October 6, 2004

The Honorable Michael K. Powell  
Chairman  
Federal Communications Commission  
445 12th Street, SW  
Washington, DC  20554  

Dear Chairman Powell,

EDUCAUSE would like to express its support for the October 1, 2004 letter that you received from the Congress of the United States. The Members of Congress who signed the letter feel, as we do, that a declaratory ruling that VoIP services are interstate and thereby subject to the Federal Communication Commission’s exclusive jurisdiction is fully justified at this time. This support is also consistent with our comments filed in the IP-Enabled Services proceeding (Docket No. 04-36) currently in progress at the Commission.

A timely and definitive ruling on this single issue would help alleviate some of the uncertainty surrounding the regulatory status of IP-Enabled Services, while retaining the legitimate role of the states to administer consumer protection and public safety laws. Furthermore, clarity on this issue will help sustain the spread of broadband Internet services while some of the more complex issues, such as the Universal Service Fund and inter-carrier compensation, work their way through the regulatory and legislative process.

Thank you in advance for your prompt attention to this matter.

Sincerely,

Brian L. Hawkins  
President  
EDUCAUSE

cc: Commissioner Kathleen Q. Abernathy  
Commissioner Kevin J. Martin  
Commissioner Michael J. Copps  
Commissioner Jonathan S. Adelstein