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**VIA ELECTRONIC FILING**

Ms. Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12th St. SW  
Washington, DC 20554

**Re: Ex Parte Presentation: CG Docket Nos. 10-51 and 03-123**

Dear Ms. Dortch:

On August 29, 2018, CSDVRS, LLC d/b/a ZVRS (“ZVRS”) and Purple Communications, Inc. (“Purple”) (collectively, the “Companies”), both participants in the at-home call handling pilot program (the “Pilot Program”) for the Video Relay Service (“VRS”), filed a petition to permanently authorize at-home call handling (the “Petition”).<sup>1</sup> Out of an abundance of caution, the Companies requested that if permanent rules to authorize at-home call handling are not in place before October 31, 2018, when the Pilot Program terminates, then the Commission should extend the Pilot Program, as necessary, to allow for implementation of permanent rules, perhaps through December 31, 2020. The Companies hope, of course, that such a long extension will not be necessary and that the Commission will expeditiously undertake and conclude the administrative process to authorize at-home call handling as a permanent program. Other VRS providers are now using this requested extension to suggest that the Commission should begin the Pilot Program again, authorizing their new entry into the program on a trial basis.<sup>2</sup> The Companies urge the Commission to focus its efforts on moving quickly to authorize at-home call handling without expanding the Pilot Program and beginning it anew.

First, the Companies believe the Commission now has sufficient data to undertake and conclude a rulemaking to permanently authorize at-home VRS call handling. As stated in the Petition, “The Companies’ experience in participating in the Pilot Program reveals that at-home call handling supports the Commission’s goals in this proceeding by both offering a functionally equivalent VRS service, perhaps even an improved service, and enhancing the efficiency of delivering VRS.”<sup>3</sup>

Second, extension of the Pilot Program is only needed to prevent disruption of the at-home call handling processes, procedures, and workforce already in place at the Companies and to avoid stranding at-home communication assistants and the Companies’ upfront investment in

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<sup>1</sup> *Petition for Rulemaking to Permanently Authorize At-Home Video Relay Service Call Handling*, CG Docket Nos. 10-51, 03-123, Petition for Rulemaking (filed Aug. 29, 2018) (“Petition”).

<sup>2</sup> Comments of Sorenson Communications, LLC, CG Docket Nos. 10-51, 03-123, at 3 (filed Sep. 10, 2018).

<sup>3</sup> Petition at 1.

establishing these processes and procedures. The extension to December 31, 2020 was requested only out of an abundance of caution because, as the Petition describes, long-term commitments to the program are sorely needed.<sup>4</sup>

Third, reopening initial registration for the Pilot Program before or during a rulemaking proceeding will unnecessarily complicate and delay the Commission's work for many months. When the Pilot Program was announced, the Commission left it to each provider to "to assess for itself whether the costs of implementing this practice—and the requisite safeguards—outweigh its benefits."<sup>5</sup> ZVRS and Purple were the only providers to participate in the Pilot Program after conducting such an assessment. The Companies appreciate that there now appears to be greater interest among providers to utilize at-home call handling. At this juncture, however, the Commission's time and resources should not be spent reviewing and approving various VRS providers' late-filed plans for compliance with the Pilot Program safeguards, which should have been submitted in September of 2017 after each provider was given a window of five months to consider their participation in the program.<sup>6</sup> Such providers also would have to be afforded six months to participate in the program and submit data that would have to be analyzed by the Commission.<sup>7</sup> Instead, the Commission should move forward by narrowly tailoring its action to ensure its resources are directed at expeditiously conducting and concluding a rulemaking to permanently authorize at-home call handling. The Pilot Program should only be extended as necessary to approve rules for permanent at-home call handling.

As the Companies stressed in the Petition, "The first step necessary to realize the full benefits of the program. . . is to provide needed certainty about its long-term continuation. With a clear sight line, VRS Providers can further increase efficiencies in essential contracts and CA hiring practices and realize significant cost savings."<sup>8</sup> The Companies urge the Commission to focus its resources on providing this necessary certainty by permanently authorizing at-home call handling. The requested waiver and extension of the Pilot Program only is necessary to avoid stranding the Companies' investment in at-home call handling, and disrupting its at-home workforce while the Commission works on permanently authorizing at-home call handling. The temporary extension should not be used by VRS providers to file new applications to participate

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<sup>4</sup> Petition at 3 ("The Companies have found that the temporary nature of the 'trial' is counterproductive to hiring and other essential contracts (such as network agreements) where cost savings are needed and cannot be realized on a temporary basis.").

<sup>5</sup> See 2017 VRS Improvements Order at para. 46.

<sup>6</sup> *Structure and Practices of the Video Relay Service Program; Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, CG Docket Nos. 10-51, 03-123, Report and Order, Notice of Inquiry, Further Notice of Proposed Rulemaking, Order, FCC 17-26, para. 55 (2017) ("2017 VRS Improvements Report and Order") ("Each currently certified VRS provider interested in participating in the pilot program must provide notification to the Commission of its intent to participate to CGB by September 1, 2017, together with a detailed plan of how it intends to achieve compliance with the Commission's safeguards enumerated above and standards governing VRS").

<sup>7</sup> 2017 VRS Improvements Order at paras. 57-58.

<sup>8</sup> Petition at 2.

in the Pilot Program again, beginning the Pilot Program anew, and delaying the Commission's work on authorizing at-home call handling for many, many months, if not for a year or longer.

Respectfully submitted,

/s/Gregory Hlibok

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cc: Karen Peltz Strauss  
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