

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
IP-Enabled Services)	WC Docket No. 04-36
)	
E911 Requirements for IP-Enabled Service Providers)	WC Docket No. 05-196
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REPLY COMMENTS OF NENA

The National Emergency Number Association (“NENA”) hereby replies to the comments of others in the captioned proceeding. In our own initial comments of August 15, 2005 we stated that the most important thing the FCC could do in advancing E9-1-1 access for VOIP customers would be “to encourage the development of national standards and require the early adoption of recognized national standards when they become available.” (Page 2) We appreciate the numerous comments supporting timely and effective standard-setting.

Progress on I2 standard. For its part, NENA has released for public comment the Interim/Migratory standard for VOIP E9-1-1 known as “I2.”¹ Comments are requested by September 19, 2005, after which we hope to publish a final document within a month. The I2 solution is a necessary and useful transition, despite the drawbacks noted by Global IP Alliance and others. We join these commenters in urging a speedy transition to an “I3” solution not so dependent on the existing telephone infrastructure.²

¹ http://www.nena.org/I2_Public_Comment_Release.pdf. The text of the standard may be found at http://www.nena.org/I2_Public_Comment_Release.pdf.

² http://www.nena.org/Initiatives/ng_e911.htm See also, http://www.nena.org/VoIP_IP/FCC%20VoIP%20and%20E9-1-1%20Order.pdf.

Network-aided location. We endorsed (Comments, 4) the Report of NRIC VII Focus Group IB recommending that “every Access Infrastructure Provider (AIP), wireline or wireless, supply location information to endpoints.” NENA has been part of related standards efforts to advance this solution and we are grateful to USTA, Cisco and others for their discussions of work on LLDP-Med, DHCP and possible alternative solutions. However, we also agree with the caveats that it would be premature, at this time – if ever appropriate – for the Commission to specify a particular solution.

Privacy. In our initial comments (11-12), NENA said that “customer privacy protection should be fairly balanced across all forms of access to 9-1-1 services.” As the law now reads for conventional telephone access to 9-1-1, an emergency caller is presumed to consent to release of his location. Therefore we question the suggestion of ITI (Comments, 8, n.14), on the one hand, that automatic location determination be subject to a user’s determination whether that information is to be forwarded to a PSAP in the event of a 9-1-1 call. And, on the other hand, we cannot agree with USTA (Comments, 9) that a fear of retarding innovation should preclude development of “a privacy rule that allow[s] E911 data to be used only for public safety.” The credibility of the existing exemption for disclosure of caller location depends on keeping the exemption narrow.

MSAG validation. NENA noted earlier (Comments, 2-3) that customer locations for fixed and nomadic VOIP services “require civic address for the foreseeable future in order to maintain equivalence of accurate location provided through conventional wire telecommunications services in place today.” In our Joint Petition for Clarification (at 5) filed with the VON Coalition July 29, 2005, we amplified the need for “MSAG validation” of these civic, or street, addresses. We cannot agree with TCS that MSAG validation should be merely

optional. We support the requirement of MSAG validation, but we accept that VOIP providers or their agents must have access to the necessary data. In a related matter, we agree with the Texas 9-1-1 Alliance and others who ask that the FCC not preclude state and local emergency service agencies from requiring customer name as part of caller identification.

Company ID. We support the calls of several state regulatory commissions for a comprehensive and reliable means of identifying and contacting VOIP service providers. We see this chiefly as a national registry, however, and not necessarily as business entry regulation or qualification, pending additional action by the Commission.³ In furtherance of this informational aim, NENA's Company ID program has been in operation for several years and is currently available for use by VOIP providers. The NENA data base contains several hundred providers, including VOIP service suppliers.

The program is being upgraded to carry VOIP E9-1-1 service provision characteristics, such as type of interconnection to Selective Routing switches, type of ALI data storage (direct ALI server, VPC, or other) ,and how and by whom the company's customer database is maintained. The upgrade is expected to be in operation within weeks. The Company ID provides information to call-takers as to which service provider supports a given telephone number, the contact names and numbers for PSAP emergency contact with the service provider, and other useful data in managing E9-1-1 service.⁴

Routable but non-dialable numbers. In an ex parte presentation of May 11, 2005, NENA discussed "routable but non-dialable numbers" ("RND") as a possible transitional

³ The FCC has determined that VOIP is an "interstate" service but has not yet "classified" the offering as telecommunications, information or something else. *Vonage Holdings Corporation*, Memorandum Opinion and Order, 19 FCC Rcd 22404 (2004).

⁴ <http://www.nena.org/companyid/index.htm>.

solution for interconnecting VOIP callers to E9-1-1. We cautioned, however, that:

This option depends on several processes, all of which are in use today for other services, but some have not been applied to E9-1-1 service. Combining the processes to support E9-1-1 for IP-based services requires some planning and coordination nationally.

In view of the challenging 120-day time frame for E9-1-1 compliance by VOIP service providers, NENA asked a special work group to study RND and come up with a recommendation.

Unfortunately, the results were not positive for the ultimate goal of high-quality, reliable access to E9-1-1.⁵ In brief, automatic transmission of 9-1-1 dialed calls via either open (dialable) or RND telephone numbers through the PSTN is undesirable and vulnerable to 9-1-1 call blockage.

Moreover, the RND method appears to be in some ways technically unworkable.

While NENA is disappointed over the seeming loss of one transitional approach to VOIP customer access for E9-1-1, a number of other solutions remain. We are renewed in our determination to complete work on the I2 standard and to advance the I3, or NG9-1-1, standards effort with all deliberate speed.

Respectfully submitted,

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⁵ The work group's report may be found at http://www.nena.org/VoIP_IP/index.htm.