

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

In the Matter of)	
)	
Structure and Practices of the Video Relay)	CG Docket No. 10-51
Service Program)	
)	
Telecommunications Relay Services and)	
Speech-to-Speech Services for Individuals)	CG Docket No. 03-123
with Hearing and Speech Disabilities)	
)	
CSDVRS, LLC, d/b/a ZVRS and Purple)	RM- _____
Communications, Inc., Petition for)	
Rulemaking to Permanently Authorize At-)	
Home Video Relay Service Call Handling)	

COMMENTS OF SORENSON COMMUNICATIONS, LLC

Sorenson Communications, LLC (“Sorenson”) submits these comments in response to a Petition for Rulemaking (“Petition”) filed by CSDVRS, LLC d/b/a/ ZVRS and Purple Communications, Inc. (the “Petitioners”) on August 29, 2018, in the above-referenced dockets, requesting that the FCC expeditiously initiate a proceeding to amend its rules to permanently authorize the at-home video relay service (“VRS”) call handling voluntary pilot program (the “Pilot Program”)¹ in which the Petitioners are currently participating, before the program ends on October 31, 2018. In addition, if the requested rulemaking to make VRS at-home call handling permanent is not concluded by the October 31, 2018 program end date, Petitioners seek a limited waiver of the rules to extend the expiration date of the Pilot Program to December 31, 2020 (i.e.,

¹ 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*, Report and Order, Notice of Inquiry, Further Notice of Proposed Rulemaking, and Order, CG Docket Nos. 10-51 and 03-123, FCC 17-26, 32 FCC Rcd. 2436, 2455-64 ¶¶ 46-60 (2017) (“*2017 VRS Improvements Report and Order*”).

an additional 26 months or more than double the duration of the authorized trial period) to allow for implementation of permanent rules. Sorenson supports extending the trial period if and only if an opportunity is given for all other providers to opt-in to the trial. Otherwise, the Commission will preclude other providers from responding to competition for video interpreters over a period much longer than was contemplated under the rules establishing the trial. If the Commission does not reopen the opt-in period, it should not grant the requested waiver.

Background. In the *2017 VRS Improvements Report and Order*, the Commission authorized a voluntary pilot program, permitting certified VRS providers to hire qualified communications assistants (“CAs”) to handle VRS calls from at-home work stations, subject to specified safeguards, for a twelve-month period, beginning November 1, 2017 and ending October 31, 2018.² For any month in the trial program, a participating VRS provider may be compensated for minutes served by at-home CA workstations up to a maximum of *either* 30 percent of a provider’s total minutes for which compensation is paid in that month *or* 30 percent of the provider’s average monthly minutes for the 12 months ending October 31, 2017, whichever is greater.³ The Commission committed to “gather data as the pilot proceeds, to inform a final determination on whether to make [the] program permanent.”⁴

Sorenson’s Qualified Support for the Petition. Sorenson is pleased to read about Petitioners’ success with the Pilot Program and their conclusion that the program is yielding

² Each VRS provider interested in participating in the at-home call handling pilot program is required to notify the Commission in advance, and must submit a detailed plan explaining how the provider’s management of at-home work stations will satisfy the TRS mandatory minimum standards, guarantee call confidentiality, and protect against waste, fraud, and abuse. 47 CFR § 64.604(b)(8)(i).

³ *Id.* at 2455-56 ¶ 46; 47 CFR § 64.608(b)(8)(iii).

⁴ *2017 VRS Improvements Report and Order* at 2455-56 (46); *see also* 47 CFR § 64.608(b)(8)(viii), (ix).

“unquestionable benefits” for the Deaf and Hard-of-Hearing Community and to CAs, and is resulting in cost savings to VRS providers and to the TRS Fund.⁵ Sorenson supports Petitioner’s request to initiate a rulemaking to amend the Commission’s rules to permanently authorize at-home call handling for certified VRS providers on a voluntary basis and to conclude the proceeding by October 31, 2018, the program’s authorized one-year end date. However, given the timing of the Petition, it appears unlikely there will be sufficient time to complete a rulemaking proceeding by the program end date. Thus, it is inevitable the Commission also will need to act on Petitioner’s waiver request to extend the Pilot Program to allow for implementation of permanent rules. In that event, Sorenson supports grant of Petitioner’s waiver request to extend the length of the Pilot Program to December 31, 2020, if and only if all currently certified VRS providers (including those that did not participate in the initial trial) are permitted to voluntarily participate in the extended Pilot Program, subject to the same requirements and conditions that applied to the original program.⁶ Specifically, the Commission should reopen the window for VRS providers to elect to participate in the extended trial in sufficient time for other interested providers to make their election before October 31, 2018. This will ensure that all stakeholders—the Deaf and Hard-of-Hearing Community, CAs, VRS providers, and the TRS Fund—have the opportunity over the proposed additional 26 months to reap the full range of benefits from at-home call handling that Petitioners describe. Further,

⁵ Petition at 1.

⁶ Under the *2017 VRS Improvements Report and Order*, each VRS provider interested in participating in the at-home call handling pilot program is required to notify the Commission in advance, and must submit a detailed plan explaining how the provider’s management of at-home work stations will satisfy the mandatory minimum standards applicable to VRS, guarantee call confidentiality, and protect against waste, fraud, and abuse. 47 CFR § 64.604(b)(8)(i).

permitting broader participation would provide the Commission additional data to help assess the efficacy and efficiency of the Pilot Program.

If, however, currently certified VRS providers who did not initially participate are prohibited from participating in an extended Pilot Program (particularly an extension that exceeds the original timeframe by more than double), then the Pilot Program should end in accordance with the *2017 VRS Improvements Report and Order*, and a report should be produced that shows the impact on efficiency, costs, and service. When initially established, the Pilot Program was for a limited period, and providers had to weigh the costs of changes against the benefits of participating in the trial. That weighing is markedly different over a more than two year period as compared with the initial one year trial. It would be arbitrary to exclude other providers from participating in the extended trial simply because they did not undertake the initial, much shorter, trial period. In addition, the Commission can use the report findings to inform a final decision on whether to make the program permanent.⁷ In either event, the Commission should not postpone publishing a report on findings based on data submitted at the end of the initial trial period.

Respectfully submitted,



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⁷ *2017 VRS Improvements Report and Order* at 2455-56 ¶ 46.