

August 10, 2005

**VIA ELECTRONIC FILING**

Marlene H. Dortch, Secretary  
Federal Communications Commission  
The Portals  
445 12th Street, S.W.  
Washington, D.C. 20554

Re: Subscriber Notification and Acknowledgement Status and Compliance Report of Cypress Communications, Inc., WC Docket No. 05-196

Dear Ms. Dortch:

Cypress Communications, Inc. ("Cypress"), through its undersigned counsel and in compliance with the Commission's *VoIP E911 Order* ("Order") and the Public Notice issued by the Enforcement Bureau on July 26, 2005 ("Public Notice"), submits this report to advise the Commission of the status of Cypress' efforts to comply with Commission Rule 9.5(e).

As required by the Public Notice, Cypress responds to the following questions set out in the Public Notice:

**1) A 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 and/or may be in some way limited by comparison to traditional E911 service. This information should include, but is not limited to, relevant dates and methods of contact with subscribers.**

Currently, Cypress notifies customers of their obligation to provide affirmative acknowledgement via e-mail, facsimile, and FedEx. Cypress has taken the following steps to provide the notifications to all of the Company's customers, new and existing, required under Rule 9.5(e)(1):

- E-Mail: Cypress e-mailed a copy of the Company's customer notification of 911 and E911 service limitations on July 18, 2005, to its existing subscribers for whom Cypress had a valid e-mail address. Each e-mail asked subscribers to complete the Company's acknowledgement form and return it via facsimile. In addition, a reminder notice was e-mailed on July 26, 2005, to those subscribers who had not yet provided acknowledgement.

August 10, 2005

Page 2

- Facsimile: For those existing subscribers for whom Cypress did not have a valid e-mail address, Cypress faxed a copy of the Company's customer notification of 911 and E911 service limitations on July 18, 2005. In addition, a reminder notice was faxed on July 26, 2005, to those subscribers who had not yet provided acknowledgement.

For subscribers that initiate service after the notices were sent, Cypress requires as part of the contract package that acknowledgement be signed prior to equipment installation. Each contract asks subscribers to complete the Company's acknowledgement form and return it via facsimile.

**2) A 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.**

As of August 10, 2005, Cypress has obtained affirmative acknowledgement from approximately 72% of its subscriber base. Cypress cannot predict with precision what its final response rate will be, but estimates that 10% of its customers will still not have provided affirmative acknowledgement by August 29, 2005.

**3) A 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. e-mail, U.S. mail).**

Cypress has distributed warning labels to all of its existing subscribers. Those labels, along with appropriate instructions that advise the subscriber to place the labels on or near the customer premises equipment, were hand delivered to subscribers on July 28, 2005. Cypress also provided warning labels to new subscribers who signed up for service beginning on August 1, 2005, to ensure that those new subscribers would receive the required labels on a timely basis. New customers' phones have the labels affixed to them prior to installation by local Cypress staff.

**4) A quantification of how many subscribers, on a percentage basis, to whom the provider did not send the advisory described in [Question 1] and/or to whom the provider did not send warning stickers or other appropriate label as identified in [Question 3].**

Cypress has sent advisories and warning labels to 100% of its subscribers.

**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**

August 10, 2005

Page 3

**advisory, including, but not limited to, disconnecting the subscriber's VoIP service with the Company no later than August 30, 2005.**

Cypress is continuing to contact all of its subscribers in an effort to obtain affirmative acknowledgment. Cypress continues to send out e-mails and facsimiles to subscribers who have not yet submitted an affirmative acknowledgment. The field staff has been in direct contact with those customers who have yet to respond via telephone or face-to-face visits while installing the stickers. Also, a third written reminder was sent via e-mail and fax on August 9, 2005.

As detailed in response to Question 2, Cypress expects that despite its diligent efforts, the Company will not be able to obtain affirmative acknowledgement from some subscribers by August 29, 2005. For those customers that do not provide affirmative acknowledgement, on August 30, 2005, Cypress currently plans to disconnect subscribers from their service until affirmative acknowledgement is provided.

**6) A detailed description of how the provider is currently maintaining any acknowledgements received from its subscribers.**

An Excel spreadsheet is being used to track the acknowledgements. It lists all customers notified, the means of notification, and dates of notification. In addition, all electronic fax acknowledgements have been saved on Cypress' server.

**7) The name, title, address, phone number, and e-mail address of the person(s) responsible for the Company's compliance efforts with the VoIP E911 Order.**

Deena K. Snipes  
Executive Director — Legal/Business Affairs  
3575 Piedmont Road  
Fifteen Piedmont Center, Suite 100  
Atlanta, Georgia 30305  
(404) 442-0169  
dsnipes@cypresscom.net

Respectfully submitted,

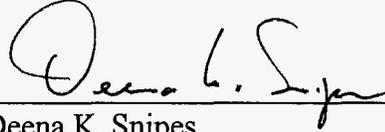


Russell M. Blau  
Danielle C. Burt

Counsel for Cypress Communications, Inc.

cc: Byron McCoy  
Kathy Berthot  
Janice Myles  
Best Copy and Printing, Inc.

I, Deena K. Snipes, state that I am Executive Director—Legal/Business Affairs, of Cypress Communications, Inc.; that I am authorized to submit this report on behalf of Cypress Communications, Inc.; that the foregoing filing was prepared under my direction and supervision; and I declare under penalty of perjury that this report is true and correct to the best of my knowledge, information, and belief.

A handwritten signature in cursive script, reading "Deena K. Snipes", is written above a horizontal line.

Name: Deena K. Snipes

Title: Executive Director—Legal/Business Affairs  
Cypress Communications, Inc.