November 28, 2005

Electronic Filing Via ECFS

Marlene H. Dortch, Secretary
Office of the Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: E-911 Requirements for IP-Enabled Service Providers
WC Docket No. 05-196

Dear Ms. Dortch:

Attached herewith please find Speakeasy, Inc.'s Compliance Letter filing, 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*"). Please direct any questions regarding this filing to the undersigned.

Sincerely,

Tom Campbell
Speakeasy Contracts Manager

cc: Byron McCoy
Kathy Berthot
Janice Myles
Best Copy and Printing, Inc.
Kurt Hoffman, COO, Speakeasy, Inc.

Background of Speakeasy – Broadband Voice and Data Communications

Speakeasy is the largest, independent nationwide provider of broadband voice and data communication focused on meeting the needs of small businesses. Speakeasy manages its own private, fiber-optic, national network, ensuring fast connections and security. Speakeasy offers a full range of innovative services including Voice over IP (VoIP), OneLink dedicated DSL and multiple business-grade connectivity options. Both Speakeasy's network and customer service continue to receive some of the highest satisfaction ratings in the industry. Unlike other VoIP providers, Speakeasy provides both digital voice service and broadband over one, nationwide, managed network. This keeps calls secure and enables VQ Technology (voice call prioritization) to deliver unmatched quality. *Speakeasy VoIP* services saves money and, combined with Speakeasy Broadband, ensures that one provider is guaranteeing crystal-clear voice quality and superior connectivity – all for a predictable price every month.

Speakeasy was recently recognized as a Superior VoIP Service Provider by the editorial staff and readers of the industry-leading magazine, *Internet Telephony*. Chosen from thousands of companies, Speakeasy VoIP was lauded at the publication's conference and expo earlier this year for its significance, originality and innovation, as well as its contributions to the growth of the VoIP industry overall.

Speakeasy Business VoIP is the smart communication choice for companies seeking improved productivity, better customer experience, and dramatic cost savings. Speakeasy Business VoIP is a hosted VoIP solution which combines industry-leading broadband technology with everything you'd expect from a phone system, plus new capabilities at a fraction of the cost. Although small businesses have traditionally developed in-house solutions to manage many network needs, there is a trend towards third-party management. The primary reasons why small and medium-sized businesses use or are considering managed network services include a reduction in total cost of network operations, improved network availability and performance, the lack of appropriate level of IT staffing and security concerns such as business continuity and firewalls. Speakeasy offers an ideal third-party managed solution for VoIP.

Speakeasy's all-IP network platform enables us to deliver an integrated bundle of communication services. Speakeasy provides end-to-end management of our VoIP service offerings, including installation, provisioning, monitoring, proactive fault management and billing. Speakeasy launched its first VoIP services nationwide in 2004 and has enjoyed strong growth in its VoIP services throughout 2005. We offer customers high-quality service, responsive customer care and competitively priced integrated communication packages using high capacity T1-connection, as well as SDSL and ADSL, plus OneLink (no-phone line) DSL. Our goal is to deliver sophisticated, big business communication tools to small businesses to help them succeed.

Speakeasy provides broadband and voice communication services on a retail basis directly to customers. Speakeasy is focused on meeting the needs of home office and small business customers. Speakeasy acquires its managed Voice-over IP (VoIP) services from an underlying service provider on a wholesale basis.

Prior to the effective date of the Order, Speakeasy has been providing its customers access to 911-type services through its underlying service provider. Speakeasy has provided notice of the limitations of this 911-type service to all of its VoIP service customers, both new and existing, pursuant to ¶ 48 of the Order. Speakeasy received affirmative acknowledgements of those limitations from 100% of its active customers on or before November 28, 2005.

Speakeasy 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.

FCC 911 Compliance Letter requirements

Per the FCC's Order, the following information is included in this Compliance Letter in response to the sections of WC Docket No. DA 05-2945 (released Nov. 7, 2005) indicated in ***bold italics*** directly preceding the Speakeasy provided information below:

- ***<u>911 Solution</u>: This description should include a quantification, on a percentage basis, of the number of subscribers to whom the provider is able to provide 911 service in compliance with the rules established in the VoIP 911 Order. Further, the detailed description of the technical solution should include the following components:***

  Speakeasy's E-911 Service primarily utilizes its underlying service provider's Intrado based network capabilities, which in turn also utilizes services provided by other Emergency Service Gateway Providers (ESGWs) to provide a compliant E-911 service for VoIP 911 calls. Speakeasy will be able to provide its customer subscribers with E-911 services to facilitate fully compliant E-911 connectivity to those PSAPs where Speakeasy via its underlying service provider has the necessary access to the PSAPs. As of November 28, 2005, Speakeasy expects to have its fully compliant E-911 service available for approximately 50.2% of its current VoIP customer subscribers, increasing to approximately 65% coverage of its then current VoIP customer subscribers by the end of 2005. As a result, less than 3,000 of Speakeasy's VoIP customer subscribers will be without access to E-911 service in compliance with the Order after January 1, 2006. These VoIP customer subscribers, however, will have access to Operator Assisted 911 Service via Speakeasy's underlying service provider, as further described below. This number will be reduced as Speakeasy's underlying service provider expands the geographic areas served by its E-911 services ("Coverage Area"), as noted below.

  Further, the detailed description of the technical solution should include the following components:

- ***<u>911 Routing Information/Connectivity to Wireline E911 Network</u>: A detailed statement as to whether the provider 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."18 If the provider is not transmitting all 911 calls to the correct answering point in areas where Selective Routers are utilized, this statement should include a detailed explanation why not. In addition, the provider should quantify the number of Selective Routers to which it has interconnected, directly or indirectly, as of November 28, 2005.***

  Speakeasy will be able to provide its customer subscribers with E-911 services to facilitate fully compliant E-911 connectivity to those PSAPs where Speakeasy, via its underlying service provider, has the necessary access to the PSAPs.

  Speakeasy expects that over 99% of the VoIP-originated 911 calls over Speakeasy's E-911 Service within Speakeasy'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 Operator Assisted 911 Service due to limitations in PSAP capabilities). The rate centers and MSA comprising Speakeasy's initial Coverage Area, as of November 28, 2005, are listed in Attachment A to this letter. Speakeasy's efforts with regard to geographic areas outside its initial Coverage Area are discussed below.

  As of November 28, 2005, Speakeasy is interconnected with 150 Selective Routers and 2500 PSAPs through its relationship with its underlying service provider.

- ***<u>Transmission of ANI and Registered Location Information</u>: A detailed statement as to whether the provider 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.***

  In order to implement E-911 Service, Speakeasy is making the utmost effort to obtain and validate Registered Locations for every existing VoIP customer. Speakeasy is in the process of sending notifications to its VoIP customer subscribers that have Registered Locations within the Initial E-911 Coverage Area and have E-911. As required by the Order, all 911 calls from those customer 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 customer'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). Speakeasy's efforts to obtain Registered Location information are discussed below.

This information should include:(i) a quantification, on a percentage basis, of how many answering points within the provider's service area are capable of receiving and processing ANI and Registered Location information that the provider transmits;

Speakeasy respectfully submits that it lacks the information needed to respond because, as noted above, Speakeasy depends on Intrado and other ESGWs through Speakeasy's underlying service provider 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.

(ii) a quantification of the number of subscribers, on a percentage basis, whose ANI and Registered Location are being transmitted to answering points that are capable of receiving and processing this information

Speakeasy respectfully submits that it lacks the information needed to respond because Speakeasy depends on Intrado and other ESGWs through its underlying service provider 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, Speakeasy expects to have fully compliant E-911 service available for approximately 50.2% of its current VoIP customer subscribers and Speakeasy expects that over 99% of the VoIP-originated 911 calls over its underlying service provider's 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 Operator Assisted 911 Service due to limitations in PSAP capabilities.)

; and (iii) if the provider 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.

As of November 28, 2005, Speakeasy's 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. Speakeasy's efforts to expand its Coverage Area are discussed above.

- ***<u>911 Coverage</u>: To the extent a provider 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 provider should: 1) describe in detail, either in narrative form or by map, the areas of the country, on a MSA basis, where it is in full compliance and those in which it is not

As of November 28, 2005, through its underlying service provider Speakeasy is able to provide fully-compliant E-911 Service in 2,081 rate centers in 31 markets. The specific rate centers are listed in Attachment A to this letter. This converts into being interconnected to 150 Selective Routers and 2500 PSAPs, most of which are capable of receiving ANI and Registered Location information.

; and 2) describe in detail its plans for coming into full compliance with the requirements of the order, including its anticipated timeframe for such compliance.

By January 2006, Speakeasy's underlying service provider 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, Speakeasy shall be able to make available through its underlying service provider fully compliant E-911 Service in areas covering 60% of the population as of November 28, 2005. The remaining coverage area is being prioritized by Speakeasy's underlying service provider 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. 1/ The remaining 15% are locations where the PSAPs either do not support E-911 (5%), making E911 unavailable in these locations (Speakeasy's underlying service provider will support basic or other 911 processes that these locations offer) or are in areas currently not scheduled for E-911 coverage until after June, 2006 and where Speakeasy's underlying service provider will not provide VoIP services until such E-911 coverage is available.

Speakeasy fully realizes the importance and necessity to expand the Coverage Area for its E-911 Service. Speakeasy and its underlying service provider are working diligently to increase the coverage area for E-911 services. Speakeasy's underlying service provider has released information that Intrado has contracted with Qwest, SBC, and Verizon, and is currently working with other ESGW providers to enhance its own coverage, and Speakeasy expects to benefit from any resulting increase in the coverage area.

1/ A detailed schedule of Speakeasy's underlying service provider's planned roll-out of E-911 Service is provided in Attachment B.

- ***<u>Obtaining Initial Registered Location Information</u>: A detailed description of all actions the provider has taken to obtain each existing subscriber's current Registered Location and each new subscriber's initial Registered Location. This information should include, but is 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 provider has obtained the Registered Location.***

  Speakeasy has always and continues to obtain the Registered Location for each new customer subscriber upon account activation. This information is obtained orally over the phone when the service is sold and is documented in our customer records and provided to our underlying service provider. This information has been obtained from 100% of Speakeasy's customer subscribers.

- ***<u>Obtaining Updated Registered Location Information</u>: A detailed description of the method(s) the provider has offered its subscribers to update their Registered Locations. This information should include a statement as to whether the provider 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.***

  Speakeasy's E-911 Service enables our customer subscribers to dial an 800 number into a call center in order to update their Registered Location to a valid postal address within Speakeasy's Coverage Area. If an updated Registered Location is within Speakeasy's underlying service provider's coverage area for E-911, the customer subscriber will be notified in real time in most instances that the Registered Location was updated and validated and the customer subscriber will have VoIP service at this location, including fully compliant E-911 Service. In the event that the customer subscriber attempts to update the Registered Location to a location that is outside of Speakeasy's underlying service provider's Coverage Area for E-911 Service, the customer 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 Speakeasy's underlying service provider's coverage area for E911. 2/

- ***<u>Technical Solution for Nomadic Subscribers</u>: A detailed description of any technical solutions the provider is implementing or has implemented to ensure that subscribers have access to 911 service whenever they use their service nomadically.***

<u>2</u>/ Speakeasy also intends to provide its customer subscribers with a means to check the availability of VoIP Services andE-911. A customer will be able to check an address prior to updating the Registered Location to validate the availability of Voice Services.

As noted above, Speakeasy's customer subscribers have the ability to update their Registered Locations, and if they provide new Registered Locations within the Coverage Area for Speakeasy's underlying service provider's E-911 Service, they will have access to E-911 functionality that is fully compliant with the Order. However, if customer subscribers update their Registered Locations to domestic U.S. locations outside Speakeasy's underlying service provider's Coverage Area, Speakeasy will suspend Voice Services, and an alternative form of 911 service will be available. Speakeasy's underlying service provider has developed the capability and Speakeasy through its underlying service provider will provide (on an interim basis and only until E-911 is fully implemented in those areas) an emergency Operator Assisted 911 Service in which 911 calls include the call-back number and the actual Registered Location that a customer subscriber has provided.3/ Specifically, 911 calls placed by customer subscribers with Registered Locations within the United States, but outside the geographic area where Speakeasy's underlying service provider 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 customer'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.

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

Attachment A

E911 Coverage Information as of November 28th, 2005

CA – 286 of 635 RCs	IL – 160 of 944 RCs	NY – 72 of 741 RCs
CT – 88 of 90 RCs	MA – 263 of 264 RCs	OH – 67 of 741 RCs
DC – 1 of 1 RCs	MD – 12 of 160 RCs	PA – 100 of 772 RCs
DE – 30 of 30 RCs	MI – 114 of 627 RCs	TX – 309 of 1346 RCs
FL – 26 of 281 RCs	MN – 21 of 669 RCs	VA – 14 of 372 RCs
GA – 93 of 358 RCs	NJ – 207 of 208 RCs	WA – 88 of 277 RCs

E911 Coverage Information as of December 31st, 2005

AR – 107 of 382 RCs	IN – 212 of 526 RCs	NY – 160 of 741 RCs
CA – 364 of 635 RCs	MA – 264 of 264 RCs	OH – 450 of 741 RCs
CT – 88 of 90 RCs	MD – 62 of 160 RCs	OK – 137 of 530 RCs
DC – 1 of 1 RCs	MI – 486 of 627 RCs	PA – 545 of 772 RCs
DE – 30 of 30 RCs	MN – 28 of 669 RCs	TX – 493 of 1346 RCs
FL – 26 of 281 RCs	MO – 370 of 732 RCs	VA – 32 of 372 RCs
GA – 101 of 358 RCs	NH – 148 of 148 RCs	WA – 98 of 277 RCs
IL – 191 of 944 RCs	NJ – 208 of 208 RCs	WV – 74 of 226 RCs

RC = Rate Center, a specific defined geographic area

Attachment B

E911 coverage as of November 28th and planned expansion in 2006

November 2005

Allentown-Bethlehem-Easton, PA
Ann Arbor, MI
Atlanta, GA
Bergen-Passaic, NJ
Boston, MA
Chicago, IL
Cleveland-Lorain-Elyria, OH
Dallas, TX
Detroit, MI
Fort Lauderdale, FL
Hartford, CT
Houston, TX
Jersey City, NJ
Los Angeles-Long Beach, CA
Miami, FL
Minneapolis-St. Paul, MN
Monmouth-Ocean, NJ
New Haven-Meriden, CT
New York, NY
Newark, NJ
Orange County, CA
Philadelphia, PA
Riverside-San Bernardino, CA
San Francisco, CA
San Jose, CA
Seattle-Bellevue-Everett, WA
Springfield, MA
Tacoma, WA
Washington, DC
West Palm Beach-Boca Raton, FL
Wilmington-Newark, DE

December 2005

Akron, OH
Albuquerque, NM
Austin-San Marcos, TX
Bakersfield, CA
Baltimore, MD
Baton Rouge, LA
Birmingham, AL
Charlotte-Gastonia-Rock Hill, NC
Cincinnati, OH
Columbia, SC
Columbus, OH
Dayton-Springfield, OH
Denver, CO
Fort Worth-Arlington, TX
Fresno, CA
Gary, IN
Grand Rapids-Muskegon, MI
Greensboro-Winston-Salem, NC
Greenville-Spartanburg, SC
Jacksonville, FL
Kansas City, MO
Knoxville, TN
Las Vegas, NV
Little Rock-North Little Rock, AR
Memphis, TN
Middlesex-Somerset, NJ
Mobile, Al
Nashville, TN
New Orleans, LA
Oakland, CA
Oklahoma City, OK
Orlando, FL
Phoenix-Mesa, AZ
Pittsburgh, PA
Portland, OR
Providence-Fall River-Warwick, RI
Raleigh-Durham-Chapel Hill, NC
Sacramento, CA
Salt Lake City-Ogden, UT
San Antonio, TX
San Diego, CA
Sarasota-Bradenton, FL
Scranton-Wilkes-Barre, PA
St. Louis, MO
Stockton-Lodi, CA
Tampa-St. Petersburg, FL
Toledo, OH
Tucson, AZ
Tulsa, OK
Ventura, CA
Youngstown-Warren, OH

Q1 2006

Albany-Schenectady-Troy, NY
Buffalo-Niagara Falls, NY
Harrisburg-Lebanon-Carlisle, PA
Indianapolis, IN
Nassau-Suffolk, NY
Norfolk-Virginia Beach-, VA
Omaha, NE
Richmond-Petersburg, VA
Rochester, NY
Syracuse, NY

Q2 2006

Charleston-North Charleston, SC
El Paso, TX
Louisville, KY
McAllen-Edinburgh-Mission, TX
Milwaukee-Waukesha, WI
Wichita, KS

Q3 2006

Honolulu, HI San Juan, PR