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UNITED STATES SENATE
November 26, 2003

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

Dear Chairman Powell:

Thank you for inviting me to the Commission's December 1, 2003 forum concerning Voice over Internet Protocol (VoIP). Unfortunately, previous scheduling obligations prevent me from attending.

It is vital that the Commission thoroughly examine and consider the implications of an appropriate regulatory model or approach to VoIP. The Commission should have a firm basis for future action and be in a position to provide expert advice to the Congress, if and when, it considers legislative efforts on this matter. This forum will advance our underlying knowledge base and help establish an informative and comprehensive public record.

As you consider this issue, I want you to know that I share your interest in ensuring that this platform is not saddled with undue regulatory burdens at either the federal or state level. Doing so would stem the digital migration you have articulated so well in speeches and testimony during the past several months. It is apparent that regulators in certain states have begun to review their regulatory approach for VoIP to consider imposing regulations similar to those in place for the public switched telephone network.

There is concern that if states approach VoIP in the same manner they regulate the current local phone systems, the external benefits of the technology, including increased levels of connectivity and significant network efficiencies, could be lost, which would hurt individual companies and more importantly consumers. Further, there is a risk that this kind of action may lead to obligations that are wholly inappropriate for this platform and might undermine the ability of this new technology to develop and succeed. I trust that these issues and others will be brought up during the panels of the forum next week, and look forward to reviewing the results.

Sincerely,

A handwritten signature in black ink, appearing to read "John E. Sununu".

John E. Sununu