

**STATEMENT OF
COMMISSIONER KEVIN J. MARTIN**

Re: Petition for Declaratory Ruling that pulver.com's Free World Dialup is Neither Telecommunications Nor a Telecommunications Service, WC Docket No. 03-45.

Today, the Commission takes its first important step in bringing the benefits of VoIP closer to all American consumers. By declaring Pulver.com's "peer to peer" offering to be an unregulated information service, we provide a clearer regulatory framework that will not unduly burden these offerings with economic regulation.

I believe that Pulver.com's Free World Dialup (FWD), and other similar offerings are critical in the Commission's efforts to encourage local competition and provide all Americans with greater choices and lower prices for communications services.

As I have stated previously, as VoIP services move toward becoming a substitute for traditional telephony services, we need to carefully consider and address any questions and concerns regarding the obligations to provide traditional public safety services such as 911 and the ability to comply with law enforcement requirements. I thus support today's announcement that the Commission will soon initiate a comprehensive rulemaking to address law enforcement's needs relative to CALEA and that our decision today will not prejudice the outcome of that proceeding.

