



VIA ECFS

April 30, 2019

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: EX PARTE FILING

CG Docket No. 03-123 - In the Matter of Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities; CG Docket No. 98-170 – Truth-in-Billing and Billing Format

Dear Ms. Dortch:

On April 29, 2019, Zainab Alkebsi of National Association of the Deaf (NAD), Lise Hamlin of Hearing Loss Association of America (HLAA), Eric Kaika of Telecommunications for the Deaf and Hard of Hearing, Inc. (TDI), Neal Tucker of Registry of Interpreters for the Deaf (RID), Caroline Kobek Pezzarossi of ADARA, and Robert Loftur-Thun (NVRC) met with Mark Stone, Barbara Esbin, and Robert Aldrich of the Commission's Consumer and Governmental Affairs Bureau (CGB)'s front office, Kurt Schroeder, Nancy Stevenson, Erica McMahon, and Richard Smith of CGB's Consumer Policy Division, and Eliot Greenwald, Michael Scott, and Darryl Cooper of the Disability Rights Office.

The ex parte meeting addressed the petition filed by ITTA - The Voice of America's Broadband Providers seeking a declaratory ruling that carriers can list Telecommunications Relay Services (TRS) along with other regulatory fees in a line item on customer bills.¹ The Consumer Groups present at the meeting reiterated their opposition to ITTA's proposal. In its July 3, 2018 comments, Consumer Groups took no affirmative position.² However, as we explained in the meeting, our coalition has historically opposed allowing carriers to list TRS fees on customer bills in any manner and affirmed its historical stance in its March 18, 2019

¹ *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, CG Docket No. 03-123, *Truth-in-Billing and Billing Format*, CG Docket No. 98-170, Petition for Declaratory Ruling of ITTA - The Voice of America's Broadband Providers (filed May 8, 2018) ("ITTA Petition").

² *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, CG Docket No. 03-123, *Truth-in-Billing and Billing Format*, ITTA Petition for Declaratory Ruling

² *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, CG Docket No. 03-123, *Truth-in-Billing and Billing Format*, ITTA Petition for Declaratory Ruling Regarding TRS Line Item Descriptions, CG Docket No. 98-170, Comments of Consumer Groups, p. 1 (filed July 3, 2018) ("Consumer Groups Comments").

filing.³ We emphasized that the heart and soul of TRS is that it is an accessibility mandate. For carriers, it should be a cost of doing business, not a separate fee. Identifying the cost of TRS on consumer bills in the form of a fee, surcharge, or line item will lead to unwarranted backlash towards our community. If consumers see these line items, they are likely to erroneously think they are paying for something "extra" and become irritated. It will create an "us versus them" mentality. It will cause unnecessary anger and blame against our community as unaware consumers will assume the cost are for services they are not using but that they are "subsidizing" for deaf and hard of hearing people. In reality, costs for access are mandated by the Americans with Disabilities Act (ADA) as part of business operations for everyone, just like the cost of building curb cuts on city sidewalks or providing TRS for everyone to be able to call each other. The ADA has many provisions mandating funding of certain access, and at no time are those access services ever itemized on anyone's bills in any industry.⁴ Furthermore, allowing carriers to place TRS charges on customer bills could be a slippery slope for how other ADA services are billed to customers.

We also reiterated our position that Truth-in-Billing rules are inapplicable to services that are provided pursuant to federal mandate under the ADA, especially as the whole rationale for Truth-in-Billing is to prevent deceptive practices by corporations as opposed to promoting a backlash against deaf and hard of hearing individuals who only seek to have equal access to telecommunications services. For the reasons stated in this letter, we urge the Commission to take decisive action consistent with past rulings and deny ITTA's petition.

Please be in touch with the undersigned should you have any questions.

Respectfully submitted,

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³ *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, CG Docket No. 03-123, *Truth-in-Billing and Billing Format*, ITTA Petition for Declaratory Ruling Regarding TRS Line Item Descriptions, CG Docket No. 98-170, Comments of Kairos Partners, p. 11-14 (filed July 3, 2018) ("Kairos Partners Comments").

⁴ *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, CG Docket No. 03-123, *Truth-in-Billing and Billing Format*, ITTA Petition for Declaratory Ruling Regarding TRS Line Item Descriptions, CG Docket No. 98-170, Reply Comments of Convo Communications, LLC, p. 1 (filed July 3, 2018) ("Convo Reply Comments") [comparing ITTA's TRS line item request to a hotel or restaurant listing various accommodations on all consumers' bills.]