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For Immediate Release

**FCC: PARITY REQUIRED IN 911 FEES ASSESSED ON VoIP,
TRADITIONAL PHONE SERVICE**

***911 Fee Parity Encourages IP Transition, Benefiting American Consumers and
Businesses***

WASHINGTON, October 25, 2019—The Federal Communications Commission today clarified that state, local, and Tribal governments cannot charge the same class of subscribers total 911 fees that are higher for VoIP services than for traditional telecommunications services with the same 911 calling capability.

In a Declaratory Ruling adopted today, the FCC found that such treatment is discriminatory and conflicts with the NET 911 Act of 2008, which provides that a 911 fee or charge on VoIP service subscribers “may not exceed the amount of any such fee or charge applicable to the same class of subscribers to telecommunications services.” The statute was enacted to fully integrate VoIP service into the existing 911 system and to level the regulatory playing field between VoIP service providers and traditional telephone service providers when it comes to 911 rights and obligations.

The Commission also found that higher total 911 fees for VoIP could deter adoption of VoIP service and thereby frustrate the FCC’s goal of encouraging the transition from legacy voice services to more advanced, IP-based services that benefit American consumers and businesses. Fee parity will both ensure that VoIP subscribers have access to critical public safety services at comparable costs and that state, local, and Tribal governments recover the costs of providing 911 service in an equitable manner.

The Declaratory Ruling does not preempt any particular state law or regulation. Rather, in response to a primary jurisdiction referral from the U.S. District Court for the Northern District of Alabama, today’s ruling provides guidance to the District Court and other courts around the country overseeing litigation concerning the 911 fees that states and localities may assess on VoIP service subscribers.

The Declaratory Ruling becomes effective upon release by the FCC.

Action by the Commission October 25, 2019 by Declaratory Ruling (FCC 19-105). Chairman Pai, Commissioners O’Rielly, Carr, Rosenworcel, and Starks approving. Chairman Pai, Commissioners O’Rielly, Rosenworcel, and Starks issuing separate statements.

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This is an unofficial announcement of Commission action. Release of the full text of a Commission order constitutes official action. See MCI v. FCC, 515 F.2d 385 (D.C. Cir. 1974).