REDACTED, FOR PUBLIC INSPECTION

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ORIGINAL

Accepted / Filed

MAY 11 2017

Federal Communications Commission
Office of the Secretary

May 11, 2017

VIA ELECTRONIC FILING AND HAND-DELIVERY

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

Re: ***Structures and Practices of the Video Relay Service Program*, CG Docket No. 10-51; *Telecommunications Relay Services, and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, CG Docket No. 03-123**

Dear Ms. Dortch,

In accordance with the *Second Protective Order* for the above-captioned proceedings, ZVRS Holding Company ("ZVRS Holding"), the parent of CSDVRS, LLC d/b/a ZVRS ("ZVRS") and Purple Communications, Inc. ("Purple"), herein submits redacted and Highly Confidential versions of the attached supplemental filing in the above-captioned proceedings.

ZVRS Holding has designated for Highly Confidential treatment the marked portions of the attached documents pursuant to the *Second Protective Order* in CG Docket Nos. 03-123 and 10-51.[1] ZVRS Holding's supplemental filing includes granular data with respect to its costs for various categories of both allowed and additional costs. These materials fall under Item 3 in Appendix A of the *Second Protective Order*: "Information that provides granular information about a Submitting Party's past, current or future costs, revenues, marginal revenues, or market share, and future dividends."

Pursuant to the *Second Protective Order* and additional instructions from Commission staff, ZVRS Holding is filing a redacted version of the document electronically via ECFS, one copy of the Highly Confidential version with the Secretary, two copies of the redacted version with the Secretary, and sending copies of the highly confidential version to Eliot Greenwald, Robert Aldrich, and Michael Scott of the Consumer and Governmental Affairs Bureau and the TRS Reports mailbox.

[1] *Structures and Practices of the Video Relay Service Program; Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, Second Protective Order, DA 12-858, 27 FCC Rcd. 5914 (Cons. & Gov't Affs. Bur. 2012).

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Please contact me if you have any questions or require any additional information.

Sincerely,

/s/ Gregory Hlibok

Gregory Hlibok
Chief Legal Officer
ZVRS Holding Company
Parent company of CSDVRS, LLC d/b/a
ZVRS and Purple Communications, Inc.
595 Menlo Drive
Rocklin, CA 95765

Attachment

cc: Eliot Greenwald
Robert Aldrich
Michael Scott
TRSReports@fcc.gov

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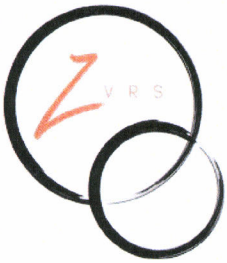

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May 10, 2017

VIA HAND DELIVERY AND ELECTRONIC FILING

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

RE: Supplement to Record
Structure and Practices of the Video Relay Services Program, Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities
CG Docket Nos. 10-51, 03-123

Dear Ms. Dortch:

ZVRS Holding Company, parent company of CSDVRS, LLC d/b/a ZVRS ("ZVRS") and Purple Communications, Inc. ("Purple"), hereby submits to the Federal Communications Commission ("Commission") this letter and the attached documents to supplement the record in the above-captioned proceeding.[1] This submission:

(1) provides updated 2015 cost data submitted to Rolka Loube Associates LLC ("Rolka Loube") in March 2017, to correct errors in the Video Relay Service ("VRS") Provider Demand and Cost Data analysis generated by Rolka Loube,[2] to ensure that the Commission has accurate, up-to-date information as it considers various rate proposals;[3]

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[1] *Structure and Practices of the VRS 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, and Order, FCC 17-26 (2017) (individually, the "*Report and Order*," "*NOI*," "*FNPRM*," and "*Order*").

[2] *See* Letter from Eliot Greenwald, Consumer and Governmental Affairs Bureau, FCC, to Marlene Dortch, Secretary, FCC, CG Docket Nos. 10-51, 03-123 (filed Apr. 25, 2017) ("VRS Provider Cost and Demand Data").

[3] On May 10, 2017, the Consumer and Governmental Affairs Bureau released a public notice announcing that Rolka Loube would compile "Updated VRS Provider Cost and Demand Data" for submission into the record, based on the 2016 cost submissions filed by VRS providers earlier this year to, among other things, add "the most recent data available for 2015 actual costs and demand in case providers have made any corrections to their original filings." *See Updated Video Relay Service Provider Financial Data to Be Placed into The Record – Subject to Second Protective Order*, CG Docket Nos. 10-51, 03-123, Public Notice, DA 17-448, at n.4 (CGB 2017). While this is an encouraging development, ZVRS and Purple are nevertheless submitting this letter to correct Rolka Loube's errors in compiling the original VRS Provider Cost and Demand Data and ensure that the Commission has before it accurate information, pending confirmation that the Updated VRS Provider Cost and Demand Data accurately reflects ZVRS and Purple's actual allowable costs of providing VRS.

(2) details the likely outcomes for the various VRS providers and the Telecommunications Relay Service Fund ("Fund") under each rate proposal and demonstrates that the Joint Rate Proposal submitted by ZVRS, Purple, Convo Communications, LLC ("Convo") and ASL Services Holdings, LLC d/b/a GlobalVRS ("GlobalVRS") (collectively, the "Non-Dominant Providers") remains the only reasonable proposal currently pending before the Commission;[4] and

(3) demonstrates the claims by Sorenson Communications, LLC ("Sorenson") that ZVRS improperly compensated its VRS communications assistants ("CAs") to be utterly unfounded.

I. The ZVRS and Purple Data Provided by Rolka Loube Is Inaccurate and the Commission Must Not Rely upon It in Determining VRS Provider Compensation Rates.

On April 25, 2017, the Consumer and Governmental Affairs Bureau placed into the record the VRS Provider Cost and Demand Data compiled by Rolka Loube, based on each company's 2015 Annual TRS Provider Data Request submission.[5] In so doing, the Commission intended that the VRS Provider Cost and Demand Data be available to be "examined by parties, subject to protection for confidentiality, in connection with the parties' preparation of comments" and available for use by the Commission in making a determination as to VRS provider compensation rates in the above-captioned proceeding.[6] However, with respect to ZVRS and Purple's costs, the VRS Provider Cost and Demand Data prepared by Rolka Loube is inaccurate, and thus cannot be the basis for any decision on provider compensation rates going forward.[7]

On February 28, 2017, following a Rolka Loube audit finding that both ZVRS and Purple had erroneously allocated marketing costs under the "Outreach" category in their 2015 cost submissions, the companies notified Rolka Loube of their intention to file updated reports correcting this misallocation. On March 6, 2017, ZVRS did just that. On March 7, 2017, Purple followed suit. In addition, in early March 2017, ZVRS and Purple also notified Rolka Loube that the correct 2015 actual cost data was likewise provided in each company's final 2016 cost submission.

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[4] *See* Letter from Purple Communications, Inc., Convo Communications, LLC, CSDVRS, LLC d/b/a ZVRS, and ASL Services Holdings, LLC d/b/a GlobalVRS to Marlene H. Dortch, Secretary, FCC, CG Docket Nos. 10-51, 03-123 (filed Jan. 31, 2017) ("Joint Rate Proposal").

[5] *See* VRS Provider Cost and Demand Data.

[6] *Structure and Practices of the Video Relay Service Program; Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities; Summary Video Relay Service Provider Financial Data Prepared by the Telecommunications Relay Service Fund Administrator to Be Placed Into the Record, Subject to Second Protective Order*, CG Docket Nos. 10-51, 03-123, Public Notice, DA 17-337 (CGB 2017).

[7] The VRS Provider Cost and Demand Data are treated as Highly Confidential under the *Second Protective Order* in CG Docket Nos. 10-51 and 03-123. *See 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, Protective Order, DA 12-858 (CGB 2012) ("*Second Protective Order*"). However, because the ZVRS and Purple cost and demand data generated by Rolka Loube are based entirely on ZVRS and Purple's own Highly Confidential information, the companies are the Submitting Parties with respect to such information. As such, the Commission granted ZVRS and Purple permission to review only the ZVRS- and Purple-specific Highly Confidential data as to which the companies are the Submitting Parties, with all other Highly Confidential information redacted and protected pursuant to the *Second Protective Order*.

Despite Rolka Loube's possession of the corrected data, it nevertheless relied upon to be outdated and incorrect data in making its recommendations and compiling the VRS Provider Cost and Demand Data: "Actual and projected minutes and expenses are as reported by each provider to Rolka Loube in their annual filings *in February 2016*."[8] A simple comparison between the data Rolka Loube submitted for ZVRS and Purple's costs, against the companies' final, corrected cost submissions confirms that Rolka Loube generated the ZVRS and Purple cost data in reliance on inaccurate information.

The Rolka Loube submission states that the ZVRS allowable total and per-minute costs, inclusive of the allowable 11.25% return on capital investment, in 2015 were **[*** BEGIN HIGHLY CONFIDENTIAL ***]** **[*** END HIGHLY CONFIDENTIAL ***]**, respectively.[9] Similarly, summing categories A through D and marketing—in this case, erroneously assigned a value of **[*** BEGIN HIGHLY CONFIDENTIAL ***]** **[*** END HIGHLY CONFIDENTIAL ***]** —in the original ZVRS 2015 cost submission produces total and per-minute allowable costs of **[*** BEGIN HIGHLY CONFIDENTIAL ***]** **[*** END HIGHLY CONFIDENTIAL ***]**.[10] When, however, the marketing costs are correctly allocated pursuant to Rolka Loube's direction, ZVRS' actual 2015 allowable total and per-minute costs are **[*** BEGIN HIGHLY CONFIDENTIAL ***]** **[*** END HIGHLY CONFIDENTIAL ***]**, respectively.[11]

The same scenario plays out in the case of Purple. The Rolka Loube submission states that the Purple allowable total and per-minute costs in 2015, inclusive of the allowable 11.25% return on capital investment, were **[*** BEGIN HIGHLY CONFIDENTIAL ***]** **[*** END HIGHLY CONFIDENTIAL ***]**, respectively.[12] Summing categories A through D, along with the incorrectly allocated marketing costs, in the original Purple 2015 cost submission produces total and per-minute allowable costs of **[*** BEGIN HIGHLY CONFIDENTIAL ***]** **[*** END HIGHLY CONFIDENTIAL ***]**.[13] When using the corrected data submitted to Rolka Loube, the actual Purple 2015 allowable total and per-minute costs are**[*** BEGIN HIGHLY CONFIDENTIAL ***]** **[*** END HIGHLY CONFIDENTIAL ***]**, respectively.[14]

It is not clear why Rolka Loube, despite having received corrected cost data for both ZVRS and Purple, after discussing the errors with the companies, nevertheless prepared the VRS Provider Cost and Demand Data in reliance on outdated and inaccurate information. What *is* clear is that the Commission cannot rely on the VRS Provider Cost and Demand Data as currently constituted in making any determination on VRS provider compensation rates going forward.

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[8] VRS Provider Cost and Demand Data, Attachment A.

[9] *Id.*

[10] *See* Attachment A-1 (Original ZVRS 2015 Cost Submission).

[11] *See* Attachment A-2 (Corrected ZVRS 2015 Cost Submission).

[12] VRS Provider Cost and Demand Data, Attachment A.

[13] *See* Attachment B-1 (Original Purple 2015 Cost Submission).

[14] *See* Attachment B-2 (Corrected Purple 2015 Cost Submission).

To ensure that the Commission has accurate data as to ZVRS and Purple's allowable per-minute costs as it considers the various rate proposals submitted in this proceeding, the below table provides each company's actual 2015 and 2016 and projected 2017 allowable per-minute costs, inclusive of the allowable 11.25% return on capital investment.

Table 1: Actual and Projected Allowable Costs [* BEGIN HIGHLY CONFIDENTIAL ***]**

[* END HIGHLY CONFIDENTIAL ***]** In making any determination as to VRS provider compensation rates going forward, the Commission must rely on the accurate data contained herein, and not on the flawed analysis submitted by Rolka Loube.

II. The Joint Rate Proposal Is the Only Proposed Rate Structure Before the Commission that Produces Desirable Outcomes for the Competitiveness of the VRS Program and the Health of the TRS Fund.

Former Commissioner Harold Furchtgott-Roth has noted that, from an economic perspective, the Joint Rate Proposal "focuses on the economies of scale in the industry and attempts to balance compensation with costs. The approach is entirely sound and reasonable. The Commission should pursue such a solution that provides some stability for a few years to have compensation above costs, but not enriching firms, while the Commission can consider longer-term solutions."[15] Similarly, ZVRS and Purple have advanced that the Joint Rate Proposal "best balances the 'tension between two competing values' that has typified the Commission's past VRS ratemaking proceedings: '(1) providing a competitive spur for improvements in the availability, efficiency, and functional equivalence of VRS by enabling a diversity of providers, and (2) conserving the TRS Fund by compensating only for the efficient provision of VRS.'"[16]

An analysis conducted by ZVRS and Purple, based on the companies' own projected 2017 cost and demand data as reported to Rolka Loube and publicly available information as to the competitive landscape of the VRS program and attached hereto as Attachment C, confirms this to be the case.[17] Under the Joint Rate Proposal, the analysis estimates that in 2017, VRS provider compensation will more closely correspond to the "differentials between large, medium-sized, and small providers" in terms of allowable costs, all while reducing the total annual cost to the TRS Fund.[18] In fact, the attached analysis demonstrates that the Joint Rate Proposal strikes this balance far better than all other possible rate structures pending before the Commission. This includes the

[15] Expert Report of Harold Furchtgott-Roth, CG Docket Nos. 10-51, 03-123, at 16, para. 34 (filed Apr. 24, 2017).

[16] Reply Comments of ZVRS Holding Company, ZVRS, and Purple Communications, CG Docket Nos. 10-51, 03-123, at 5-6 (filed May 4, 2017) (quoting *FNPRM* at para. 86) ("ZVRS-Purple Reply Comments").

[17] *See* Attachment C. The cost projections in this chart are estimations based on ZVRS and Purple's actual costs and minutes handled, as well as analysis of publicly available information as to the VRS market generally.

[18] *FNPRM* at para. 98.

existing glide path rates. Under the existing compensation structure, the Non-Dominant Providers are scarcely able to maintain, let alone grow, their businesses. Meanwhile, the largest provider alone reaps compensation above allowable costs greater than the total excess *for the entire industry*, given that compensation is below cost for a number of other providers.[19]

The same is true of the outcomes under Sorenson's proposed unitary rates of $4.19 per minute and $3.73 per minute,[20] under which Sorenson would once again retain compensation—to the tune of **[*** BEGIN HIGHLY CONFIDENTIAL ***]**
[* END HIGHLY CONFIDENTIAL ***]**, respectively—above allowable costs in an amount *greater than retained by the entire industry*, all at the expense of the TRS Fund and consumers who ultimately bear its costs.[21] Moreover, both of Sorenson's proposals threaten the Non-Dominant Providers' participation in the VRS program, which would leave the entire market to a single provider at the expense of a competitive, innovative, functionally equivalent VRS for the Deaf and Hard of Hearing community ("Community").

This analysis likewise demonstrates that the Rolka Loube proposal[22] would, as ZVRS and Purple have previously explained to the Commission, likely force the companies to exit the market, "remov[ing] the second- and third-largest providers from the VRS program and leav[ing] the largest firm with a 98% share of the market."[23] Granting 98% of the VRS market to a single provider would destroy any incentive to invest, innovate, or undertake any efforts to resolve interoperability issues with the remaining smaller providers, who survive under the emergent rate. This would have the same practical effect as would the creation of a single-provider market: less investment and less innovation in VRS, to the detriment of the functional equivalence of the service and the Community who relies on it. Moreover, **[*** BEGIN HIGHLY CONFIDENTIAL ***]**
[* END HIGHLY CONFIDENTIAL ***]**, noted hereinabove,[24] give the lie to Rolka Loube's claim that its proposed Tier I rate of $4.17 is "above the costs of the non-emergent providers to be applicable to the proposed 2,500,000 minute Tier I."[25]
[* BEGIN HIGHLY CONFIDENTIAL ***]**
[* END HIGHLY CONFIDENTIAL ***]**

In light of this analysis, it is more plain than ever that the Commission was right that the Joint Rate Proposal "best balances the need to minimize the cost of service for ratepayers, maintain competition in the marketplace pending further structural reforms, reflect the differing costs of differing providers, and give VRS providers the long-term stability in rates to make investment

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[19] *See* Attachment C.

[20] *See* Comments of Sorenson Communications, LLC, Regarding Section IV.A-B and F of the Further Notice of Proposed Rulemaking, CG Docket Nos. 10-51, 03-123, at 40-42 (filed Apr. 24, 2017).

[21] *See* Attachment C.

[22] Rolka Loube proposes to apply an emergent rate of $5.29 to providers handling up to 500,000 minutes per month, a Tier I rate of $4.17 to the first 2.5 million monthly minutes for all other providers, and a Tier II rate of $2.83 for all minutes above 2.5 million. *See* Rolka Loube Associates LLC, Interstate Telecommunications Relay Services Fund, Payment Formula and Fund Size Estimate, CG Docket Nos. 10-51, 03-123, at 41-43 (filed May 1, 2017) ("Rolka Loube Report").

[23] ZVRS-Purple Reply Comments at 26; *see also* Attachment C.

[24] *See supra* Section I.

[25] Rolka Loube Report at 43.

decisions."[26] The Joint Rate Proposal is the only proposed rate structure pending before the Commission that provides a sound and reasonable approach to appropriately balance the competing aims of "(1) providing a competitive spur for improvements in the availability, efficiency, and functional equivalence of VRS by enabling a diversity of providers, and (2) conserving the TRS Fund by compensating only for the efficient provision of VRS."[27] The Commission should thus expeditiously adopt the Joint Rate Proposal, and do so no later than June 30, 2017, prior to the expiration of the existing glide path.

III. Sorenson's Claims that ZVRS Offered Its Interpreters Compensation Tied to Billable Minutes Are Baseless.

In its reply comments, Sorenson claims that ZVRS offers a bonus to its VRS CAs based, in part, on session time and suggests that this is a violation of the minute-pumping rules.[28] However, ZVRS never used the bonus metrics Sorenson describes, and Sorenson's claims are thus baseless.

The ZVRS "VI [Video Interpreter] Bonus Promo" referenced in Sorenson's reply comments was launched on August 8, 2016 and was effective from August 1, 2016 through February 3, 2017. The plan was fully compliant with the Commission's VRS rules and did not tie bonus eligibility to billable minutes.[29] Although the initial VI Bonus Promo flyer distributed on August 8, 2016 (attached as Exhibit 6 to Sorenson's reply comments) erroneously described the "login occupancy" metric,[30] ZVRS never measured nor compensated its CAs on conversation or session time at any point. In fact, in the same VI Bonus Promo flyer Sorenson cites in its comments, ZVRS explicitly states that "None of our incentive plans are based upon VRS minute volumes."[31] In addition, two days after announcing the VI Bonus Promo, ZVRS distributed "Promo FAQs" to its CAs on August 10, 2016 that expressly addressed the question of whether VIs were being measured on conversation minutes.[32] The FAQs clearly state that they were not.[33]

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[26] *FNPRM* at para. 88.

[27] *Id.* at para. 86.

[28] See Reply Comments of Sorenson Communications, LLC, Regarding Section IV.A-B and F of the Further Notice of Proposed Rulemaking, CG Docket Nos. 10-51 & 03-123, at n.78 & Exhibit 6 (filed May 4, 2017) (stating that ZVRS "apparently pays bonuses to interpreters for a high percentage of session minutes," and that "Sorenson believes that such a practice violates 47 C.F.R. § 64.604(c)(5)(iii)(N)(*3*) by tying compensation to compensable minutes, which are subset of session minutes.").

[29] The following metrics were implemented and measured as part of the VI Bonus Promo: (1) login occupancy percentage; (2) use of the "unavailable" setting in the CA workstation; (3) ring time; and (4) wrap up time.

[30] *See* Attachment D-1 (Original VI Bonus Promo Flyer).

[31] *Id.* Notably, the screenshot attached to Sorenson's Reply Comments neglected to include or acknowledge this express statement.

[32] *See* Attachment D-2 (ZVRS Promo FAQs).

[33] *Id.* at 2 ("Q: Is my utilization time (Conversation to Session) being measured for this promo? A: Per the promo and the disclaimer we are not measuring any conversation time for said promo."). The disclaimer referenced in the FAQs is located at the bottom of page 2 of the Original VI Bonus Promo Flyer, and it clearly states that billable minutes would not be used as a performance metric:

> CSDVRS is committed to meet FCC Compliance and it is critical for our success. *None of our incentive plans are based upon VRS minute volumes.* Nevertheless, for compliance purposes, it is essential to emphasize that ZVRS expects that all new and returning customers are only using CSDVRS for the calls they routinely

ZVRS issued a corrected VI Bonus Promo metrics in an updated flyer that was distributed to CAs on October 7, 2016. As evidenced in the updated flyer,[34] ZVRS calculated CAs' login occupancy percentage based on login time over clocked in time, *not* session time over login time.

ZVRS takes its compliance obligations seriously and, as demonstrated herein, conducted the VI Bonus Promo in strict accordance with the Commission's rules on CA compensation. Sorenson's claims on this question are baseless, and must be disregarded as such.

* * * * *

> make, or need to make. It would be a violation of FCC rules for any employee to request a customer to make more or longer VRS calls or give a current or prospective customer an incentive to make more or longer VRS calls by telling them about any potential benefit to a CSDVRS employee. CSDVRS would never violate the FCC rules in this manner, and any such violation is subject to further action up to and including termination.

See Attachment D-1 at 2 (emphasis added).

[34] *See* Attachment D-3 (Updated ZVRS Promo Flyer) (defining "logged in occupancy" as clocked in time/logged in time).

ZVRS and Purple again commend the Commission on its efforts to rationalize the VRS provider compensation rate structure and implement program reforms that will ensure a robust, innovative, competitive, and functionally equivalent service is available to the Community. To further these goals, and for the reasons stated hereinabove, the Commission should:

(1) disregard the inaccurate data submitted into the record by Rolka Loube and rely only on accurate information as to ZVRS and Purple's allowable costs incurred in providing VRS in making determinations as to the VRS provider compensation rate structure;

(2) expeditiously adopt the Joint Rate Proposal, as the analysis submitted herewith demonstrates that it is the only proposal that appropriately balances the need to preserve a diversity of providers and promote competition with the need to conserve the resources of the TRS Fund; and

(3) dismiss as baseless Sorenson's unsupported claims as to the propriety of ZVRS' CA compensation practices, which are conducted in strict compliance with the Commission's rules.

Respectfully submitted,

/s/ Gregory Hlibok

Gregory Hlibok
Chief Legal Officer
ZVRS Holding Company
Parent company of CSDVRS, LLC d/b/a
ZVRS and Purple Communications, Inc.
595 Menlo Drive
Rocklin, CA 95765

Enclosure

cc: TRSreports@fcc.gov

ATTACHMENT A-1

[***BEGIN HIGHLY CONFIDENTIAL***]

[***END HIGHLY CONFIDENTIAL***]

ATTACHMENT A-2

[***BEGIN HIGHLY CONFIDENTIAL***]

[***END HIGHLY CONFIDENTIAL***]

ATTACHMENT B-1

[*BEGIN HIGHLY CONFIDENTIAL***]**

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ATTACHMENT B-2

[***BEGIN HIGHLY CONFIDENTIAL***]

[***END HIGHLY CONFIDENTIAL***]

ATTACHMENT C - RATE PROPOSAL OUTCOME ANALYSIS

ATTACHMENT D-1

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Serving the Community

In order to serve the community better, ZVRS is implementing a promotion for the Video Interpreting Team. Serving the community is our priority: here's what that looks like.

VIDEO INTERPRETER

PROMO

PEAK HOURS

M-F, 8am to 5pm Eastern Time

OFF PEAK HOURS

All hours outside of Peak

On an hourly basis:

80% Occupancy PEAK - (session time/logged in time)

Unavailable (red screen) - used for initial test call set up and call transfer if in-center transfer is not available.

Ring Time
Audio Calls - Auto Answer enabled
Video Calls - Answered within the first ring *(less than 0:06 seconds)*

Wrap Up Time "End Session" less than 0:06 seconds

80% Occupancy OFF PEAK

Unavailable - Used for initial test call set up and call transfer if in-center transfer is not available. If call volume is not "present" and calls are not abandoned this measurement will be waived.

Ring Time
Audio Calls - Auto Answer enabled
Video Calls - Answered within the first ring *(less than 0:06 seconds)*

Wrap Up Time "End Session" less than 0:06 seconds

This will be measured hourly, reported weekly.

Meeting / exceeding the above items will result in a weekly $500 bonus.

PROMO RULES

- Teamed Calls that effect your login % will be managed by your Center Manager / Regional Director
- Must work a minimum of 20 hours per week.

EMPLOYEE ELIGIBILITY

- All Full and Part Time employees who work a minimum of 20 hours in a week (Saturday – Friday)
- Must be employed by Z at the times of payout
- Center Manager – If 90% of your team accomplishes the goal, you will receive $500.00/week.

ZVRS

VIDEO INTERPRETER PROMO

CSDVRS is committed to meet FCC Compliance and it is critical for our success. None of our incentive plans are based upon VRS minute volumes. Nevertheless, for compliance purposes, it is essential to emphasize that ZVRS expects that all new and returning customers are only using CSDVRS for the calls they routinely make, or need to make. It would be a violation of FCC rules for any employee to request a customer to make more or longer VRS calls or give a current or prospective customer an incentive to make more or longer VRS calls by telling them about any potential benefit to a CSDVRS employee. CSDVRS would never violate the FCC rules in this manner, and any such violation is subject to further action up to and including termination.

ATTACHMENT D-2

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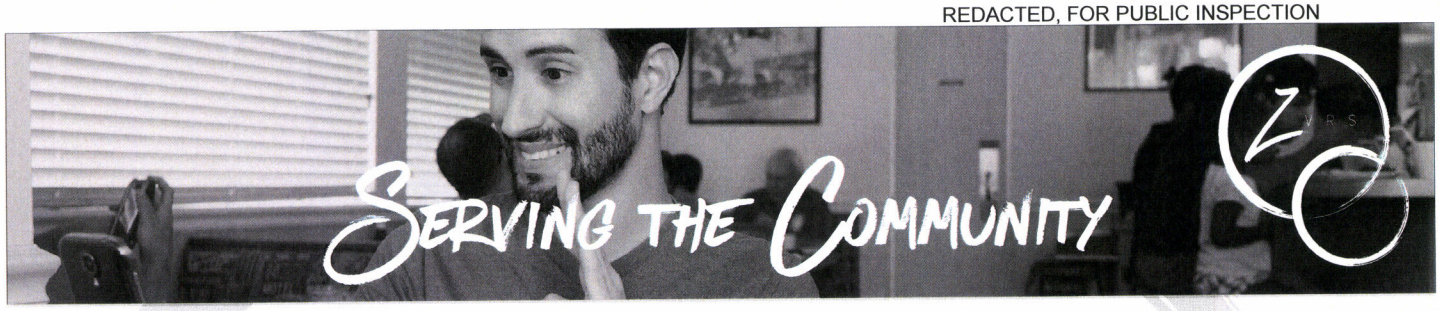

VI PROMO FAQ's

Q: When is this promo effective?

A: This Promo begins August 1, 2016 and will run through October 29, 2016.

Q: What are the requirements for a Call Center Manager to meet the 90% and earn CCM payout?

A: *For a Call Center Manager to qualify for the bonus, we expect ALL interpreters who log in to be managed and held accountable to these metrics regardless of their promo eligibility. Therefore, 90% or more of All VIs scheduled for the week need to meet or exceed the expectations in order for a Manager to be eligible for payout.*

Q: How will I know if I qualify for a weekly bonus?

A: You will be notified by your Manager or RD once the results are reviewed and approved by Sales Operations and Finance.

Q: Please provide more information and clarity for Wrap up and End Session?

A: *Wrap up and End Session is when no parties, IB or OB, are on the line with the VI. The VI is expected to End Session/Wrap up each call within 6 seconds.*

Q: How are we tracking teamed calls?

A: Managers are responsible for ensuring the conference call tracker is updated and accurate.

Q: When will the bonuses be paid, will it be taxed and how will it appear on our paychecks?

A: *Bonuses will be paid with your regular paycheck; it will be taxed accordingly and will appear as a line item on your paycheck.*

Q: If I am a Call Center Manager and I am working 20 hours per week, am I eligible for the VI bonus of $500?

A: CCM's are eligible for the CCM bonus only based on the Manager criteria being met or exceeded.

Q: Does this Promo and metrics replace the "3 strikes you're out" policy?

A: *The "3 strikes you're out" policy is still in full effect whether you're eligible for the promo or not, or whether you choose to participate in the promo or not.*

VI PROMO FAQ's

Q: Is it true that we can turn off Auto Answer with video?

A: Yes, however you are still expected to answer video calls within the first ring or less than 6 seconds. And you are still expected to enable auto answer for ALL audio calls to remain eligible for the promo.

Q: If there is a queue, it is almost impossible to enable auto answer, will this count against us?

A: *We understand the system limitations when trying to enable auto answer when there is a queue. As long as you still answer within 6 seconds, you will not be in breach. Once you are able to, you are expected to enable auto answer.*

Q: Some VIs bank their breaks, will this affect the stats?

A: As long as you are working a minimum of 50 minutes every hour before taking a break, your stats will not be impacted. However, stacking of breaks is not encouraged as normal behavior and should be avoided when possible; as you are encouraged to take your 10 minute breaks every 50 minutes. We understand that this isn't always possible and in these situations you must receive approval from your Manager before stacking a break to ensure proper coverage at all times and to ensure your CCM can document and submit when these instances occur.

Q: Is my utilization time (Conversation to Session) being measured for this promo?

A: *Per the promo and the disclaimer we are not measuring any conversation time for said promo. Please reference the disclaimer located on your promo document.*

Q: If I am logged in, and experience a technical error, what should I do?

A: Anytime you experience a technical error you should always report it via the exclamation screen when possible, and if not notify your manager with as much detail as possible.

Q: When I get a call and my first widget already has seconds, is this counted toward my Speed of Answer (SoA)?

A: *No. This time represents the time the caller has spent "bouncing around" looking for an agent to answer. An example would be a call which is offered to an agent and it times out and is in turn rerouted to another agent. The clock is ticking while the call "bounces around". Your time for SoA begins when the call rings in YOUR station and ends when the call is answered by YOU.*

Q: In the event of an abusive caller or a 911 call which need to be logged, will this count against my "wrap up/end session" time.

A: As long as you are documenting these events in Quickbase, they will not count against you.

Q: If I breach (1) time in any area during any hour within the week, am I automatically disqualified for the promo for that week?

A: *Yes, you would no longer qualify unless your breach is justified by your Manager and RD*

ATTACHMENT D-3

REDACTED, FOR PUBLIC INSPECTION

SERVING THE COMMUNITY

In order to serve the community better, ZVRS is implementing a promotion for the Video Interpreting Team. Serving the community is our priority: here's what that looks like.

VIDEO INTERPRETER

PROMO

PEAK HOURS

M-F, 8am to 5pm Eastern Time

OFF PEAK HOURS

All hours outside of Peak

On a daily basis:

80% Logged In Occupancy PEAK - (Clocked in time/logged in time)

Unavailable (red screen) - used for initial test call and set up at each login and call transfer if in-center transfer is not available.

Ring Time
Audio Calls - Auto Answer enabled
Video Calls - Answered within the first ring *(less than 0:06 seconds)*

Wrap Up Time "End Session" less than 0:06 seconds

80% Logged In Occupancy OFF PEAK - (Clocked in time/logged in time)

Unavailable (red screen) - Used for initial test call and set up at each login, and call transfer if in-center transfer is not available. If call volume is not "present" and calls are not abandoned this measurement will be waived.

Ring Time
Audio Calls - Auto Answer enabled
Video Calls - Answered within the first ring *(less than 0:06 seconds)*

Wrap Up Time "End Session" less than 0:06 seconds

This will be measured daily, reported weekly.

Meeting / exceeding the above items will result in a weekly $500 bonus.

PROMO RULES

- Teamed Calls that effect your login % must be documented in the Conference Call/Teaming Tracker
- Technical issues impacting metrics must be documented via QuickBase OR the (!) button
- Must adhere to current guidelines for breaks

EMPLOYEE ELIGIBILITY

- All Full and Part Time employees who work a minimum of 20 hours in a week (Saturday – Friday)
- Must be employed by Z at the times of payout
- Center Manager – If 90% of your team accomplishes the goal, you will receive $500.00/week.
- Promo runs from August 6, 2016 - December 30, 2016

REDACTED, FOR PUBLIC INSPECTION

ZVRS

VIDEO INTERPRETER PROMO

CSDVRS is committed to meet FCC Compliance and it is critical for our success. None of our incentive plans are based upon VRS minute volumes. Nevertheless, for compliance purposes, it is essential to emphasize that ZVRS expects that all new and returning customers are only using CSDVRS for the calls they routinely make, or need to make. It would be a violation of FCC rules for any employee to request a customer to make more or longer VRS calls or give a current or prospective customer an incentive to make more or longer VRS calls by telling them about any potential benefit to a CSDVRS employee. CSDVRS would never violate the FCC rules in this manner, and any such violation is subject to further action up to and including termination.