

May 18, 2018

VIA ECFS

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

Re: Notice of Ex Parte – Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities, Misuse of Internet Protocol (IP) Captioned Telephone Service – CG Docket Nos. 03-123, 10-51, and 13-24

Dear Ms. Dortch:

On May 16, 2018, Robert Rae, President and Chief Executive Officer, ClearCaptions, LLC (“ClearCaptions” or “Company”), Michael Strecker, Vice President of Regulatory and Strategic Policy for ClearCaptions, and Paul C. Besozzi, counsel for ClearCaptions, met separately with Nirali Patel, Special Counsel to Chairman Ajit Pai and Amy Bender, Legal Advisor, Wireline, to Commissioner Michael O’Rielly, and Karen Peltz Strauss, Deputy Chief, Consumer and Government Affairs Bureau to review issues concerning potential Internet Protocol Captioned Telephone Service (“IP CTS”), automatic speech recognition (“ASR”) developments, and potential future IP-CTS rates. ClearCaptions also discussed the status of

the Company's pending March 2, 2018 request for partial waiver of Sections 64.605(a)(2)(iv) and 64.605(a)(2)(v) of the Commission's Rules.¹

1. ASR

The Company reported on two types of ASR of varying quality that it has seen emerging for IP CTS. ClearCaptions believes that the use, or integration, of ASR into IP CTS must never result in reduced quality of IP CTS or reduced accuracy for the consumer. ASR solutions should balance the use of Communications Assistants, ASR, and key performance indicators to correctly blend ASR into IP CTS.

The Company urged that as part of any ASR trial that the Commission might sanction the agency to take into consideration key potential implications such as call confidentiality, encryption requirements, and notifications to callers where cloud-based technologies are involved.

Finally, the Company provided a brief update on its ASR efforts as previously discussed with the Commission in 2017.

2. IP CTS Rates

ClearCaptions discussed what it believes are the two main drivers of IP CTS providers' ability to reduce costs: volume of minutes and blending ASR minutes into IP CTS. The Company urged against a weighted industry average cost approach for IP CTS. In that regard, ClearCaptions gave its opinion that a 10% reduction from the current Multistate Average Rate Structure ("MARS") rate to the Rolka Loube proposed rate of \$1.75² would negatively impact competition and impact the ability for smaller IP CTS providers to invest in new technology that could be beneficial to consumers and the TRS Fund. Additionally, the Commission should understand that providing IP CTS is more than just putting captions on a screen. A large portion of IP CTS customers fall into the Senior category. For a majority of these Senior customers adopting to new technology can be intimidating. In order for providers to ensure that these customers get the most out of the service, they require thorough training and even potentially retraining on the equipment and the service. ClearCaptions is concerned that adopting any type of rate methodology that ignores that human portion of the service and only focuses on cost cutting threatens the viability of the service as well as the ability of the service to truly meet the Americans with Disabilities Act and functional equivalency mandate.

¹ Letter, dated March 2, 2018, from Michael Strecker, Vice President of Regulatory Affairs & Strategic Policy, Clear Captions, LLC, to Marlene H. Dortch, Secretary, Federal Communications Commission, RE: Request for Partial Waiver of Sections 64.605(a)(2)(iv) and 64.605(a)(2)(v) of the Commission's Rules in Connection with ClearCaptions, LLC Web and Wireless Forms of Internet Protocol Captioned Telephone Service ("IP CTS"), CG Docket Nos. 03-123 and 13-24 ("Waiver Request").

² FCC Public Notice, "Rolka Loube Associates Submits Payment Formulas And Funding Requirement For The Interstate Telecommunications Relay Services Fund For The 2018-2019 Fund Year," DA 18-494, released May 14, 2018 ("Public Notice").

The Company also commented on the inadequacy of a proposed \$0.49 ASR rate.³ ClearCaptions reiterated its support for a tiered rates structure analogous to that which the Company had proposed in 2017.

3. Waiver Request

ClearCaptions urged the Commission to approve its pending Waiver request.

This filing is made in accordance with Section 1.1206(b)(1) of the Commission's rules.⁴

Respectfully submitted,

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cc: Nirali Patel
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³ Rolka Loube Associates, LLC, Interstate Telecommunications Services Relay Services Fund Payment Formula And Fund Size Estimate, April 30, 2018, CG Docket 03-123, at p. 24.

⁴ 47 C.F.R. § 1.1206(b)(1).