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For Immediate Release

FCC CLARIFIES VoIP SYMMETRY RULE

Ruling Will Promote Local Network Investment and IP Transition, Help Resolve Wasteful Litigation

WASHINGTON, December 12, 2019—The Federal Communications Commission today took steps to ensure continued investment in modern, Internet Protocol networks, promote competition in the voice telephone service market, and end long-running, wasteful legal disputes in the telecommunications industry by clarifying the interpretation of a rule governing certain intercarrier payments.

The Commission has historically used a system of regulations known as intercarrier compensation to support the construction and operation of local telephone networks. One of these regulations allows local telephone companies to recover charges from long-distance carriers for terminating calls on the local network, known as end-office switching. In 2011, the Commission adopted the VoIP symmetry rule, which ensured Voice-over-Internet-Protocol providers would be competitive with traditional voice providers by allowing them to recover those charges if they perform the same function as traditional telephone carriers. In 2015, the Commission sought to extend application of the VoIP symmetry rule to all VoIP providers, but the U.S. Court of Appeals for the D.C. Circuit vacated the 2015 order.

Today's Order on Remand and Declaratory Ruling resolves the D.C. Circuit's remand and clarifies that the provision of a physical connection to the last-mile facilities used to serve a home or business is the hallmark of end-office switching, consistent with the Commission's historical understanding, judicial precedent, and longstanding industry practice. In so doing, the Commission provides certainty to carriers regarding VoIP services and promotes the continued transition from traditional voice networks to modern all-IP networks and helps resolve pending intercarrier competition disputes.

Action by the Commission December 12, 2019 by Order on Remand and Declaratory Ruling (FCC 19-131). Chairman Pai, Commissioners O'Rielly and Carr approving. Commissioners Rosenworcel and Starks concurring. Chairman Pai, Commissioners O'Rielly, Rosenworcel, and Starks issuing separate statements.

WC Docket No. 10-90, CC Docket No. 01-92

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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).