

**STATEMENT OF
COMMISSIONER JONATHAN S. ADELSTEIN**

Re: IP-Enabled Services; E911 Requirements for IP-Enabled Service Providers, First Report and Order and Notice of Proposed Rulemaking (WC Docket Nos. 04-36, 05-196)

There is no higher calling or higher priority for us at the Commission than improving 911 and E911 services. I support this Order because it reaffirms the commitment of both Congress and this Commission to a nationwide public safety system, even as our communications networks migrate to new and innovative technologies like Voice-over-Internet-Protocol (or VoIP).

Since its inception in the 1960s, “911” has become synonymous with help being just a phone call away. Americans make 200 million calls to 911 each year, with a third of those calls coming from wireless phones. The ability to reach public safety officials from both their homes and from mobile devices has had a remarkably beneficial impact on American consumers. One benefit of access to wireless 911 is that Emergency Medical Services (EMS) notification times for fatal crashes have dropped an average of 30%, shaving valuable minutes off that so-called “golden hour” where help is most crucial. These achievements have come through the vital partnership between service providers, the public safety community, State and local officials, the Commission, and Congress.

This Order builds on those past efforts by ensuring the benefits of our E911 networks extend to users of interconnected VoIP services that are increasingly used by American consumers to communicate with the rest of the voice phone network. All indicators suggest that the IP-based services, like VoIP, are rapidly becoming the building block for the future of telecommunications. Somewhere between one and two million Americans currently use some form of VoIP services. These services promise a new era of consumer choice, and we must continue to promote the deployment of new technologies. At the same time, we cannot let our desire to see VoIP proliferate come at the cost of providing the best emergency services available today, nor can we afford to take any steps backward. Given the rapid adoption rate for these new technologies, it is incumbent upon us to see that VoIP providers adapt their system design and operations to offer access to the safety net on which Americans have come to rely.

Through this item, we set tight deadlines for VoIP providers to offer these public safety capabilities to their consumers. This Order responds to calls from leading public safety organizations and others who have asked us to promptly implement E911 and warned about the dangers associated with the current practices of some VoIP providers. The heart-wrenching testimony of our guests at today’s open meeting, Andrea and Douglas McClanaghan, Sosomma and Peter John, and Cheryl and Joe Waller, only serves to reinforce the urgency of this matter.

With this Order, we make clear that a VoIP customer must not discover in their time of need that the 911 service for which they carefully registered actually routes them to an administrative line with a recording. Nor can Americans stop trusting the emergency response system, for it will undermine the important work that industry, the public safety community and the Commission has already accomplished in making it a reliable source of help.

To achieve these goals, the Commission adopts a broadly-stated E911 requirement that applies to all interconnected VoIP services, while allowing providers flexibility to choose among technological solutions. The Order permits VoIP providers to meet this requirement by interconnecting indirectly through a third party such as a competitive local phone company, interconnecting directly with the E911 network, or through any other solution that allows a provider to offer 911/E911 service. The Order recognizes that some VoIP services, particularly those nomadic services that allow consumers to take their VoIP service from their home to their office or their beach house, face significant implementation

challenges. Access to the trunks, selective routers, and databases of the E911 network is essential to meet the obligations set out here. Although I am pleased that this Order acknowledges the importance of this access and recognizes the important role of the E911 network providers including incumbent phone companies, it is critical that we monitor developments on this front closely. We must all remain committed to taking the necessary steps to make E911 for these services a success.

It is also important that consumers understand that there may still be limitations associated with the E911 functionality through some services. This Order recognizes that power outages, loss of a consumer's broadband connection, or the time needed to update E911 location databases may affect a consumer's ability to reach public safety through 911. To this end, this item includes a requirement that VoIP providers notify consumers about the actual E911 capabilities of their service and explores these issues further in the attached Further Notice. I am also pleased that we seek comment on what role our State commission partners can play in implementing these rules.

Beyond the important steps that we take here today, IP-based services hold great promise for E911. I appreciate the efforts that NENA and those in the VoIP industry have made to develop innovative solutions for 911/E911 services and encourage these industry participants to continue their efforts. By all accounts, these next generation capabilities have tremendous potential to improve on emergency response and medical monitoring services with video and other capabilities that will help Public Safety Answering Points (PSAPs) and first responders. These are innovations that will truly benefit all Americans, but in the meantime, it is the Commission's duty to direct VoIP providers to do more to ensure that all Americans will have access to 911 when they need it.

I want to thank Chairman Martin for his leadership and willingness to act swiftly on this issue. E911 has been one of my priorities at the Commission and I have spoken often about the need to address public safety access for VoIP customers. I know that the Chairman and my colleagues share this goal, and I look forward to our continued and mutual commitment to make our decision today a success.