

**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
)	

COMMENTS OF CAPTIONCALL, LLC

CaptionCall, LLC (“CaptionCall”) submits these comments in response to the Commission’s *Further Notice of Proposed Rulemaking* in the above-captioned docket.¹

I. INTRODUCTION AND SUMMARY

CaptionCall supports the Commission’s efforts to improve the Internet Protocol Captioned Telephone Service (“IP CTS”) program through targeted reforms and to enhance Telecommunications Relay Services (“TRS”) program management. CaptionCall supports the proposals in the *FNPRM* and is committed to protecting the integrity of the TRS Fund and preventing the introduction of waste, fraud, or abuse into the IP CTS program—thereby making sure that this critical service remains available to eligible users.

As discussed below, CaptionCall supports the Commission’s proposal to allow IP CTS providers to provide service to new and porting users for up to two weeks pending the completion of identity verification. CaptionCall also supports revising the IP CTS emergency

¹ *Misuse of Internet Protocol (IP) Captioned Telephone Service*, Report and Order, Further Notice of Proposed Rulemaking, and Order, FCC 19-11, CG Docket Nos. 13-24 & 03-123, (rel. Feb. 15, 2019) (“*FNPRM*”).

call-handling procedures to ensure that IP CTS users can communicate more effectively with emergency call dispatchers. Finally, because telephone numbers alone do not uniquely identify IP CTS users, CaptionCall agrees that providers should include a unique account identifier for each registered user in monthly call detail records (“CDRs”) submitted for compensation.

A. IP CTS Providers Should Be Allowed to Provide Service to New and Porting Users for a Two-Week Period While Verification Is Pending.

CaptionCall supports the proposal to allow IP CTS providers to provide service to new and porting² users for up to two weeks pending the completion of identity verification by the TRS User Registration Database (“URD”) administrator, with the provider receiving compensation only when the user ultimately is verified.³ It is critical to adopt this proposal because it will help ensure that service to new and porting IP CTS users can be commenced efficiently and without undue delay or disruption. In this respect, the rule change will improve the functional equivalence of IP CTS, as individuals without hearing loss generally do not face similar delays or disruptions when they subscribe to a new provider.

Moreover, in situations in which verification does not proceed promptly, denying service until a user has been verified deprives the user of his or her federal civil right to effective telephone communications. IP CTS users need captions to understand what is said during telephone calls, including in critical emergency situations such as 911 calls, as well as important calls with health care providers, pharmacies, financial institutions, government, and family. And because IP CTS providers will not receive compensation for calls during the two-week period unless the user ultimately receives verification, the Commission’s proposal does not risk

² Unlike with Video Relay Service (“VRS”), porting is extremely uncommon for IP CTS.

³ *FNPRM* ¶ 34.

introducing waste, fraud, or abuse into the program. It will remain the case that compensation is paid only for IP CTS usage by eligible users.

B. IP CTS Communications Assistants Should Not Be Required to Be Involved in 911 Call Handling and in Reconnecting Disconnected 911 Calls.

As recognized in the *FNPRM*, in the typical configuration (covering the vast majority of calls), IP CTS providers are not involved in routing 911 calls or providing E911 information. Typically, an IP CTS provider delivers captions via an IP connection between itself and a user on an IP CTS device, and the consumer separately subscribes to a voice and broadband connection. As a result, call setup and routing for all calls, including 911 calls, as well as the provision of E911 data to the public safety answering points (“PSAP”), are handled by the user’s underlying voice provider. Because CaptionCall receives the audio from the user’s device via the internet, CaptionCall is not part of the call’s media stream. CaptionCall’s communications assistants (“CAs”) accordingly do not have a means of speaking directly to the PSAP operator. Thus, CAs are unable to facilitate 911 call routing or provide information to the PSAP. In addition, all CaptionCall users have ten-digit North American Numbering Plan (“NANP”) numbers, assigned by their voice provider (which is CaptionCall for only a small percentage of users). This allows PSAPs to reconnect calls directly, simply by dialing the user’s telephone number; IP CTS providers like CaptionCall then caption the callback if the user has captioning activated.

Accordingly, CaptionCall supports the three proposals to amend the rules to simplify the handling of 911 calls placed by IP CTS users who initiate calls via the Internet to eliminate any involvement by CAs in call handling and the collection and transmission of information to PSAPs. First, as explained above, because CaptionCall is not typically involved in routing 911 calls or providing E911 information, it supports eliminating “the current requirements for an IP CTS provider to deliver to the PSAP the name of the caller, the name of the provider, and an

identification number and callback number for the CA handling the call.”⁴ Second, for web/wireless applications for which the user does not select his or her own underlying voice provider, CaptionCall supports requiring an IP CTS provider to provide a NANP telephone number to the PSAP that enables the PSAP to call the user back directly, while ensuring the user receives captions on the callback.⁵ Indeed, CaptionCall already follows this approach for its mobile app. Third, because CAs do not have the capability to connect calls, CaptionCall supports removing “the current requirement for an IP CTS provider to initiate the reconnection of a disconnected 911 call.”⁶

Finally, because the Commission is separately addressing a TRS provider’s obligations to provide E911 data in the pending rulemaking to implement Kari’s Law and RAY BAUM’s Act,⁷ it is unnecessary to address here whether an IP CTS provider that provides a voice connection (e.g., through either VoIP or CMRS) should be deemed a reseller subject to the emergency call handling rules applicable to such resellers.⁸ In fact, in the Kari’s Law implementation proceeding, the Commission has recognized that TRS providers need flexibility to implement location solutions, and in some cases will need to fall back to Registered Location when real-

⁴ *Id.* ¶ 38.

⁵ *Id.* ¶ 41.

⁶ *Id.* ¶ 39.

⁷ *Implementing Kari’s Law and Section 506 of RAY BAUM’s Act and Inquiry Concerning 911 Access, Routing, and Location in Enterprise Communications Systems*, FCC No. 18-132, PS Docket Nos. 17-239 & 18-261, Notice of Proposed Rulemaking, (rel. Sept. 26, 2018) (“*Kari’s Law NPRM*”).

⁸ *FNPRM* ¶ 43.

time dispatchable location or high accuracy geolocation data is not available.⁹ It is therefore unnecessary to address these issues here.

C. IP CTS Providers Should Submit a Unique Account Identifier to the TRS Fund Administrator in Monthly Call Detail Records Submitted for Compensation.

Because IP CTS telephone numbers are not unique to individual users, CaptionCall supports the proposal to require IP CTS providers to include a unique account identifier in monthly CDRs submitted to the TRS Fund Administrator for compensation.¹⁰ Although the *FNPRM* provides some examples of a unique identifier, such as the electronic serial number (“ESN”) or MAC address of the user’s device,¹¹ the user’s email address, or, when a provider utilizes them, the user’s login ID, the *FNPRM* appropriately does not specify that any particular unique identifier must be used. Providers should have the flexibility to create an appropriate identifier, particularly because some IP CTS accounts may be associated with multiple devices.

In addition, the Commission should minimize the IT-systems changes necessary to implement this proposal. In that regard, the TRS Fund Administrator has created a data field in the CDR titled “Registered User Login” for the IP CTS provider’s unique account identifier

⁹ *Kari’s Law NPRM* ¶ 81. See also Letter from John T. Nakahata, Counsel to Sorenson Communications, LLC to Marlene H. Dortch, Secretary, FCC, PS Docket Nos. 17-239 & 18-261 at 4 (filed Mar. 25, 2019); Comments of Sorenson Communications, LLC, PS Docket Nos. 17-239 & 18-261 at 1 (filed Dec. 10, 2018); Reply Comments of Sorenson Communications, LLC, PS Docket Nos. 17-239 & 18-261 (filed Feb. 8, 2019).

¹⁰ IP CTS providers should continue to have the option of implementing individual user login IDs, but should not be required to do so.

¹¹ CaptionCall notes that it is possible for a customer to have more than one device (for example, the customer may use both a wireline IP CTS telephone as well as a mobile device such as a tablet), in which case an ESN by itself would not work as a unique account identifier.

associated with the user's registration.¹² The CDR data field will accommodate a character string with a maximum length of 256 characters. This field appears to be designed to permit population with a unique account identifier, and thus can be utilized without major systems changes.

II. CONCLUSION

As described above, CaptionCall supports the Commission's goals to further improve IP CTS through targeted and narrowly tailored reforms and to make sure this critical service remains available to eligible users.

Respectfully submitted,



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¹² The TRS Fund Administrator currently does not require this data field to be populated by IP CTS providers. However, the TRS Fund Administrator has informed IP CTS providers that the field will be required after IP CTS has been fully integrated into the URD.