

Voice over Internet Protocol (VoIP), 911 Dialing, and E911

The following information relates to emergency services dialing and is an important part of the contract for FreedomVoice service. Within said contract, agreeing to the E911 Disclaimer acknowledges that you have read, understood, and accept the limitations of FreedomVoice Hosted VoIP PBX relative to emergency services & 911 dialing as described below.

In some areas, 911 operators automatically receive the phone number or location of a VoIP call, but in many areas, that is not yet the case. Technology that will provide that information— Enhanced 911 or E911 – is currently being implemented, but is not yet available in many parts of the country.

The ability to access emergency services by dialing 911 is a vital component of public safety and emergency preparedness. Recent reports of consumers' inability to access life-saving emergency services while using Voice over Internet Protocol (VoIP) services have highlighted a critical public safety gap. The FCC has taken steps to close this gap by imposing Enhanced 911 (E911) obligations on providers of "interconnected" VoIP services.

Interconnected VoIP services are those that use the Public Switched Telephone Network (PSTN), including wireless networks, to originate and terminate calls. E911 systems automatically provide to emergency service personnel a 911 caller's call back number and, in most cases, location information.

IMPORTANT: Not all 911 emergency centers can receive location information from a FreedomVoice Hosted VoIP PBX.

Find out whether E911 has been deployed where you live and work by visiting [E911 coverage](#). This awareness will help you know how much information you need to be prepared to give a 911 operator. If E911 is not yet available in your area, make sure to tell the emergency dispatchers your phone number and where you are. Inform yourself about the current capabilities of your wireless or VoIP service.

In May 2005, the FCC adopted rules requiring providers of interconnected VoIP services to supply 911 emergency calling capabilities to their customers as a mandatory feature of the service by November 28, 2005. "Interconnected" VoIP services are VoIP services that allow a user generally to receive calls from and make calls to the traditional telephone network. Under the FCC rules, interconnected VoIP providers must:

- Deliver all 911 calls to the local emergency call center;
- Deliver the customer's call back number and location information where the emergency call center is capable of receiving it, and inform their customers of the capabilities and limitations of their VoIP 911 service.

1. Understand the Difference.

There are significant differences between E911 service and traditional 911 service and you should know how E911 differs in both reliability and effectiveness from traditional 911. With E911 service, when you dial 911, your telephone number and registered address is simultaneously sent to the local emergency center assigned to your location, and emergency operators have access to the information they need to send help and call you back if necessary. Customers in locations where the emergency center is not equipped to receive, capture or retain your telephone number and address have basic 911 or limited E911. With basic 911 or limited E911, the local emergency operator answering the call may not have your call back number or your exact location, so you must be prepared to give them this information. Until you give the operator your phone number, he/she may not be able to call you back or dispatch help if the call is dropped or disconnected, or if you are unable to speak. As additional local emergency centers become capable of receiving our customers' information, FreedomVoice will automatically upgrade customers with basic 911 to E911 service. FreedomVoice will not give you notice of the upgrade.

Certain customers do not have access to either basic 911 or E911. If you don't have access to basic 911 or E911, your 911 call will be sent to the FreedomVoice Hosted VoIP PBX service national emergency call center. In that case your 911 call will not be directed to a local emergency operator who may be better equipped to provide assistance. A trained agent at the emergency call center will ask for the name, telephone number and location of the customer calling 911, and then contact the local emergency center for such customer in order to send help. Examples of situations where 911 calls will be sent to the FreedomVoice Hosted VoIP PBX service national emergency call center include when there is a problem validating a customer's address, the customer is identified with an international location, or the customer is located in an area that is not covered by the landline 911 network. In addition, if you use certain portable Devices, your 911 calls will be routed to the FreedomVoice Hosted VoIP PBX service national emergency call center. Emergency personnel do not receive your phone number or physical location when your 911 call is routed to the FreedomVoice Hosted VoIP PBX service national emergency call center.

You authorize us to disclose your name and address to third-parties involved with providing 911 Dialing to you, including, without limitation, call routers, call centers and local emergency centers.

2. Inform All Present.

You should inform all household residents, guests and other third persons who may be present at the physical location where you utilize FreedomVoice service of the important differences in and limitations of FreedomVoice service 911 Dialing as compared with basic 911 or E911. The documentation that accompanies each Device will include a sticker concerning the potential non-availability of basic 911 or E911 (the "911 Sticker"). It is your responsibility, in accordance with the instructions that accompany each Device, to place the 911 Sticker on each Device that you use with FreedomVoice service. If you did not receive a 911 Sticker with your Device, or you require additional 911 Stickers, please contact our customer care department at 800-477-1477.

3. Registration of Physical Location Required.

For each phone line that you utilize with FreedomVoice service, you must register with FreedomVoice the physical location where you will be using that phone line. Your initial location will be registered as a part of subscribing to FreedomVoice service. In addition, you are agreeing to cooperate with FreedomVoice's efforts to provide you with E911 service. For example, it is incumbent on you to confirm the accuracy of your physical address via your online account if you have any changes, additions or transfers of phone numbers. When you move the Device to another location, you must update your location. If you do not update your location, 911 calls you make may be sent to an emergency center near your old address and they may not be able to provide emergency assistance. You may update a location by logging on to your online account. For purposes of 911 Dialing, you may only register one location at a time for each phone line. Regardless of what address you register for a portable device, emergency calls you make from these devices will be routed to the FreedomVoice Hosted VoIP PBX service national emergency response center. When activating a phone or updating a phone's location, if that location's emergency center does not support E911, FreedomVoice will not be able to provide service for that phone.

4. Service Outages.

(a) Service Outages Due to Power Failure or Disruption. E911 Dialing does not function in the event of a power failure or disruption. If there is an interruption in the power supply, FreedomVoice service, including 911 Dialing, will not function until power is restored. Following a power failure or disruption, you may need to reset or reconfigure the Device prior to utilizing FreedomVoice service, including 911 Dialing.

(b) Service Outages Due to Internet Outage or Suspension or Disconnection of Broadband Service or Internet Service Provider ("ISP") Service. Service outages or suspensions or disconnections of service by your broadband provider or ISP will prevent all Service, including E911 Dialing, from functioning.

(c) Service Outage Due to Disconnection of Your FreedomVoice Hosted VoIP PBX service Account. Service outages due to disconnection of your account will prevent all Service, including 911 Dialing, from functioning.

(d) Service Outages Due to ISP or Broadband Provider Blocking of Ports or Other Acts. Your ISP, broadband provider or other third party may intentionally or inadvertently block the ports over which FreedomVoice service is provided or otherwise impede the usage of FreedomVoice service. If you suspect this has happened to you, you should alert us to this situation and we will work with you to attempt to resolve the issue. During the period that the ports are being blocked or your Service is impeded, your Service, including 911 Dialing, may not function. You acknowledge that FreedomVoice is not responsible for the blocking of ports by any third party or any other impediment to your usage of FreedomVoice service, and any loss of Service, including 911 Dialing, which may result. In the event you lose service as a result of blocking of ports or any other impediment to your usage of FreedomVoice service, you will continue to be responsible for payment of FreedomVoice service charges unless and until you disconnect FreedomVoice service in accordance with this Agreement.

(e) Other Service Outages. If there is a Service outage for any reason, such outage will prevent all Service, including 911 Dialing, from functioning. Such outages may occur for a variety of reasons, including, but not limited to, those reasons described elsewhere in this Agreement.

5. Network Congestion & Reduced Speed.

There may be a greater possibility of network congestion and/or reduced speed in the routing of a 911 Dialing call made utilizing FreedomVoice service as compared to traditional 911 dialing over traditional public telephone networks.

6. Disclaimer of Liability and Indemnification.

We do not have any control over whether, or the manner in which, calls using our 911 Dialing service are answered or addressed by any local emergency response center. We disclaim all responsibility for the conduct of local emergency response centers and the national emergency calling center. We rely on third parties to assist us in routing 911 Dialing calls to local emergency response centers and to a national emergency calling center. We disclaim any and all liability or responsibility in the event such third party data used to route calls is incorrect or yields an erroneous result. Neither FreedomVoice nor its officers or employees may be held liable for any claim, damage, or loss, and you hereby waive any and all such claims or causes of action, arising from or relating to our 911 Dialing service unless such claims or causes of action arose from our gross negligence, recklessness or willful misconduct. You shall defend, indemnify, and hold harmless FreedomVoice, its officers, directors, employees, affiliates and agents and any other service provider who furnishes services to you in connection with FreedomVoice Hosted VoIP PBX service, from any and all claims, losses, damages, fines, penalties, costs and expenses (including, without limitation, attorneys fees) by, or on behalf of, you or any third party relating to the absence, failure or outage of FreedomVoice service, including 911 Dialing, incorrectly routed 911 Dialing calls, and/or the inability of any user of FreedomVoice service to be able to use 911 Dialing or access emergency service personnel.

7. Alternate 911 Arrangements.

If you are not comfortable with the limitations of the 911 Dialing service, you should consider having an alternate means of accessing traditional 911 or E911 services or disconnecting FreedomVoice service.