

# State and Federal VoIP Regulatory Issues

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- Minnesota Ruling
- Vonage Petition
- I.04-02-007
- FCC 04-28
- FCC 04-97
- FCC 04-267
- FCC 05-116

On September 11, 2003 the  
Minnesota Public Utilities  
Commission found that Vonage  
Holding Company was subject  
to its regulation and sought  
compliance under Docket No.  
P-6214/C-03-108.

On September 22, 2003,  
Vonage filed a petition  
requesting that the FCC  
preempt the Minnesota order.

On February 19, 2004, the CPUC issued I.04-02-007.

This is an investigation to determine the extent to which VoIP should be exempted from regulatory requirements.

On the same day, the FCC  
released FCC 04-27.

FCC 04-27 declared that pulver.com's  
Free World Dialup is neither  
telecommunications nor a  
telecommunications service.

On March 10, 2004,  
the FCC released FCC 04-28  
seeking comments.

In this Notice of Proposed Rulemaking,  
the FCC examines issues relating to  
services and applications making use  
of IP.

On April 14, 2004 the FCC  
released FCC 04-97.

The FCC declared that AT&T's  
“phone to phone” service is a  
telecommunications service.

# On November 12, 2004, the FCC released FCC 04-267.

- In FCC 04-267, the FCC preempts the Minnesota order and declares that Vonage is not subject to state regulation.
- But FCC 04-267 went even further and stated that all Vonage-like services are not subject to state regulation.

California, Ohio, Minnesota,  
New York and NASUCA filed  
appeals of FCC 04-267.

California has recently  
withdrawn its appeal of  
FCC 04-267.

...and is considering a  
modification of its comments filed  
in FCC 04-28.

The FCC has essentially issued  
a moratorium on State  
regulation of VoIP.

**This is not the “free for all”  
that it seems to be.**

On May 19, 2005 the FCC released FCC 05-116.

The order requires VoIP providers to offer 911 emergency calling capabilities as a mandatory feature of the service.

This order indicates that the FCC could come down quite hard on the VoIP providers when it issues an order in FCC 04-28.