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VIA ELECTRONIC FILING

1st December 2005

Attn: Ms Marlene H Dortch, Secretary
Federal Communications Commission,
Office of the Secretary,
9300 East Hampton Drive,
Capitol Heights, MD20743

Dear Ms Dortch,

Flint Telecom Inc VoIP E911 Compliance Report **WC Docket 05/196**

In accordance with the Commissions VoIP 911 Order of 3rd June 2005 which detailed the 911 requirements for VoIP Service Providers; Flint Telecom Inc submit this compliance report which details our efforts to comply with the requirements and advises our current position.

Note that some of this information below has previously been provided in our submission to the Commission of 28th November 2005; requesting a Limited Waiver of this deadline.

Introduction

Flint Telecom Inc ("Flint") is a small privately owned VOIP provider based in Utah. Our Parent Company Flint Telecom Limited is based in Ireland and has a number of VoIP operations within various European countries.

Flint have recently launched our VoIP services to customers across the United States, which are sold to End Users ("Customers") through a number of third party organizations ("Partners") including Internet Service Providers, Telecom Resellers and various Affinity groups. Whilst these Partners act as our channel to market, Flint are solely responsible for providing and maintaining all aspects of the VoIP service, including delivery of 911 calls and the sign-up process for Customers.

Flint have taken a number of steps to ensure compliance with the FCC E911 ruling which have had a significant financial and resource impact across the organization. Our activities to ensure compliance are fully detailed in the paragraphs below.

Background

Whilst Flint Telecom Inc have only began operations in the USA during 2005, we treat the safety of our customers as paramount. We are fully aware of the FCC E911 regulations and have been determined to comply with these since the 3rd June 2005 order. Although we have only begun providing VoIP services to customers in recent weeks, we have however put a number of steps in place over the last 4 months, in an effort to ensure that we fully meet the FCC requirements.

In order to meet these, Flint initially reviewed a number of solutions including the development of our own internal E911 platform. It was quickly recognized that we did not have the legal authority to enable us interconnect directly with selective routers within the E911 network. Furthermore as a small start-up organization with no customers at that time, we did not have the resources, expertise or capital available to obtain the appropriate licenses and develop an internal solution within the 4 month compliance period.

We therefore looked at using third party providers of E911 services and reviewed a number of offerings to identify the provider best able to meet our requirements. As Flint provide a VoIP service using the Public Internet which supports nomadic Customers, our service can be used across the United States (and overseas). Consequently we cannot limit our E911 coverage to selected areas. Our Sales Partners are also marketing the service across the United States and we therefore required a third-party-provider who could either provide 100% E911 coverage across the United States; or had plans to do so. This presented a significantly greater challenge for both Flint and our third party provider to deliver, than that faced by traditional carriers or local VoIP Carriers who have a clearly defined geographical footprint.

The third party offers reviewed covered a variety of services; however the majority of those available had a significant number of limitations, with issues arising such as:

- The lack of a commitment or plan to offer Nationwide E911 services,
- The bundling of an E911 solution with VoIP Termination services,
- The inability to support an E911 solution for DID's belonging to other carriers,
- The inability to support nomadic customers,
- The service still being in concept stage with no confidence of its availability to meet the FCC deadline,
- The inability to deliver 911 calls in compliance with the FCC regulations,

Following this review, Flint selected the HBF Group (911 Services, LLC Group Inc) as our third-party provider of our E911 requirements. They are currently implementing a solution which will provide a Nationwide E911 service, however 100% coverage will not be available prior to 28th November for a number of reasons as detailed within the following paragraphs.

911 Solution

- ***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***

Currently Flint provide a Basic 911 service developed by our third-party supplier. This is a web-based solution which enables 911 calls to be delivered to 100% of PSAPs across the United States, enabling them to view real-time ANI/ALI information for each VoIP caller. In the event a call cannot be delivered directly to the appropriate PSAP, the caller is routed to a national call center with trained emergency operators. This 24/7 support is beyond the requirements of the FCC order.

At present Flint do not provide E911 services to any of our existing Customer Base. We are however working closely with our third-party-provider who is currently rolling out an E911 service which covers over 70% of the US Population using their "I2" solution.

This solution will cover 100% of our existing customer base and is being implemented from December 2005 onwards. Completion of the this programme is expected to take between 2 to 6 months and be completed by May 2006.

Our third-party-provider is also in negotiations with other ILEC's and CLEC's as necessary to expand E911 coverage across the USA with the aim of offering Nationwide E911 capability by May 2006.

- 911 Routing Information/Connectivity to Wireline E911 Network:

- ***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."1 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.***

The E911 solution requires physical interconnection to over 650 selective routers owned by the ILECS as well as conversion of the call from IP to TDM. There are very few carriers capable of meeting this requirement and the majority of these are CLECs, such as Level 3, Global Crossing, and XO.

However, none of these carriers offer 100% nationwide coverage and there are varying levels of support offered by such services. Each of the above carriers also requires use of their own DIDs in order to use their E911 infrastructure and do not support numbers belonging to other carriers. They also require substantial upfront investment along with high recurring monthly charges. Finally, these existing solutions only support static numbers and cannot support out of area telephone numbers (foreign NPA/NXXs).

As detailed above, Flint Telecom do not interconnect directly with any Selective Routers and use a third-party provider to provide our E911 solution. Our third-party-provider is currently implementing a full E911 service which utilizes Selective Routers which will cover over 70% of the US population and enable E911 access to 100% of our Customer base. This implementation is expected to be completed by May 2006 at the latest.

Negotiations to interconnect with a number of other CLECs and ILEC's are also underway with the aim of providing 100% nationwide coverage of E911 services. It is currently anticipated that this will be completed within similar timescales, however this is dependent on a number of factors, not least the level of co-operation from ILEC's.

- Transmission of ANI and Registered Location Information:

- ***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. 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; (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; 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.***

Our third-party provider has been actively involved in developing an E911 service to meet the requirements of this order in full, however given the short timeframes this is proving very difficult.

Delivery of ANI and registered location information to the PSAP requires connection agreements with all the ILECs, frame relay circuits to all the ALI databases, testing of links and data exchange, and loading of ESQs into all 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. Our third-party provider is installing these circuits but the 120 day timeframe from the FCC did not allow enough time to negotiate interconnection agreements with the ILECs and then order the circuits. Once circuits have been ordered it is worth noting

that each ILEC also has different implementation processes and varying timescales for delivering service.

In addition, ESQs have to be assigned and allocated. This issue currently sits with the FCC to name an interim administrator for these non-dialable numbers. Without FCC guidance, it is nearly impossible to deploy services on a nationwide basis. This is stated in an ex parte filing from Tom Goode, Associate General Counsel of the Alliance for Telecommunications Solutions' (ATIS) Emergency Service Interconnection Forum (ESIF), to the Honorable Kevin J. Martin, Chairman, Federal Communications Commission:

“On September 8, 2005, the NANC submitted these recommendations to the Chief of the Wireline Competition Bureau for approval. Included in this submission was a timeframe indicating that pANI administration for VoIP needed to commence by October 3, 2005, in order for all involved parties to meet the Commission’s November 28, 2005, deadline for VoIP E9-1-1 solutions. However, as of the date of this letter, the Interim Routing Number Authority has not been established.

In the absence of a centralized pANI administrator and guidelines, VoIP Service Providers (VSPs) and other parties developing VoIP E9-1-1 solutions may not be able to meet the November 28, 2005, deadline for E9-1-1 service. This is contrary to ESIF’s mission to advance emergency communications technology, and does not serve the public interest. In a significant part of the U.S., there is no mechanism for pANI administration. Without this administration, a VSP would need to use dialable numbers, an ineffective solution. Further, a VSP may not have access to these numbers on a nationwide basis, which could lead to additional delays in meeting the Commission’s November 28, 2005, deadline.

ESIF recognizes that, even if the Commission were to approve the NANC recommendations quickly, a number of requests for extension of the November 28, 2005, deadline likely will still be filed. However, a delay in Commission action would likely further frustrate the implementation of VoIP E-9-1-1 solutions. The anticipated Interim RNA has indicated that it will need 30 days after the Commission’s decision to begin pANI allocation. Further, based on feedback from VSPs and VoIP Positioning Center companies, the deployment and testing of these ESQs will take another 60 to 90 days.”

Finally, this solution requires testing with over 6000 PSAPs to meet the deadline. This takes time as each PSAP must be tested with each ESQ. Again the 120 day timeframe doesn't allow enough time to get interconnection agreements with each

ILEC, provision circuits, create ESQK shell records, provide management interfaces and then schedule/execute testing with 6000 PSAPs. Our third-party provider has this effort underway but it is time consuming exercise. The wireless industry has had years to perform this same task and they are not complete yet.

We are therefore dependent upon other parties to resolve a number of barriers to the provision of a nationwide E911 service, many of which are outside the control of both ourselves and our third party provider.

- 911 Coverage

- ***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; 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.***

Despite a large financial and resource investment, at the present time our existing customer base does not have E911 capability. We believe that there is no nationwide VoIP solution available at present which would meet our requirements in full.

As outlined above, Flint are working closely with our third party provider with a view to rolling out E911 coverage across the United States beginning in December 2005 with a completion date of all areas by May 2006. However completion of this activity within such timescales is dependent on co-operation from CLEC's and ILEC's as appropriate. There are also some potential issues within certain States which are again outside our control, concerning their capability to handle ANI / ALI details. This also needs to be addressed prior to E911 compliance being available in such areas.

In the meantime, Flint currently offer a Basic 911 service across 100% of the United States, which provides real-time ANI/ALI information to the PSAP.

Obtaining Initial Registered Location Information

- ***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.***

As Flint are a new entrant to the USA VoIP market, we have been able to develop systems and processes to ensure that we capture accurate and complete Registered

Location information from all our End Users, which meet the Commissions requirements in full.

As part of our VoIP service, Flint provide and manage a standard sign-up process for each of our Partners to ensure that these are consistent and conform to current FCC requirements. This includes the provision of a standard set of terms and conditions which Partner must use to sign up their Customers.

These terms are maintained by Flint as part of the sign-up process and cannot be changed by the Partner. They clearly state the limitations of VoIP 911 services in comparison to traditional 911 services and advise the Customer that they must advise the Registered Location where the CPE will be installed at and notify any changes to this. Details of the relevant clauses within this agreement which relate to the entry and maintenance of the Registered Location are shown below.

Registration of Physical Location Required

Each End user of the PARTNERS Service, must register the physical location of where each device will be located and Service will be used, prior to activation of the Service. Only one physical location may be registered for each phone line used with the Service.

Should the End User change, add or port a new phone number for association with any Device, End User will be required to formally confirm the Registered Location for each device in accordance with Section 2.4) below, prior to activation of the Service.

Where the End User moves any Device to another location, the End User must immediately notify PARTNER and register the new location and effective date. PARTNER requires a minimum of 2 business days notice for this change to become effective.

The End User can notify PARTNER of a change of Registered Location by updating details on their personal webpage, by either e-mail to XXXX@***.com; or by calling our Customer Care Department on XXXXX. Any failure to register a new location, will result in any 911 calls made from device continuing to be sent to the emergency center which is appropriate for the address currently registered for that Device.

Confirmation of Registered Location

We will send an e-mail to you immediately following your subscription to the Service requesting that you enter details of your Registered Location for 911 / E911 purposes to an appropriate webpage. This webpage will also detail some important differences between PARTNERS 911 and E911 services in comparison to traditional 911 and E911 services. End User must enter details of their Registered Address and formally acknowledge that they accept and understand the limitations of PARTNERS 911 and E911 service.

PARTNERS Service will not be activated for any phone line that you are using with the Service, unless PARTNER receives details of the End Users Registered Address and formal acceptance of the 911 and E911 limitations. Upon such receipt and acceptance, PARTNER will provide an e-mail to Customer confirming that the Service including 911 dialing features has been activated for that phone line.

Once the Customer has accepted the overall terms and conditions, they are then directed to a standard webpage which is again provided and operated by Flint which is branded for each of our Partners. This webpage requests the Customer to enter details of their Registered Location

Once this information has been entered, the Customer must then confirm that they understand the 911 VoIP limitations and click on an acceptance button. This will immediately submit details of the Registered Location entered to our third-party-

provider, who will automatically validate this with their address database. This will either accept the Registered Location as a valid address or reject this as an incorrect entry.

Where the Registered Location is accepted as a valid address, this will be entered onto the third-party-providers 911 database, confirmed to Flint and notified to the customer by e-mail. Where the address is rejected, the Customer will be advised to amend their Registered Location details and will be unable to activate their VoIP service until this has been corrected.

This process therefore ensures that Flint :

- a) Capture and validate Registered Location details provided by the Customer and
- b) Do not provide any VoIP service to a Customer in the absence of this information.

As a result of this process, Flint currently have Registered Location details for 100% of our Customer base.

In addition to the above sign-up procedures, we have also sent our Customers stickers for attachment with their CPE device, which warn that this location must have been previously registered to enable 911 calls to be correctly delivered. Such stickers have been distributed to 100% of our current customer base.

As described above, a customer's service will not be activated in the absence of a Registered Location; however this warning acts as a reminder to customers to advise changes of Registered Location using the process described in the following section.

Obtaining Updated Registered Location Information

- ***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.***

Flint have implemented a solution which enables users to update their Registered Location details in accordance with the FCC requirements.

As part of our service, each Customer is provided with a standard webpage which shows account information (call details etc). This page will also allow the customer to update their personal information including Registered Location details and submit these. Any change to existing Registered Location information will be passed onto the Flint database and immediately advised to our third-party-provider who will validate and update their 911 databases in real-time. In a small number of cases, (currently <1%), the change of address will be rejected. In this instance the customer will be required to re-enter and confirm the details. Where a correct address is submitted, confirmation of the change will be advised to the customer by e-mail.

In addition to enabling the Customer to update their own Registered Location details on the website, each Partner also provides a Tier 1 Support Desk for their customer base on a 1-800 Freephone number. Any changes to a Registered Location can also be notified to the Partners Support Desk on this number, who will update details on the Customers Webpage to enable these to be submitted to the third party provider in accordance with the process previously described. Again the address will be validated by the third party provider against their central address database, with the Customer advised accordingly.

Customers can also notify the Partner of any change to their Registered Address by e-mail to the Partners Support Desk and this will be updated in accordance with the process described above.

Technical Solution for Nomadic Subscribers:

- ***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.***

As outlined in the "Obtaining Updated Registered Location Information" description above, Flint have a real-time interface between our platform and our third-party provider that allows instant address validation and PSAP assignment. This API allows our subscribers to enter a new 911 Registered Location on our website and have instant verification that the address is valid and that 911 service is activated for the new site. This also allows the subscriber to have real-time error notices that will allow them to correct their address if there is an issue with it.

Our third-party provider has full PSAP boundary information for the entire United States and can instantly assign a subscriber to the appropriate PSAP as soon as they enter their address. This allows for real-time support of nomadic subscribers.

We are currently investigating a number of ways to enable automatic identification of a user's location by utilizing solutions such as GPS etc and have had a number of initial discussions with CPE providers and other carriers regarding such solutions. It is our intention to introduce a method at the earliest possible opportunity, which enables us to automatically identify a user's location without any action on the customer's part. However the technical capability is not available within the VoIP industry at present.

Please do not hesitate to contact me should you have any questions regarding this compliance report.

Yours Sincerely

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