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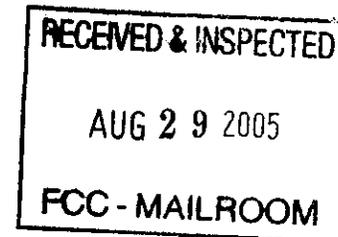
6133 Bristol Parkway

Suite 150

Culver City, CA 90230

EIN: 41-2128385

DOCKET FILE COPY ORIGINAL



Re: WC Docket No. 04-36 and 05-196 "Subscriber Notification Report"

Care of: Commission's Secretary, Marlene H. Dortch, Office of the Secretary, Federal Communications Commission, 445 12th Street, SW, Washington, DC 20554

Who we are: Fonality is an IP-PBX company with limited VoIP ability. Few customers (56 as of 8/25/2005) have elected to use our limited VoIP offering as a temporary back-up to either their PSTN or T1 PRI circuit. These 56 customers would seamlessly transfer to using our VoIP service if their PSTN or T1 PRI fails.

Some of our customers are also electing to use 3rd party VoIP providers. They in-turn elect to purchase analog card adapters, giving them the ability to use 3rd party VoIP, through an analog adapter (ATA) with our IP-PBX.

In the case of customers using Fonality VoIP, Fonality has done the following to comply with the VoIP E911 order:

1. FCC Public Notice Notes: Detailed description of all actions Fonality 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 (i.e., e-mail, U. S. mail):
 - a. Fonality has issued an email to all existing VoIP customers (attachment "A") asking them to respond, and acknowledge, about the difference in our e911 service.
 - b. Fonality has US mailed warning labels and stickers—to affix to all VoIP customer phones (attachments "B" and "C").
 - c. We have set-up an email for all e911 questions and concerns: e911compliance@fonality.com.
 - d. We have recorded an informational recording on Fonality's e911 service; where you can get more information on our e911 service and reference this number on all VoIP customer documentation, and all documentation to customers going forward: 310-861-4335.
 - e. We are now placing warning labels, with all phones shipped with our IP-PBX systems, whether a customer is a VoIP customer or not, letting them know about our e911 service (attachment "D").

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List A B C D E

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info@fonality.com

- f. We are accepting, logging, answering concerns, etc. of all VoIP customer communication regarding the VoIP e911 order and have them (the communications) available to reference for future use.
 - g. We already have a place, in each customer's web account, to add all of their customer information including contact numbers and address.
 - h. We have added the ability for each telecommuter customer to add in his address location for their respective extension.
 - i. We are in the process of interconnecting our VoIP service, to an e911 LEC. Thus, any Fonality VoIP customer, that is currently routing their call through our VoIP service, will be quickly routed to the e911 LEC. We will then pass along customer address information.
 - j. We are charging all of our VoIP customers a nominal fee to provide them with "mandatory" e911 service on their Fonality VoIP connection.
2. FCC Public Notice Notes: 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 Fonality does not expect to receive an acknowledgement by August 29, 2005:
- a. We have a total of 56 VoIP customers, using the service as a back-up to their existing PSTN or T1 PRI out of a total of 321 which gives us a VoIP adoption rate of 17.4%. Of the 56 VoIP customers, 37 have responded as of 8/26/2005 giving us an acknowledge rate of 66%. I expect to receive a 100% acknowledgement as we will directly call each customer that hasn't responded by then.
3. FCC Public Notice Notes: 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):
- a. We emailed customers the already stated attachment on 8/25/2005.
 - b. We mailed customer stickers and warning labels the week of 8/22/2005.
4. FCC Public Notice Notes: A quantification of how many subscribers, on a percentage basis, to whom the provider did not send the advisory described in the first bullet above and/or to whom the provider did not send warning stickers or other appropriate label as identified in the bullet immediately above:
- a. We sent all communications to all VoIP customers (56 customers); and, we expect to get acknowledgment from 100% of them by the deadline of 8/30/2005.
5. FCC Public Notice Notes: 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

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

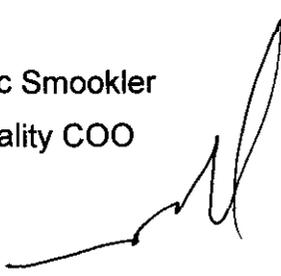
- a. We have only a few numbers of customers (19) that have yet to reply and acknowledge. We plan on proactively contacting them, and asking them to reply to the email that they acknowledge.
 - i. If they refuse, we will cut off their Fonality VoIP service, and they will continue to use their PSTN or T1 PRI.
6. FCC Public Notice Notes: A detailed description of how the provider is currently maintaining any acknowledgements received from its subscribers:
 - a. As mentioned above, we are logging all customer communications, acknowledgments, etc, through emails and a logging ticketing system that can be accessed at any time.
7. FCC Public Notice Notes: 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.
 - a. Responsible party is:
 - i. Marc Smookler; COO
 - ii. 6133 Bristol Parkway, Suite 150; Culver City, CA 90230
 - iii. 310-861-4300 x 7005
 - iv. msmookler@fonality.com

Fonality has done everything, to the best of its ability, to comply with the VoIP E911 order.

If you have any questions or comments, please feel free to contact me.

Kind regards.

Marc Smookler
Fonality COO



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