



July 13, 2012

Marlene H. Dortch  
445 12<sup>th</sup> 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:

Vonage hereby responds to two points made in recent ex partes filed by Level 3 and the Rural Broadband Alliance.

First, and most troublingly, Level 3 insinuates that Vonage does not support the Commission's ruling that interconnected VoIP providers may not block calls.<sup>1</sup> Vonage does support that ruling, which protects consumers and is consistent with Vonage's commitment to complete all of its customers' calls. Level 3 constructs its misplaced accusation out of the VON Coalition's appeal of the *Connect America Fund Order*, but fails to note that Vonage has intervened in that appeal solely in support of the Commission.<sup>2</sup>

Second, Vonage does not seek rights without responsibilities.<sup>3</sup> To the contrary, Vonage already shoulders considerable numbering responsibility as it must provide number portability and contribute to shared numbering administration and number portability costs.<sup>4</sup> Providing Vonage with access to numbers would better align its rights with these existing obligations. Moreover, Vonage seeks a waiver conditioned on Vonage's compliance with substantial

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<sup>1</sup> Ex Parte Letter from Erin Boone, Level 3 Communications, LLC, to Marlene H. Dortch, Secretary, Federal Communications Commission, CC Docket Nos. 99-200, 01-92, 96-45, WC Docket Nos. 10-90, 03-109, 07-135, 05-337, GN Docket No. 09-51, WT Docket No. 10-208 at 5 (filed June 29, 2012).

<sup>2</sup> *In re FCC-11-161*, No. 11-9900 (10th Cir. 2012) (Order granting Vonage Holdings Corporation's motion to intervene as an Intervenor-Respondent, served on 01/20/2012).

<sup>3</sup> Ex Parte Letter from Stephen G. Kraskin, Communications Advisory Counsel LLC, on behalf of the Rural Broadband Alliance, to Marlene H. Dortch, Secretary, Federal Communications Commission, CC Docket Nos. 99-200, 01-92; 96-45, WC Docket Nos. 10-90, 03-109, 07-135, 05-337, GN Docket No. 09-51, WT Docket No. 10-208 (filed July 2, 2012).

<sup>4</sup> Telephone Number Requirements for IP-Enabled Services Providers et al, Report and Order, Declaratory Ruling, Order on Remand, and Notice of Proposed Rulemaking, 23 FCC Rcd. 1647 ¶ 20 (2007) ("VoIP LNP Order").

additional numbering responsibilities—specifically, the Commission’s numbering rules, numbering authority delegated to the states, and industry numbering guidelines.

The Commission has found waivers like the waiver requested by Vonage are in the public interest and has stated that it will grant such waivers.<sup>5</sup> Vonage urges the Commission to expeditiously grant Vonage’s long-standing waiver request.

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

Sincerely,



Brita D. Strandberg  
*Counsel to Vonage Holdings Corp.*

cc: Priscilla Delgado Argeris  
Matthew Berry  
Nicholas Degani  
Lisa Gelb  
Angela Kronenberg  
Christine Kurth  
Travis Litman  
Michael Steffen  
Julie Veach

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<sup>5</sup> *Administration of the North American Numbering Plan*, Order, 20 FCC Rcd. 2957, 2960 (2005) (“SBCIS Waiver Order”).