

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)	
)	
Misuse of Internet Protocol (IP) Captioned Telephone Service)	CG Docket No. 13-24
)	
Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities)	CG Docket No. 03-123
)	
)	

To: Chief, Consumer and Governmental Affairs Bureau,
Internet-Based TRS Certification Application Amendment

MEZMO CORPORATION REQUEST FOR LIMITED WAIVER

Mezmo Corporation (dba InnoCaption) (“InnoCaption”) respectfully requests that the Federal Communications Commission (“Commission” or “FCC”), pursuant to section 1.3 of the Commission’s rules,¹ grant a limited waiver of section 64.604(a)(3)(vii) of its rules² so that InnoCaption may incorporate its ASR Calling Feature into its Internet protocol-captioned telephone service (“IP CTS”) offerings.³ This Request for Limited Waiver is submitted in conjunction with InnoCaption’s Amendment.

I. Background

InnoCaption seeks a limited waiver of the requirement that a Communication Assistant (“CA”) alert a TRS user to the presence of a recorded message and interactive menu through a hot key on the CA’s terminal, such that the hot key will send text from the CA to the consumer’s

¹ See 47 C.F.R. § 1.3.

² See 47 C.F.R. § 64.604(a)(3)(vii).

³ See Amendment to Application of Mezmo Corporation for Certification as a Provider of IP Captioned Telephone Services, CG Docket Nos. 13-24 & 03-123 (filed Mar.13, 2020) (“Amendment”).

TTY indicating that a recording or interactive menu has been encountered.⁴ InnoCaption is requesting this waiver to the extent this requirement applies to its ASR Calling Feature because it is not technologically feasible for the ASR engine to alert the TRS user to the presence of a recorded message or interactive voice response (IVR) system.⁵

InnoCaption developed its ASR Calling Feature as a result of multiple users providing feedback that such a feature would meet their accessibility needs. Accordingly, use of the ASR Feature is completely optional and is intended for use when individual users believe that ASR captioning meets their needs for specific calls. Our ASR Feature has had nearly a year of public user trials, and usage has steadily grown as we have implemented minor modifications to encourage adoption.⁶ InnoCaption has received overwhelmingly positive feedback regarding the ASR Calling Feature, as illustrated by our call quality ratings which show that users who have trialed our ASR Feature rated 74 percent of ASR captioned calls as 4 or 5 stars.⁷

⁴ See 47 C.F.R. § 64.604(a)(3)(vii).

⁵ All other companies who seek to provide IP CTS offerings with ASR have similarly requested waivers of this section of the FCC's rules because it is not technologically feasible to meet the requirements of this rule with ASR. See, e.g., VTCSecure, LLC Request for Waiver, CG Docket No. 03-123, at 2 (filed Sept. 13, 2019); MachineGenius Request for Waiver, CG Docket No. 03-123, at 3 (filed Oct. 13, 2017); Internet-Based TRS Certification Application of Clarity Products, LLC, CG Docket No. 03-123, at 16-17 (filed Apr. 24, 2019).

⁶ Minutes generated by the ASR calling feature have been provided by InnoCaption and have not been submitted as part of our request for compensation.

⁷ See Letter from Cristina O. Duarte, Director of Regulatory Affairs, InnoCaption, to Marlene H. Dortch, FCC Secretary, CG Docket Nos 03-123 & 13-24, at 12 (Mar. 2, 2020).

II. Request for Waiver

The Commission is authorized to waive certain requirements for good cause shown.⁸ Good cause exists for the Commission to grant the waiver for several reasons. Importantly, the instant request for waiver would apply only to the ASR Calling Feature and not to calls handled by InnoCaption CA's. In addition, it is not currently technologically feasible for the Calling Feature to identify a speaker as a recorded message or an IVR system, as opposed to a live person. As a result, because the ASR Calling Feature by design does not utilize a CA, the Calling Feature cannot meet the requirement for a CA to alert a TRS user as to the presence of a recorded message. InnoCaption's dual captioning mode, however, can alleviate some of the shortcomings of ASR and help enhance functional equivalence for many IP CTS users. This dual captioning mode is currently in development and will enable users to switch between a live CA and the ASR Calling Feature as needed to optimize their experience during each call. In the event a user feels the ASR Calling Feature is no longer meeting their accessibility needs, they are able to easily switch to a live CA, without having to disconnect and start a new call.

InnoCaption's ASR Calling Feature provides an innovative solution to the deaf and hard of hearing community by allowing users unprecedented choice over their accessibility for each phone call. Accordingly, grant of this waiver is in the public interest because the ASR Calling Feature was developed specifically at the request of our IP CTS users who want a mode that provides an additional element of privacy for calls pertaining to sensitive information they may not be comfortable sharing with a CA on the call, despite the complete privacy that InnoCaption

⁸ See 47 C.F.R. § 1.3. The Commission may waive a rule where the circumstances of the case render strict compliance to the rule inconsistent with the public interest. See *Northeast Cellular Tel. Co. v. FCC*, 897 F.2d 1164, 1165 (D.C. Cir. 1990).

assures.⁹

III. Conclusion

For the foregoing reasons, InnoCaption respectfully requests that the Commission grant a limited waiver of §64.604(a)(3)(vii) to InnoCaption so that it may incorporate its ASR Calling Feature into its IP CTS offerings. Please do not hesitate to contact the undersigned if you have any questions.

Respectfully submitted,

/s/ Cristina O. Duarte

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⁹ See Amendment at 3-5.