

Deltathree, Inc.  
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September 1, 2005

Ms. Marlene H. Dortch  
Office of the Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, DC 20554

**Re: WC Docket No. 05-196: deltathree, Inc./iConnectHere 911 Acknowledgment  
Status and Compliance Report (September 1, 2005)**

Dear Ms. Dortch:

Pursuant to the Public Notice (the "Notice") issued on August 26, 2005 by the Enforcement Bureau of the Federal Communications Commission ("FCC"), deltathree, Inc. is hereby submitting the 911 Acknowledgment Status and Compliance Report (September 1, 2005) (the "Report") on behalf of its voice over Internet protocol ("VoIP") consumer division, iConnectHere ("ICH"). This Report updates the prior report filed by deltathree, Inc. with the FCC on August 10, 2005 (the "August 10<sup>th</sup> Report").

For purposes of this Report, the term "Subscriber" refers to ICH customers who use "interconnected VoIP services" (as defined in the FCC's *IP-Enabled Services and E911 Requirements for IP-Enabled Service Providers*, First Report and Order and Further Notice of Proposed Rulemaking, 2005 WL 1323217, FCC, (rel. June 3, 2005) ("VoIP E911 Order").

The following contains a detailed description of each item that is required to be in this Report. Each item appears in the same chronological order as provided in the Notice.

*1. Detailed explanation of 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.*

- As disclosed in the August 10<sup>th</sup> Report, ICH sent the 911 notice and the warning stickers to all ICH Subscribers using ICH's interconnected VoIP services by the July 29, 2005 deadline.

*2. Quantification of subscribers, on a percentage basis, who have submitted affirmative acknowledgments as of the date of this Report, and an estimate of percentage of subscribers from whom we do not expect to receive acknowledgments by September 28, 2005.*

- Approximately 86% of the total number of ICH subscribers have submitted acknowledgments, as of the date of this Report.
- ICH anticipates, to the best of its knowledge, that it may not receive acknowledgments from approximately 10% of the total number of ICH subscribers by August 29, 2005.

3. *Description of actions the provider plans on taking toward any of its subscribers that do not affirmatively acknowledge having received and understood the 911.*

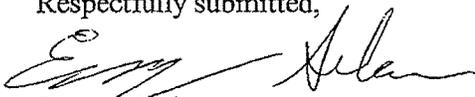
- ICH intends to disconnect interconnected VoIP services no later than September 29, 2005 for Subscribers using such services who do not provide affirmative acknowledgments by September 28, 2005.

4. *Description of plans to use a "soft" or "warm" disconnect procedure for Subscribers that fail to provide an affirmative acknowledgment by September 28, 2005. The response must include either a statement that the provider will use a "soft" or "warm" disconnect (or similar) solution as of September 28, 2005 or a detailed explanation of why it is not feasible for the provider to use a "soft" or "warm" disconnect solution, as described above.*

- ICH does not plan to use a "soft" or "warm" disconnect procedure for Subscribers that fail to provide an affirmative acknowledgment by September 28, 2005.
- As explained in the Notice, the Enforcement Bureau of the FCC understands the "soft" or "warm" disconnect to be a procedure whereby the provider either disallows all non-911 calls or intercepts and sends those calls to the provider's customer service department; but calls to 911 will continue to go to the appropriate Public Safety Answering Point. ICH currently does not provide 911 services. ICH is in the process of implementing a 911 solution pursuant to the VoIP E911 Order. Consequently, it is not feasible at this time for ICH to use a "soft" or "warm" disconnect solution.

If you need any further information, please do not hesitate to contact me.

Respectfully submitted,



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Corporate Counsel

cc:

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