
Chibardun Telephone and CTC Telcom (dba Mosaic Technologies) & HomeTech by Mosaic FCC E-911 Requirements for VOIP Providers

In June 2005, the FCC released its Order in which it adopted E-911 rules for “providers of interconnected voice over Internet Protocol service” (“VoIP providers”).¹ The term “interconnected” refers to “the ability of the user generally to receive calls from and terminate calls to the public switched telephone network.”² These rules apply to all interconnected VoIP providers, whether or not they allow the customers to use the device nomadically, and went into effect on November 28, 2005.

I. Requirements to Implement an E911 Solution

- VoIP providers must transmit all 911 calls to the public safety answering point (“PSAP”), designated statewide default answering point, or appropriate local emergency authority that serves the caller’s “Registered Location.”
 - A “Registered Location” is the most recent information obtained by a VoIP provider that identifies the physical location of the end user.
 - Such transmissions must include the caller’s Automatic Numbering Information (ANI)³ and Registered Location to the extent that the PSAP, designated statewide default answering point, or appropriate local emergency authority is capable of receiving and processing such information.
 - VoIP providers must not market VoIP service or accept customers for their service in areas where they are not transmitting 911 calls to the appropriate PSAP.
- VoIP providers must route all 911 calls through the use of ANI and, if necessary, pseudo-ANI,⁴ via the Wireline E911 Network,⁵ and make a caller’s Registered Location available to the appropriate PSAP, designated statewide default answering point or appropriate local emergency authority from or through the appropriate Automatic Location Identification (ALI) database.

¹ *IP-Enabled Services; E911 Requirements for IP-Enabled Service Providers*, WC Docket Nos. 04-36, 05-196, First Report and Order and Notice of Proposed Rulemaking, FCC 05-116 (rel. June 3, 2005) (“Order”).

² *Id.* at fn 1.

³ ANI is a system that identifies the billing account for a call and, for 911 systems, identifies the calling party and may be used as a call back number. *See* 47 C.F.R. §§ 9.3, 20.3.

⁴ Pseudo-ANI is “a number, consisting of the same number of digits as ANI, that is not a North American Numbering Plan telephone directory number and may be used in place of an ANI to convey special meaning. The special meaning assigned to the pseudo-ANI is determined by agreements, as necessary, between the system originating the call, intermediate systems handling and routing the call, and the destination system.” *See* 47 C.F.R. §§ 9.3, 20.3.

⁵ The “Wireline E911 Network” is a “dedicated wireline network that: (1) is interconnected with but largely separate from the public switched telephone network; (2) includes a selective router; and (3) is utilized to route emergency calls and related information to PSAPs, designated statewide default answering points, appropriate local emergency authorities or other emergency answering points.” *See* 47 C.F.R. § 9.3.



- VoIP providers must obtain from each of its existing and new customers, prior to the initiation of service, a Registered Location.
- VoIP providers must provide all of their end users one or more methods of updating their Registered Locations at will and in a timely manner. At least one method must allow end users to use only the same equipment (such as the Internet telephone) that they use to access their interconnected VoIP service.

II. Subscriber notification, acknowledgment, and labeling requirements

- Every new and existing subscriber must be advised, prominently and in plain language, of the circumstances under which E911 service may not be available through the interconnected VoIP service or maybe in some way limited by comparison to traditional E911 service. Such circumstances include, but are not limited to:
 - Relocation of the end user’s IP-compatible device;
 - Use by the end user of a telephone number that is not associated with the rate center where service is being rendered;
 - Broadband connection failure;
 - Loss of electrical power;
 - Delays that may occur in making a Registered Location available in or through the ALI database
- A record must be obtained and kept of affirmative acknowledgment by every subscriber, both new and existing, of having received and understood the advisory described in the paragraph above.
- VoIP providers must distribute to its existing subscribers warning stickers or other appropriate labels warning subscribers if E911 service may be limited or not available and instructing the subscriber to place them on or near the equipment used in conjunction with the interconnected VoIP service. Each interconnected VoIP provider should distribute such warning stickers or other appropriate labels to each new subscriber prior to the initiation of that subscriber’s service.

III. “Best Efforts” to Provide a Technical Solution for Nomadic Subscribers

- The FCC “encourages” companies to implement a technical solution to ensure that subscribers have access to 911 service whenever they use their service nomadically.
- In the Order, the FCC recognized that such technical solutions may not be technologically feasible to implement. However, in a Public Notice,⁶ the FCC required carriers to include in compliance letters any plans they have to implement a solution and cited. As an example, the FCC cited plans by AT&T and Verizon to implement an automatic detection mechanism that enables the provider to identify when a customer may have moved his or her interconnected VoIP service to a new location to ensure that the customer continues to receive 911 service even when using the interconnected VoIP service nomadically.

⁶ See *Enforcement Bureau Outlines Requirements of November 28, 2005 Interconnected Voice Over Internet Protocol 911 Compliance Letters*, WC Docket Nos. 04-36 & 05-196; DA 05-2945, Public Notice (rel. Nov 7, 2005) (“Public Notice”).



IV. Compliance Letter/Waiver Request

- In the Public Notice, the FCC required VoIP providers to provide detailed information regarding any of the above areas in which the company would not be in full compliance by the November 28, 2005 deadline.
- Accordingly, if a VoIP provider began providing service after that date and determined that it would not be in full compliance regarding one or more of the above requirements, it would be advisable to file a similar compliance report with the FCC and seek a waiver of the requirements if necessary.

