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August 10, 2005

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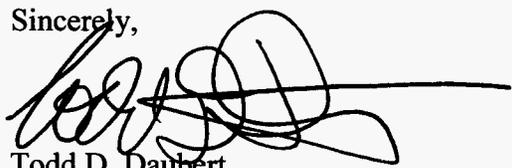
Marlene Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: WC Dockets Nos. 05-196 and 04-36
Subscriber Notification Report

Dear Ms. Dortch:

NuVox Communications, Inc., by its attorneys and on behalf of itself and its state operating affiliates (collectively "NuVox"), hereby files the attached "Subscriber Notification Report" in accordance with the requirements set forth in the Federal Communication Commission's Public Notice, *Enforcement Bureau Provides Guidance to Interconnected Voice Over Internet Protocol Service Providers Concerning the July 29, 2005 Subscriber Notification Deadlines*, WC Docket Nos. 04-36 and 05-196, DA 05-2085 (rel. July 26, 2005). Please feel free to contact the undersigned if you have any questions or need additional information.

Sincerely,


Todd D. Daubert,
Counsel for NuVox Communications,
Inc.

Attachment

NuVox Communications, Inc.
Subscriber Notification Report
WC Dockets 04-36 and 05-196

NuVox Communications, Inc. submits the following Subscriber Notification Report (“Report”) on behalf of itself and its state operating affiliates (collectively “NuVox”). This Report contains all of the information described in the Federal Communications Commission’s Public Notice, *Enforcement Bureau Provides Guidance to Interconnected Voice Over Internet Protocol Service Providers Concerning the July 29, 2005 Subscriber Notification Deadlines*, WC Docket Nos. 04-36 and 05-196, DA 05-2085 (rel. July 26, 2005) (“Public Notice”). Accordingly, NuVox has fully satisfied the condition set forth in the Public Notice to qualify for immunity from any enforcement action regarding the requirement that NuVox obtain affirmative acknowledgement by every existing subscriber until August 30, 2005.

Detailed description of all actions NuVox 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.

Existing Customers

On July 29th, 2005, NuVox distributed an E911 Advisory, appended hereto as Attachment A, to existing NuVox subscribers by mail: NuVox asked each existing NuVox subscriber to acknowledge receipt and understanding of the Advisory by returning an acknowledgement page in a pre-addressed, postage paid return envelope by August 30, 2005.

In the Advisory, NuVox also informed each subscriber that a NuVox representative would be visiting the subscriber in person to distribute the E911 warning stickers that should be placed on or near the equipment used to access VoIP services.

In order to follow-up with subscribers who have not yet acknowledged receipt and understanding of the Advisory, NuVox intends to request those subscribers’ signatures during in-person follow-up visits.

New Customers

In addition to these steps for existing subscribers, each new NuVox VoIP subscriber is required to acknowledge receipt and understanding of the Advisory by signing the acknowledgement attached to the Advisory during the contract signature process or soon thereafter. E911 warning stickers will also be distributed to new subscribers at the same time. If a new subscriber refuses to sign the acknowledgement, NuVox will not provide service to that subscriber.

Quantification of how many of NuVox'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 NuVox does not expect to receive an acknowledgement by August 29, 2005.

As of August 10, 2005, approximately 35% of NuVox's subscribers have submitted an affirmative acknowledgement. NuVox respectfully submits that it is impossible to give a reliable estimate of the percentage of subscribers from whom it does not expect to receive acknowledgement by August 29, 2005. However, in order to satisfy fully the condition for immunity, NuVox estimates that between 0 % and 5 % of our subscribers will not have returned an acknowledgement by August 29, 2005.

Detailed description of whether and how NuVox 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.

As explained above, on July 29, 2005 NuVox distributed warning stickers, which are appended as Attachment B, in person to existing customers and began distributing, as part of the contract signature process (or soon thereafter), these warning stickers to new customers. The Advisory that accompanies the warning stickers instructs customers to place the stickers "on or near the equipment used to access VoxIP."

Quantification of how many subscribers, on a percentage basis, to whom NuVox did not send the advisory described in the first bullet above and/or to whom NuVox did not send warning stickers or other appropriate label as identified in the bullet immediately above.

Based upon knowledge and belief, NuVox sent the Advisory to all of its VoIP subscribers, and thus approximately 0% of our customers were not sent the Advisory. As stated above, NuVox intends to distribute the warning stickers in person to its subscribers.

Detailed description of any and all actions NuVox 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.

NuVox will continue to make efforts to obtain every subscriber's acknowledgement by August 29, 2005 and may employ additional methods depending on the effectiveness of its in-person visits. Future methods may include phone calls, further written requests, and additional personal visits from NuVox personnel.

All future communications with existing subscribers seeking acknowledgement of receipt and understanding of the Advisory will include a warning that "The FCC expects us to discontinue your VoxIP service by August 30th unless we obtain acknowledgment or receipt and understanding of this Advisory from you." NuVox hopes to avoid

disconnecting subscribers, but in light of the FCC's apparent expectation that we do so, we will prepare for that possibility in as responsible a manner as possible given the timeframe.

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

NuVox is maintaining records of all acknowledgments of receipt and understanding of the Advisory described above at 2 North Main Street, Greenville, SC 29601.

Name, title, address, phone number, and e-mail address of the person responsible for NuVox's compliance efforts with the VoIP E911 Order.

Carol Keith
Director- Regulatory Affairs
NuVox Communications, Inc.
2 North Main
Greenville, SC 29601
636-537-7337

ATTACHMENT A

Because Business is on the Line.



911 Important Information for Your Business

As a VoIP customer, you are aware that your communications services with NuVox Communications are delivered using Voice over Internet Protocol (VoIP) technology. You may also know that many new companies are offering VoIP technology to consumers without adequately ensuring that consumers can use 911 services. For this reason, the Federal Communications Commission (FCC) is now requiring all VoIP providers, including NuVox, to inform their customers of any differences between 911 access capability available with VoIP services compared to capabilities available with traditional telephone services. You may obtain a copy of the FCC requirements at <http://www.fcc.gov/cbg/voip911order.pdf>

As your NuVox sales person explained when you selected VoIP, NuVox has made every attempt to ensure that 911 services are available to our VoIP customers via our voice network that has been in place for over seven years for business class voice services. Our gold standard 911 architecture differentiates NuVox from many consumer VoIP providers, and is one of the many reasons why NuVox's VoIP product is an excellent fit for so many businesses. However, the FCC is now requiring VoIP providers, including NuVox, to have customers sign an acceptance letter stating that they understand VoIP 911 availability and that there are certain limitations to that availability. We would appreciate it if you would sign and return this letter in the enclosed envelope by August 30, 2005.

911 Ensuring Your Business is Safe

Below are some steps you should take to ensure 911 is available to your business regardless of whether your services are delivered via VoIP or over a broadband connection without VoIP.

- ▶ **Provide for back-up power.** If power is lost at your facility, all communications over a broadband T1 will be interrupted, including 911 service. An uninterrupted power supply (UPS) can mitigate this issue and we urge you to provide a backup power supply to ensure continued operation of your equipment. During a loss of power, the UPS will be engaged, thereby protecting your ability to access 911.
- ▶ **Protect your broadband T1 connection and equipment.** Do not disable, tamper with or attempt to move your integrated access device (IAD) to a location other than the location at which you indicated to NuVox you would use the IAD in your Customer Service Agreement. Additionally, ensure your "communications closet" is in a secure location, thus reducing the opportunity of someone accidentally disrupting your broadband connection or damaging your VoIP equipment. As with any services provided over a broadband connection and unlike traditional telephone services, your broadband connection must be in place for you to contact 911. Please take necessary measures to prevent a broadband connection disruption through accidental disruption, service suspension for nonpayment, or any other reason, and arrange for alternate means such as a NetPlus line for accessing 911 in those circumstances. NuVox as well will do its best to ensure that you do not experience any broadband outages but NuVox is required to apprise you that such outages are possible and will affect 911 services.
- ▶ **Make sure you give NuVox your correct services address.** For 911 services to work for either traditional telephone service or VoIP, you must ensure that you always advise NuVox of your current address for service. If you wish to move to a new service address, please call 800-600-5050.

Because you may not be able to access 911 emergency services under the circumstances described above you should ensure that you have some alternate means of contacting 911 emergency services, like NuVox's NetPlus line, or a wireless phones. In addition, you should inform anyone using your VoIP service that they may have to use a NetPlus line, wireless phone or some alternate means to contact 911 emergency services. To assist you in this, a NuVox representative will meet with you to provide stickers describing the limitations on 911 availability, which you should place on or near the equipment used to access VoIP.

At NuVox, we understand your communications are critical to your business. We appreciate your entrusting NuVox to provide service to you. If we can be of assistance with 911 or any matter related to your NuVox service, please contact our Customer Care team at 800-600-5050.

Because Business is on the Line.



Two North Main Street
Greenville, SC 29601

(864) 672-5050
www.nuvox.com

911 Acceptance Letter for NuVox Customers

I have been made aware of how NuVox Communications provides 911 capability, and have received the stickers describing the limitations. I understand that NuVox is committed to ensuring that my 911 service functions properly, and that I too have responsibilities for making sure that 911 is available at all times.

Company Representative

Title

Company Name

Date

ATTACHMENT B

YOU MAY NOT BE ABLE TO CONTACT EMERGENCY PERSONNEL (911) FROM THIS DEVICE.

Use alternative means to contact emergency personnel if

- 1. You do not hear a dial tone using your equipment.
OR
- 2. Emergency personnel do not respond to your call.

The designated alternative means to contact emergency personnel is:

800-600-5050 – Customer Care



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