



PUBLIC NOTICE

Federal Communications Commission
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DA 05-1992

**OMB GRANTS EMERGENCY APPROVAL OF NEW VoIP E911 RULES
ADOPTED IN *IP-ENABLED SERVICES FIRST REPORT AND ORDER*;
EFFECTIVE DATE IS JULY 29, 2005**

WC DOCKET NO. 04-36

Effective Date: July 29, 2005

On June 3, 2005, the Commission released the *First Report and Order* in WC Docket No. 04-36 (*Order*).¹ In the *Order*, the Commission established rules requiring providers of interconnected VoIP service – meaning VoIP service that allows a user generally to receive calls originating from and to terminate calls to the PSTN – to provide E911 capabilities to their customers as a standard feature of the service, rather than as an optional enhancement. A summary of the *Order* was published in the Federal Register on June 29, 2005, establishing the effective date of the regulations as July 29, 2005.² As discussed in the *Order*, the effective date for the new information collection requirements was subject to Office of Management and Budget (OMB) approval.³ OMB approval was granted on June 28, 2005.⁴

Compliance. Compliance with the customer notification requirements in 47 C.F.R. § 9.5(e) is required by July 29, 2005. Compliance with all other requirements is not required until November 28, 2005.

In addition, interconnected VoIP providers must file a compliance letter in WC Docket No. 05-196, as required by 47 C.F.R. § 9.5(f), no later than November 28, 2005. All compliance letters must reference WC Docket No. 05-196 and should be labeled clearly on the first page as “Compliance Letter.” The compliance letter may be filed using: (1) the Commission’s Electronic Comment Filing System

¹ *IP-Enabled Services*, WC Docket No. 04-36, *E911 Requirements for IP-Enabled Service Providers*, WC Docket No. 05-196, First Report and Order and Notice of Proposed Rulemaking, FCC 05-116 (rel. June 3, 2005). Together with the *Order*, the Commission adopted the *Notice of Proposed Rulemaking* in WC Docket No. 05-196 (*NPRM*). In the *NPRM*, the Commission sought comment on what additional steps it should take to ensure that providers of voice over Internet Protocol (VoIP) services that interconnect with the nation’s public switched telephone network (PSTN) provide ubiquitous and reliable enhanced 911 (E911) service. *See id.*; *see also Comment and Reply Comment Dates Established for Notice of Proposed Rulemaking in the Matter of E911 Requirements for IP-Enabled Service Providers*, Public Notice, DA 05-1905 (rel. June 29, 2005).

² 70 Fed. Reg. 37,273 (June 29, 2005).

³ *See Order* at para. 73.

⁴ The Commission also will announce this approval by notification in the Federal Register. The emergency approval will expire on December 31, 2005. Prior to that date, the Commission will apply for an additional three-year, approval from OMB. The Commission will announce that approval by notification in the Federal Register.

(ECFS), or (2) by filing paper copies. See *Electronic Filing of Documents in Rulemaking Proceedings*, 63 Fed. Reg. 24,121 (May 1, 1998).

- **Electronic Filers:** Compliance letters may be filed electronically using the Internet by accessing the ECFS: <http://www.fcc.gov/cgb/ecfs/>. Filers should follow the instructions provided on the website for submitting comments. For ECFS filers, in completing the transmittal screen, filers should include their full name, U.S. Postal Service mailing address, and the applicable docket number (WC Docket No. 05-196).
- **Paper Filers:** Parties who choose to file by paper must file an original and four copies of each filing. Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail). All filings must be addressed to the Commission's Secretary, Marlene H. Dortch, Office of the Secretary, Federal Communications Commission, 445 12th Street, SW, Washington, DC 20554.
 - The Commission's contractor will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, NE., Suite 110, Washington, DC 20002. The filing hours at this location are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building.
 - Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743.
 - U.S. Postal Service first-class, Express, and Priority mail should be addressed to 445 12th Street, SW, Washington DC 20554.

Parties should also send a copy of their filings to:

- Kathy Berthot, Deputy Chief, Spectrum Enforcement Division, Enforcement Bureau, Federal Communications Commission, Room 7-C802, 445 12th Street, SW, Washington, D.C. 20554, or by email to kathy.berthot@fcc.gov; and
- Janice Myles, Competition Policy Division, Wireline Competition Bureau, Federal Communications Commission, Room 5-C140, 445 12th Street, SW, Washington, D.C. 20554, or by e-mail to janice.myles@fcc.gov.

Parties must also serve one copy with the Commission's copy contractor, Best Copy and Printing, Inc. (BCPI), Portals II, 445 12th Street, SW, Room CY-B402, Washington, D.C. 20554, (202) 488-5300, or via e-mail to fcc@bcpiweb.com.

Documents in WC Docket Nos. 04-36 and 05-196 are available for public inspection and copying during business hours at the FCC Reference Information Center, Portals II, 445 12th St. SW, Room CY-A257, Washington, DC 20554. The documents may also be purchased from BCPI, telephone (202) 488-5300, facsimile (202) 488-5563, TTY (202) 488-5562, e-mail fcc@bcpiweb.com.

For further information regarding this proceeding, contact Christi Shewman, Competition Policy Division, Wireline Competition Bureau, (202) 418-1686.