

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

In the Matter of	)	
	)	
	)	
Administration of the North American	)	CC Docket 99-200
Numbering Plan	)	DA 08-2209

REPLY OF VIXXI SOLUTIONS, INC.

Vixxi Solutions, Inc. (“Vixxi”) hereby replies to the comments of NENA and Telecommunication Systems, Inc. (“TCS”) in the captioned proceeding.<sup>1</sup> TCS filed a similar waiver request February 20, 2007 (Initial Comments, note 2), and urges that the criteria proposed there for acceptance of its request also be applied here: “[T]he Vixxi Petition is deserving of full consideration and should be subject to the appropriate resolution under the same criteria.” (Initial Comments, 3)

NENA takes no position on the merits of the Vixxi waiver request, but warns that Virtual Positioning Centers (“VPCs”) such as Vixxi and TCS should not mix the use of “pseudo-Automatic Number Identifications” (“p-ANIs”) between IP-assisted voice service (“VoIP”) and wireless service, but should reserve Emergency Service Query Keys (“ESQKs”) for the former and Emergency Service Routing Keys (“ESRKs”) for the latter. (Comments, 2) NENA adds that p-ANIs should only be used “as properly approved and coordinated with appropriate public safety authority.” Vixxi agrees with and accepts these general caveats.

After Vixxi filed its waiver request, the Commission issued rules to implement the so-called NET 911 Act of 2008.<sup>2</sup> The Order found (¶27, n.84) that the new statute permitted the FCC to assign p-ANIs directly to VOIP providers that offer service to end users (“VSPs”). However, the decision concluded that VPCs were not “encompassed within that statute” and

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<sup>1</sup> Public Notice, DA 08-2209, October 6, 2008.

<sup>2</sup> Report and Order, FCC 08-249, released October 21, 2008.

declined “to expand the applicability of the rights granted in the NET 911 Act” to entities other than IP-enabled voice service providers.<sup>3</sup> Nevertheless, the conclusion “does not prejudice the Commission’s ultimate decision on any pending petitions for waiver.” *Id.*

In a procedural sense, the finding for direct number access by VSPs should favor VPCs, because it moots the backlogged VSP petitions for waiver that have been pending for more than three years. The Commission should now be able to devote singular and prompt attention to the requests of Vixxi, TCS and any other VPCs with meritorious grounds for waiver. The grant of direct number access to VSPs, we believe, strengthens a substantive reason for waiver appearing in both the Vixxi and TCS petitions. As Vixxi stated:

Vixxi’s current need for numbers poses no great threat to finite numbering resources which the Commission must conserve. With only a handful of VPCs, CLECs, and ILECs passing E9-1-1 calls to the PSAPs in any given Number Plan Area (“NPA”), there are sufficient ESQK numbering resources in each NPA to include the VPC providers. This is because the quantity of numbers required is determined by the trunking capacity of the PSAPs within the same jurisdiction, not the number of subscribers or the size of the provider.<sup>4</sup>

Without directly discussing the needs of VSPs, Vixxi demonstrated that the numbering resources in any NPA would be adequate for their use as well. Vixxi has reason to believe, though, that many smaller VSPs will forgo the benefit of direct number assignment in order to avoid the burdens of number administration that accompany the benefit. Instead, they would partake of pools of numbers available to VPCs. As explained recently by TCS:

We also described how VPCs use p-ANI by explaining how VPCs provide call routing instructions to the VoIP service provider’s (VSP) softswitch so that E911 calls can be routed to the appropriate Public Service Answering Point (PSAP). TCS noted that when a VSP customer makes a 911 call, the VSP softswitch sends a query to the VPC, asking for information as to where to route the 911 call. The VPC determines the appropriate PSAP, and responds with call routing instructions in the form of a 10-digit number that is unique to that PSAP. This 10-digit number is known as a p-ANI. Typically a VPC will have approximately 10 different p-ANIs per PSAP, so that 10 separate 911 calls can be routed to the same PSAP at the same time.

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<sup>3</sup> Report and Order, ¶23, n.66.

<sup>4</sup> Petition, 4.

*Ex parte* communication, Docket 08-171, October 7, 2008, 1.

NENA has anticipated, as well, this pooling of numbers by VPCs in aid of VSPs originating the 9-1-1 calls of their end-user customers:

The RNA is responsible for distributing ranges of numbers from a reserved number space to properly credentialed network element operators for the purposes of call routing and query steering. The RNA issues multiple discrete blocks of ESQK allocations to VPC operators from a reserved numbering space defined for this purpose. The routing number authority is responsible for ensuring the uniqueness and correctness of the numbers allocated and the corresponding information associated with each number. They are responsible for ensuring that the VPC instances against which allocations are made are properly credentialed and approved to provide emergency call routing service. They are also responsible for polling these organizations to ensure that they are still credentialed and, where necessary, for reclaiming ESQK allocations from VPC operators as VPCs go out of service.<sup>5</sup>

Presumably, NENA's comments in this proceeding about public safety approval and coordination are predicated on the above expectation that "the VPC instances against which allocations are made are properly credentialed and approved to provide emergency call routing service." Again, Vixxi has worked with NENA on these standards and is prepared to meet them if granted direct number access.

For the reasons discussed above and in its Petition, Vixxi asks that its waiver request be granted.

Respectfully submitted,

VIXXI SOLUTIONS, INC.

By \_\_\_\_\_

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<sup>5</sup> "Interim VOIP Architecture for Enhanced 9-1-1 Services (i2)," December, 2005, 167-168.