November 23, 2005

Marlene H. Dortch
Secretary
Federal Communications Commission
445 Twelfth St., SW
Washington, DC 20554

RE: E-911 Requirements for IP-Enabled Service Providers, WC Docket No. 05-196; IP Enabled Services, WC Docket No. 05-196; New Global Telecom, Inc. Compliance Letter

Dear Ms. Dortch:

I am writing on behalf of New Global Telecom, Inc. ("NGT"), a provider of managed Voice over Internet Protocol ("VoIP") services on a wholesale basis to other service providers, which in turn use NGT's wholesale services and facilities to provide VoIP services on a retail basis to their own end-user subscribers. The purpose of this letter is to provide a compliance report on the status of NGT's implementation of E-911 service, as required by the First Report and Order in the above-captioned proceedings, FCC 05-116, 20 FCC Rcd 10245 (released June 3, 2005) ("*Order*"); Public Notice, "Enforcement Bureau Outlines Requirements of November 28, 2005 Interconnected Voice Over Internet Protocol 911 Compliance Letters", WC Docket Nos. 04-36, 05-196, DA 05-2945 (released Nov. 7, 2005) ("*Public Notice*"). This letter provides background information about NGT, and then responds to each of the specific information requests outlined in the *Public Notice*.

Background on New Global Telecom

NGT does not provide services on a retail basis directly to end-user subscribers. However, NGT is a leading provider of managed VoIP services on a *wholesale* basis. NGT's customers are retail providers that sell interconnected VoIP to residential and enterprise end-users. In fact NGT is the market leader for wholesale hosted enterprise VoIP, having an estimated 26% share of the market (based upon an aggregation of NGT customers' end users). NGT has provided wholesale communications and information services since 1996. In 2003, NGT launched its first wholesale VoIP services, and in 2004, NGT launched a wholesale VoIP offering under the brand name "6DegreesIP™." In 2005, 6DegreesIP won Product of the Year Award from Internet Telephony magazine, and Frost & Sullivan IP Telephony Services Customer Value Enhancement award and IP Telecom Industry Customer Service Leadership Award. As of October 2005, NGT is providing wholesale service to 43 retail providers of interconnected VoIP service, and those providers are using NGT's platform to serve over 46,000 end-user subscribers (both residential and business) generating over 19,000,000 minutes of voice

traffic per month. As of October 2005, NGT has assigned over 45,000 telephone numbers for its wholesale customers' retail subscribers. The wholesale customers include a broad range of service providers, including interexchange carriers (IXCs), managed service providers, independent telephone companies, competitive local exchange companies (CLECs), building local exchange companies (BLECs), Internet Service Providers (ISPs), and Applications Service Providers (ASPs). These companies provide service throughout the United States.

The 6DegreesIP product suite includes: (1) the hosted application server with comprehensive feature sets for residential and enterprise segments of the market; (2) nationwide origination and worldwide termination; (3) direct inward dialing ("DID") numbers; (4) local number portability; (5) Directory Assistance, Directory Listing, and TRS services; (6) audio and web conferencing, including on-demand multi-party voice conferencing with optional web meeting and document sharing; (7) cross-border number assignment; (8) integrated OSS and billing functionality; (9) customer premise equipment ("CPE") support; (10) and marketing and training support. Wholesale customers that buy NGT's 6DegreesIP services have the option of purchasing packages ranging from basic dial tone to feature-rich bundles that include hunt groups, selective call handling, unified messaging, remote call features, web calling interface, hosted PBX features and voicemail service. The services allow for nomadic ability (*i.e.*, enabling end-users to access their VoIP service when they are traveling away from their primary place of use) as well as non-native telephone numbers (*i.e.*, enabling end-users to use phone numbers that are associated with locations other than their primary place of use).

Prior to the effective date of the *Order,* NGT has been providing its service provider customers access to 911-type services. NGT has provided notice of the limitations of its 911-type services to all of its service provider customers, both new and existing, pursuant to ¶ 48 of the *Order*. 1/ NGT timely received affirmative acknowledgements from 100% of its service provider customers on or before July 29, 2005, and therefore did not file for an extension with the FCC. NGT also requested and received acknowledgement from 100% of its service provider customers of such providers' duty: (i) to inform its subscribers of the 911 limitations of the VoIP services provided over NGT's 6DegreesIP platform; (ii) to obtain and retain acknowledgements of receiving and understanding this information; and (iii) to distribute warning stickers or other appropriate labels warning subscribers of the 911 limitations.

1/ These limitations include the unavailability of 911 services to end-user subscribers whose assigned telephone numbers are outside of the geographic rate center associated with such telephone number, to end-user subscribers that relocate their VoIP calling devices locations away from the registered subscriber location associated with such telephone number; and to subscribers that fail to provide timely updates to their location information as required to enable that information to be registered in the relevant databases. In addition, the 911 services supported by NGT's platform are not available in the event of (i) an outage, degradation or other disruption of electric power at the subscriber location (ii) an outage, degradation or other disruption of the subscriber broadband Internet connection (iii) a suspension of an account as a result of nonpayment or other material breaches. In addition, pending the development of E-911 services as discussed below, the limitations include a disclosure that some 911 calls will terminate to a general or administrative line, that such calls may or may not be answered by operators specifically designated to receive the incoming 911 call, and that there may be a greater possibility that the general or administration line may produce a busy signal or will take longer to answer or not be answered at all.

NGT is committed to implementing the *Order*'s requirements, since having a fully functional E-911 service in the United States is essential not only for commercial reasons, but to promote public safety. In mid-2004 NGT recognized the need for an E-911 solution. NGT believed that Intrado was the furthest along in developing a service with the capabilities NGT required, and so at the end of 2004 NGT contracted with Intrado, becoming its second customer for its nomadic Virtual E-911 solution. 2/ This enabled NGT to begin developing a more robust and functional E-911 service for its wholesale VoIP provider customers.

After the *Order* was released, NGT and Intrado began reworking the E-911 solution in order for our service provider customers to be able to comply with the *Order*. This has been a very difficult and time-consuming process, and NGT has dedicated a team, including members of its senior management, to work with Intrado on an E-911 solution.

1. Description of NGT's E-911 Solution.

NGT's "SafeCall® E-911 Service" primarily utilizes Intrado's network capabilities, but will also utilize services provided by other Emergency Service Gateway Providers (ESGWs) to provide a compliant E-911 service for VoIP 911 calls. NGT will be able to provide its service provider customers with SafeCall® E-911 services to facilitate fully compliant E-911 connectivity to those PSAPs where NGT via its underlying providers have the necessary access to the PSAPs. The Public Notice includes several bulletpoints specifying the information that the VoIP providers must submit in their Compliance Letters. *Public Notice* at 3-4. The first of these bulletpoints requires information regarding the percentage of the provider's end-user subscribers to whom the provider is able to provide 911 service in compliance with the rules established in the *Order*. As of November 28, 2005, NGT expects to have its fully compliant SafeCall® E-911 service available for approximately 70% of current VoIP end-users, increasing to approximately 80% coverage of those current VoIP end-users by the end of 2005. As a result, less than 12,000 of NGT's VoIP end-users will be without access to E-911 service in compliance with the *Order* after January 1, 2006. These VoIP end-users, however, will have access to NGT's SafeCall® Operator Assisted 911 Service, as further described below. This number will be reduced as NGT expands the geographic areas served by its SafeCall® E-911 services ("Coverage Area"), as noted below.

a. 911 Routing Information/Connectivity to Wireline E-911 Network.

The first sub-bullet under the first main bulletpoint in the *Public Notice* requires a statement as to whether the provider is transmitting 911 calls to the appropriate PSAP (or other appropriate destinations) using the Selective Router, the trunk lines between the Selective Router

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2/ *See* Press Release, "New Global Telecom Selects Intrado V-9-1-1SM® Mobility Solution for VoIP Offer – Intrado First to Provide Comprehensive, Nationwide E9-1-1 Support for All Types of VoIP Users" (Feb. 8, 2005) (available at http://www.ngt.com/news/?presspager=30&arc=&yr=2005&my=).

and the PSAP, and such other elements of the Wireline E911 Network as are necessary. NGT will be able to provide its service provider customers with SafeCall® E-911 services to facilitate fully compliant E-911 connectivity to those PSAPs where NGT via its underlying providers has the necessary access to the PSAPs.

NGT expects that over 99% of the VoIP-originated 911 calls over NGT's SafeCall® E-911 Service within NGT's E-911 coverage area ("Coverage Area") are transmitted via the appropriate Selective Routers and other components of the Wireline E-911 Network (the remaining VoIP-originated 911 calls are transmitted via the PSTN using SafeCall® Operator Assisted 911 Service due to limitations in PSAP capabilities). The MSAs comprising NGT's initial Coverage Area, as of November 28, 2005, and planned expansion are listed in Attachment A to this letter. NGT's efforts with regard to geographic areas outside its initial Coverage Area are discussed below.

The *Public Notice* also directs providers to quantify the number of Selective Routers to which it has interconnected, directly or indirectly, as of November 28, 2005. As of that date, NGT will be interconnected with 154 Selective Routers and over 2500 PSAPs, via its relationships with Intrado and other ESGWs.

b. <u>Transmission of ANI and Registered Location Information</u>.

The second sub-bullet point in the *Public Notice* requires detailed information on whether the provider is transmitting the 911 callers' ANI and Registered Locations to all answering points that are capable of receiving and processing this information. In order to implement SafeCall® E-911 Service, NGT and its service provider customers are making the utmost effort to obtain and validate Registered Locations for every existing end-user VoIP subscriber. NGT is in the process of sending notifications to its service provider customers of their end-user VoIP subscribers that have Registered Locations within the Initial E-911 Coverage Area and have SafeCall® E-911. As required by the *Order*, all 911 calls from those subscribers will then be routed either via Selective Routers over dedicated lines or via the PSTN directly (for those PSAPs not utilizing 911 Selective Routers) to the appropriate PSAP for the subscriber's Registered Location along with the call-back number and location information (to the extent that the PSAP is capable of receiving and utilizing location information). NGT's efforts to obtain Registered Location information are discussed below.

The second sub-bullet also requests the following: (i) the percentage of PSAPs capable of receiving and processing ANI and Registered Location information; (ii) the percentage of end-user subscribers whose ANI and Registered Location are being transmitted when they place E-911 calls; and (iii) an explanation of why the provider is not transmitting the 911 caller's ANI and Registered Location to all PSAPs that are capable of receiving and utilizing location information, to the extent it is not able to do so. In response, NGT submits as follows:

Item (i): According to Intrado, currently 93% of the US population is served by PSAPs operating off an E9-1-1 Selective Router. NGT respectfully submits that it lacks the information needed to respond specifically because, as noted above, NGT depends on Intrado and other ESGWs for connectivity to Selective Routers, and does not have direct information regarding the percentage of PSAPs that are capable of receiving and processing ANI and Registered Location information within the Coverage Area.

Item (ii): NGT respectfully submits that it lacks the information needed to respond because NGT depends on Intrado and other ESGWs for connectivity to Selective Routers, and does not have direct information regarding the percentage of PSAPs that are capable of receiving and processing ANI and Registered Location information. However, as stated above, as of November 28, 2005, NGT expects to have fully compliant SafeCall® E-911 service available for approximately 70% of its customers' current VoIP end-user subscribers and NGT expects that over 99% of the VoIP-originated 911 calls over NGT's SafeCall® E-911 Service within the Coverage Area are transmitted via the appropriate Selective Routers and other components of the Wireline E-911 Network. (The remaining VoIP-originated 911 calls are transmitted via the PSTN using SafeCall® Operator Assisted 911 Service due to limitations in PSAP capabilities.)

Item (iii): As of November 28, 2005, NGT's SafeCall® E-911 Service is transmitting the 911 caller's ANI and Registered Location to *all* PSAPs in its Coverage Area that are capable of receiving and utilizing location information. NGT's efforts to expand its Coverage Area are discussed above.

c. 911 Coverage.

The third sub-bullet in the *Public Notice* requires the submission of information regarding the areas in which the provider is in full compliance with the *Order* and where it is not, as well as its plans for coming into full compliance, including its anticipated timeframes.

As of November 28, 2005, NGT is able to provide fully-compliant SafeCall® E-911 Service in 2,081 rate centers in 31 markets. This converts into being interconnected to 154 Selective Routers and over 2500 PSAPs, most of which are capable of receiving ANI and Registered Location information. By January 2006, NGT expects to be interconnected to an additional 30 Selective Routers and 1000 PSAPs for an additional 1,781 rate centers in 20 additional markets. By March 2006, this coverage is expected to increase to a total of 250 Selective Routers and 4000 PSAPs, and 400 Selective Routers by June 2006. In terms of population, NGT shall be able to make available fully compliant SafeCall® E-911 Service in areas covering 60% of the population as of November 28, 2005. The remaining coverage area is being prioritized with the expected roll-out to 70% coverage of the domestic US population by

end of 2005 and between 80-85% coverage by the end of June 2006. 3/ The remaining 15% are locations where the PSAPs either do not support E-911 (5%), making SafeCall® E911 unavailable in these locations (NGT will support basic or other 911 processes that these locations offer) or are in areas currently not scheduled for SafeCall® E-911 coverage until after June, 2006 and where NGT will not provide VoIP services until such E-911 coverage is available.

NGT fully realizes the importance and necessity to expand the Coverage Area for its SafeCall® E-911 Service. NGT and Intrado are working diligently to increase the coverage area for E-911 services. Intrado has released information that it has contracted with Qwest, SBC, and Verizon, and is currently working with other ESGW providers to enhance its own coverage. NGT is also independently working with other ESGW providers, as well some of NGT's CLEC customers to provide additional coverage for SafeCall®. However, as the Commission is aware, adding additional network providers is a difficult and time-consuming process. Some network providers are wary of contracting to terminate E-911 calls from telephone numbers that are not directly provisioned by them, especially without legislated liability relief. While some network providers are willing to provide this, there are many operational, commercial, testing and technical issues that need to be resolved. Issues outside of NGT's control have been the most difficult to manage, whether it is managing work activities between vendors; waiting to acquire appropriate routing information, or waiting for PSAP testing (which requires coordination from at least four (4) entities). All have taken far longer than expected. A number of these issues have required multiple meetings per week for months just to understand the issues and to get to a viable solution. However, through these detailed and dedicated efforts, we expect that every month hereafter we will have significant growth in our incremental areas of coverage for SafeCall® E-911.

2. <u>Obtaining Initial Registered Location Information</u>.

The second main bullet point in the *Public Notice* requests detailed information on actions the provider has taken to obtain existing subscribers' current Registered Location and new subscribers' initial Registered Location, including dates, methods of contact, and percentages of subscribers from whom such information has been obtained. As noted above, NGT does not directly serve end-user subscribers; it provides service only on a wholesale basis to other interconnected VoIP providers. NGT's service provider customers – not NGT itself – are responsible for all direct contacts with their end-user subscribers. However, NGT has made it a policy with its service provider customers that all end-user subscribers in the United States who will be utilizing SafeCall® E-911 Service must have an initial valid Registered Location.

3. <u>Obtaining Updated Registered Location Information</u>.

3/ A detailed schedule of NGT's current and planned roll-out of SafeCall® E-911 Service is provided in Attachment A.

The third main bullet point requires information on methods by which end-user subscribers can update their Registered Locations. NGT's SafeCall® E-911 Service enables our service provider customers' end-user subscribers to dial an 800 number into a call center in order to update their Registered Location to a valid postal address within NGT's Coverage Area. NGT expects to offer this nomadic update capability via a web portal in the first quarter of 2006. If an updated Registered Location is within NGT's coverage area for SafeCall® E-911, the subscriber will be notified in real time in most instances that the Registered Location was updated and validated and the subscriber will have VoIP service at this location, including fully compliant E-911 Service. In the event that the subscriber attempts to update the Registered Location to a location that is outside of NGT's Coverage Area for SafeCall® E-911 Service, the subscriber will be notified in real time in most instances that VoIP service is unavailable at that location and service will be suspended (although an alternative form of 911 service, described below, will continue to be available) and will be reinstated when the address is subsequently updated back to a Registered Location within NGT's coverage area for SafeCall® E911. 4/

4. Technical Solution for Nomadic Subscribers.

The fourth bullet in the *Public Notice* seeks a detailed description of the provider's technical solutions to ensure that subscribers have access to 911 service whenever they use their service nomadically. As noted above, the end-user subscribers to NGT's service provider customers have the ability to update their Registered Locations, and if they provide new Registered Locations within the Coverage Area for NGT's SafeCall® E-911 Service, they will have access to E-911 functionality that is fully compliant with the *Order*. However, if end-user subscribers update their Registered Locations to domestic U.S. locations outside NGT's Coverage Area, NGT will suspend Voice Services, but an alternative form of 911 service is available. NGT has developed the capability and will provide (on an interim basis and only until E-911 is fully implemented in those areas) an emergency operator-assisted 911 service – known as SafeCall® Operator Assisted 911 Service – in which 911 calls include the call-back number and the actual Registered Location that a subscriber has provided.5/ Specifically, 911 calls placed by subscribers with Registered Locations within the United States, but outside the geographic area where NGT has deployed fully-compliant E-911 service, would be routed to an emergency call response center ("ECRC"). The ECRC would have operators standing by 7 days a week, 24 hours a day, with access to the subscriber's Registered Location and call back number. The ECRC would then provide a "soft transfer" of the 911 call to the appropriate 911 dispatcher or, potentially, to a local exchange telephone line of the geographically appropriate PSAP. The ECRC could then communicate the Registered Location and call back number prior to transferring the actual call, in case the caller cannot do so. NGT will send notifications to its

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4/ NGT also intends to provide its service provider customers and their subscribers with a means to check the availability of VoIP Services and SafeCall® E-911. A subscriber will be able to check an address prior to updating the Registered Location to validate the availability of Voice Services.

5/ SafeCall Operator Assisted will also be utilized initially when a PSAP does not utilize Selective Routers and other components of the Wireline E-911 Network.

service provider customers of these end-user subscribers that have Registered Locations outside of the Initial E-911 Coverage Area and have SafeCall® Operator Assisted 911 Service.

Additional Information Regarding NGT's Compliance Plan.

As required by the *Order*, prior to November 28, 2005 NGT plans to stop making available Voice Services for its service provider customers to sell to *new* end-user customers in areas outside the Coverage Area in which NGT provides fully compliant E-911 services. However, consistent with the AT&T, MCI, and Verizon compliance plans that the *Public Notice* "applauds" (at 5), NGT will enable its service provider customers to continue providing service to their *pre-existing* end-user customers with initial Registered Locations outside of NGT's Initial E-911 Coverage Area. NGT will grandfather only these existing customers so that they can continue to use the Voice Services while NGT diligently works to expand SafeCall® E-911 coverage into these areas. For these existing customers, NGT will provide SafeCall® Operator Assisted 911 Service for the initial Registered Location that is outside of NGT's initial E-911 Coverage Area. This operator-assisted 911 service, while not equivalent to fully-compliant E-911 service, is a far better approach for subscribers than simply cutting off VoIP service, sending a call to the correct PSAP without Registered Location information, or routing 911 calls to the wrong PSAP.

We note that the *Order* specifically notes that there is no requirement that VoIP providers provide an automatic detection mechanism to enable the providers to identify when a customer may have moved to a new location. *Order*, ¶ 46 & n.146. Thus, although the *Public Notice* mentions that the plans submitted by AT&T, MCI, and Verizon claim that those companies are developing such automatic detection mechanisms, *Public Notice* at 4, NGT has no plans at this time to implement such a capability, but will continue to review technologies and features to enhance its SafeCall service offering. We also note that, while AT&T, MCI, and Verizon made commitments to make certain financial contributions to public safety oriented organizations, there is no requirement in the *Order*, and no statement in the *Public Notice*, regarding VoIP providers' obligation to make such payments. NGT has no plans to make such contributions at this time.

Conclusion.

In sum, NGT is making good progress toward full compliance with the E-911 requirements of the *Order*, and is working diligently to complete its efforts by the November 28, 2005 deadline to the extent possible, and in all events as soon thereafter as possible.

If you have any questions or need any further information, please contact the undersigned.

Respectfully submitted,

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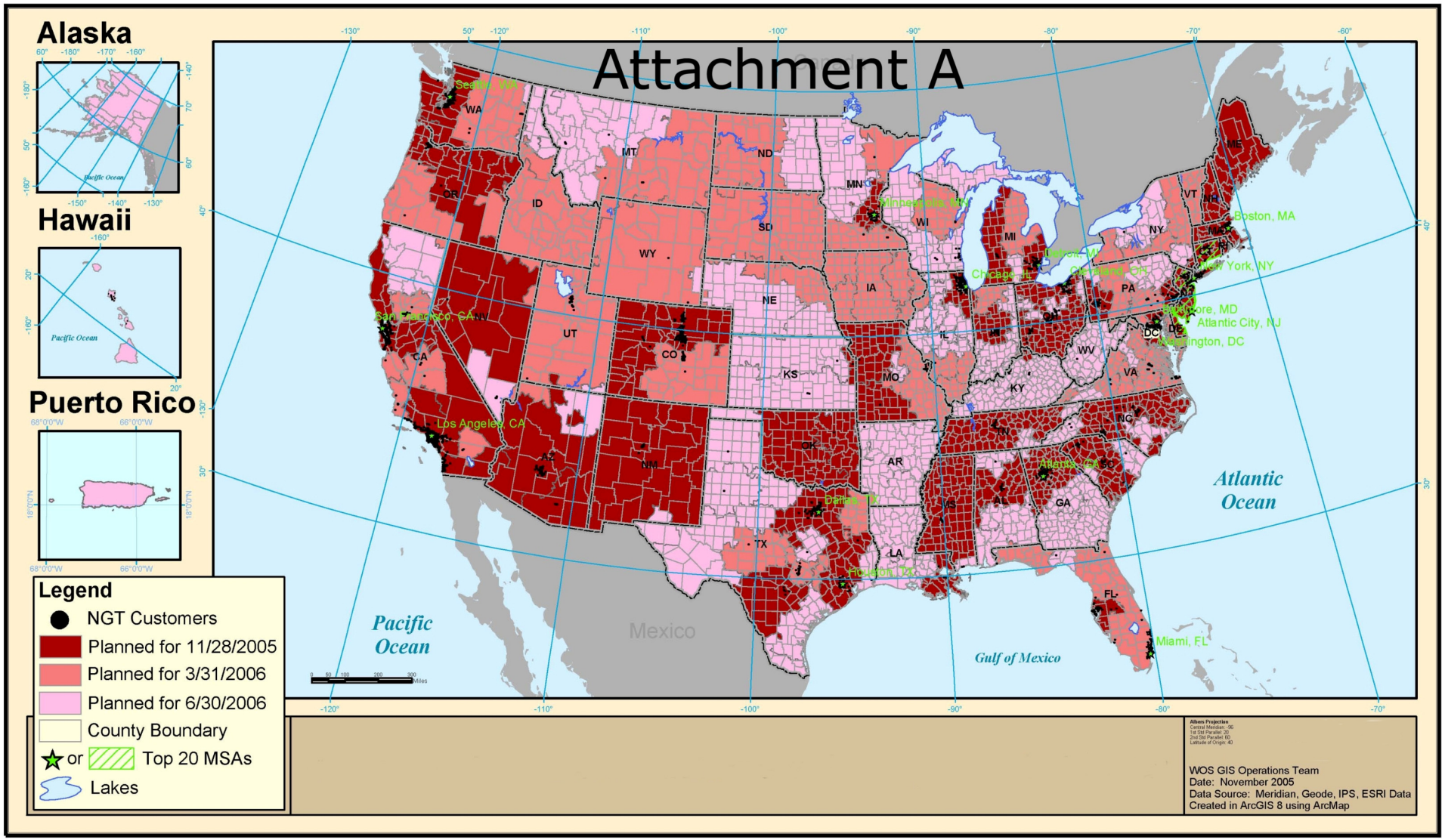
Attachment A



Albers Projection
Central Meridian: -96
1st Std Parallel: 20
2nd Std Parallel: 60
Latitude of Origin: 40

WOS GIS Operations Team
Date: November 2005
Data Source: Meridian, Geode, IPS, ESRI Data
Created in ArcGIS 8 using ArcMap

Appendix B forSafeCall coverage as of November 28th, and planned expansion in 2006.

Nov-05	Dec-05	Q106	Q206	Q306
New York, NY	Denver, CO	Rochester, NY	Louisville, KY	Honolulu, HI
Los Angeles-Long Beach, CA	Pittsburgh, PA	Omaha, NE	Charleston-North Charleston, SC	San Juan, PR
Orange County, CA	Scranton-Wilkes-Barre, PA	Nassau-Suffolk, NY	McAllen-Edinburgh-Mission, TX	
San Francisco, CA	Providence-Fall River-Warwick, RI	Albany-Schenectady-Troy, NY	El Paso, TX	
San Jose, CA	San Antonio, TX	Buffalo-Niagara Falls, NY	Milwaukee-Waukesha, WI	
Hartford, CT	Austin-San Marcos, TX	Syracuse, NY	Wichita, KS	
New Haven-Meriden, CT	Birmingham, AL	Harrisburg-Lebanon-Carlisle, PA		
Washington, DC	Mobile, Al	Norfolk-Virginia Beach-, VA		
Wilmington-Newark, DE	Phoenix-Mesa, AZ	Richmond-Petersburg, VA		
Chicago, IL	Tucson, AZ	Indianapolis, IN		
Boston, MA	Tampa-St. Petersburg, FL			
Springfield, MA	Orlando, FL			
Newark, NJ	Jacksonville, FL			
Bergen-Passaic, NJ	Sarasota-Bradenton, FL			
Jersey City, NJ	Gary, IN			
Monmouth-Ocean, NJ	Grand Rapids-Muskegon, MI			
Philadelphia, PA	Charlotte-Gastonia-Rock Hill, NC			
Allentown-Bethlehem-Easton, PA	Greensboro-Winston-Salem, NC			
Houston, TX	Raleigh-Durham-Chapel Hill, NC			
Dallas, TX	Albuquerque, NM			
Miami, FL	Las Vegas, NV			
Fort Lauderdale, FL	Cincinnati, OH			
West Palm Beach-Boca Raton, FL	Columbus, OH			
Atlanta, GA	Dayton-Springfield, OH			
Detroit, MI	Toledo, OH			
Ann Arbor, MI	Youngstown-Warren, OH			
Minneapolis-St. Paul, MN	Akron, OH			
Cleveland-Lorain-Elyria, OH	Portland, OR			
Seattle-Bellevue-Everett, WA	Nashville, TN			
Tacoma, WA	Memphis, TN			
Riverside-San Bernardino, CA	Knoxville, TN			
	Salt Lake City-Ogden, UT			
	Little Rock-North Little Rock, AR			
	New Orleans, LA			
	Baton Rouge, LA			
	St. Louis, MO			
	Kansas City, MO			
	Tulsa, OK			
	Oklahoma City, OK			
	Greenville-Spartanburg, SC			
	Columbia, SC			
	Oakland, CA			
	Ventura, CA			
	San Diego, CA			
	Sacramento, CA			
	Bakersfield, CA			
	Stockton-Lodi, CA			
	Fresno, CA			
	Baltimore, MD			
	Middlesex-Somerset, NJ			
	Fort Worth-Arlington, TX			