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SUBSCRIBER NOTIFICATION REPORT

August 10, 2005

FCC Electronic Filing via ECFS

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

**RE: WC Dockets 04-36 and 05-196
Subscriber Notification and Acknowledgement Status and Compliance Report for
Mix Networks, Inc.**

Dear Ms. Dortch:

Submitted herewith is a "Subscriber Notification and Acknowledgement Status and Compliance Report" for WC Dockets 04-36 and 05-196 for Mix Networks, Inc. Please feel free to contact me regarding any questions or if you require any additional information.

Sincerely,

Carrie Ann Turner

Carrie Ann Turner
863.577.1350
carrie@mixnetworks.com

MIX NETWORKS, INC.

INTRODUCTION

Mix Networks, Inc. agrees with and supports the FCC mandate that all VOIP service providers make E911 services available to subscribers of VOIP services.

The deficits of the present emergency reporting services and systems within the United States are a major concern for both wireline and VOIP Service Providers alike and pose a real challenge to the goal of providing 100% accurate and reliable E911 services to VOIP subscribers. The inability of PSAPs (Public Safety Answering Points) to capture information sent on a VOIP call such as ANI, ALI, and/or caller location information, as well as the limitations of present-day VOIP technologies (the inability to pass caller's location information and/or the routing of E911 calls to the nearest appropriate PSAP) make it clear that a complete overhaul of the E911 system - encompassing the needs of both wireline and VOIP service providers – must take place in order to meet all of the requirements of the FCC as well the expectations of the consumer and business VOIP service subscriber.

Since June 3, Mix Networks has explored the full range of E911 solutions currently available to VOIP service providers. While no single E911 solution meets every requirement within the FCC mandate, Mix Networks feels that a cooperative effort (perhaps steered by the FCC) among VOIP service providers and the RBOCs will produce a comprehensive E911 solution that will be beneficial for all.

Mix Networks has now begun the process of upgrading its VOIP network with the currently available systems and services in order to deliver accurate and reliable E911 calling services to its business and residential VOIP customer base. Mix Networks is confident that ongoing commitment to and implementation of E911 network upgrades - will eventually meet the E911 requirements of FCC WC Docket No. 05-196.

In this report, Mix Networks has provided a complete description of all current action steps and activities taken to meet the Subscriber Notification and Acknowledgement Status and Compliance requirements as outlined in FCC WC Docket Nos. 04-36 and 05-196. Mix Networks, Inc. has structured its action steps so that each meets the FCC requirement that each subscriber be advised, clearly and in plain language, of the circumstances under which E911 services may not be available through Mix Networks interconnected VOIP service, and/or may be in some way limited by comparison to traditional E911 services.

Mix Networks, Inc.
Subscriber Notification and Acknowledgement Status & Compliance Report
FCC WC Docket No. 05-196

FCC Requirement 1:

Detailed description of all actions the provider has taken to specifically advise every subscriber, prominently and in plain language, of the circumstances under which E911 service may not be available through the interconnected VOIP service provider and/or may be in some way limited by comparison to traditional E911 services. This information should include, but is not limited to, relevant dates and methods of contact with subscribers.

Action Item 1

Email Notification to Subscribers

On July 28, 2005, Mix Networks sent E911 Notification emails to each of its VOIP subscribers as displayed below in **Figure 0.1**:

	E911 Notice Unavailability of E911 Service FCC WC Docket No. 05-196	Mix Networks, Inc. 3880 Cleveland Hts. Blvd. Lakeland, FL 33813 863.577.1350 P 863.647.5192 F 1.866.4. MIXNET www.mixnetworks.com
July 28, 2005		
<i>Dear Valued Mix Networks Customer,</i>		
<p>In compliance with the Federal Communications Commission (FCC) WC Docket No. 05-196, Mix Networks, Inc. is hereby advising all customers that enhanced 911 (E-911) services are not available at this time. At this time, if you attempt to place a call to E911 for emergency assistance using any Mix Networks device such as a Softphone (MixFone), Analog Telephone Adapter (ATA), Internet or Desktop IP Phone, PBX Adapter (MixBox), and/or IP PBX System (Mix PBX), the E911 call will not be completed under any circumstances and you will not be connected to an operator or emergency service personnel for assistance.</p>		
<p>Mix Networks, Inc. is currently implementing reliable and FCC compliant E911 services to bring our customer base in the coming months. It is anticipated that Mix Networks' E-911 services will be available in as little as thirty (30) days, but no later than November 28, 2005 or such effective date as the FCC subsequently mandates. You will be informed of the actual date when the E911 services become available through Mix Networks, Inc. and will be provided detailed instructions on how to use the E911 services.</p>		
<p>The E911 service supplied to Mix Networks customers will closely approximate traditional 911 services, however, we are required at this time to inform you of the circumstances in which E911 services may be delayed or may not be available. These circumstances may include, but are not limited to:</p>		
<ul style="list-style-type: none">• Electrical Power Outage or Broadband Internet Service Provider (ISP) outage or unavailability• Suspension or Termination of your Mix Networks account or VOIP service• Relocation of your Mix Networks VOIP device to an address other than the one given at activation, without updating your E911 location information with Mix Networks• E911 location updates to the Mix Networks database will generally be available within 48 hours. However, Mix Networks cannot guarantee that this will always be the case, especially if the E911 location update provided by customer is lacking and/or incongruent with the parameters of the Mix Networks customer portal/database and subsequently produces a rejection of the location update• Malfunction, Failure, Improper Configuration of your Mix Networks VOIP device OR using unapproved VOIP device• Inability of the Emergency Services Operator/Personnel to due to deficits in their system• Unforeseen congestion on the Mix Networks VOIP network or network design factors which delay or prohibit E911• Incorrect customer-supplied location information given at the time of activation of the Mix VOIP service.• Customer/User tampering with the Mix Networks device, producing changes which prohibit E911 calling• Other unspecified circumstances which affect the use of Mix Networks E911 calling services		
<p>All Mix Networks customers must acknowledge that they have received and understand this notice. Please respond via email or U.S. mail to this notice on or before August 29, 2005 or your Mix Networks VOIP network services will be discontinued until such acknowledgement is received. Send your acknowledgements to Melissa@mixnetworks.com</p>		
<p>If you have any questions concerning this notice or how you need to respond to it, please contact Mix Networks Customer service at 866-4-MIXNET (64-9638). Louie M. Holmes, President</p>		

Figure 0.1

FCC Requirement 2:

Quantification of how many of the provider's subscribers, on a percentage basis, have submitted an affirmative acknowledgement, as of the date of the report, and an estimation of the percentage of subscribers from whom they do not expect to receive an acknowledgement by August 29, 2005.

Action Item 2

Review, Tracking, and Assessment of Responses to Notification Email from Subscribers

Mix Networks has instituted a multi-prong approach to ensure that an acknowledgement of the E911 Notification email is obtained from all Non-Respondent subscribers. Mix Networks anticipates that an affirmative acknowledgement from 100% of all Non-Respondents will be collected no later than August 29, 2005.

On July 28, 2005, Mix Networks, Inc. began tracking the subscriber response to the E911 Notification email to determine who had responded and who had not. A review was then prepared of both Respondent and Non-Respondent subscribers. As of August 4, 2005, it was determined that 5% of Mix Networks subscribers had acknowledged receipt and understanding of the E911 Notification email sent on July 28, 2005.

All Non-Respondents are sent weekly emails each Friday morning until they send to Mix Networks a response of their receipt and acknowledgement of the E911 Notification email. The weekly emails are scheduled to be sent on August 5th, 12th, 19th, and 26th.

Additionally, Mix Networks plans to send all Non-Respondents emails with attached .wav files notifying them that their acknowledgement email to the E911 Notification has not been received and instructing them on how to respond.

On August 23, 2005, a VOIP Service Suspension Notice will be sent to any remaining Non-Respondents via email as well as Return Receipt Requested U.S. Priority Mail as displayed below in **Figure 0.2**.

On August 26, 2005, Mix Networks Customer Service Representatives (CSRs) will make personal phone calls to all remaining Non-Respondents. During the call, Non-Respondents will be asked to access their email, review the E911 notice, and supply an acknowledgement to the CSR. With the Non-Respondent on the phone, the CSR will check to see that the acknowledgement has been received by Mix Networks.

On August 29, 2005, Mix Networks will suspend the VOIP service of any remaining Non-Respondent.



E911 Notice

VOIP SERVICE SUSPENSION NOTICE

FCC WC Docket No. 05-196

August 25, 2005

Mix Networks, Inc.
3880 Cleveland Hts. Blvd.
Lakeland, FL 33813
863.577.1350 P
863.647.5192 F
1.866.4. MIXNET
www.mixnetworks.com

Dear Valued Mix Networks Customer:

On July 28, 2005, you received an E911 Notice from Mix Networks, Inc., informing you that Mix Networks does not currently provide E911 calling services at this time and that if you attempted to place a call to E911 for emergency assistance, the call would not be completed and you would not be connected with any operator or emergency services personnel. You were also informed of the circumstances under which the E911 calling services that Mix Networks will make available in the coming months, may be delayed or unavailable. You should have also received additional copies of the E911 Notice on August 5th, 12th, 19th, and 26th.

Mix Networks, Inc. had requested that you respond to the E911 Notice via email, demonstrating your acknowledgement and understanding of its content. As yet, we have not received a response from you.

In compliance with the Federal Communications Commission (FCC) WC Docket No. 05-196, Mix Networks, Inc. must suspend your Mix Networks VOIP services at 8:00 A.M. on August 29, 2005 if we have not received an email acknowledgement or hard copy affirmation that you have read and understand the content of the E911 Notice originally sent on July 28, 2005. You are hereby informed that unless we receive a response, you will be unable to use your Mix Networks VOIP services as on or after August 29, 2005.

If you have any questions concerning this notice or how you need to respond please contact Mix Networks Customer Service at 866-4-MIXNET (64-9638).

Figure 0.2

FCC Requirement 3:

Detailed description of whether and how the provider has distributed to all subscribers warning stickers or other appropriate labels warning subscribers if E911 service may be limited or not available and instructing the subscriber to place them on and/or near the customer premises equipment used in connection with the interconnected VOIP service. This information should include, but is not limited to, relevant dates and methods of contact with subscribers (i.e. email, U.S. mail).

Action Item 3

Delivery to Subscribers of E911 Warning Labels

Mix Networks reviewed all subscriber accounts on July 27, 2005 to determine which subscribers were active on the Mix Networks VOIP network. If they were determined to be an active subscriber (i.e. one who has Mix Networks VOIP service active and/or available at their residence or place of business and/or who is or can use the Mix Networks VOIP network to send/receive calls over the internet), they were added to the list to receive the E911 Notification Letter via email on July 28 and if a Non-Respondent, again on August 5, 12, 19, and 26, 2005.

On August 8, 2005, all existing Mix Networks subscribers were sent a packet via Return Receipt Requested U.S. Priority Mail, which included six (6) E911 Warning Labels (**Figure 0.3**), an E911 Notification and Warning Label Instructions Card (**Figure 0.4**), and a copy of the July 28, 2005 letter and acknowledgement request.

The Warning Label Instruction Card informed subscribers that E911 Services are not currently available from Mix Networks and instructed subscribers where to place the warning labels on the VOIP hardware and software devices that they possessed.

If it was determined that a subscriber had greater than six VOIP devices at their premise, then such a subscriber received the appropriate number of warning labels. Additionally, all new or outstanding Mix Networks orders were flagged to receive the E911 Warning Label/Letter Packet.

Also on August 8, 2005, Mix Networks sent all wholesale and reseller customers an E911 Warning Label/Letter Packet and a copy of the FCC's Public Notice dated July 26, 2005. They were instructed to review the Public Notice and to create and affix the labels to all outgoing VOIP devices and equipment. Additionally, wholesalers and resellers were advised that in order to be in compliance with the FCC requirements, they should send E911 Notification Letters and Acknowledgement Requests to all subscribers and to track and record their received subscriber acknowledgements. They were also advised to create and send the E911 Warning Labels and Instructions to subscribers. They were then asked to provide Mix Networks with a list of VOIP phone numbers for any subscribers from whom an affirmative acknowledgement had not been received by close of business on August 28, 2005. Mix Networks provided wholesale and reseller customers an example of suggested subscriber-directed documents (included in this report in Figures 0.1 through 0.4); these items were included in the E911 Warning Label/Letter Packet sent on August 8, 2005.

Displayed below in Figure 0.3 is an illustration of the actual E911 Warning Label that was sent to all Mix Networks subscribers, wholesale, and reseller customers on August 8, 2005:

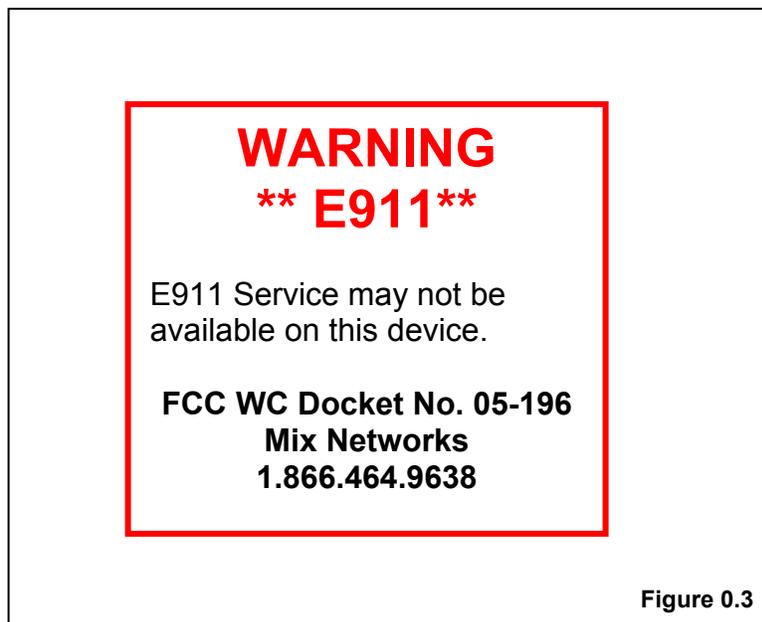


Figure 0.3

The content of the E911 Warning Label/Letter Packet is displayed below in **Figure 0.4**.

E911 Notification Warning Label Instructions



The Federal Communications Commission (FCC) requires all VOIP service providers to inform customers that, E911 services may not be available or may be in some way limited when dialed from a VOIP service or device. You should have already received a detailed E911 Notification from Mix Networks informing you of this. If you have not already sent us your acknowledgement of receipt and understanding of this information, please do so before August 29, 2005 or your Mix Networks account and VOIP service will be suspended. Please send your email acknowledgement to: MELISSA@TLCL.NET

The enclosed E911 Warning Labels must be affixed to all VOIP device(s) at your residence or place of business. Make sure that the label is prominently displayed. Refer to the illustrations on the right for suggested placement of the warning labels.

For additional labels, please contact Mix Networks to order at 1.866.4.MIXNET or email MELISSA@TLCL.NET

Thank You.
Mix Networks, Inc.

Please affix the E911 Warning labels to your Mix Networks VOIP device(s) as displayed below:

Suggested Label Placement for VOIP Devices



MixFone ATA IP Phone MixBox or Mix PBX

Figure 0.4

FCC Requirement 4:

A quantification of how many subscribers, on a percentage basis, to whom the provider did not send the advisory described in FCC Requirement 3 above and/or to whom the provider did not send warning stickers or other appropriate label as identified in FCC Requirement 3.

Action Item 4

Assessment of Labels/Notifications sent to Subscribers

All Mix Networks subscribers, wholesale, and reseller customers have been sent the E911 Warning Label Packet. The percentage of subscribers who did not receive the E911 Warning Label Packet is 0 (zero) %.

FCC Requirement 5

A detailed description of any and all actions the provider plans on taking towards any of its subscribers that do not affirmatively acknowledge having received and understood the advisory, including, but not limited to, disconnecting the subscriber's VOIP service with the company no later than August 30, 2005.

Action Item 5

Additional Activities to obtain Subscriber Acknowledgements of E911 Notification

Mix Networks has implemented a multi-prong approach in order to obtain the required acknowledgements regarding the E911 Notification from all subscribers. In addition to the activities previously explained in this report, Mix Networks has posted information regarding the current unavailability of E911 services on the company website as a link at the bottom of each page (www.mixnetworks.com) so that the E911 information can be readily accessed by all visitors. See **Figure 0.5** below.

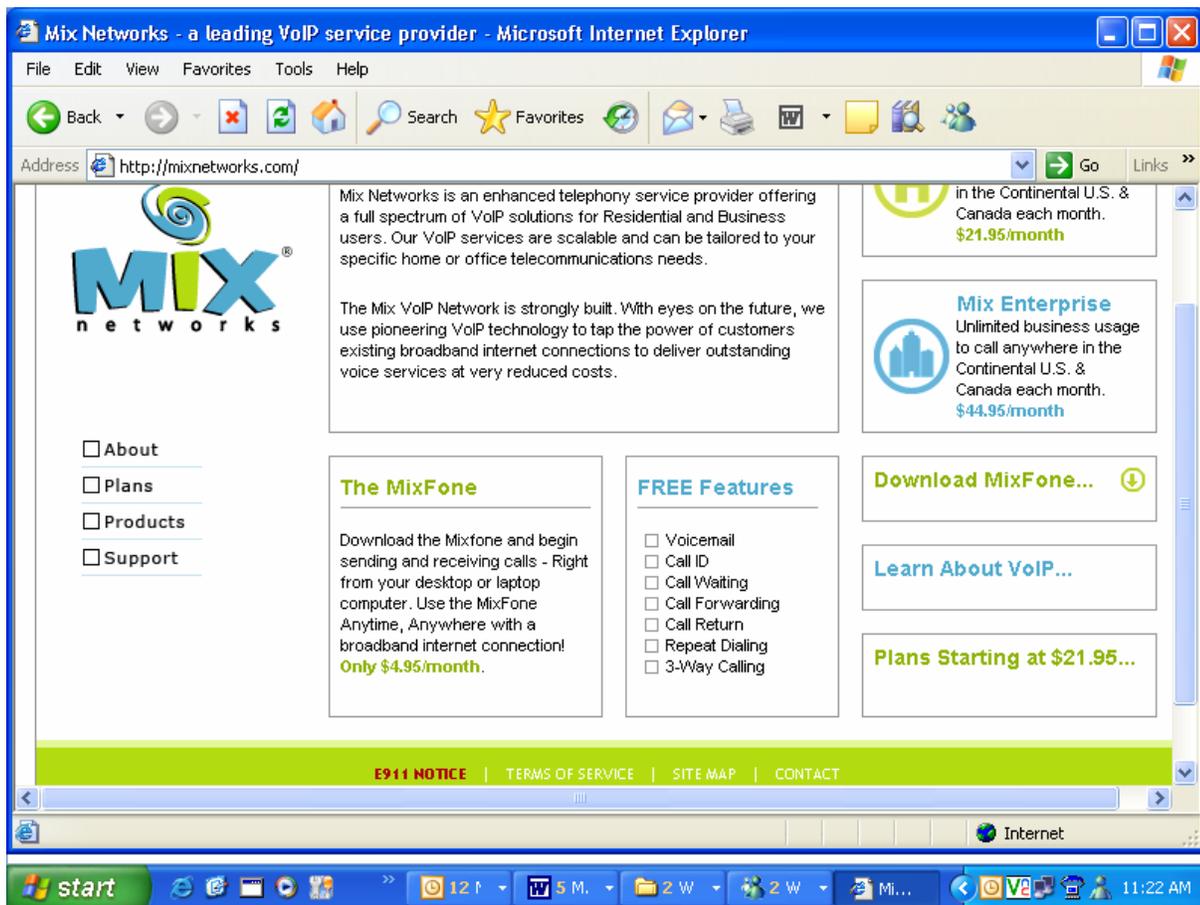


Figure 0.5

At this time, Mix Networks believes that firm adherence to the Action Items outlined in this report will produce the desired responses from subscribers, allowing Mix Networks to reach its goal of 100% E911 Notification and Affirmative Acknowledgement from subscribers.

On the morning of August 30, 2005, Mix Networks will immediately suspend the VOIP service of any subscriber who has not affirmatively acknowledged Mix Networks' E911 Notification efforts. On August 30, 2005, Non-Respondent subscribers will no longer be able to place outbound or receive inbound calls on the Mix Networks VOIP network.

FCC Requirement 6

Detailed description of how the provider is currently maintaining any acknowledgements received from its subscribers.

Action Item 6

Recording of Respondent and Non-Respondent Subscribers

The E911 Notification and Acknowledgement information for each subscriber is tracked and maintained in an auxiliary E911 Mix Networks Customer Database. All responses from subscribers are recorded in the auxiliary database and a hard copy of the acknowledgement printed and stored in the customer's file folder. For customers who have responded via US. Mail, the received acknowledgements are recorded in the auxiliary database and then stored in each customer's file folder.

E911 information maintained within the auxiliary database shows when and in what form each acknowledgement was received from subscribers. The fields within the database include Customer Name, Email Address, Phone Number, Device Type, Device Quantity, Acknowledgement Received Date, Acknowledgement Received Format, E911 Warning Labels – Date Sent. This tracking system makes it easy to view the notification activities and clearly distinguish Respondents from Non-Respondents. This simplifies the identification of Non-Respondents and makes it easy to identify which subscriber's VOIP services (if any) must be suspended on August 30, 2005.

Name, Title, Address, Phone Number, and Email Address of the person(s) responsible for the Mix Networks' compliance efforts with the VOIP E911 Order:

Compliance Contact 1

Melissa Bull

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MELISSA@TLCL.NET
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Compliance Contact 2

Louie M. Holmes II

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