



ConferenceAmerica.

April 9, 2004

Commissioners
Federal Communications Commission
Washington, D. C.

RE: Petition for Rulemaking – RM 10865 - CALERA

Dear Commissioners:

Conference America is a small and successful communications services firm located in Montgomery, Alabama. We employ about 85 people. Our firm was established in 1992. As the CEO, one of my responsibilities is to express our overall perspectives on subjects that will effect our organization. For that reason I wanted to comment on this petition before the FCC.

At the time that CALERA was originally enacted, I was involved in the management and ownership of an ILEC, CATV MSO's, a communications services organization and communications equipment manufacturer. At that time, I understood and acted on the basis that this act was focused upon the ILEC and IXC organizations to provide law enforcement access to court ordered wiretaps. The special responsibilities and requirements for special assistance ended there. We relied upon our manufacturers to provide the technical solutions. Nothing had to be invented or certified by us.

I learned of RM 10865 – CALERA during a recent industry meeting on VOIP Technologies. I had the opportunity to attend a presentation by a panel including an FBI Special Agent addressing the issues of the new Request for Proposed Rule Making under the CALERA Statute. As I listened to the presentation and then did some further investigation, I learned that this proposal before the Commission is a huge expansion of mandated law enforcement access to all communications under the same act that I had worked with years ago. We individually and as a company take our responsibilities to our country seriously. We respond to all legal court orders as fully and promptly as we can. Most importantly, we do this without FBI oversight. We are good corporate and individual citizens and we are proud of it. We do not need the FBI to give us a seal of approval.

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April 9, 2004

Page 2

I believe that there are three key comments that I would ask you as Commissioners to consider:

1 – If the CALERA Statute is to be broadened to the extent requested by the Department of Justice, FBI and DEA, this should be accomplished through legislative action and not regulatory change and redefinition.

2 – If these requested changes were implemented as proposed, they would have a chilling impact upon innovation, opportunity and employment in the current US communications industry. The IP world and its applications like VOIP are exciting new developments that are enabling all of us to increase significantly the rate of innovation and improvement in our lives and businesses. VOIP is presenting opportunities for us to deploy very quickly new applications not even conceived of a few short years ago. I hope that you will continue to encourage us to develop the new communications industry without regulatory and approval choke points.

3 – In the event that you at the FCC undertake this requested rule making, please do not include any requirements for submission to or certification by the FBI for CALERA compliance. If you leave this requirement in place, I believe that the potential for uncontrolled costs, delay and compromised worldwide competitive position is likely. None of us need this type of unintended consequence.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "R M Pirnie". The signature is written in a cursive, somewhat stylized font.

Robert M. Pirnie
President CEO