



WILTSHIRE
& GRANNIS LLP

1200 18TH STREET, NW
WASHINGTON, DC 20036

TEL 202.730.1300 FAX 202.730.1301
WWW.WILTSHIREGRANNIS.COM

ATTORNEYS AT LAW

March 16, 2011

Ex Parte

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

Re: *Public Safety and Homeland Security Bureau Seeks Comment on Whether the Commission's Rules Concerning Disruptions to Communications Should Apply To Broadband Internet Service Providers and Interconnected Voice over Internet Protocol Service Providers, ET Docket No. 04-35; WC Docket No. 05-271; GN Docket Nos. 09-47, 09-51 & 09-137*

Dear Ms. Dortch:

On March 15, 2011, Brendan Kasper, Senior Regulatory Counsel of Vonage Holdings Corp. ("Vonage"), and the undersigned of Wiltshire & Grannis LLP, met separately with Jeffrey Goldthorp of the Public Safety and Homeland Security Bureau, Margaret McCarthy of Commissioner Copps' Office, and Brad Gillen of Commissioner Baker's Office to discuss the above-captioned proceeding.

During those meetings, Vonage explained that the Commission should not extend its outage reporting requirements to over-the-top VoIP providers like Vonage and explained the significant differences between Vonage's network and the networks of traditional providers. Vonage noted that application of additional regulation to interconnected VoIP service, which is today provided in a very competitive market, will erect unnecessary barriers to entry, increase cost, and inhibit innovation by providers like Vonage. Vonage noted that it is already subject to robust market discipline, as its customers are free to leave Vonage without penalty if they are dissatisfied with their service.

Vonage also urged the Commission to tailor any new reporting requirements to the particular networks covered, and to avoid requiring providers like Vonage to report outages or service degradation in parts of the network, such as last mile Internet connections, over which

they do not have exclusive control. In addition, Vonage reiterated the points made in its comments in this proceeding.¹

If you have any questions or require any additional information, please do not hesitate to contact me at (202) 730-1346.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'BDS', with a long horizontal line extending to the right.

Brita D. Strandberg
Counsel for Vonage Holdings Corp.

cc: Brad Gillen
Jeffrey Goldthorp
Margaret McCarthy

¹ Comments of Vonage Holdings Corporation, ET Docket No. 04-35, WC Docket No. 05-271, GN Docket Nos. 09-47, 09-51 & 09-137 (filed August 2, 2010).