

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554**

In the Matter of

Amending the Definition of Interconnected  
VoIP Service in Section 9.3 of the  
Commission's Rules

GN Docket No. 11-117

Wireless E911 Location Accuracy  
Requirements

PS Docket No. 07-114

E911 Requirements for IP-Enabled Service  
Providers

WC Docket No. 05-196

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## **I. INTRODUCTION AND SUMMARY**

AT&T Inc., on behalf of itself and its affiliated companies (collectively AT&T), respectfully submits the following comments in response to the Commission's Notice seeking comment on potential modifications to its rules governing 911/E911 service.<sup>1</sup> AT&T supports the Commission's goal of improving 911/E911 service, especially for IP-enabled voice service providers (VoIP service providers). To that end, AT&T believes the Commission should extend the VoIP 911/E911 obligations of Part 9 to residential, outbound-only VoIP services with the capability to make local calls to the PSTN. Residential customers who use outbound-only VoIP services to reach local numbers on the PSTN have a reasonable expectation of being able to use that same service to reach emergency services by dialing 911. However, the Commission should not apply this requirement to outbound-only business VoIP services. Users of these business services (e.g., a computer-controlled dialing system in an outbound call center) do not have the same expectations regarding the ability to make 911 calls, and they typically have other arrangements in place for access to 911/E911 services (e.g., a POTS line in the call center). Although callback capability may not be available for residential outbound-only services, the absence of that capability does not warrant excluding such services from the VoIP 911 rules given the expectations that consumers of these services have regarding the ability to place 911 calls.

At the same time, however, AT&T agrees with the Commission that it is premature to adopt specific automatic location information (ALI) requirements for any interconnected VoIP services at this time. Instead, AT&T urges the Commission to submit the ALI-related issues raised in the Notice to the E911 Technical Advisory Group (ETAG) and other industry forums for resolution. Because of the need for further analysis by industry experts, AT&T also believes that it is premature to discuss general governing principles for VoIP ALI, as well as gathering

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<sup>1</sup> *Amending the Definition of Interconnected VoIP Service in Section 9.3 of the Commission's Rules; etc.; Notice of Proposed Rulemaking, Third Report and Order, and Second Further Notice of Proposed Rulemaking*, FCC 11-107 (rel. July 13, 2011) (*Notice*).

information on costs and timelines. While the Commission raises some intriguing ideas—like the use of commercial location-based applications and how WiFi positioning might compliment other location technologies—these issues can best be addressed through the industry-forum process. Accordingly, the Commission should set a general goal of making ALI available for VoIP in a technologically feasible and cost-effective way and give the industry experts the flexibility to develop innovative solutions for achieving that goal.

In prior filings, AT&T and other interested parties have discussed the limitations on improving indoor testing for location accuracy. Nothing has changed since those comments were filed. The Commission needs to continue to work with the ATIS ESIF and CSRIC on this subject. It is simply not feasible to use the Commission’s rulemaking process to reach the necessary consensus on the highly technical task of improving indoor location accuracy testing.

Finally, AT&T has concerns about the Commission’s authority to impose regulations on providers of broadband Internet access services in order to facilitate the provision of VoIP ALI by VoIP providers. The Commission’s reliance on the NET 911 Improvement Act and/or its Title I ancillary jurisdiction for authority to do so is misplaced. The NET 911 Act generally permits the Commission to adopt rules giving VoIP providers a “right of access” to certain capabilities (e.g., access to a selective router); it does not authorize the Commission to order information service providers to develop brand-new, wholesale location-identification service offerings out of whole cloth. Moreover, whatever general grant of authority may exist in the NET 911 Act or Title I, it does not trump the specific prohibition against Internet regulation that Congress enacted in Section 230(b)(2), which states that it is the policy of the United States “to preserve the vibrant and competitive free market that presently exists for the Internet and other interactive computer services, *unfettered by Federal or State regulation.*”<sup>2</sup> And because it is both premature and jurisdictionally dubious to impose new location-identification requirements

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<sup>2</sup> 47 U.S.C. § 230(b)(2) (emphasis added).

on broadband Internet access providers, it is also premature to discuss the imposition of new CPNI-type regulations on these providers regarding such location-identification information.

## **II. DISCUSSION**

### **A. Applying E911 Rules to Residential, Outbound-Only Interconnected VoIP Service Providers**

In the *Notice*, the Commission seeks comments on whether the 911 obligations of the Part 9 rules should be extended to outbound-only interconnected VoIP service providers.<sup>3</sup> Today, certain VoIP service providers, those whose service does not “[p]ermit[] users generally to receive calls that originate on the public switched telephone network *and* to terminate calls to the public switched telephone network,” are exempted from the 911 obligations. This is so in spite of the Commission’s general principle of using customers’ “*reasonable expectation of access to 911 and E911 services*” in determining “whether particular entities should be subject to some form of 911/E911 regulation.”<sup>4</sup> For the reasons below, AT&T believes the Commission should extend the VoIP 911 rules to residential, outbound-only VoIP services with the capability to make local calls to the PSTN.

#### **1. The Commission should extend the Part 9 911/E911 obligations to residential, outbound-only VoIP providers.**

AT&T has previously advocated that the Commission extend the 911/E911 obligations to “outbound, residential VoIP services with local calling capacity.”<sup>5</sup> As we previously explained, the record in this proceeding shows that residential customers who purchase VoIP services that are capable of making local calls to the PSTN have a reasonable expectation of being able to dial 911 and access local emergency services.<sup>6</sup> In contrast to outbound services, users of inbound-only VoIP services would not have the same expectation of being able to make outbound calls to

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<sup>3</sup> *Notice*, para. 48.

<sup>4</sup> *IP-Enabled Services; E911 Requirements for IP-Enabled Service Providers, First Report and Order and Notice of Proposed Rulemaking*, 20 FCC Rcd 10245, 10249 n16. (*VoIP E911 Order*).

<sup>5</sup> Reply Comments of AT&T Inc., PS Docket No. 07-114, WC Docket No. 05-196, p. 17 (Feb. 18, 2011).

<sup>6</sup> AT&T Reply Comments at 16-17.

any number on the PSTN, including 911. Similarly, users of outbound-only *business* VoIP services (e.g., outbound VoIP services provided to businesses operating outbound call centers) would not have the same expectation of being able to make outbound calls to 911 because they are procuring the outbound VoIP service for a special purpose suited to their particular business needs (e.g., initiating computer-controlled, automatically-dialed calls) and they would likely procure other communications services with 911 calling capability (e.g., a traditional POTS line for administrative use in the call center). And, of course, customers of services that offer only long distance calling capability would not have any expectation of being able to make local calls, including 911 calls to their local PSAP. Thus, it would be inappropriate to extend 911 requirements to any of these types of services, none of which are outbound, residential VoIP services with local calling capability.<sup>7</sup>

This proposal to extend 911/E911 obligations to outbound-only VoIP service providers raises the question of supporting a callback capability and the costs associated with it.<sup>8</sup> Both the Commission and the public safety community are justifiably concerned about the ability of the PSAP to call a party back when the initial call is interrupted. The ability to do so can on occasion be critical to providing emergency services. It can also help the local PSAP to investigate, and thereby deter, prank calls. Nevertheless, in the case of residential, outbound-only VoIP services that enable local calls to the PSTN, the consumer's expectation of the ability to call 911 should not be thwarted by the lack of call back support.

As a possible alternative to imposing 911/E911 service obligations on the providers of outbound-only VoIP services, the Commission asks whether warnings at the point of sale would

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<sup>7</sup> If the Commission adopts this proposal, it should give providers of such residential, outbound-only VoIP services a sufficient amount of time to become compliant with this new obligations, e.g., 12 months from the effective date of the rules.

<sup>8</sup> *Notice*, paras. 52-53.

be an effective option.<sup>9</sup> Said another way, the Commission is asking whether such warnings could effectively counteract the reasonable expectations of consumers that their outbound-only VoIP service provides access to 911/E911 services. But if the objective is not to ensure the provision of 911 service, but merely to warn consumers of the lack thereof, then the same approach could have been taken with respect to all interconnected VoIP services in 2005 and the Commission would have had no reason to adopt the original VoIP 911 rules in the first place. Having adopted those rules to address consumer expectations about 911 calling, the Commission should now take the next logical step and apply them to residential, outbound-only VoIP services that enable local calling to the PSTN.

**2. The Commission should revise the definition of “interconnected VoIP service” for purposes of 911/E911 obligations only.**

In order to avoid any unintended consequences, existing definitions of “interconnected VoIP service” in contexts beyond 911 should not be changed to conform to this revised definition. On a going forward basis, the Commission can decide whether to apply additional regulatory requirements to providers of residential, out-bound only VoIP services. The Commission should also ensure that, in modifying its VoIP 911 rules, the definition of covered VoIP services includes a requirement that the user have a broadband or “high-speed” connection. This concept was part of the original definition of interconnected VoIP service, but seems to have been omitted from the proposal in the Notice.<sup>10</sup> To the extent a customer is relying on a dial-up connection (i.e., a POTS line) for the Internet connectivity underlying an over-the-top VoIP service (an unlikely scenario), that connection will already have 911 service included with it and there is no need to impose a redundant 911 obligation in this circumstance.

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<sup>9</sup> Notice, para. 48.

<sup>10</sup> Notice, para. 51.

## B. Automatic Location Requirements for Interconnected VoIP Services

The Commission's conclusion that it would be premature to "adopt specific ALI requirements for interconnected VoIP services at this time" is correct.<sup>11</sup> In addition to the different types of VoIP service providers (fixed, nomadic, mobile, over-the-top), any solution to VoIP service location accuracy will have to address a dizzying array of different devices and technologies (*e.g.*, Wi-Fi enabled smartphones, tablets, USB dongles).<sup>12</sup> The best path forward for devising solutions to the location accuracy puzzle that are both technologically feasible and cost-effective is through industry forums. For its part, AT&T previously recommended that the Commission assign this challenge to the proposed ETAG [E911 Technical Advisory Group]."<sup>13</sup> AT&T reiterates that advice here.

In the *Notice*, the Commission seeks comments on "whether the Commission should adopt proposed general location accuracy governing principles that could be applied to interconnected VoIP service providers and over-the-top VoIP service providers but that would allow both types of providers the flexibility to develop technologically efficient and cost-effective solutions."<sup>14</sup> While the Commission's objective is obviously well intended, it seems unwise at this point to attempt to generate any governing principles beyond those inherent in the

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<sup>11</sup> *Notice*, para. 70.

<sup>12</sup> For VoIP service, the terms "fixed," "nomadic" or "portable," and "mobile" can be confusing. As used in these comments, "fixed" VoIP services refers to VoIP services that are not portable or mobile and are usually offered within a provider's franchise area or territory. See VoIP E911 Order, n80. Examples of "fixed" VoIP service would include the services provided by Comcast, Verizon's Fios, and AT&T's U-verse. "Nomadic" or "portable" VoIP service refers to services like "Vonage World<sup>SM</sup>," which allows the Vonage subscriber to take the "Vonage adapter anywhere there is a high-speed Internet connection and use [the] service just like at home." See Vonage site: <http://www.vonage.com/lp/US/searchaol/?CMP=KNC-MSN-Brand-Brand-General-Exact-Vonage>; and see VoIP E911 Order, para. 25. "Mobile" VoIP service refers to VoIP services offered by means of hand-held mobile devices (*e.g.*, smart phones, tablets) that use either provider-supplied wireless broadband Internet access service or business/residential premises WiFi service.

<sup>13</sup> AT&T Comments, p. 18. By "this challenge," AT&T means the associated "technological research and development and additional investigation to determine if they can be implemented in a cost-effective manner." *Id.*

<sup>14</sup> *Notice*, para. 72.

Commission's general goal: *i.e.*, developing a technologically feasible and cost-effective way of conveying automatically an interconnected VoIP service customer's accurate location information to a PSAP as part of or simultaneous with an E911 call.<sup>15</sup> Accomplishing this goal will be difficult enough (if not impossible) without judging *a priori* how the industry as a whole might develop solutions to meet that goal.

This is why the Commission should not adopt the exemplary principles it proposed in the *Notice*. For example, if the industry forums concluded that the most elegant solution for conveying accurate location information—*i.e.*, both technically feasible and most cost effective—did not involve underlying location information obtained from a broadband provider, would the Commission's adoption of such a requirement as a governing principle preclude the adoption of that solution?<sup>16</sup> It is simply too early in this process to set governing principles beyond stating the overriding goal for the industry. Similarly, to discuss implementation schedules, cost and benefit estimates, and the like before a solution has been developed puts the cart before the horse.<sup>17</sup> The Commission should instead task industry forums, preferably ETAG, to develop solutions and standards that provide a mechanism by which accurate location information can be passed to PSAPs, including developing data on likely costs, benefits and timelines.

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<sup>15</sup> The problem, as well as the degree of technical difficulty, generally increases in proportion to the degree to which the service can be moved. For example, the existing mechanism, which relies on the Registered Location, is workable for fixed VoIP service but presents greater challenges with a nomadic or portable VoIP service. Truly mobile VoIP service, however, can present even greater challenges, especially if the mobile service derives from an over-the-top application that resides on a WiFi-enabled device.

<sup>16</sup> AT&T believes that solutions might be developed that are effective and that do not require underlying network providers to provide any services to an over-the-top VoIP service provider in order for that VoIP service provider to provide ALI to a PSAP. To the extent that any solution that would allow a VoIP service provider to comply with its E911 obligations by imposing costs or obligations on the underlying broadband network provider, the rules should make clear that the regulatory obligation to provide ALI rests with the VoIP service provider, that the underlying network provider may offer such services on commercially reasonable terms, and that the underlying service provider would enjoy protection from liability to the extent that wireline and CMRS E911 providers enjoy such liability protection today.

<sup>17</sup> *Notice*, para. 73-74.

### C. Location-Capable Mobile Broadband Voice Technologies

In the *Notice*, the Commission raises an intriguing inquiry into the degree to which new and highly sophisticated mobile devices and off-the-shelf, commercial location-based services could be married to provide the location accuracy that the public safety community seeks for truly mobile VoIP services.<sup>18</sup> Following a line of discussion AT&T and others raised in prior comments, the Commission wonders whether integrating different “ALI capabilities,” such as “A-GPS, network-based location determination, and Wi-Fi based positioning,” in the design of user devices employed in the provision of nomadic and mobile VoIP services could hold the key to this location accuracy question.<sup>19</sup> AT&T raised this issue not to suggest that a solution was imminent, but to underscore that the variety of user devices and network access, each of which may have unique technical and logistical challenges, “makes it infeasible to rely on a single standard or technology for determining and relaying accurate ALI to PSAPs.”<sup>20</sup> And the point of this was to emphasize the various hurdles that would need to be overcome to provide accurate ALI in the context of these different devices and networks, including the technical and logistical concerns, the up-front investments, probable reengineering of related equipment, and customer outreach.<sup>21</sup> These issues can be fully addressed in the ETAG. Indeed, the ETAG or other industry forum(s) will allow all the interested parties, including experts in the appropriate fields, to hash out the necessary technical standards and other issues associated with any possible

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<sup>18</sup> *Id.*, paras. 78-79.

<sup>19</sup> *See* AT&T Comments, p. 19.

<sup>20</sup> *Id.*, p. 19. AT&T also noted in its comments that, even resolving the initial device challenges, it wouldn’t in and of itself resolve the issues involved in providing accurate location information; *e.g.*, the use of A-GPS in an urban environment presents another set of particular challenges to resolve. *Id.* at p. 20.

<sup>21</sup> Considering that solutions for delivering ALI for mobile VOIP services have yet to be developed, it is likewise too early to develop benchmarks “to assist consumers” in evaluating the relative ability of mobile VOIP service providers to provide “precise location information for emergency purposes.” *Notice*, para. 79.

solution. The Commission should simply task the ETAG with the goal described above and let the forum do its work.

#### **D. Improving Indoor Location Accuracy**

**1. The Commission should work with industry forums to address questions surrounding the utility, feasibility, and methodology of indoor location accuracy testing.**

The technical and practical barriers to indoor testing have not changed over the few months since comments on this same topic were last filed. AT&T previously noted that the Alliance for Telecommunications Industry Solutions (ATIS), through its Emergency Services Interconnection Forum (ESIF), has already issued a number of reports involving location accuracy compliance testing.<sup>22</sup> Either the ETAG, or CSRIC, or both, can use these reports to inform their work.<sup>23</sup> AT&T encourages the Commission to use existing industry forums or the proposed ETAG to address its concerns about indoor testing. The Commission should not impose any new specific testing regulations before it has been shown that the technical and practical constraints have been addressed and that the burden of imposing such regulations is justified by proven public safety benefits.

**2. The Commission should leave questions concerning WiFi positioning and the mechanism to facilitate it to industry forums.**

In the *Notice*, the Commission speculates about the possibility of “Wi-Fi positioning” complementing other location technologies, such as A-GPS and triangulation-based techniques, and seeks comments on aspects of this theory. In view of the technical and logistical challenges this theory presents, the evaluation of using WiFi positioning for this purpose and the mechanism to facilitate it are best left to industry forums, like the CSRIC 4C Working Group. While the penetration of WiFi-capable hand-held devices (*e.g.*, smartphones) is growing, they still only represent a fraction of mobile phones in the marketplace. Moreover, although growing in

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<sup>22</sup> AT&T Comments, p. 10.

<sup>23</sup> In the *Notice*, the Commission refers the indoor testing issue to CSRIC for further development. *Notice*, para. 88.

popularity, WiFi hotspots are not nearly so ubiquitous as to provide seamless coverage for 911 purposes. Nor, for that matter, has a reliable, cost-effective mechanism been developed for deriving location information from WiFi hotspots. Consequently, the Commission has the luxury of time to allow industry forums to study this topic thoroughly and to develop standards, technical solutions, and possible recommendations to address the issues raised in the Commission's *Notice*.

## **E. Legal Authority**

### **1. The Commission has not identified a proper source of authority to impose 911 regulations on broadband Internet access providers.**

In the *Notice*, the Commission contends that, based on its “express statutory obligations under the NET 911 Improvement Act”<sup>24</sup> and its ancillary authority under Title I of the Act, it has authority to regulate “network operators or others” (which presumably includes broadband Internet access providers) in order “to enable the [interconnected VoIP] provider’s compliance with [any] 911 obligations that [the Commission promulgates] under [that] express statutory mandate.”<sup>25</sup> This assertion of authority is flawed for at least two separate reasons.

*First*, the NET 911 Improvement Act generally authorizes the Commission to adopt rules giving VoIP providers a “right of access” to certain “capabilities” be made available to VoIP providers by “an entity with ownership or control over such capabilities.”<sup>26</sup> The purpose of these provisions is to ensure that VoIP providers would have access to 911 capabilities in “parity” with other voice service providers, such as CMRS providers.<sup>27</sup> Thus, for example, to the extent that VoIP provider needed access to a LEC-owned selective router in order to route calls to the appropriate PSAP, the Commission would be authorized to create rules directing the LEC to provide a VoIP provider with access to the selective router. But nothing in the NET 911

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<sup>24</sup> 47 U.S.C. § 615-a.

<sup>25</sup> *Notice*, para. 98 (emphasis added).

<sup>26</sup> 47 U.S.C. § 615-a(b), (c).

<sup>27</sup> 47 U.S.C. § 615-a(b) (“Parity for IP-enabled voice service providers”)

Improvement Act authorizes the Commission to require any entity (let alone minimally regulated broadband Internet access providers) to *create* new, wholesale location-identification services out of whole cloth. Indeed, there can be no “right of access” to certain capabilities (nor can there be an “entity with ownership or control over such capabilities”) if those capabilities (i.e., the wholesale location-identification services) do not even exist yet.

*Second*, the Commission cannot lawfully invoke its Title I ancillary authority to extend the obligations of the NET 911 Act to broadband Internet access service providers as it proposes to do in the Notice.<sup>28</sup> As the Supreme Court has made clear,<sup>29</sup> the FCC’s ancillary authority is cabined by the substantive provisions of the Communications Act, and it cannot assert such authority to act in a manner “antithetical to a basic regulatory parameter established” in the statute.<sup>30</sup> In other words, the Commission may not invoke its ancillary jurisdiction to adopt rules that either directly violate a provision of the Act or that conflict with a more general purpose expressed by the Act. In this case, the Commission’s proposed regulation of broadband Internet access providers runs head long into section 230(b)(2) of the Act, which states that it is the policy of the United States to maintain the to “preserve the vibrant and competitive free market that presently exists for the Internet and other interactive computer services, *unfettered by Federal or State regulation.*”<sup>31</sup> The Notice, however, does not acknowledge section 230(b)(2), let alone explain how the Commission’s proposed regulation of broadband Internet access service is consistent with the non-regulatory mandate of the section.

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<sup>28</sup> Notice, para. 99.

<sup>29</sup> *FCC v. Midwest Video Corp.*, 440 U.S. 689, 700-02 (1979).

<sup>30</sup> *Am. Library Ass’n*, 406 F.3d 689, 702 (D.C. Cir. 2005).

<sup>31</sup> 47 U.S.C. §230(b)(2) (emphasis added).

**2. The Commission does not have authority under the Act to require broadband providers to maintain confidentiality of location information.**

In the *Notice*, the Commission asks for comments on extending CPNI-type regulations to network providers.<sup>32</sup> As with questions of guidelines and cost estimates, this issue is premature. It is not yet clear that any solution to providing ALI for nomadic and mobile VoIP service calls to PSAPs will involve a broadband ISP's access to such information. Thus, the Commission should not explore extending section 222 obligations to broadband ISPs before it is certain that such regulations would actually be needed.

Moreover, it is important to note that Congress adopted Section 222 of the Communications Act primarily as a way to facilitate competition in the telecommunications services market. Under the Act, telecommunications carriers—especially ILECs—would have access to information about other carriers and subscribers that could be used to their advantage in the marketplace. The best way to facilitate competition was to guarantee that this information could not be used except for its intended purposes, which include the services necessary to “the provision of such telecommunications service[s].”<sup>33</sup> The Congress wrote express exceptions to cover those occasions when it would be acceptable to disclose what might otherwise be deemed confidential information, specifically “customer proprietary network information” (CPNI), including the disclosure of “call location information concerning the user of commercial mobile service . . . or the user of an IP-enabled voice service . . . to a public safety answering point, emergency medical service provider or emergency dispatch provider, public safety, fire service, or law enforcement official, or hospital emergency or trauma care facility, in order to respond to the user's call for emergency services; . . . .”<sup>34</sup>

Today, broadband providers carry all sorts of confidential information of their end-user customers, including private communications, financial information, and medical information.

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<sup>32</sup> *Notice*, para. 76.

<sup>33</sup> 47 U.S.C. § 222(c)(1).

<sup>34</sup> 47 U.S.C. § 222(d)(4).

Existing laws, company privacy policies and commercial arrangements have been sufficient to safeguard that data. In short, the concerns that gave rise to enactment of section 222 of the Act are not applicable to the broadband ISPs. Consequently, there is no need to extend the section 222 regulations to them and, conversely, there is no need to develop an exception for broadband ISPs similar to the one found in section 222(d)(4).

**3. In all events, broadband ISPs should receive the liability protections afforded to “other emergency communications provider” under the NET 911 Improvement Act.**

In the NET 911 Improvement Act, Congress extended liability protections normally afforded to local exchange carriers and CMRS providers to IP-enabled voice service providers and “other emergency communications provider[s].”<sup>35</sup> The term “other emergency communications provider” is defined as—

(A) an entity other than a local exchange carrier, wireless carrier, or an IP-enabled voice service provider that is required by the Federal Communications Commission consistent with the Commission's authority under the Communications Act of 1934 to provide other emergency communications services; or

(B) in the absence of a Commission requirement as described in subparagraph (A), an entity that voluntarily elects to provide other emergency communications services and is specifically authorized by the appropriate local or State 9-1-1 service governing authority to provide other emergency communications services.<sup>36</sup>

And “other emergency communications service” is defined as “the provision of emergency information to a public safety answering point via wire or radio communications, and may include 9-1-1 and enhanced 9-1-1 service.”<sup>37</sup>

From this statutory language it is clear that, if the Commission adopts rules requiring broadband ISPs to provide some form of emergency communications services notwithstanding

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<sup>35</sup> In the New and Emerging Technologies 911 Improvement Act of 2008, 110 P.L. 283; 122 Stat. 2620, Congress amended the Wireless Communications and Public Safety Act of 1999 by among other things striking “wireless carrier,” and inserting “wireless carrier, IP-enabled voice service provider, or other emergency communications provider.” 47 U.S.C. § 615-a.

<sup>36</sup> *Id.*

<sup>37</sup> *Id.*

all of the concerns addressed above, or if a broadband ISP does so on a voluntary basis, the Commission should deem them “other emergency communications service providers” for purposes of the liability protections afforded by the NET 911 Improvement Act. Given the many unknowns about how ALI for interconnected, nomadic and mobile VoIP services will be provisioned, it is too early to fully determine the role that broadband ISPs will play in providing emergency information to PSAPs. It seems clear, however, that Congress intended to extend the same liability protections afforded to common carriers and IP-enabled voice service providers to all participants involved in passing such information by wire or radio communications.

### **III. CONCLUSION**

AT&T shares the Commission’s interest in improving the provision of VoIP 911 service. The best way to do so is for the Commission to submit to the ETAG and/or other appropriate industry forums the key issues discussed above regarding the development of a technologically feasible and cost-effective way of conveying automatically an interconnected VoIP service customer’s accurate location information to a PSAP.

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