



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

October 9, 2009

Richard S. Whitt, Esq.
Washington Telecom and Media Counsel
Google Inc.
1101 New York Avenue, NW, Second Floor
Washington, DC 20005

RE: Google Voice Calling Restrictions

Dear Mr. Whitt:

Recent reports indicate that Google's Google Voice service restricts calling from consumers to certain rural communities.¹ In light of pending Commission proceedings regarding concerns about so called "access stimulation,"² the Commission's prohibition on call blocking by carriers,³ as well as the Commission's interest in ensuring that "broadband networks are widely deployed, open, affordable, and accessible to all consumers,"⁴ we are interested in gathering facts that can provide a more complete understanding of this situation.

To that end, please provide answers to the following questions by close of business on Wednesday, October 28, 2009.

1. We understand that Google Voice offers a number of different functionalities, including: (a) the ability to have calls to a Google Voice telephone number forwarded to designated telephone numbers; (b) the

¹ See *Google's New Phone Service Poses Questions for Regulators*, Wall Street Journal (Sept. 18, 2009); *The intellectual contradiction of Google Voice*, Financial Times (Sept. 22, 2009); *Google Says Apple Rejected Google Voice Application in July*, Communications Daily (Sept. 21, 2009).

² *Establishing Just and Reasonable Rates for Local Exchange Carriers*, WC Docket No. 07-135, Notice of Proposed Rulemaking, 22 FCC Rcd 17989 (2007).

³ *Establishing Just and Reasonable Rates for Local Exchange Carriers; Call Blocking by Carriers*, WC Docket No. 07-135, Declaratory Ruling and Order, 22 FCC Rcd 11629 (2007).

⁴ *Appropriate Framework for Broadband Access to the Internet over Wireline Facilities; Review of Regulatory Requirements for Incumbent LEC Broadband Telecommunications Services; Computer III Further Remand Proceedings: Bell Operating Company Provision of Enhanced Services; 1998 Biennial Regulatory Review — Review of Computer III and ONA Safeguards and Requirements; Inquiry Concerning High-Speed Access to the Internet Over Cable and Other Facilities; Internet Over Cable Declaratory Ruling; Appropriate Regulatory Treatment for Broadband Access to the Internet Over Cable Facilities*, CC Docket Nos. 02-33, 01-337, 98-10, 95-20, GN Docket No. 00-185, CS Docket No. 02-52, Policy Statement, 20 FCC Rcd 14986 (2005) (Internet Policy Statement).

ability to place outgoing calls from the Google Voice website; (c) the ability to place outgoing calls from the Google Voice mobile site; and (d) the ability to place outgoing calls by calling your own Google number and signing into the Google voicemail system.

(i) For each of these functionalities, and any other functionalities that allow Google Voice users to place calls, please describe how the Google Voice call is routed and whether calls to particular telephone numbers are restricted. For each functionality for which calls to particular telephone numbers are restricted, please describe the technological means by which those restrictions are implemented.

(ii) How does Google inform Google Voice users about any restrictions in the numbers to which calls can be placed using Google Voice?

(iii) To what extent are each of these Google Voice functionalities offered for free? To what extent, if any, does Google charge for any of these services? Does Google intend to charge at some point for the service? How does Google currently pay for the service?

2. Please explain specifically what is meant by “invitation-only.”⁵ How many users of Google Voice are there at this time? Are there any plans to offer Google Voice on other than an invitation-only basis?
3. How does Google believe its various Google Voice services fit within the statutory classifications in the Communications Act of 1934, as amended (the Act) and the Commission’s regulatory classifications (*e.g.*, interconnected VoIP)?⁶ Do you believe its “invitation-only” subscribership affects the classification of Google Voice in any way? If so, please explain. Does the Google Voice service compete with any services classified as “telecommunications services” under the Act? Is Google Voice a reseller of “telecommunications services?” Please explain your answers.
4. How does Google identify the telephone numbers to which it restricts calls? Does it restrict calls to individual telephone numbers, or to particular exchanges or NPA-NXXs? Why does Google Voice restrict calls to these numbers?
5. Does Google contract with third parties to obtain inputs for its Google Voice service, such as access to telephone numbers, transmission of telephone calls, and interconnection with local telephone networks? Please provide the names of such third parties.

⁵ In your September 25, 2009 Google Public Policy Blog, you state that Google Voice is currently “invitation-only, serving a limited number of users.” Richard Whitt, Washington Telecom and Media Counsel, Google, *Response to AT&T's letter to FCC on Google Voice*, <http://googlepublicpolicy.blogspot.com/2009/09/response-to-at-letter-to-fcc-on-google.html>.

⁶ 47 U.S.C. §§ 151 et seq.

Request for Confidential Treatment. If Google requests that any information or documents responsive to this letter be treated in a confidential manner, it shall submit, along with all responsive information and documents, a statement in accordance with section 0.459 of the Commission's rules. 47 C.F.R. § 0.459. Requests for confidential treatment must comply with the requirements of section 0.459, including the standards of specificity mandated by section 0.459(b). Accordingly, "blanket" requests for confidentiality of a large set of documents are unacceptable. Pursuant to section 0.459(c), the Bureau will not consider requests that do not comply with the requirements of section 0.459.

Thank you in advance for your anticipated cooperation.

Sincerely,

A handwritten signature in blue ink, appearing to read "Sharon E. Gillett", with a stylized flourish at the end.

Sharon E. Gillett
Chief, Wireline Competition Bureau
Federal Communications Commission