

FCC Seeks Comments on Blue Casa Petition to Apply Access Charges to VNXX Calls Sent to ISPs

March 4, 2009

The [FCC is seeking comment](#) on Blue Casa Communications' petition to apply access charges to VNXX calls sent to ISPs.

On December 19, 2008, Blue Casa filed a petition asking the FCC to issue a declaratory ruling that originating interstate switched access charges apply to all calls bound for Internet service providers (ISPs) that are delivered via Virtual NXX (VNXX) arrangements.

Blue Casa contends that ISP-bound VNXX traffic is subject to originating access charges under pre-existing Commission policy and that, accordingly, such traffic is "carved out" pursuant to section 251(g) from the scope of traffic covered by section 251(b)(5) of the Communications Act, as amended. Thus, Blue Casa seeks a ruling that originating interstate switched access charges, not reciprocal compensation charges, should now apply to calls bound for ISPs that are delivered via VNXX-type foreign exchange arrangements.

Blue Casa seeks this relief to resolve actual, on-going controversies with other competitive telecommunications carriers over their respective liability for invoiced originating access charges and reciprocal compensation charges.

Comments are due on March 12, and reply comments are due on March 23, 2009.