

September 1, 2005

**VIA ELECTRONIC FILING**

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

**Re: Subscriber Acknowledgement Report (September 1, 2005)  
Broadvox, Ltd.; WC Docket No. 05-196**

Dear Ms. Dortch:

Broadvox, Ltd. ("Broadvox"), through its undersigned counsel and in response to the Public Notice issued by the Enforcement Bureau on August 26, 2005 ("Public Notice"), submits this Subscriber Acknowledgement Report ("Report") to advise the Commission of the status of Broadvox's efforts to comply with Commission Rule 9.5(e). Broadvox previously filed a Subscriber Acknowledgement Report on August 10, 2005 in response to the Bureau's July 26, 2005 Public Notice ("August 10 Report").

As requested in the Public Notice, Broadvox responds to the following questions set out in the Public Notice:

- 1) A detailed explanation regarding current compliance with the notice and warning sticker requirements *if* the provider did not notify and issue warning stickers or labels to 100% of its subscribers by the July 29, 2005 deadline. Providers expected to update this information include those that were in the process of providing notice and/or stickers to their subscribers, but had not completed the process by July 29, 2005.**

As noted in its previous report, Broadvox has sent advisories and warning labels to all of its subscribers.

- 2) A quantification of the percentage of the provider's subscribers that have submitted affirmative acknowledgements as of the date of the September 1 and September 22 reports, and an estimation of the percentage of subscribers from whom the provider does not expect to receive an acknowledgement by September 28, 2005.**

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As of August 31, 2005, Broadvox has obtained affirmative acknowledgement from approximately 92% of its subscriber base. Broadvox cannot predict with certainty what its final response rate will be, but estimates that 2% of its customers will still not have provided affirmative acknowledgement by September 28, 2005.

**3) A detailed description of any and all actions the provider plans to take towards any of its subscribers that do not affirmatively acknowledge having received and understood the advisory.**

Broadvox has continued its efforts to obtain affirmative acknowledgments from its subscribers. Broadvox's recently sent an additional round of e-mails to existing subscribers beginning on August 15, 2005. Broadvox is in the process of sending additional e-mail correspondence to subscribers who still have not submitted affirmative acknowledgment and is prepared to impose calling restrictions as set forth in the response to Question #4 below.

**4) A detailed description of any and all plans to use a "soft" or "warm" disconnect (or similar) procedure for subscribers that fail to provide an affirmative acknowledgment by September 28, 2005.**

For those customers that still have not provided affirmative acknowledgement, on September 28, 2005, Broadvox currently plans to restrict the ability of those customers to use their Broadvox service. Specifically, Broadvox will suspend all accounts such that outbound calls will result in message playback to the user that the customer's account has been suspended. Such restrictions will not affect the ability of Broadvox subscribers to dial 911. In order to resume VoIP service, Customers must first visit the on-line user portal and provide affirmative acknowledgement of their receipt and understanding of the limitations of our 911 Service. Inbound callers to the subscriber will be routed to a message instructing all inbound callers that the service is temporarily unavailable. Broadvox expects that it can rapidly reinstate service – typically in less than 30 minutes – after receipt of affirmative acknowledgement.

Respectfully submitted,



Russell M. Blau  
Edward S. Quill, Jr.

Counsel for Broadvox, Ltd.

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

I, Peter Sandrev, state that I am President, Hosted Services Operations of Broadvox, Ltd.; that I am authorized to submit this report on behalf of Broadvox, Ltd.; 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 black ink, appearing to read "P. Sandrev", is written over a solid horizontal line.

Name: Peter Sandrev

Title: Director Regulatory Affairs  
Broadvox, Ltd.