



NEWS

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This is an unofficial announcement of Commission action. Release of the full text of a Commission order constitutes official action.
See *MCI v. FCC*, 515 F.2d 385 (D.C. Cir. 1974).

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FCC RULES THAT PULVER.COM'S FREE WORLD DIALUP SERVICE SHOULD REMAIN FREE FROM UNNECESSARY REGULATION

In Separate Action FCC Adopts Broad Inquiry into Internet Protocol-Enabled Services

Washington, DC – The Federal Communications Commission (FCC) today ruled that pulver.com's (pulver) Free World Dialup (FWD) offering will remain a minimally regulated competitive option for consumers. The *Declaratory Ruling* adopted today emphasizes the FCC's long-standing policy of keeping these consumer Internet services free from burdensome economic regulation at both the federal and state levels.

Separately, the FCC today also initiated a major proceeding to provide a measure of regulatory stability and to further promote the development of Internet Protocol (IP) services (see attached news release). That proceeding, referred to as a *Notice of Proposed Rulemaking (Notice)*, will seek public comment on a variety of issues based on the premise that Internet services should remain largely free of regulatory burdens and would apply, only where needed, discrete regulatory requirements.

Additionally, the FCC intends to initiate a Communications Assistance for Law Enforcement (CALEA) rulemaking proceeding to address the technical issues associated with law-enforcement access to IP-enabled services. This proceeding will address the scope of covered services, assign responsibility for compliance, and identify the wiretap capabilities required.

Pulver's FWD allows users of broadband Internet access services to make voice over Internet Protocol (VoIP) or other types of peer-to-peer communications directly to other FWD members, without charge. In 2003, pulver filed a petition for declaratory ruling requesting that the FCC rule FWD to be neither a "telecommunications service" nor "telecommunications," and therefore not subject to traditional telephone regulation. Today, the FCC granted pulver's petition and also declared FWD to be an unregulated information service that is subject to federal jurisdiction.

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IP-enabled services, such as pulver's FWD and other Internet applications like it, promise significant benefits in the form of lower prices and enhanced functionality for American consumers. Additionally, these IP-enabled services will encourage more consumers to demand broadband service.

-FCC-

Docket No.: WC 03-45

FCC 04-27

Action by the Commission, February 12, 2004, by Memorandum Opinion and Order (04-27). Chairman Powell, Commissioners Abernathy and Martin; with Commissioner Copps dissenting and Commissioner Adelstein concurring in part and dissenting in part. Chairman Powell and Commissioners Abernathy, Copps, Martin and Adelstein issuing separate statements.

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News about the Federal Communications Commission can also be found on the Commission's web site www.fcc.gov.