

STATE OF NEW YORK

Public Service Commission

William M. Flynn, Chairman

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STATEMENT FROM WILLIAM M. FLYNN

Albany, NY – 5/19/05 – New York State Public Service Commission Chairman William M. Flynn issued the following statement regarding today's Federal Communications Commission (FCC) decision to require telephone service providers using Voice over Internet Protocol to provide full E911 capabilities.

"Today, the Federal Communications Commission determined that telephone service providers using Voice over Internet Protocol (VoIP) must provide full E911 capability. Chairman Kevin Martin and the other members of the Federal Communications Commission should be commended for their leadership on a critical public safety issue.

"In light of recent reports of tragedies involving difficulties with communication between VoIP customers and E911 system emergency operators, a solution is absolutely necessary. The FCC has stepped forward in the public's interest and offered a common-sense approach.

"Exactly one year ago today, the New York Commission unanimously decided that access to effective E911 service for VoIP customers was a core public interest that should be examined. Today's FCC decision supports that view, and I believe it recognizes that to be most effective, any regulation should target core public policy concerns without unnecessarily interfering with the free flow of markets and the development of innovative services and technologies. Therefore, I have instructed our attorneys to undertake a thorough review of the FCC's written order, when issued, to determine whether it eliminates the need for our pending litigation on these matters.

"While it might be argued that there will be some costs involved for the providers of VoIP service, Chairman Martin and the FCC Commissioners rightfully recognized that the cost of doing nothing was much too great. One of the underlying issues in this matter is whether the cost of a VoIP/911 solution will hamper the development of VoIP service. As a new player in the market, it is reasonable to expect the VoIP providers to contribute to the safety of their customers. I think the FCC has laid out a reasonable solution, and a challenging, but practical, timeframe. Further, the FCC has effectively balanced the need to ensure the reliability of VoIP-enabled service in providing access to effective E911 emergency calling capabilities and the economic interests of advancing telecommunications service throughout the country.

"Finally, I am gratified that today's decision recognizes the important role of the states in the deployment of these new and complex solutions, and we look forward to working with the FCC and other interested parties on this critical issue."