

November 28, 2005

VIA ELECTRONIC FILING

Marlene H. Dortch, Secretary
Federal Communications Commission
The Portals
445 12th Street, S.W.
Washington, D.C. 20554

**Re: VoIP E911 Compliance Report (November 28, 2005)
Vox Communications, Inc.; WC Docket No. 05-196**

Dear Ms. Dortch:

Vox Communications Corporation (“Vox”), pursuant to Commission Rule 9.5(f), as adopted by the Commission in its *Order*¹ concerning the enhanced 911 (“E911”) service requirements for interconnected Voice over Internet Protocol (“VoIP”) service providers, submits this Compliance Report (“Report”).

Vox is a wholesale and retail provider of advanced Internet software and hardware applications. Vox provides enhanced VoIP, data, and multimedia services to carriers, service providers, commercial and residential customers nationwide. Vox currently provides VoIP service to over 250 retail customers. In connection with its retail service, Vox provides its customers a Vox adapter box that connects a customer’s existing CPE to the customer’s broadband Internet connection. Vox’s service is portable; customers may use their adapters in any location where broadband access to the Internet is available. Customers also may request assignment of telephone numbers that are associated with their geographic location or from other local areas (i.e., non-native numbers).

As required by the Commission’s Rules and its November 7, 2005 Public Notice (the “Public Notice”),² this Report details Vox’s efforts to provide E911 service to customers in

¹ *IP-Enabled Services, E911 Requirements for IP-Enabled Service Providers, First Report and Order and Notice of Proposed Rulemaking* 20 FCC Rcd. 10245 (2005) (“*Order*”).

² *Enforcement Bureau Outlines Requirements of November 28, 2005 Interconnected Voice Over Internet Protocol 911 Compliance Letters*, WC Docket Nos. 04-36 and 05-196, Public Notice, DA 05-2945 (rel. Nov. 7, 2005).

November 28, 2005

Page 2

compliance with Rules 9.5(b) and (c) and to satisfy the registered location requirements of Rule 9.5(d). In preparing this report, Vox has relied on the information supplied to it by HBF Group, Inc., its third-party vendor of E911 service. Pursuant to the information requested by the Enforcement Bureau in the Public Notice, Vox provides the following:

Status of Affirmative Acknowledgments

In compliance with the Commission's Public Notice released September 27, 2005, Vox advises that, as of the date of this letter, it has received affirmative acknowledgements from approximately 95% of its existing VoIP customers regarding the nature of the E911 service provided by Vox.³ New retail customers are advised of the nature of the emergency services provided by Vox and are required to provide affirmative acknowledgement that they understand those services as part of the subscription process. Vox's wholesale customers are advised of and acknowledge the scope of Vox's emergency services in their service contracts.

Responses to the Public Notice

- 1) A quantification, on a percentage basis, of the number of subscribers to whom the Company is able to provide 911 service in compliance with the rules established in the *VoIP 911 Order*.**

Vox is currently able to provide limited 911 service to a limited number of customers. Vox currently assigns customers DIDs that it obtains from Global Crossing ("GX"), XO Communications ("XO"), and Broadvox. Customers who receive their DIDs through GX, who currently represent approximately 1% of Vox's customers, will receive E911 service, through GX's solution, that is substantially in compliance with the Commission's E911 rules as of November 28, 2005. However, GX's solution only supports DID's within Global Crossing's service footprint. Moreover, GX does not support nomadic use of Vox's service or non-native numbers.

Another 20% of Vox's current customers receive DIDs provided to Vox by XO. Based on our discussions with XO, we understand that XO currently does not have an E911 solution that is in compliance with the Commission's rules. XO has advised that a full E911 solution will be deployed by December 31, 2005. Like the Global Crossing solution, however, XO's E911 service will support only DIDs assigned by XO and does not support nomadic use of Vox's service or non-native numbers.

Vox's remaining customers receive DIDs provided by Broadvox. It is our understanding that Broadvox has also contracted with HBF to provide an E911 solution. Therefore, Vox

³ *Enforcement Bureau Provides Further Guidance to Interconnected Voice Over Internet Protocol Service Providers Concerning Enforcement of Subscriber Acknowledgement Requirement*, WC Docket Nos. 04-36 and 05-196, Public Notice, DA 05-2530 (rel. Sept. 27, 2005).

November 28, 2005

Page 3

understands that its customers who use DIDs provided by Broadvox will obtain E911 service on the same schedule discussed below.

In order to provide E911 service to those Vox customers who will not obtain service directly through Vox's DID providers, Vox has contracted with HBF Group, Inc. ("HBF") to provide E911 service in compliance with the Commission's rules. HBF has stated that it will provide an interim version of its 911 solution, called "i-911," to Vox by December 31, 2005 and estimates that it will have a nationwide solution that complies fully with the Commission's rules by June 30, 2006.

HBF has advised that the "I1" version of its i-911 service, which will be available to Vox by December 31, 2005, will deliver emergency calls to 100% of the PSAPs in the United States via a 10-digit number dialed by the customer. While Vox understands that this solution does not comply fully with the Commission's rules, it will allow PSAPs to see the real-time ANI/ALI information for all 911 calls. It also provides callback information to the PSAPs. The I1 version of i-911 is intended as an interim solution while HBF continues its negotiations with underlying service providers to deploy the I2 solution, which Vox understands will comply fully with the Commission's rules. The I2 solution will support both fixed and nomadic VoIP service and non-native numbers. In the event an emergency call for some reason cannot be delivered directly to the appropriate PSAP, the caller will be routed to a national call center with trained emergency operators who are on-call 24 hours a day, 7 days a week.

- 2) **A detailed statement as to whether the Company is transmitting, as specified in Paragraph 42 of the *VoIP 911 Order*, "all 911 calls to the appropriate PSAP, designated statewide default answering point, or appropriate local emergency authority utilizing the Selective Router, the trunk line(s) between the Selective Router and the PSAP, and such other elements of the Wireline E911 Network as are necessary in those areas where Selective Routers are utilized."**

As stated in response to Question 1, Vox will not be in compliance with these requirements by the November 28 deadline. However, HBF has advised Vox that, once the I2 version of its i-911 service is fully deployed, all emergency calls originating on Vox's VoIP customers will be transmitted to the appropriate PSAP, designated statewide default answering point, or appropriate local emergency authority utilizing the Selective Router, the trunk line(s) between the Selective Router and the PSAP, and such other elements of the Wireline E911 Network as are necessary in those areas where Selective Routers are utilized. Emergency calls from customers who use numbers obtained from GX and XO will be transmitted in accordance with Paragraph 42 of the order currently (for GX DIDs) or by December 31, 2005 (for XO DIDs).

HBF has advised that it is in the process of obtaining access to the selective routers that is necessary for delivery of 911 calls in accordance in Paragraph 42. Vox understand that this process is extremely costly and time-consuming. It requires physical interconnection to over 650 selective routers owned by the ILECS as well as conversion of the call from IP to TDM. There

November 28, 2005

Page 4

are few carriers capable of meeting this requirement. HBF has advised that access is being achieved through contractual relationships with CLECs throughout the country, including, among others, Level 3. Vox understands that Level 3 has access to over 70% of the US population and is in negotiations to interconnect with other CLECs in order to reach the rest of the population. Once this process is complete, HBF will be able to provide its E911 on a nationwide basis in compliance with the Commission's rules. Vox has been advised by HBF that this process should be completed by June 30, 2006.

3) If the Company is not transmitting all 911 calls to the correct answering point in areas where Selective Routers are utilized, a detailed explanation of why not.

See response to Question 2.

4) The number of Selective Routers to which the Company has interconnected, directly or indirectly, as of November 28, 2005.

Vox does not have the information needed to respond fully to this question. Because Vox obtains its E911 solution from HBF, GX, and XO, it does not interconnect directly with any selective routers. As discussed in response to Question 1, as of November 28, only Vox customers served by DIDs provided by GX will have full E911 access. Vox does not know how many Selective Routers GX is interconnected with. By December 31, 2005, Vox customers who use DIDs provided by XO are expected to have full E911 service. Again, Vox does not know how many Selective Routers XO will interconnect with by that date. As discussed in response to Question 2, HBF has advised it will interconnect directly or indirectly with substantially all Selective Routers nationwide by approximately June 30, 2006.

5) A detailed statement as to whether the Company is transmitting via the Wireline E911 Network the 911 caller's ANI and Registered Location to all answering points that are capable of receiving and processing this information.

Please see response to Questions 1 and 2. As discussed there, Vox currently is able to provide limited 911 service to a small number of its customers. As a result, Vox is not currently transmitting ANI and registered location to all PSAPs that are capable of receiving and utilizing this information for the majority of its customers.

Vox has been advised by HBF that HBF has been actively involved in meeting the ANI and registered location requirements, but that given the short timeframe for implementation compliance has proven very difficult. Delivery of ANI and registered location information to PSAPs requires connection agreements with the ILECs, frame relay circuits to ALI databases, testing of links and data exchange, and loading of contracts into the ALI databases. The circuit ordering timeframe is usually 4-6 weeks. Some of the smaller ILECs still do not have their VoIP ordering processes in place so no circuits have been ordered with that sub-group of ILECs. HBF is installing these circuits but the 120-day timeframe from the FCC has not allowed enough time to negotiate interconnection agreements with the ILECs and then order the circuits.

November 28, 2005

Page 5

In addition, Vox understands that the FCC has yet to name an interim administrator for these non-dialable numbers. Without further FCC guidance, it is nearly impossible to deploy services on a nationwide basis. Finally, this solution requires testing with over 6000 PSAPs to meet the deadline. This takes time as each PSAP must be tested with each contract. Again, the 120-day timeframe doesn't allow enough time to get interconnection agreements with each ILEC, provision circuits, create contract shell records, and then schedule/execute testing with 6000 PSAPs. Vox has been advised by HBF that this effort is underway but will not be complete until approximately June 30, 2006.

- 6) **The percentage of how many answering points within the Company's service area are capable of receiving and processing ANI and Registered Location information that the provider transmits.**

See response to Question 5.

- 7) **The percentage of subscribers whose ANI and Registered Location are being transmitted to answering points that are capable of receiving and processing this information**

See response to Question 5.

- 8) **If the Company is not transmitting the 911 caller's ANI and Registered Location to all answering points that are capable of receiving and processing this information, a detailed explanation why not.**

See response to Question 5.

- 9) **To the extent the Company has not achieved full 911 compliance with the requirements of the *VoIP 911 Order* in all areas of the country by November 28, 2005, the Company should describe in detail, either in narrative form or by map, the areas of the country, on an MSA basis, where it is in full compliance and those in which it is not.**

See response to Questions 1 & 2. As described in response to Question 1, Vox is currently providing 911 service in compliance with the Commission's rules to a limited number of customers. However, based on information received from XO, Vox expects to be able to provide full E911 service to additional customers by December 31, 2005 and to all customers by June 30, 2006. Vox's remaining customers who received their DIDs from Broadvox will receive full E911 service according to HBF's implementation schedule discussed above.

- 10) **If not in full compliance, the Company's plans for coming into full compliance with the requirements of the *Order*, including its anticipated timeframe for such compliance.**

November 28, 2005

Page 6

As discussed in response to Questions 1, 2, and 5, Vox will be in compliance with the requirements of the Order for a small number of its customers (those who have DIDs assigned by GX) as of November 28, 2005. Additional customers (those who have DIDs assigned by XO) will receive E911 service by approximately December 31, 2005. Based on its discussions with HBF, Vox estimates that its remaining customers will have E911 service by June 30, 2006.

- 11) **A detailed description of all actions the Company has taken to obtain each existing subscriber's current Registered Location and each new subscriber's initial Registered Location (including, but not limited to, relevant dates and methods of contact with subscribers and a quantification, on a percentage basis, of the number of subscribers from whom the Company has obtained the Registered Location).**

Vox has obtained Registered Location information from 100% of its existing VoIP customers. All Vox customers were requested to provide Registered Location information. For those customers who did not provide Registered Location information, Vox used the address to which Vox shipped the customers' adapter boxes as the Registered Location. New customers are required to provide Registered Location information as part of the subscription process.

- 12) **A detailed description of the method(s) the Company has offered its subscribers to update their Registered Locations. This information should include a statement as to whether the Company is offering its subscribers at least one option for updating their Registered Location that permits them to use the same equipment that they use to access their interconnected VoIP service.**

Vox customers are able to update their Registered Location information on Vox's website or by telephone using Vox's customer service number.

- 13) **A detailed description of any technical solutions the Company is implementing or has implemented to ensure that subscribers have access to 911 service whenever they use their service nomadically.**

As part of its contract with HBF, Vox is implementing a real-time interface between our platform and HBF that will allow instant address validation and PSAP assignment. This API will allow Vox customers to enter a new service address (temporary or permanent) via the Vox website or by telephone. Customers will receive instant verification that the new address is valid and that E911 service is activated for the new location. This service also will provide a real-time error notice if there is a problem with the new service address. Vox has been advised that HBF has full PSAP boundary information for the entire United States and can instantly assign a customer to the appropriate PSAP as soon as the customer enters a new service location. This will allow for real-time support of all nomadic customers. HBF has advised that this service will be available to Vox customers by December 31, 2005.

SWIDLER BERLIN LLP

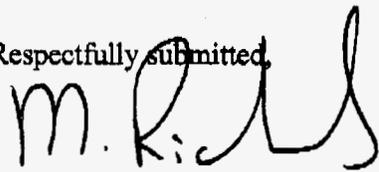
November 28, 2005

Page 7

- 14) A description of any automatic detection mechanism that enables the Company to identify when a customer may have moved his or her interconnected VoIP service to a new location and ensure that the customer continues to receive 911 service even when using the interconnected VoIP service nomadically.

Vox has not implemented an automatic detection mechanism like that described in the Order. Vox is not aware that a commercial solution for this issue is currently available and is aware of no VoIP provider that has resolved this issue. Nevertheless, as an interim measure, Vox intends to implement a mechanism like the "Heartbeat" solution endorsed by the FCC.

Respectfully submitted,



11/28/05

Mark Richards
President and CIO
Vox Communications Corporation

cc: Byron McCoy (FCC)
Kathy Berthot (FCC)
Janice Myles (FCC)
Best Copy and Printing, Inc.
Paul O. Gagnier (Swidler Berlin LLP)

I, Mark Richards, state that I am President, of Vox Communications Corporation; that I am authorized to submit the forgoing VoIP E911 Compliance Report on behalf of Vox Communications Corporation; that the Report was prepared under my direction and supervision; and I declare under penalty of perjury that the Report is true and correct to the best of my knowledge, information, and belief.

A handwritten signature in black ink, appearing to read 'M. Richards', written over a horizontal line.

Name: Mark Richards

Title: President and CIO

Vox Communications Corporation