

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

In the Matter of)	
)	
Telecommunications Relay Services and)	CG Docket No. 03-123
Speech-to-Speech Services for Individuals with)	
Hearing and Speech Disabilities)	
)	
Structure and Practices of the Video Relay)	CG Docket No. 10-51
Service Program)	

COMMENTS OF SPRINT CORPORATION

Sprint Corporation (“Sprint”) hereby files comments in response to the recent Public Notice seeking comment on the compensation rates for various forms of telecommunications relay services (“TRS”) proposed by Rolka Loube Associates LLC’s (“Rolka Loube”).¹ In particular, Sprint encourages the Federal Communications Commission (“FCC” or “Commission”)² to adopt the proposed rate of \$2.0007 per minute for Internet Protocol Captioned Telephone Service (“IP CTS”), because this rate appropriately is based on the Multistate Average Rate Structure (“MARS”) methodology.³ Sprint also urges the Commission to raise the proposed rate of \$1.36 per minute to \$1.37 for IP Relay, although the FCC should undertake broader reforms designed to ensure that IP Relay is a sustainable offering.⁴

¹ *Rolka Loube Associates Submits Payment Formulas and Funding Requirement for the Interstate Telecommunications Relay Services Fund for the 2018-2019 Fund Year*, CG Docket Nos. 03-123 and 10-51, Public Notice, DA 18-494 (rel. May 14, 2018) (“Public Notice”).

² For purposes of these comments, references to the Commission are meant to encompass both actions taken by the full Commission and actions that the Consumer and Governmental Affairs Bureau may take based on its delegated authority.

³ Public Notice at 1.

⁴ *Id.* at 2-3.

I. THE FCC SHOULD ADOPT THE PROPOSED MARS-BASED IP CTS RATE

Sprint consistently has supported the use of the MARS methodology to set the rates for IP CTS and other forms of TRS.⁵ As Sprint and others have explained, the MARS-based mechanism is the only methodology that is based on market prices for IP CTS, and experience over many years has demonstrated that the use of MARS results in stable, predictable rates that reasonably compensate providers for the costs they incur in furnishing IP CTS.⁶

Nevertheless, Rolka Loube has “repeat[ed] its recommendation from prior years that the Commission replace the MARS plan methodology for IP CTS with a cost based compensation rate.”⁷ As the Commission correctly notes, it would be “premature for the Bureau to address Rolka Loube’s recommendations . . . beyond its proposed MARS rate for the upcoming Fund year,”⁸ particularly in light of the open rulemaking proceeding designed to address the appropriate compensation methodology for IP CTS.⁹

In sum, the Commission should continue to use the MARS methodology to set the compensation rates for interstate and intrastate IP CTS. Rolka Loube’s proposed rate of \$2.0007, therefore, should be adopted for the funding year that commences on July 1, 2018.

⁵ See, e.g., Reply Comments of Sprint Corporation at 2-4 (Dec. 4, 2013); Comments of Sprint Corporation at 1-2 (June 4, 2015). (Unless otherwise indicated, all comments cited herein were made in CG Docket No. 03-123.)

⁶ Sprint hereby incorporates by reference the comments it filed regarding the proposed compensation rates for funding year 2017-2018, which discussed the advantages of a MARS-based methodology at length. Comments of Sprint Corporation, CG Docket Nos. 03-123 and 10-51, at 2-10 (May 24, 2017) (“Sprint 2017 Comments”).

⁷ Public Notice at 2.

⁸ *Id.*

⁹ *Id.* at 2 & n.7.

II. THE COMMISSION MUST ADEQUATELY COMPENSATE SPRINT FOR ITS PROVISION OF IP RELAY SERVICES

As the Commission knows, Sprint currently is the only provider of IP Relay service and has continued to furnish this important service at rates that do not adequately compensate the company for its costs. Indeed, Sprint has committed to providing IP Relay service through July 1, 2019. Sprint intends to honor that commitment. To enable Sprint to do so, the Commission should reject the proposed \$1.36 per-minute compensation rate and instead adopt a rate of \$1.37, which would fully compensate Sprint for its deaf-blind outreach costs.¹⁰

In addition to this slight increase in the IP Relay rate for the upcoming funding year, the Commission also should give further consideration to a new rate and rate structure that will ensure the long-term availability of Sprint's IP Relay business. For many years, Sprint has indicated that it will be forced to exit the IP Relay market absent a more sustainable rate and rate structure. As the interim three-year price cap period for IP Relay service draws to a close with the 2018-19 funding year, now is the time for action. In particular, the Commission should move away from the current rate-setting methodology, which fails to account for all reasonable costs that Sprint incurs in providing IP Relay service. As Sprint previously has indicated,¹¹ the

¹⁰ In order to continue recovering costs for outreach to the deaf-blind community in the IP Relay compensation rate, Sprint has submitted a timely request seeking renewal of its current waiver. *See* Sprint Request for Renewal of Limited Waiver filed concurrently herewith in CG Docket Nos. 03-123 & 10-51 (May 29, 2018) ("Waiver Request"). The Commission observed the need for deaf-blind outreach when it granted Sprint this waiver for funding years 2016-17 and 2017-18, and such outreach continues to be necessary. *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities; Structure and Practices of the Video Relay Service Program*, Order, 31 FCC Rcd 7246, ¶¶ 18-19 (2016); *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities; Structure and Practices of the Video Relay Service Program*, Order, 32 FCC Rcd 5142, ¶¶ 11-13 (2017). In the Waiver Request, Sprint submits detailed information that both justifies extension of the waiver and demonstrates the appropriateness of the \$1.37 per-minute rate. *See* Waiver Request at 4-5 and Attachment.

¹¹ *See, e.g.,* Sprint 2017 Comments at 11-12.

Commission should consider a rate based on the traditional TRS compensation structure. Given that the costs of providing IP Relay are nearly identical to the costs of providing traditional TRS, it defies logic that the proposed rate for traditional TRS continues to be more than twice as high as the proposed IP Relay rate. Because Sprint is the only remaining IP Relay provider, the Commission also could consider alternative arrangements, such as a single-provider contractual arrangement.

If the Commission declines to take the steps necessary to ensure a reasonable rate, Sprint will have little choice but to exit the IP Relay marketplace at the end of the current price cap period. Sprint would prefer to continue providing this service. As the Commission has observed, the “consequences of Sprint’s termination of IP Relay service would be severe for consumers who are deaf, deaf-blind, hard-of-hearing, or have speech disabilities.”¹² But Sprint cannot continue to do so without sufficient compensation. As the lone remaining IP Relay provider, Sprint urges the Commission to adopt a rate that will allow deaf, hard-of-hearing, and deaf-blind consumers access to a critical form of relay service, consistent with the tenets of the Americans with Disabilities Act.¹³

III. CONCLUSION

For the foregoing reasons, Sprint urges the Commission to: (1) adopt the proposed \$2.0007 per-minute compensation rate for IP CTS; and (2) raise the proposed \$1.36 per-minute compensation rate to \$1.37 for IP Relay and immediately undertake a proceeding to adopt a

¹² *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, Order, 29 FCC Rcd 16273, ¶ 7 (2014) (further finding that “certain categories of consumers currently rely upon IP Relay service as their sole or primary means of communicating by telephone, including consumers who are deaf-blind or have speech disabilities, as well as deaf or severely hard-of-hearing consumers who do not know or are not comfortable with the use of American Sign Language”).

¹³ *See* 47 U.S.C. § 225.

methodology for setting IP Relay rates that will adequately compensate Sprint for its provision of that service.

Respectfully submitted,

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