Tufone, Inc.

73 Ferry Street
Newark, NJ 07105
973-954-5800

Subscriber Acknowledgement Report (9/22/05)

Interconnected Voice Over
Internet Protocol Service Providers

September 21, 2005

WC Docket No. 04-36
WC Docket No. 05-196

As required on behalf of Tufone, Inc., the following information is provided.

- ***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.***

  Each and every provider has received a warning sticker, either by mail prior to the August 10th report and upon subscribing to our service. Currently every ATA device that leaves our office has the warning label attached to it.

  Additionally an e-mail letter was sent to all subscribers. See Attached below here as an exhibit.

- ***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;***

  To date we have 95 registered users. Out of these, 95 have affirmative acknowledged the 911 limitations.

- ***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; and,***

  Any subscriber that does not affirmative acknowledge having receive a notice by the deadline of September 28, 2005 will receive a "soft" disconnect as described below. However, please note the following as additional efforts to comply:

  1. Every ATA box sent to a customer includes a letter clearly detailing the limitations on 911. A copy of this letter your office received with out original pre 8/10 filing. UPS sends the ATA box with a request for signature delivery. When the signed document is returned we keep them in a folder in alphabetical order. In the event another member of the household signed the document, our other procedures described herein will obtain affirmative acknowledgement from the customers.

  2. To date all of our customers have retained our services thought the telephone. As soon as a customer is registered, the 911 limitations are explained to them, the address for 911 is obtained and place into the record. They are then told that they have to go online, log on and acknowledge their understanding in their user page. If they fail to do so, when they attempt to make a call a short message will notify them that unless they complete this action by September 28, 2005, they will not be able to make any calls except to 911.

- ***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 acknowledgement by September 28, 2005. The Bureau notes that in their August 10, 2005 reports some providers, such as Teliphone, Inc. and Broadview Networks, Inc., state that they will use a "soft" disconnect procedure to disconnect those subscribers that ultimately do not acknowledge having received and understood the customer advisory. As the Bureau understands it, the soft disconnect procedure will either disallow all non-911 calls or intercept and send those calls to the provider's customer service department. Under this "soft" disconnect procedure, however, calls to 911 will continue to go to the appropriate Public Safety Answering Point (PSAP). A provider's September 1 and September 22 reports 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.***

We plan to use a "soft" disconnect procedure for subscribers that fail to provide an affirmative acknowledgement by September 28, 2005. The soft disconnect procedure will disallow all non-911 calls **AND** intercept and send those calls to the customer service department. Under this "soft" disconnect procedure, however, calls to 911 will continue to go to the appropriate Public Safety Answering Point (PSAP).

Important Note: Our office has been working with HBF Group since we opened. They have developed an interim plan, which Tufone is a subscriber.

According to an HBF Press Release, HBF "i-911™ Voice-over-Internet-Protocol (VoIP) solution, already deployed through seven VoIP service providers, by adding i-911 Safety Response Centers to handle VoIP emergency calls. The i-911 VoIP solution now routes 9-1-1 calls directly to the i-911 Safety Response Centers where they are answered by a live operator who will verify the caller's location and route the call to the correct Public Safety Answering Point (PSAP) while staying on the phone with the caller to confirm that help is received. The i-911 Safety Response Centers, which are located throughout Canada and the U.S., are staffed 24 hours a day, 7 days a week and support multiple languages. A Service Provider can choose to have 9-1-1 calls from subscribers go directly to a live Safety Response Center operator. This is particularly important for nomadic users who change the location of their VoIP device, but may not have updated their current location information. It is also a benefit for subscribers who have not opted-in for 9-1-1 service since they can be routed directly to the i-911 Safety Response Center.

HBF's i-911 Safety Response Centers meet the Canadian Radio-television and Telecommunications Commission (CRTC) mandate for VoIP Providers and are a supplement to the United States offering as a step towards the FCC's order for Enhanced 9-1-1. VoIP has received some negative publicity with regards to 9-1-1, as the adoption of this technology has outpaced current 9-1-1 regulations and network access. The FCC requires all VoIP providers to have E9-1-1 by the end of November 2005. HBF will have a complete E9-1-1 solution within that time frame, as network components are made available. Until then, the company saw an immediate need for better 9-1-1 services for consumers.

"The FCC's order for E-911 will benefit everyone. However, while traditional industry carriers are moving forward with allowing access to their 9-1-1 infrastructure by non-traditional carriers, there needs to be a better solution for consumers," states Jim Shepard, Executive Vice President of HBF. "Our i-911 Safety Response Center complements our solution by having someone answer that emergency call, verify the subscriber information from our database and forward the call on to the proper PSAP."

"HBF offers a full line of wireline, wireless, and VoIP 9-1-1 products and services for carriers including Sprint, Verizon, MTS, Aliant, Vonage Canada, WhistlerTel, babyTEL, Broadvox, **tufone**, PointOne

and VoIP, Inc. For more information on HBF, visit www.hbfgroup.com or call 512.481.0911."

STATEMENT

Tufone, Inc will use a "soft" disconnect solution as of September 28, 2005. Tufone is currently using the system developed by HBF Group.

Very truly yours,

/s/ **Moses Apsan**
Moses Apsan
President
Tufone, Inc.

cc:
Byron McCoy, Telecommunications Consumers Division, Enforcement Bureau, Federal Communications Commission

Kathy Berthot, Deputy Chief, Spectrum Enforcement Division, Enforcement Bureau, Federal Communications Commission

Janice Myles, Competition Policy Division, Wireline Competition Bureau, Federal Communications Commission

Best Copy and Printing, Inc.

Attached

BY – E-MAIL

TUFONE, INC.
73 Ferry Street
Newark, NJ 07105
1-877-tufone1

July 28, 2005

Dear Tufone Customer:

A recent FCC ruling requires that all VOIP providers explain clearly the difference between the 911 services provided by companies like Tufone and the traditional carriers. There are some definite differences between these two types of 911 services. Specifically for Tufone, these are the differences:

1. Firstly, 911 dialing is not automatically setup for use. You must fill out a form that inform us of your physical address in order to activate our 911 service;

2. Once you have activated Tufone's 911 Dialing, we use the address you provide to locate the nearest emergency response center and then sends your call to a general number at that center, which may not be opened at all hours. Some local emergency response centers do not to have their general numbers manned by live operators 24 hours a day. We have contracted a Third Party Company who will receive your call first and a trained agent will contact an emergency center near you to dispatch help to you.

3. When the 911 centers receive your call, the operator will not have your address and may not have your phone number on hand. This is why it is most important for you to give that information to Tufone, so that it can be forwarded to the 911 centers, should you require 911 services.

4. If you do not activate your 911 Dialing Tufone is unable to send your call to a live operator at your local emergency response center.

5. Also Tufone's 911 Dialing service does not function in the event of a broadband or power outage.

6. Unlike traditional phone service, you can use your Tufone adapter anywhere there is a broadband Internet connection. So if you are taking your Tufone adapter on a trip, you MUST update your new location otherwise any emergency call will be routed to the address you have listed in your personal account page. If you travel outside the U.S., you may not update your 911 address to the foreign address. Tufone 911 service only works within the United States.

7. In order to update your 911information, it is recommended that you call 1-877-tufone1 and speak to a live operator. You can also access you personal page and update the 911information. Note, that changes to the 911 setting done on the Internet may take several hours to update. If you cancel your number or change it, you will have to activate 911 dialing again.

Note that it can take several hours before your new settings take effect. Remember, when you add a line, change or cancel number your number, complete you portability request, you will need to activate 911 Dialing Again.

We are sorry for any inconvenience.

Very truly yours,

Moses Apsan
President. Tufone, Inc

Please (1) click the boxes below to agree.
(2) Click the reply button on this email, after you have accepted the terms below

☑ I acknowledge that I read and understand the above 911 Dialing notice

☑ I accept the new Terms of Service Agreement

Thank you for acknowledging that you have read and understand the 911 Dialing notice and our new Terms of Service. We apologize for any inconvenience. If you login to your web account and view the 911 Dialing notice again, simply re-accept the notice to continue logging into your web account as this will not duplicate or change the status of your acknowledgement.

Thank you for your patience as we continue to ensure the highest quality phone service.

BY REGULAR MAIL

TUFONE, INC.
73 Ferry Street
Newark, NJ 07105
1-877-tufone1

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President. Tufone, Inc