

# E911 NOTICE

## PLEASE READ CAREFULLY BEFORE USING FUSION SERVICE

This E911 Notice explains some of the limitations of Voice over Internet Protocol (“VoIP”) communications services and Fusion’s Service and Equipment. To make this E911 Notice easier to understand, the definitions set forth in the Terms of Service shall also apply to this document.

The Federal Communications Commission (“FCC”) requires that interconnected VoIP service providers supply E911 Service capabilities to their subscribers.<sup>1</sup> Some, but not all, Fusion service offerings qualify as interconnected VoIP services. Customers that order Service that qualifies as interconnected VoIP service under the FCC definition will be provided with E911 Service.

Fusion is providing this E911 Notice so that you can be aware of the circumstances under which E911 Service may not be available or may in some way be limited when compared to traditional landline telephone service. Fusion may ask you to provide an affirmative acknowledgement of having received and understood this E911 Notice (the “Acknowledgement of E911 Limitations”). You agree to promptly execute and return an Acknowledgement of E911 Limitations upon Fusion’s request.

### Traditional Emergency Calling

In the United States, when you call 911 using a traditional landline telephone, your call is routed to the nearest public safety answering point (“PSAP”) and your number is displayed on the dispatcher’s console. The PSAP cross checks your telephone number against its address records to determine your exact location and directs the proper emergency service to you. When you reach a PSAP equipped for E911 service, your callback number and location are automatically displayed to the dispatcher. Generally, your local telephone company is responsible for updating the official records as changes occur in the physical address associated with your telephone number.

### Emergency Calling Using VoIP Services

Calling 911 using VoIP services is different from calling 911 using traditional landline services. Some of the key differences with VoIP services are as follows:

- **Availability.** Customers who subscribe to Service that includes a monthly recurring service charge and local network access via a DID number will be provided with E911 Service, unless they live in an area where E911 Service is not available for traditional landline telephone service. In cases where E911 is not available for traditional landline telephone service, Fusion will route emergency calls to the police department or other emergency service provider for that jurisdiction.
- **Power Outages.** Electrical power outages will disrupt your Service, and you will not be able to use the Service or place E911 emergency calls.
- **Telephone or Computer Problems.** Problems with your telephone, computer, modem, router, or other IP-enabled hardware, may limit or completely restrict your ability to use the Service or place E911 emergency calls.
- **Problems with High-Speed Internet Connection.** Problems with your high-speed Internet connection, including outages or network congestion, may limit your or completely restrict your ability to use the Service or place E911 emergency calls.
- **Suspension of Your Account.** If your Account is suspended for any reason, including non-payment of charges, you will not be able to use the Service or place E911 emergency calls.
- **Problems with the Service.** If Fusion should experience problems in providing the Service, including, but not limited to, hardware problems, software problems, Internet connectivity problems, or network maintenance issues, you may not be able to use the Service or place E911 emergency calls.
- **Problems with Equipment.** If you should experience problems with the Equipment, you may not be able to use the Service or place E911 emergency calls.

- **Outside the United States.** If you are calling from a location outside the United States, you will not be able to use the Service or place E911 emergency calls.
- **E911 Provisioning Intervals.** Provisioning of your E911 service may take additional time following the activation of the Service, during which time E911 emergency calling may not be available.
- **Required Information.** When you call 911, you may need to advise emergency service personnel of the nature of your emergency, your telephone number, or your physical location. If your call is disconnected for any reason, emergency service personnel may not be able to call you back, determine your physical location, or dispatch emergency personnel to your location.
- **Failure to Register Your Location Accurately.** It is important that you keep Fusion advised of your physical location at all times, keeping in mind the E911 provisioning interval issues detailed above. If you subscribe to the Service using an incorrect physical address, or if you change your physical address without notice, emergency calls may be routed to an incorrect emergency service provider, and emergency service personnel may not be able to transfer your call or respond to your emergency.
- **Address.** In order for E911 Service to work properly, the E911 Service address in Fusion's records MUST correspond to the physical location from which you will use the Service. You cannot specify a P.O. Box as your physical address. The emergency service dispatcher will only send emergency service personnel to your registered E911 Service address.

Fusion does not make, nor does it intend to make, specific representations or warranties based on the statements above, as it cannot foresee every possible combination of events.

Feel free to contact Fusion if you have any questions or suggestions regarding E911. You may contact Fusion via email at [info@fusiontel.com](mailto:info@fusiontel.com).

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1. IP-Enabled Services and E911 Requirements for IP-Enabled Service Providers, *First Report and Order and Notice of Proposed Rulemaking*, 2005 WL 1323217, FCC, (Released June 3, 2005).