

March 21, 2012

Marlene H. Dortch
Federal Communications Commission
445 12th Street, S.W.
Room TW-A325
Washington, D.C. 20554

Re: *Vonage's Petition for Limited Waiver*, CC Docket No. 99-200

Dear Ms. Dortch:

On Monday, March 19, 2012, on behalf of Vonage Holdings Corp. (“Vonage”), Brendan Kasper, Craig Lennon, and Ed Mulligan of Vonage, and Rachel Petty and Madeleine Findley of Wiltshire & Grannis LLP, met with Bill Dever, Lisa Gelb, Richard Hovey, Marilyn Jones, Travis Litman, Ann Stevens, and Sanford Williams of the Wireline Competition Bureau, and Walter Johnston of the Office of Engineering and Technology (via telephone), to discuss Vonage’s pending Petition for Waiver. Vonage addressed technical and practical questions, specifically with regard to complex routing solutions, numbering inventory and pooling solutions, and interconnection solutions.

The FCC asked Vonage to explain how it would resolve the technical concerns on complex routing raised by the CLECs in their recent *ex parte*.¹ As Vonage has previously explained, it will use solutions readily available in the marketplace from companies such as Level 3² or Neutral Tandem³ that industry already uses for transit and tandem routing functions. For example, to route PSTN-Originated Calls, Vonage can designate the switch of a carrier partner in the Local Exchange Routing Guide (“LERG”) and Number Portability Administration Center (“NPAC”) as the default routing location for traffic bound for telephone numbers assigned to Vonage. Vonage reiterated that it is

¹ Letter of James C. Falvey, Eckert Seamans, on behalf of Bandwidth.com, Inc., Hypercube Telecom, LLC, Level 3 Communications, LLC, Pac- West Telecomm, Inc., and COMPTTEL to Marlene H. Dortch, Secretary, Federal Communications Commission, CC Docket No. 99-200 (filed Mar. 1, 2012).

² Level 3 currently offers products that provide “transit service for inbound long-distance and outbound toll-free (8YY) calls between IXCs and the telephone numbers (TNs) homed behind the Level 3 FGD Access Tandems.” Level 3 Communications, Tandem Service Brochure (2011), available at <http://www.level3.com/en/resource-library/brochure/tandem-service/>. See also Comments of Vonage Holdings Corp. at 11, CC Docket No. 99-200 (filed Jan. 25, 2012).

³ Comments of Neutral Tandem, Inc., CC Docket No. 99-200 (filed Jan. 25, 2012).

common practice today for the LERG to reference the serving switch of one carrier for numbering resources that are assigned to a different carrier. Such arrangements allow providers that have obtained numbering resources in areas where they are not interconnected with all local carriers to successfully route their calls.

Vonage described its proposed IP interconnection agreement framework, which will use a standard technical framework, subject to commercially acceptable variations. Vonage noted that it has already negotiated technical and commercial terms for such agreements with several tier 1 carriers, and will be able to begin transitioning to IP interconnection with those carriers—currently accounting for roughly one-quarter of Vonage’s traffic—soon after it obtains numbering resources. Vonage also explained that its approach to IP interconnection permits backwards-compatibility to accommodate traffic to the PSTN going forward.

Vonage also described how it would work with states to preserve numbering resources. Vonage explained that its voluntary offer to maintain a high number utilization rate, combined with its practice of taking smaller number blocks, both part of its emphasis on responsible stewardship of numbering resources, would provide states with greater visibility into numbering. Vonage also reaffirmed its commitment to work with states on additional reasonable conditions to preserve this valuable resource, including, for example, potentially designating certain rate centers for number assignment.

The FCC invited suggestions on how to properly condition any waiver. Vonage suggested the FCC might wish to limit waivers to interconnected VoIP providers, because the SBCIS waiver order predated the FCC’s definition of interconnected VoIP services, and because these services are, by definition, able to handle origination and termination of PSTN-bound traffic. This condition would therefore closely resemble the “facilities readiness” condition in the SBCIS Order, but would reflect intervening technological evolution. Similarly, to ensure network redundancy, the Commission could require any company receiving a waiver to be able to interconnect in more than one location. In this context, Vonage noted its agreement with AT&T’s suggestion in its comments that the “facilities readiness” condition imposed in the SBCIS waiver should be adapted to contemporary market conditions.⁴ Vonage further notes that it would be reasonable for the Commission to consider a provider’s history of compliance when determining whether a requested waiver is appropriate.

⁴ Comments of AT&T Inc. at 3, CC Docket No. 99-200 (filed Jan. 25, 2012).

Letter to Marlene H. Dortch

March 21, 2012

Page 3 of 3

The FCC also asked for suggestions on possible enforcement mechanisms to ensure waiver recipients comply with all necessary conditions. Vonage would not oppose a requirement that a waiver recipient be allowed access to new numbers only when its number utilization meets or exceeds required levels.

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

Sincerely,

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

Brita D. Strandberg

Madeleine V. Findley

Rachel W. Petty

Counsel to Vonage Holdings Corp.