

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

In the Matter of

Structure 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

**SORENSEN COMMUNICATIONS, LLC COMMENTS ON THE
INTERSTATE TELECOMMUNICATIONS RELAY SERVICE ADVISORY COUNCIL
PETITION FOR RECONSIDERATION OF THE VRS RATES ORDER**

Sorenson Communications, LLC (“Sorenson”) submits these comments on the Commission’s October 6, 2017 Public Notice¹ seeking comment on a petition filed by the Interstate Telecommunications Relay Service Advisory Council (“TRS Advisory Council”) on September 21, 2017,² which seeks reconsideration of the commencement date and compensation rates established in the 2017 VRS Rate Order to compensate video relay service (“VRS”) providers for an eight-month trial of skills-based routing (the “Trial”).³

¹ *Consumer and Governmental Affairs Bureau Seeks Comment on Interstate Telecommunications Relay Service Advisory Council Petition for Reconsideration of the VRS Rates Order*, Public Notice, DA 17-980, CG Docket Nos. 03-123 & 10-51 (rel. Oct. 6, 2017) (“VRS Skill-Based Rates PN”).

² *Petition for Reconsideration of the Report and Order and Order, FCC 17-86, On Behalf of the Interstate Telecommunications Relay Service Advisory Council*, CG Docket Nos. 03-123 & 10-51 (filed Sep. 21, 2017) (“Petition”).

³ *Structure and Practices of the Video Relay Service Program, et al.*, Report and Order, Notice of Inquiry, Further Notice of Proposed Rulemaking, and Order, 32 FCC Rcd. 2436 ¶¶ 4-9 (2017) (“Report and Order”) (authorizing a voluntary trial of skills-based routing for three categories of specialized calls and announcing that participating VRS providers will be

Because funding the path to offering skills-based routing on a non-trial basis is a prerequisite to achieving truly functionally equivalent service, Sorenson supports fully funding the Trial, during which all participating providers would be compensated at the rate of \$5.29 per conversation minute. Specialized interpreters will require additional training, and highly skilled, experienced interpreters already command above average wages. In addition, providers will incur additional development and implementation costs for IT changes necessary to support the trials, to establish a separate queue, and to manage the transfer of calls to and from skills-based video interpreters. Skills-based routing is unlikely to have a large impact on expenditures from the TRS Fund.⁴

Sorenson previously notified the Commission of its strong support, in principle, for the Trial, and its hope to be an active participant, because Sorenson believes the Trial would bring benefits to the Deaf and hard-of-hearing community.⁵ But as Sorenson explained, VRS providers would need to be compensated commensurately with the additional costs involved in providing skills-based routing.⁶ To that end, the TRS Advisory Council's recommendation to compensate providers at the emergent rate of \$5.29 per minute for skills-based calls will enable participation in the Trial and enable providers to provide specialized services to meet the needs of the Deaf and hard-of-hearing community.⁷

compensated at the applicable rates for minutes of use whether handled by a generalist or specialist communications assistant).

⁴ See Petition at 8.

⁵ See Sorenson Communications Motion for Extension of Time at 1-2, CG Docket Nos. 10-51 & 03-123 (filed May 18, 2017).

⁶ *Id.* at 2.

⁷ Letter from Gregory Hlibok, Chief Legal Officer, ZVRS, to Marlene H. Dortch, Secretary, FCC, at 2, CG Docket Nos. 10-51 & 03-123 (filed Sep. 29, 2017) ("Hlibok Letter").

As the Commission is well aware, all providers have stated they would incur some additional costs associated with the Trial.⁸ It is indisputable that the cost of employing a specialist communications assistant (“CA” or “VI”) is greater than the cost of employing a generalist VI. As this type of trial program is the first of its kind, quantifying the exact costs associated with skills-based routing is not possible. To determine the costs associated with providing skills-based routing, Sorenson will need to monitor users’ demand during the trial period. Additionally, the limited pool of skilled interpreters makes it difficult for Sorenson to determine the costs of ensuring adequate staffing levels to satisfy user demand. As other providers have suggested, Sorenson will also be risking its reputation by participating in the skills-based trial in the event Sorenson is unable to meet customer demand for specialist VIs.⁹ If financial constraints prevent Sorenson from hiring enough interpreters who possess the skills necessary to handle these types of specialized calls, customers seeking skills-based services would be forced to wait an extended period of time for the next available VI. A higher compensation rate would minimize this risk by offsetting some of the costs associated with recruiting specialized interpreters.

If the Commission adopts the TRS Advisory Council’s proposal, Sorenson and other providers will submit their actual cost data during the trial period, ensuring that the minutes for skills-based routing are segregated from regular conversation minutes, which will allow the Commission to collect the necessary data to assess the costs and benefits of skills-based routing. That data may well show that increased compensation rates for skills-based interpreted calls are

⁸ *Id.*

⁹ *See id.* at 3.

offset by shorter overall call times for these calls, as fewer clarifications and finger spellings would be required due to the video interpreters' respective specializations.¹⁰

Furthermore, should the Commission decide to fully fund the Trial, it must also account for the substantial time and investment VRS providers will incur to make changes to their networks and IT systems prior to participating in the Trial. Specifically, the necessary adjustments will include (1) endpoint changes that will make it possible for Deaf users to indicate the need for a skill; (2) the development of systems for providing skill-specific hold servers, in addition to a process for notification of Deaf interpreters and/or remote teaming; (3) the development of systems for routing calls requiring specific skills to qualified interpreters at Sorenson's interpreting centers; (4) the development of systems for tracking the metrics required by the Commission as part of the Trial; and (5) time to test each of these systems and release any needed changes into production. Sorenson will need an additional 120 days after deciding whether to participate in the Trial to implement such changes. As with the operational changes, these network and IT changes are necessary to run the Trial, and will ultimately benefit both the public and the Commission by ensuring that the Trial runs successfully and produces reliable data.

Additionally, Sorenson reiterates that VRS providers should have the flexibility to select categories of specialist offerings based on their consumers' needs, both during the trial and when

¹⁰ See Comments of Sorenson Communications, LLC on Rolka Loube Payment Formulas and Funding Requirements at 13, CG Docket Nos. 03-123 and 10-51 (filed May 24, 2017). Although a direct comparison may not be possible because providers do not monitor the content of calls, the Trial still should yield some relevant data, but only if providers can afford to participate (i.e., participate without losing money after the added implementation costs are considered).

the system is fully implemented.¹¹ Sorenson believes that providers should have the option to add to the proposed and current categories of medical, legal, and technical computer support language skills other specialized categories, such as DeafBlind, prison, mental health, emergency, government, and corporate language skills, contingent upon approval from the Consumer & Governmental Affairs Bureau. Indeed, there are myriad other skills from which the Deaf and hard-of-hearing community would benefit. Individual providers are best positioned to assess the needs of their consumers and the capabilities of their staff. Those factors should drive trial offerings, and data should be collected during the trial to determine whether there are sufficient interpreters available with particular skills.¹² And in fact, the Trial experience may ultimately reveal that skills-based routing can be accomplished only if resources are invested in identifying and training a larger population of specialist interpreters.

Finally, the Commission should prevent the discontinuation of service at the end of the Trial by maintaining the proposed rate of \$5.29 per conversation minute until a permanent rate is adopted. Maintaining this rate would ensure that Deaf users' services remain constant during and after the Trial and avoid unwarranted confusion.

Accordingly, Sorenson respectfully requests that the Commission grant the Petition and set the compensation rates for skills-based routing of calls to a level that will encourage Sorenson and other providers to participate in the Trial. If the TRS Advisory Council's proposal

¹¹ Comments of Hancock, Jahn, Lee & Pucket, LLC at 4, CG Docket Nos. 03-123 and 10-51 (filed Jan. 4, 2016) (“[T]he FCC should not limit the types of specialty interpreters.”); Letter from Tamar E. Finn, Counsel, Telecommunications for the Deaf & Hard of Hearing *et al.* to Marlene H. Dortch, Secretary, FCC, at 3-4, CG Docket Nos. 03-123 and 10-51 (filed Apr. 7, 2015) (“Consumer Group Comments”); Comments of Purple Communications, Inc. on Section III – VRS Improvements Further Notice of Proposed Rulemaking at 9, CG Docket Nos. 10-51 & 03-123 (filed Jan. 4, 2016).

¹² Consumer Group Comments at 3-4.

is adopted, Sorenson is confident that the Trial will yield the data the Commission seeks to develop metrics to assess the costs and benefits of skills-based routing, consistent with the objectives outlined in the Commission's Report and Order.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John T. Nakahata", written in a cursive style.

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