

Marlene Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street  
Washington, DC

Re. CALEA Compliance  
FCC 06-56, ET Docket No, 04-295

Dear Madam Secretary:

IMCC represents Private Cable Operators, ISPs and MDUs/REITs. We have read the CALEA statute and the two relevant FCC Orders. Plus, over the past 2 months, we endeavored to get an interpretation and clarification of the Orders from the appropriate FCC staff. They could not or refused to answer our questions as to which, if any, of these companies are covered by the Orders.

Therefore, we are submitting this Request for Declaratory Ruling seeking a definitive clarification from the FCC as to which, if any, of these companies must comply.

The IMCC members want to do that which is required and comply with all CALEA requirements. If these companies are required to comply with such requirements it will be burdensome and expensive. The FBI has informed us that the FCC is the organization to answer our questions. And, as said above, we have not been given a clear answer to our questions. Our current reading of the Orders is that PCOs and MDUs/REITs are not required to comply. It is requested that the FCC give us a definitive answer as to whether these companies must comply with the Orders, and why and where that is clearly stated in the Orders.

Given the time frames for submitting Form 445 and the SSI report, plus having a compliance mechanism in place, your prompt response is requested.

Respectfully submitted,

William J. Burhop  
IMCC  
Executive Director  
Telephone: 202 364 0882  
Fax: 202 364 8309  
3004 Oregon Knolls Drive NW  
Washington, DC 20015  
Web Site: [IMCC-Online.org](http://IMCC-Online.org)