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November 28, 2005

Marlene H. Dortch, Executive Secretary  
Federal Communications Commission  
445 12th Street, SW  
Washington, DC 20554

RE: WC Docket No. 05-196;  
Compliance Letter of FairPoint Communications, Inc.

Dear Ms. Dortch:

Pursuant to 47 C.F.R. § 9.5(f) and to the November 7, 2005 Public Notice<sup>1</sup> in the above-referenced proceeding, FairPoint Communications, Inc., by counsel and on behalf of its operating subsidiaries that provide interconnected Voice over Internet Protocol (“VOIP”) service, respectfully submits this Compliance Letter.

## DESCRIPTION OF VOIP SERVICE

FairPoint provides a broad range of telecommunications and information services in 17 states.<sup>2</sup> These services include interconnected VOIP service,<sup>3</sup> local exchange telephone service, long distance service, and high-speed Internet access. Of relevance here, FairPoint provides interconnected VOIP service in Panama City and Port St. Joe, Florida. FairPoint currently does not provide interconnected VOIP service elsewhere.

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<sup>1</sup> 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. November 7, 2005).

<sup>2</sup> FairPoint Communications, Inc. is a holding company. All services are provided through various operating affiliates. For simplicity, this Compliance Letter uses the name “FairPoint” to refer to FairPoint Communications, Inc. and its subsidiaries individually and collectively.

<sup>3</sup> The term “interconnected VOIP service” is defined in 47 C.F.R. § 9.5.

FairPoint offers its interconnected VOIP service as an alternative to Centrex service or to PBX systems for multi-line business customers. The service is designed to function similarly to a managed PBX arrangement. It utilizes telephone numbers that are native to the exchange in which the customer's premises are located.

When service is initiated, FairPoint installs at the customer premises both Internet-protocol handsets and a specialized router. The specialized router connects the handsets to a high-speed Internet connection at the customer's premises, similarly to how a PBX connects conventional handsets to the wireline network. Installation in this manner limits the probability that the VOIP equipment can be removed from the customer's premises for use at a different location.

Programming in the soft switch further ensures that the service cannot be used nomadically. The soft switch will not enable the interconnected VOIP service unless the specialized router and the handsets are connected to the Internet via the high-speed Internet connection provided at the customer's premises.

Finally, FairPoint does not actively market its interconnected VOIP service. It does offer the service, however, to customers who request it. FairPoint currently has only one customer.

## REQUIRED DATA

In the Public Notice, the Enforcement Bureau identified specific information to be included in this Compliance Letter. FairPoint provides that information below utilizing the same headings as the Public Notice.

### 911 Solution

FairPoint provides 911 in compliance with 47 C.F.R. § 9.5 to 100% of its interconnected VOIP customers located within its local exchange service areas, which are the only areas where it offers and provides interconnected VOIP service. This service is not nomadic. Accordingly, FairPoint does not provide 911 in other areas.

#### *911 Routing Information/Connectivity to Wireline E911 Network*

FairPoint transmits all 911 calls to the appropriate PSAP utilizing the same wireline E911 Network it uses to transmit its wireline customers' 911 calls, including end office trunks, Selective Routers, and PSAP trunks. BellSouth maintains the Selective Routers that together cover all of the PSAPs serving FairPoint's local exchange service area. FairPoint interconnects to these Selective Routers in order to provide 911 to its wireline customers and to its interconnected VOIP customers alike.

### *Transmission of ANI and Registered Location Information*

FairPoint transmits via the Wireline E911 Network each 911 caller's ANI and Registered Location to all of the relevant PSAPs. 100% of these PSAPs are capable of receiving ANI and Registered Location information, and FairPoint transmits such information for 100% of its customers.

For the reasons stated previously, FairPoint does not provide or offer 911 outside of its local exchange service areas, and thus do not transmit ANI and Registered Location Information from other geographic areas.

### *911 Coverage*

FairPoint can provide 911 to interconnected VOIP customers located anywhere within its local exchange service area. Thus, FairPoint can provide 911 in all areas where it offers interconnected VOIP service.

Copies of exchange maps showing FairPoint's local exchange service areas in Florida are attached. These areas are located in the Jacksonville MSA.

### Obtaining Initial Registered Location Information

FairPoint has obtained Registered Location information from 100% of its customers. It obtains Registered Location information from each customer at the time that the service order is taken and before any service is rendered. As discussed above, FairPoint provides interconnected VOIP services to multi-line business locations and its technicians install the necessary equipment at the customer's place of business. Therefore, the initial Registered Location is always the location where FairPoint's technicians install the service.

### Obtaining Updated Registered Location Information

Because FairPoint's interconnected VOIP service is not nomadic, there is no need for customers to be able to update their Registered Location as they move from one location to another. Despite that, customers may update their Registered Location by calling customer service from any of the handsets provided as part of the interconnected VOIP services. FairPoint also updates the Registered Location whenever an existing customer moves to a new place of business and its technicians install interconnected VOIP service at the new location.

### Technical Solution for Nomadic Subscribers

FairPoint's interconnected VOIP service is not nomadic because the service will work only when connected via the high-speed Internet connection installed at the customer's premises. To the extent that the soft switch programming that prevents use from other locations is considered a technical solution for purposes of this Compliance Letter, it has existed since the time that FairPoint began offering interconnected VOIP service. This service are neither designed nor intended for nomadic use.

At bottom, FairPoint provides a level of protection for its customers superior to that provided by AT&T's technical solution that was mentioned in the Public Notice.

Respectfully Submitted,

FAIRPOINT COMMUNICATIONS, INC.

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Attachments