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December 12, 2005

EX PARTE

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Re: *IP-Enabled Services Rulemaking*, WC Docket No. 04-36;

E911 Requirements for IP-Enabled Service Providers, WC Docket No. 05-196

Dear Ms. Dortch:

BellSouth Corporation (“BellSouth”) respectfully submits this response to a recent letter from counsel for Vonage Holdings Corporation,¹ which repeats many of the same claims that Vonage America, Inc. (collectively “Vonage”) has asserted in support of its Petition for Extension of Time and Limited Waiver of the requirements set forth in the Commission’s *First Report and Order*.² BellSouth has refuted each of these claims in its response to Vonage’s Petition, which is being filed under separate cover, and will not repeat the same points here. BellSouth also will not dignify with a response Vonage’s accusations that BellSouth has “misled” the Commission or engaged in “dilatory behavior,” other than to categorically deny them.

However, BellSouth cannot let go unanswered Vonage’s accusation that BellSouth has a “history of impeding access to necessary E9-1-1 services to competitors ...,” allegedly because of the “slowness” with which E911 service has been deployed to wireless customers in BellSouth’s region that, according to Vonage, is “[d]ue in large part to BellSouth’s delays ...” This claim goes beyond zealous advocacy and bears absolutely no relation to reality.

¹ Ex Parte Letter from Sharon O’Leary, Chief Legal Officer & Executive Vice President of Vonage Holdings Corp., to Bennett L. Ross, Counsel for BellSouth (December 7, 2005).

² *IP-Enabled Services, E911 Requirements for IP-Enabled Service Providers*, First Report and Order and Notice of Proposed Rulemaking, WC Docket Nos. 04-36 & 05-196, FCC 05-116 (released June 3, 2005) (“*First Report and Order*”).

The fact of the matter is that BellSouth has been a leader in the development and deployment of E911 services. For years, BellSouth has actively participated in the formulation of industry E911 standards through its involvement with the National Emergency Number Association ("NENA"), the Emergency Service Interconnection Forum ("ESIF"), the Alliance for Telecommunications Industry Solutions ("ATIS"), and the Association of Public-Safety Communications Officials International ("APCO").

With respect to wireless E911, BellSouth was the first and is currently the only Regional Bell Operating Company to offer a hybrid Call Path Associated Signaling ("CAS") system to allow Commercial Mobile Radio Service ("CMRS") providers to comply with the Commission's Phase 1 wireless mandate on a region-wide basis. This hybrid CAS solution combines the two industry standard network design solutions for allowing CMRS providers to provide Primary Safety Answering Points ("PSAPs") with the location of the cell site or sector and a call back number, as required by the Commission's Phase 1 wireless mandate. This hybrid solution also will allow CMRS providers to satisfy the requirements of the Commission's Phase 2 wireless mandate when used in conjunction with the industry Phase 2 standard. BellSouth supports all of the recognized industry standards for wireless E911 technology solutions. Thus, Vonage's claim that BellSouth has delayed implementation of wireless E911 is simply untrue.³

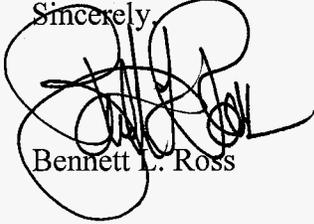
Equally untrue is Vonage's claim that BellSouth has "obstructed" E911 implementation to Vonage's customers. The alleged "obstructions" to which Vonage has pointed are nothing more than the steps that every CMRS provider, competing carrier, and other VoIP providers must take in providing E911 compliant service to their customers. Furthermore, Vonage has insisted for some time that it only seeks the same access to E911 infrastructure currently enjoyed by CMRS providers. That is precisely what BellSouth provides Vonage and other VoIP providers.

However, Vonage wants more. Vonage wants BellSouth to assign and administer pANIs on its behalf, even though BellSouth does not do so for CMRS providers. Vonage wants BellSouth to negotiate the form and content of shell records with each PSAP and create such records on Vonage's behalf, even though BellSouth does not do so for CMRS providers. In short, what Vonage wants is for BellSouth to perform tasks that Vonage can and should do itself. The responsibility for providing E911 service to Vonage's customers consistent with the Commission's requirements rests with Vonage. Vonage's customers would be better served if Vonage devoted the time and resources necessary to satisfy these requirements instead of blaming BellSouth falsely for its failure to do so.

³ The sum total of "evidence" offered by Vonage in support of its claim that BellSouth has delayed implementation of wireless E911 is a three-year old article from *USA Today*, which mentions BellSouth in passing and only in the context of BellSouth's desire to recoup its costs associated with the network changes necessary to implement such capabilities.

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Please include a copy of this letter in the record in the above-referenced proceedings.
Thank you for your attention to this matter.

Sincerely,

Bennett L. Ross

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cc: Dan Gonzalez
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