "warm" disconnect procedure for non-responders as of September 28, 2005 or a detailed explanation of why it is not feasible for the provider to do so. As an initial matter, Comcast believes that "soft" disconnection is inappropriate for customers, like its own, who have access to E911 as part of the interconnected VOIP service to which each subscribes and who have been fully apprised of and agreed to the terms of Comcast's interconnected VOIP service, as described above.[11] In addition, Comcast believes that this option is overly disruptive given Comcast's extensive efforts since the release of the VOIP E911 Order to provide

[11] In fact, "soft" disconnect is a rather extreme response for a customer's failure to supply an acknowledgement even for a customer who is subscribed to a service that either does not include emergency calling capability at all or does not include E911 functionality. As the VON Coalition noted in its August 25, 2005 letter to Chairman Martin, "not every emergency requires a call to 9-1-1" and during hurricane season in particular "there are likely to be instances when having basic communications in an emergency can help prevent a tragedy." *See* Letter from the VON Coalition to Chairman Martin, FCC, dated August 25, 2005.

supplemental advisory information and to obtain supplemental acknowledgments from its interconnected VOIP service customers.

In any event, Comcast has determined that implementing a "soft" disconnect procedure is infeasible due to the complexity of the undertaking and the limited time frame established by the Bureau's directive. Comcast's current billing and provisioning systems do not have the capability to support scripted processes that flow-through automatically from the billing systems to the provisioning systems. Implementing a "soft" disconnect for non-responders would require multiple manual interventions in Comcast's billing and provisioning systems.[12] The manual nature of this process creates a significant risk of error that could impact responders and non-responders alike.[13]

Moreover, the only context in which Comcast has previously performed "soft" disconnects is where a customer has failed to pay his or her bill. Consequently, this is the only context Comcast's billing and provisioning systems are able to support a "soft" disconnect. As a result, to place the accounts of non-responders into "soft" disconnect status, the accounts would need to be put into "non-pay" status in the billing system. Imposing "non-pay" status on non-responders, however, will cause unintended consequences unless additional manual interventions are also performed. For example, Comcast runs billing and provisioning reconciliation programs daily to identify and restore service to those customers in "soft" disconnect status who have made payments on their accounts. These reports would need to be cross-referenced against the

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[12] Even with respect to customers who have not paid their bills, performing a "soft" disconnect is a manual process.

[13] *See, e.g., Application by Bell Atlantic New York for Authorization Under Section 271 of the Communications Act To Provide In-Region, InterLATA Service in the State of New York*, Memorandum Opinion & Order, 15 FCC Rcd 3953 ¶ 137 (1999) (finding that manual processing creates "a greater risk of error" than mechanized processing)

database of non-responders to ensure that a payment to the account of a non-responder does not cause service to be restored.

Moreover, the complexities of handling billing and collections for these accounts are substantial. Comcast currently has no ability to prevent non-responders in "non-pay" status from receiving overdue notices and being subject collection efforts even though that status arises from the need to provide a supplemental E911 acknowledgement rather than a delinquency on the account. Similarly, Comcast currently has no existing method to prevent non-responders from being subjected to a complete disconnection of service, which is the ordinary course of action after a customer has been in "soft" disconnect status for a specified period of time. Comcast also has no mechanism in place for calculating and providing credits to customer accounts due to the temporary suspension of service.

The discussion above presumes that Comcast is using the existing non-pay disconnect profiles in our billing systems to implement "soft" disconnect for non-responders. The alternative is to work with third-party billing system vendors to develop an entirely new order profile which would permit "soft" disconnect of interconnected VOIP service customers for reasons other than non-pay status. Identifying the business requirements and seeking input on software modifications from our vendors is a process that Comcast anticipates would take a minimum of thirty days. Comcast cannot estimate how long it would take our third-party billing system vendors to implement these changes. In addition, Comcast would need to make corresponding changes its internal provisioning systems, which entails software development, coding, and implementation. Accordingly, developing and implementing the software modifications necessary to create a new mechanism for "soft" disconnection of non-responders is an intricate task requiring meticulous coordination between Comcast and its third-party vendors.

Finally, whether Comcast uses existing procedures for non-paying customers or it develops a new order type specifically for non-responders to cause a "soft" disconnect, Comcast would also need to develop and document the new procedures and train the relevant personnel.[14] Moreover, Comcast is very concerned that this practice may cause permanent injury to its customer relationships. As a result, Comcast would also need to develop and implement a customer care campaign designed to address the customer confusion and hostility which would be the inevitable result of a suspension in service.

In sum, from a technical, operational, and customer care perspective, the complexities of implementing "soft" disconnect status have lead Comcast to conclude that "soft" disconnection of any remaining non-responders is infeasible at this time.

CONCLUSION

As discussed above, Comcast is making every reasonable effort to ensure compliance with the Commission's supplemental notification requirements in the VOIP E911 Order. Representatives of Comcast would welcome the opportunity to discuss the matters presented in this Report should the Commission have any questions or require further information.

Respectfully submitted,

/s/ Joseph W. Waz Jr.
Joseph W. Waz Jr.
COMCAST CORPORATION
1500 Market Street
Philadelphia PA 19102

[14] This undertaking is further complicated because Comcast uses three different billing systems and two different switch platforms, so the particular procedures to be followed would vary depending on the particular billing system and switch involved.

CERTIFICATE OF SERVICE

I, Valerie Yates, hereby certify that a copy of the foregoing Subscriber Notification Report filed by Comcast Corporation in WC Docket No. 05-196, DA 05-2085, was served by electronic mail on September 1, 2005 to the persons listed below.

/s/ Valerie Yates
Valerie Yates

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