

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)**
VoIP, Inc.; WC Docket No. 05-196

Dear Ms. Dortch:

VoIP, Inc. ("VoIP, Inc."), 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 preliminary Compliance Report ("Report"), which details VoIP Inc.'s efforts to provide E911 service to customers in compliance with Rule 9.5. In preparing this preliminary report, VoIP Inc. has relied in part on information supplied to it by TeleCommunication Systems ("TCS"), its E911 vendor. VoIP, Inc. emphasizes that it has been unable to obtain all of the information that the Commission requested in its November 7, 2005 Public Notice.² Accordingly, this Report is preliminary and VoIP, Inc. will provide supplemental information as soon as possible.

VoIP, Inc. offers VoIP and other Internet-based services to carriers and other service providers (e.g., existing phone companies, cable companies and internet service providers), who in turn provide service to end users. VoIP, Inc. does not provide retail VoIP services.

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).

Status of Affirmative Acknowledgments

In compliance with the Commission's Public Notice released September 27, 2005, VoIP Inc. advises that, as of the date of this letter, it has received affirmative acknowledgements from approximately 98% of its carrier customers regarding the nature of the E911 service provided by VoIP Inc.³ New customers are advised of the nature of the emergency services provided by VoIP, Inc. and are required to provide affirmative acknowledgement that they understand those services.

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*.**

As of November 28, 2005, the VoIP Inc. is able to provide E911 service that is in compliance with the Commission's rules to 60% of its customers' subscribers. VoIP Inc. is working with TCS and is able to provide E911 service in areas where TCS has achieved PSAP outreach via PSAP administrative dial numbers or via an emergency call center.

Before the issuance of the VoIP E911 Order, VoIP, Inc., through its CLEC subsidiary, Volo Communications, Inc. ("Volo"), provided administration PSAP dialing for destined 911 calls. Upon notification that the Commission was prepared to issue a VoIP E911 Order, Volo began its CLEC build into various Selective Routers, applied for additional CLEC certifications in states where service would be provided, negotiated with ILECs for Interconnection Agreements, and established a contractual relationship with TCS.

- 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."**

When transport and/or interconnect exist, VoIP, Inc. will do so; otherwise, 911 calls are provided through applicable PSAP administrative numbers or via call center delivery.

- 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.**

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).

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Network build-out to a number of Selective Routers is underway, along with negotiations with PSAPs on how they require the 911 calls are to be received. PSAPs in certain areas, such as California and Miami-Dade County, Florida, currently refuse to accept VoIP-based 911 calls.

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

As of November 28, 2005, VoIP Inc. has interconnected to 30 Selective Routers, either directly or indirectly.

- 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.**

Yes, when transport exists.

- 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.**

To VoIP, Inc.'s knowledge and belief, 80% of the answering points in VoIP Inc.'s service area are capable of receiving and processing ANI and Registered Location information transmitted by VoIP, Inc.

- 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**

To VoIP, Inc.'s knowledge and belief, ANI and Registered Location information is capable of being transmitted to the answering points of 60% of VoIP Inc.'s customers' subscribers.

- 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.**

VoIP, Inc. is not transmitting the ANI and Registered Location to all answering points where (1) the PSAP is not capable of receiving nomadic pANI (pseudo ANI) assigned for I-2 E911 service or (2) the PSAP refuses to accept VoIP 911 calls.

- 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,**

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the areas of the country, on an MSA basis, where it is in full compliance and those in which it is not.

No full MSA is under full compliance. VoIP, Inc. continues its PSAP outreach, 911 county fees/payment negotiations, and network interconnection structure design and implementation.

- 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.**

VoIP, Inc. continues its Interconnection Agreements negotiations, PSAP outreach, 911 county fees/payment negotiations, and network interconnection structure design and implementation, with final testing being done as an ongoing process.

- 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).**

VoIP, Inc. offers its service provider customers who are carrier companies (*e.g.*, existing phone companies, cable companies and internet service providers), the ability to provide phone service to their end user customers over those companies' high-speed broadband lines. The carrier customer is the provider of service to its end-user customers; thus, the carrier customer is responsible for notifying those end-user customers of service requirements, including Registered Location information.

- 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.**

To assist its carrier customers in meeting E911 requirements, VoIP, Inc. provides its carrier customers a customized service activation web/XML interface that the carrier customers use to provision VoIP service to their end user customers and to ensure that their end users affirmatively acknowledge a E911 notice before activating service.

- 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.**

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VoIP, Inc. works to interconnect with other telecommunication providers, PSAPs and Selective Routers. It generally does so through its subsidiary, Volo, which, as a licensed CLEC, connects both directly to Selective Routers and uses established trunking with select partners to establish such connections. Volo has contracted with TCS for the management and update of its customers' subscriber location information. Combined with its proprietary soft-switch and E911 routing solution, VoIP, Inc. is capable of routing, analyzing, and delivering appropriate emergency calls to the established PSAP if interconnection exists and their address information is kept up to date. In scenarios in which no originating ANI, or the customer subscriber record is marked as being nomadic, emergency calls are delivered to the TCS Emergency Call Center for delivery.

- 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.**

VoIP Inc. allows its customers to designate specific IP (Internet Protocol) address blocks that are reserved for use in a geographic region. When a customer's subscriber is enrolled in the VoIP, Inc. E911 service, this block of addresses are linked with the subscriber. Upon receipt of a 911 call, VoIP, Inc. will analyze the originating IP address of the call. If an IP address is not linked to a particular subscriber, the call is tagged as nomadic. If a call is marked as nomadic and the subscriber has not provided updated location information, the call is routed to the TCS Emergency Call Center. If the subscriber has updated his address, we use the updated address to route the call to the appropriate answering point. VoIP, Inc. never denies an emergency call and ensures that all 911 calls are routed to the appropriate PSAP directly or via the TCS Emergency Call Center.

Respectfully submitted,

/s/ Shawn Lewis

Shawn Lewis
Chief Technology Officer
VoIP Inc.

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

I, Shawn Lewis, state that I am Chief Technology Officer, of VoIP, Inc., & President, of VoIP, Inc.'s CLEC subsidiary, Volo Communications, Inc.; that I am authorized to submit the forgoing *VoIP E911 Compliance Report* ("*Report*") on behalf of VoIP, Inc.; 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 "Shawn Lewis", written over a horizontal line.

Name: Shawn Lewis
Title: Chief Technology Officer
VoIP, Inc.