

**Oral Statement of Jeffrey A. Citron, CEO
Vonage Holdings Corp.
U.S. House of Representatives
Committee on Energy & Commerce
Subcommittee on Telecommunications and the Internet
March 30, 2006
2123 Rayburn House Office Building**

Mr. Chairman, thank you for the opportunity to testify before your committee regarding your draft telecommunications legislation. I will focus my remarks on the provisions that relate to 911 services. Vonage has no higher priority than delivering Enhanced 911 to our customers nationwide, and this legislation would help accelerate that objective.

Vonage currently delivers Enhanced 911 to more than one million subscriber lines, covering 70% of our base—and we are working diligently to get this service to 100% of our customers immediately. We consider ourselves a partner with public safety, and have not only dedicated significant resources to our 911 effort, but have committed to paying 911 fees on a statewide basis throughout the country.

Chairman Martin's commitment to public safety and the FCC's E-911 rules have helped Vonage with the fastest deployment of nomadic 911 services in history. Working with our partners at the FCC and the public safety community, the Vonage network completes nearly a thousand successful 911 calls every day.

Despite this progress, significant challenges remain and your legislation would help overcome those obstacles. I want to make three points. First, nomadic VoIP providers like Vonage need access to all the 911 elements necessary to provide a comprehensive solution; the Committee print addresses this concern. Second, many 911 centers refuse to complete VoIP emergency calls without the same liability protections that exist for wireline and wireless carriers; this provision would need to be added to the bill. Third, Congress should carefully contemplate a forward path towards building out a flexible, more technologically advanced 911 network while preserving innovation and competition.

By including the 911 access provisions in this legislation, you have ensured that the 911 system is held as a public trust, not used as a competitive lever.

Next, I would underscore public safety's concerns about the lack of liability parity for VoIP emergency calls and request the Committee include this going forward. Unlike wireline and wireless carriers, VoIP providers do not have any liability protection for completing 911 calls. Unfortunately, there are instances today where 911 centers will not accept our emergency calls without such protection.

In 1999, this Committee and Congress passed the Wireless Public Safety Act, granting wireless carriers equivalent liability status to wireline services for 911 calls. We would simply ask that as this bill moves to the floor, the Committee consider extending identical liability provisions to VoIP providers and public safety centers.

Finally, I would like to comment on innovations in communications technology and how they interact with the nation's 911 system.

Vonage offers a product that is inherently nomadic—meaning it's capable of operating over any broadband connection, anywhere in the world. Our users can be in Texas one day and Tokyo the next. This allows flexibility that fixed services and traditional phone services do not.

For example, when Katrina devastated the Gulf Coast, New Orleans officials received their first call from President Bush on a Vonage phone. And as thousands of patients were coming into the Baton Rouge General Hospital, Vonage was the only long distance line available to doctors and emergency medical personnel.

This nomadic feature, which allows our service to work over any high-speed Internet connection anywhere, is the only reason these calls were able to get through.

This mobility also presents unique challenges to the 911 system which was built to be fixed and local. While we have retrofitted our service to be compatible with a 911 network based on 1968 technology, we shouldn't limit our vision to 1968. 911 should be the head lights, not the tail lights of communications.

I would like to be clear that we support the FCC's efforts to bring E-911 to VoIP services. We embrace this obligation, and Congress can help provide a forward path that is sensible for public safety and moves us towards next generation 911 infrastructure.

Current E-911 regulations apply to Vonage but not to many other VoIP providers. If E-911 services are not available to VoIP providers in some markets, consumers in those markets will still buy VoIP without E-911. Vonage may not be the provider for these customers, but another company will be, and the public safety community will be all the poorer for having countless Americans without E-911 service.

The challenge for this Congress is to enable Americans who want VoIP to get those services with E-911 everywhere.

I will conclude by noting that Vonage strongly supports the interconnection provision in the Committee's draft, and would hope access to numbers and number portability could be included with that provision.

In short, Vonage supports this legislation and I want to thank the sponsors—Chairman Barton, Congressmen Upton, Pickering, and Rush—as well as Representatives Shimkus, Eshoo, and Gordon for their leadership on 911 issues. We look forward to working with the Committee towards its passage.