



November 12, 2019

Via ECFS

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

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

Dear Ms. Dortch:

On November 7 I spoke with Michael Scott, Attorney Advisor in the Consumer and Governmental Affairs Bureau, Digital Rights Office, and on November 12, I spoke with Michael Carowitz, Special Counsel to Chairman Pai. During both calls I offered support for the Commission's draft *Report and Order* in the above referenced proceedings and proposed a minor clarification to footnote 42. Specifically, I suggested an edit to make clear that while the Commission is updating its rules to base TRS Fund contributions to support IP CTS on total interstate and intrastate revenues, it is not in any way changing how a provider recovers its TRS Fund contribution or imposing new state-level obligations in the recovery process. Specifically, I proposed the following modification:

We note that this Report and Order only addresses how TRS support obligations are calculated as a percentage of each contributor's end-user revenues. The rule we adopt does not dictate how a contributing service provider recovers its TRS Fund contributions in the service rates charged to end users ~~or how a state may choose to regulate a carrier's or other service provider's recovery of its costs—including TRS Fund contributions to support the captioning of intrastate telephone calls—in the rates for communications services subject to its jurisdiction.~~

To the extent the footnote is also meant to suggest that nothing in the draft *Report and Order* affects how a state administers its own program, including cost recovery, I suggested that the language proposed for deletion is unnecessary. In addition, I also encouraged the Commission to make clear that while the TRS Fund for IP CTS will be based on interstate and intrastate revenues, to avoid adding complexity of calculation mechanisms being translated to consumer bills, the Commission should clarify that contributing service providers may continue to recover TRS Fund contributions only through service charges on interstate services as they do today.

Please direct any questions to the undersigned.

Sincerely,

/s/ Patrick R. Halley

Patrick R. Halley

Senior Vice President, Policy & Advocacy

cc: Michael Carowitz
Michael Scott