



December 6, 2018

**BY HAND DELIVERY AND ECFS**

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

Patrick Webre  
Chief, Consumer and Governmental Affairs Bureau  
TRS Certification Program  
Federal Communications Commission  
Washington, DC 20554

**Re: Update and Verification of Internet-Based TRS Certification Application, and Internet-Based TRS Certification Application, and Request for Confidential Treatment Pursuant to 47 C.F.R. §§ 0.457 and 0.459; Telecommunications Relay Service and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities, CG Docket No. 03-123**

Dear Ms. Dortch and Mr. Webre:

Pursuant to Section 64.606(g) of the Commission's rules, Sorenson Communications, LLC ("Sorenson") hereby updates and verifies its application for certification as a provider of Internet-based telecommunications relay service ("Sorenson Application").<sup>1</sup> An original and one

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<sup>1</sup> Pursuant to the *Second Report and Order* issued on July 28, 2011, Sorenson filed its original certification application on December 2, 2011, which was within 30 days after OMB published its approval in the Federal Register. See *Structure & Practices of the Video Relay Serv. Program*, Second Report & Order, 26 FCC Rcd. 10898, 10921 ¶ 59 (2011); 76 Fed. Reg. 68,328 (Nov. 4, 2011). Pursuant to 47 C.F.R. § 64.606(g), providers must certify compliance with 47 C.F.R. § 604 "on an annual basis."

In Sorenson's December 2011 application and subsequent updates, it applied for certification as both a VRS and an IP CTS provider. The present update is split into two documents: one addressing VRS and one addressing IP CTS. In the IP CTS update, Sorenson continues to apply for certification as an IP CTS provider. However, the update also seeks certification for Sorenson's subsidiary, CaptionCall, LLC, to become an independent provider of IP CTS. Until the Commission grants CaptionCall an independent certification, Sorenson will

copy of the Sorenson Application in confidential form is attached as Exhibit A, and an original and one copy of the Sorenson Application in redacted form is attached as Exhibit B. Sorenson is also filing an electronic copy of the redacted version via ECFS.

Sorenson requests pursuant to Sections 0.457 and 0.459 of the Commission's rules, 47 C.F.R. §§ 0.457, 0.459, that the Commission withhold from any future public inspection and accord confidential treatment to the highly confidential, business sensitive information contained in the Update and its exhibits, including: numbers of subscribers; details of training provided to communications assistants; call-handling capacity; internal compliance communications; contact information for Sorenson employees; data related to the number of employees involved in TRS operations; identities of entities with ownership interests; descriptions of Sorenson's ownership structure; sponsorship agreements; and descriptions of Sorenson's complaint procedures (collectively, the "Confidential Information"). All of the Confidential Information has been redacted from the version of the Annual Update attached as Exhibit B and filed electronically.

The Confidential Information constitutes highly sensitive commercial information that falls within Exemption 4 of the Freedom of Information Act ("FOIA"). Exemption 4 of FOIA provides that the public disclosure requirement of the statute "does not apply to matters that are ... (4) trade secrets and commercial or financial information obtained from a person and privileged or confidential." 5 U.S.C. § 552(b)(4). Because Sorenson is providing commercial information "of a kind that would not customarily be released to the public" in accordance with the application requirements in Section 64.606 of the Commission's rules, this information is "confidential" under Exemption 4 of FOIA. *See Critical Mass Energy Project v. NRC*, 975 F.2d 871, 879 (D.C. Cir. 1992).

The Confidential Information related to individual employees also constitutes personally identifiable information that could, if disclosed, jeopardize the safety of the employees involved. This information merits confidential treatment under FOIA Exemptions 6 and 7(C), which protect information that "could reasonably be expected to constitute an unwarranted invasion of personal privacy" and that "would constitute a clearly unwarranted invasion of personal privacy." 5 U.S.C. § 552(b)(6), (7)(C); *see also Dep't of State v. Wash. Post Co.*, 456 U.S. 595, 601-02 (1982).

In support of this request and pursuant to Section 0.459(b) of the Commission's rules, Sorenson hereby states as follows:

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continue to provide IP CTS services by subcontracting with CaptionCall. If the Commission grants CaptionCall its own independent certification, Sorenson expects that CaptionCall will begin to provide IP CTS independently and will submit its own requests for compensation directly to the fund administrator. At that time, Sorenson itself expects to cease offering IP CTS, as CaptionCall would then provide IP CTS to eligible consumers.

**1. Identification of the Specific Information for Which Confidential Treatment Is Sought (Section 0.459(b)(1))**

Sorenson seeks confidential treatment with respect to the Confidential Information—all of which has been redacted from the version of the Update attached as Exhibit B and filed electronically.

**2. Description of the Circumstances Giving Rise to the Submission (Section 0.459(b)(2))**

Sorenson is updating and verifying its application for certification as a provider of Internet-based telecommunications relay service.

**3. Explanation of the Degree to Which the Information Is Commercial or Financial, or Contains a Trade Secret or Is Privileged (Section 0.459(b)(3))**

The information described above is protected from disclosure for two reasons. First, the Confidential Information constitutes highly sensitive information about Sorenson's operations, costs, and strategic decisions, including as they relate to staffing, call center operation, redundancy and the ability to manage variable call volumes. This information constitutes highly sensitive commercial information "which would customarily be guarded from competitors." 47 C.F.R. § 0.457. Second, the Confidential Information related to individual employees constitutes personally identifiable information that could, if disclosed, jeopardize the safety of the employees identified. Disclosure of this information would result in an unwarranted privacy breach.

**4. Explanation of the Degree to Which the Information Concerns a Service that Is Subject to Competition (Section 0.459(b)(4))**

The Internet-based Telecommunications Relay Services market is highly competitive throughout the United States.

**5. Explanation of How Disclosure of the Information Could Result in Substantial Competitive Harm (Section 0.459(b)(5))**

Disclosure of the Confidential Information would result in two kinds of harm. First, disclosure would provide Sorenson's competitors with sensitive insights related to Sorenson's operations, costs, and strategic decisions—all of which would work to Sorenson's severe competitive disadvantage. Second, disclosure of information related to specific employees would result in privacy breaches that would impact the safety of those employees directly.

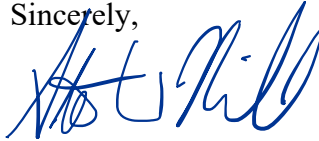
**6. Identification of Any Measures Taken to Prevent Unauthorized Disclosure (Section 0.459(b)(6))**

Sorenson does not make the Confidential Information publicly available.

**7. Identification of Whether the Information Is Available to the Public and the Extent of Any Previous Disclosure of the Information to Third Parties (Section 0.459(b)(7))**

Sorenson does not make the Confidential Information publicly available.

Sincerely,



Stephen W. Miller

*Counsel to Sorenson Communications, LLC*

Attachments

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

In the Matter of	)	
	)	
	)	
Structure and Practices of the Video Relay	)	CG Docket No. 10-51
Service Program	)	
	)	

Update and Verification of Internet-Based TRS Certification Application of Sorenson  
Communications, LLC  
For Video Relay Services

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December 6, 2018

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Pursuant to 47 C.F.R. § 64.606(a)(2) and (g), the Commission’s Notice of Grant of Conditional Certification released on April 24, 2014,<sup>1</sup> and its orders released on July 28 and October 17, 2011, Sorenson Communications, LLC, f/k/a Sorenson Communications, Inc.<sup>2</sup> (“Sorenson”) submits this update to Sorenson’s December 2, 2011 application for certification as a provider of Internet-based telecommunications relay service (“iTRS”).<sup>3</sup> Sorenson updates the applications as follows.

## I. Update to Introduction and Summary

Sorenson amends the Introduction and Summary as follows:

- As of November 1, 2018, Sorenson serves **\*\*\*BEGIN CONFIDENTIAL\*\*\***  
[REDACTED] **\*\*\*END CONFIDENTIAL\*\*\***<sup>4</sup>

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<sup>1</sup> *Grant of Conditional Certification for Sorenson Commc’ns, Inc., as Reorganized Pursuant to Chapter 11, to Provide Internet-Based Telecommns. Relay Servs. Pending Comm’n Action on Sorenson’s Application for Certification*, Public Notice, 29 FCC Rcd. 4111 (2014) (“Conditional Certification Public Notice”).

<sup>2</sup> On November 18, 2016, Sorenson submitted a Notice of Change of Corporate Structure informing the Commission that as of September 29, 2016, Sorenson completed a change in corporate structure from a corporation to a Utah limited liability company.

<sup>3</sup> This report is limited to Sorenson’s Video Relay Service (“VRS”). Sorenson has filed a separate report related to its Internet Protocol Captioned Telephone Service.

Sorenson’s updated application consists of this document and exhibits; its December 4, 2017 updated application and exhibits (“Sorenson 2017 Update and Verification”); its December 2, 2016 updated application and exhibits; its December 2, 2015 updated application and exhibits; its May 15, 2014 update and exhibits; its December 3, 2013 update and exhibits; its December 3, 2012 update and exhibits; and its December 2, 2011 application and exhibits. The updates made in this filing track the report filed by Sorenson on December 4, 2017.

<sup>4</sup> Updating Sorenson 2017 Update and Verification, page 2.

**II. Update to Forms of iTRS to Be Provided (47 C.F.R. § 64.606(a)(2)(i))**

There are no updates to Section II of Sorenson’s 2017 Update and Verification as to the forms of iTRS to be provided.

**III. Meeting Non-Waived Minimum Standards (47 C.F.R. § 64.606(a)(2)(ii))**

Sorenson amends Section III of its 2017 Update and Verification to reflect the following updates in Sorenson’s compliance with the non-waived minimum standards applicable to VRS.<sup>5</sup>

There are no other updates to Section III of Sorenson’s 2017 Update and Verification.

STANDARD	SORENSEN’S COMPLIANCE
<p><b>Ten-Digit Numbering</b></p> <p>47 C.F.R. § 64.611(a)(1), (d)</p>	<p>For each user that registers with Sorenson as his or her default provider, Sorenson either (a) facilitates the user’s valid porting request from another provider, or (b) assigns the user a geographically appropriate ten-digit number (or, when such numbers are not available in the user’s rate center, a geographically approximate ten-digit number). Sorenson does not assign or issue proxy numbers to TRS users.</p> <p>For access to ten-digit numbers to assign to its subscribers, Sorenson contracts with <b>***BEGIN CONFIDENTIAL***</b> [REDACTED]</p> <p><b>***END CONFIDENTIAL***</b></p>

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<sup>5</sup> Updating Sorenson 2017 Update and Verification, pages 12-13.



STANDARD	SORENSEN'S COMPLIANCE
<p><b>Interoperability</b></p> <p>47 C.F.R. § 64.621</p>	<p>Sorenson's users are able to place and receive calls through any of the VRS providers' services, and Sorenson can receive calls from, and make calls to, any VRS user, to the extent it is technically possible. Sorenson actively participates with all other VRS providers and MITRE in regularly testing endpoints and services to ensure interoperability and a user's unfettered access to another provider's service. Sorenson completed implementation of the SIP Profile before December 20, 2017. The FCC suspended the April 27, 2018 deadline for VRS provider compliance with the RUE Profile until April 29, 2019.<sup>6</sup></p>

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<sup>6</sup> *Structure and Practices of the Video Relay Service*, Order, DA 18-428, (2018).

<b>STANDARD</b>	<b>SORENSEN'S COMPLIANCE</b>
<p><b>Prohibited Practices</b></p> <p>47 C.F.R. § 64.604(c)(13).</p>	<p>Sorenson is not engaged in any practice that it knows or has reason to know will cause or encourage false or unverified claims for TRS Fund compensation, unauthorized use of VRS, the making of VRS calls that would not otherwise be made, or the use of VRS by persons who do not need the service in order to communicate in a functionally equivalent manner.</p> <p>Moreover, Sorenson has developed a regulatory compliance plan that includes policies, procedures and practices for complying with the Communications Act, TRS Rules, and Commission Orders (together, "FCC Rules") and preventing fraud, waste, and abuse of the TRS fund.<sup>7</sup></p> <p>If Sorenson determines that one or more of its employees have committed a violation, the company will take appropriate disciplinary action. If Sorenson knows that minutes are not eligible for compensation for any of the above listed reasons, or because an individual does not need VRS to communicate in a functionally equivalent manner, it will not seek payment from the TRS Fund. And if Sorenson becomes aware that any of the above-listed practices are being or have been committed by any person it will, as soon as practicable, report such practices to the Commission or TRS Fund Administrator.</p>

#### **IV. Update to VRS Call Center Leases**

##### A. Leases for U.S. Call Centers (47 C.F.R. § 64.606(a)(2)(ii)(A)(2))

Sorenson submits as Exhibits 5, 6, and 7 further amended leases for its call centers in Kansas City, KS; its call center in Sacramento, CA, and its call center in Portland, ME,

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<sup>7</sup> Although FCC rules do not require that VRS providers include a compliance plan as part of their annual report, Sorenson is voluntarily providing its internal regulatory compliance plan, which is attached as Addendum 2 to this report and updates Addendum 1 to Sorenson's Update and Verification.

respectively.<sup>8</sup> There are no other updates to Section IV.A of Sorenson's 2017 Update and Verification.

**B. Leases for Call Centers Outside of the United States (47 C.F.R. § 64.606(a)(2)(ii)(A)(3))**

Sorenson updates its leases for call centers outside of the United States as follows.

Sorenson attaches as Exhibit 8 to this updated application an amended lease for its call center in Halifax, NS. On June 30, 2017, Sorenson closed its call center in Ottawa, ON.<sup>9</sup> There are no other updates to Section IV.B of Sorenson's 2017 Update and Verification.

**C. List of Call Center Leases (47 C.F.R. § 64.606(a)(2)(ii)(A)(2))**

As required by 47 C.F.R. § 64.606(a)(2)(ii)(A)(2), a list of all of Sorenson's VRS call centers including the information required by 47 C.F.R. § 64.604(c)(5)(iii)(N)(2) is attached as Exhibit 1.

**V. Update to Description of Technology and Equipment Used to Support VRS Call Center Functions (47 C.F.R. § 64.606(a)(2)(ii)(A)(4))**

Sorenson amends Sections V.B and V.C of its 2017 Update and Verification by submitting as Exhibit 9 to this updated application further updates to its technology and equipment documentation.<sup>10</sup> There are no other updates to Section V of Sorenson's 2017 Update and Verification.

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<sup>8</sup> Updating Sorenson 2017 Update and Verification, pages 14-15.

<sup>9</sup> Updating Sorenson 2017 Update and Verification, pages 15-16.

<sup>10</sup> Updating Sorenson 2017 Update and Verification, pages 18-19.

**VI. Update to Entities with Ownership / Control Interests (47 C.F.R. § 64.606(a)(2)(ii)(B))**

Sorenson updates its ownership information as follows:<sup>11</sup>

Section 64.606(a)(2)(ii)(B) of the Commission’s rules requires applicants to list all “individuals or entities that hold at least a 10 percent equity interest in the applicant, have the power to vote 10 percent or more of the securities of the applicant, or exercise de jure or de facto control over the applicant.” There are two such entities in Sorenson’s case:

1. Certain funds managed or advised by GSO Capital Partners LP (“GSO”)  
\*\*\*BEGIN CONFIDENTIAL\*\*\*  
[REDACTED]  
\*\*\*END CONFIDENTIAL\*\*\*
2. Certain investment funds for which Franklin Mutual Advisers LLC (“Franklin”) acts as an investment advisor \*\*\*BEGIN CONFIDENTIAL\*\*\*  
[REDACTED]  
\*\*\*END CONFIDENTIAL\*\*\*

The funds managed or advised by GSO and such funds for which Franklin acts as investment advisor hold equity interests in Sorenson’s ultimate parent, Sorenson Holdings, LLC, which was formed upon the conversion of Sorenson Holdings, Inc. to a limited liability company upon the effective date of the plan of reorganization of Sorenson and its affiliates.

**VII. Description of Organizational Structure (47 C.F.R. § 64.606(a)(2)(ii)(B))**

Section 64.606(a)(2)(ii)(B) of the Commission’s rules requires applicants to describe their organizational structure. An updated copy of a diagram presenting Sorenson’s organizational structure is attached as Exhibit 2.

**VIII. Update to Names of Executives, Officers, Members of Board (47 C.F.R. § 64.606(a)(2)(ii)(B))**

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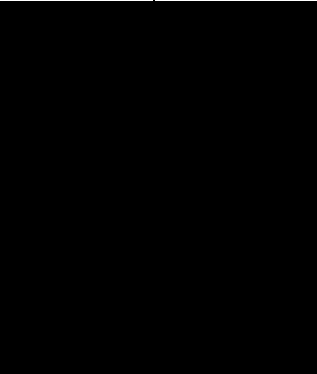
<sup>11</sup> Updating Sorenson 2017 Update and Verification, pages 19-20

An updated list of names of Sorenson’s executives, officers, and board members is attached as Exhibit 3 to this Update.

**IX. Number of VRS Employees (47 C.F.R. § 64.606(a)(2)(ii)(C))**

The following information required by Section 64.606(a)(2)(ii)(C) of the Commission’s rules replaces prior submitted information (effective November 1, 2018):<sup>12</sup>

**\*\*\*BEGIN CONFIDENTIAL\*\*\***

	Full Time	Part Time
Executives and Officers <sup>13</sup>		
Video Phone Installers		
Communications Assistants <sup>14</sup>		
Marketing & Sponsorship		
Other (e.g., human resources, engineering, IT, managers, general and administrative)		
Total Full Time		
Total Part Time		
TOTAL		

**\*\*\*END CONFIDENTIAL\*\*\***

**X. Update to List of Sponsorship Agreements (47 C.F.R. § 64.606(a)(2)(ii)(E))**

Section 64.606(a)(2)(ii)(E) of the Commission’s rules requires applicants to provide “a list of all sponsorship arrangements relating to VRS, including on that list a description of any

<sup>12</sup> Updating Sorenson 2017 Update and Verification, page 21.

<sup>13</sup> As shown in Exhibit 3, three executives have responsibilities for both Sorenson’s VRS and CaptionCall’s IP CTS.

<sup>14</sup> **\*\*\*BEGIN CONFIDENTIAL\*\*\*** 

**\*\*\*END CONFIDENTIAL\*\*\***

associated written agreements.” A copy of Sorenson’s list of sponsorship agreements between November 8, 2017 and November 1, 2018 is attached as Exhibit 4. For each sponsorship agreement on the list, there is a written document, ranging from a one-page email for simple sponsorships to documents a few pages long for more extensive sponsorships, specifying the amount of the contribution and the terms under which the contribution will be made.

**XI. Update to Description of Complaint Procedures (47 C.F.R. § 64.606(a)(2)(iii))**

Sorenson updates its description of complaint procedures as follows.<sup>15</sup>

Sorenson directs users and employees to report complaints through the email address [vrscments@sorenson.com](mailto:vrscments@sorenson.com). Sorenson applies the following process to complaints it receives related to its services.

**\*\*\*BEGIN CONFIDENTIAL\*\*\***

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

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<sup>15</sup> Updating Sorenson 2017 Update and Verification, pages 22-23.

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
  - [REDACTED]
  - [REDACTED]
- [REDACTED]
- [REDACTED]

**\*\*\*END CONFIDENTIAL\*\*\***

**XII. Statement Regarding Annual Compliance Reports (47 C.F.R. § 64.606(a)(2)(iv))**

There are no updates to Section XII of Sorenson's 2017 Update and Verification.

### **XIII. Certification**

Pursuant to 47 C.F.R. § 64.606(a)(2)(v), the declaration of Cindy Williams is attached as an addendum to this submission.

### **XIV. Exhibits**

Sorenson is submitting the following exhibits:

- Exhibit 1 Call Center List
- Exhibit 2 Organizational Structure
- Exhibit 3 Directors and Officers List
- Exhibit 4 Sponsorship List
- Exhibit 5 Kansas City, KS Updated Lease
- Exhibit 6 Sacramento, CA Updated Lease
- Exhibit 7 Portland, ME Updated Lease
- Exhibit 8 Halifax, NS Updated Lease
- Exhibit 9 Updated Call Center Technology

### **XV. Conclusion**

Sorenson has demonstrated compliance with the requirements for certification. Moreover, consumers are best-served by certifying Sorenson to continue providing VRS. The application should be granted.

Respectfully submitted,

/s/ John Nakahata  
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Christopher Wright  
Mark D. Davis  
Stephen W. Miller  
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*Counsel to Sorenson Communications, LLC*

Date: December 6, 2018

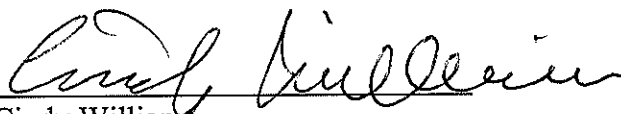


## **Addendum 1**

### **Declaration of Cindy Williams**

**Declaration of Cindy Williams**  
**General Counsel of Sorenson Communications LLC**

Pursuant to 47 C.F.R. § 64.606(a)(2)(v), I declare under penalty of perjury that I am Cindy Williams, General Counsel of the above-named applicant, and that I have examined the foregoing submissions, and that all information required under the Commission's rules and orders has been provided and all statements of fact, as well as all documentation contained in this submission, are true, accurate, and complete.

  
Cindy Williams  
General Counsel  
Sorenson Holdings, LLC

## **Addendum 2**

# **Sorenson Regulatory Compliance Plan**

## Sorenson Regulatory Compliance Plan

As a provider of Telecommunications Relay Services (“TRS”), Sorenson Communications LLC (“Sorenson or Company”) is committed to full and complete compliance with the rules and regulations of the Federal Communications Commission (“FCC”). This Regulatory Compliance Plan (“Plan”) describes Sorenson’s policies, procedures and practices for complying with the Communications Act (47 U.S.C. §§ 151 *et seq.*), TRS Rules (47 C.F.R. § 64.601 *et seq.*), and the FCC’s *Report and Order and Further Notice of Proposed Rulemaking*, dated June 10, 2013 (¶ 134) (together, “FCC Rules”).

### Compliance Office

Sorenson’s compliance office is overseen by the company’s General Counsel, Director of Compliance and Compliance Specialist (together, the “Compliance Office”). Sorenson’s General Counsel chairs Sorenson’s Compliance Committee and is the senior officer responsible for implementing and overseeing Sorenson’s compliance with FCC rules and this Plan. Sorenson’s Director of Compliance is a full-time, dedicated compliance employee who reports to the General Counsel and meets regularly with the Compliance Committee. The compliance Office develops, produces, and maintains compliance tools, reports, plans, tasks and activities for the management of the Plan and meets regularly to ensure the compliance needs of the company are met. The Compliance Office:

- Develops and maintains compliance policies, procedures, training materials, and compliance records
- Performs compliance analysis and leads the development, production and maintenance of reporting methods to detect and address compliance-related issues
- Works with department executives to ensure knowledge of and compliance with FCC rules and the development of compliant Company policies and procedures
- Prepares regular reports about compliance with Company policies and FCC rules
- Investigates and reports compliance-related concerns to Sorenson management
- Monitors any corrective or preventive actions related to compliance.

The Compliance Office has the authority to monitor ongoing Company activities as they relate to FCC rules, and has unlimited access to all Company files, records and information needed to fulfill its responsibilities. This includes the right to interview Company employees in connection with potential instances of non-compliance. The Compliance Office has access to sufficient internal and external resources to execute its compliance duties, including in-house and outside counsel.

Sorenson’s Compliance Committee is composed of department executives from across the Company, including engineering, information systems, operations, outreach, marketing, finance and in-house counsel. The committee meets regularly to review any FCC-related issues, including regulatory changes and any compliance related policies or procedures. At each meeting, the committee: (1) reviews the status of customer registration for TRS services; (2) receives updates from department executives on the status of compliance within the terms of FCC rules; (3) reviews any outstanding items from the previous committee meeting; and (4)

makes assignments on compliance action items for the next meeting. The Compliance Office documents and maintains any records or minutes of the committee meetings.

### **Compliance Manual**

With the assistance of counsel, Sorenson's Compliance Office, has developed and adopted a TRS Compliance Manual ("Compliance Manual"). The Compliance Manual is distributed to all Sorenson personnel who perform, supervise, oversee or manage any activities that relate to Sorenson's responsibilities to the FCC rules ("Covered Personnel"). An electronic copy of the Compliance Manual is posted on Sorenson's internal intranet site in the compliance section. All Sorenson employees have access to the Compliance Manual on the intranet site. The Compliance Office has responsibility for revising and updating the Compliance Manual, in consultation with in-house and outside counsel, to maintain compliance with all FCC rules.

### **Compliance Training**

Working with the necessary Company departments, Sorenson's Compliance Office has developed and implemented training about Sorenson's Compliance Manual and department-specific policies and procedures for compliance with FCC rules. The Director of Compliance reviews and approves all training materials, tracks all completed and outstanding training and coordinates training updates to address any changes to FCC rules or Sorenson's policies and procedures.

#### **Officer Training:**

Sorenson's senior executives and officers have been trained on the Compliance Manual and the department-specific policies and procedures for compliance with FCC rules. At the compliance committee meetings, members of the committee receive updated training from the Director of Compliance on any new FCC rules and any new Sorenson policies or procedures.

#### **Annual Employee Training:**

Sorenson requires all employees to complete compliance related training annually. The training is conducted online through the Company's learning management system. Upon completion of the training, employees sign an electronic acknowledgment indicating receipt of the Compliance Manual and completion of compliance training. The acknowledgements are tracked and maintained centrally by the Compliance Office.

#### **New Hire Training:**

All new employees receive compliance training within 30 days of their start date. For every hiring period, Sorenson's human resources manager provides the Compliance Office a list of new employees. The list includes each new employee's start date, the employee's department and the employee's supervisor. The Compliance Office maintains that information in order to track the completion of new-hire compliance training, which is conducted online by the

Company's learning management system. All compliance training materials are reviewed, approved and maintained by the Director of Compliance.

**Contractor Training:**

The Compliance Office trains any contractor who performs, supervises, oversees, or manages any activities that relate to Sorenson's responsibilities under, and in compliance with, FCC Rules. The training covers Sorenson's Compliance Manual as well as the specific Sorenson policies and procedures that are applicable to the contractor's compliance with FCC Rules.

**Training Updates:**

The Compliance Office coordinates training of employees when a rule change impacts Sorenson's TRS services. If necessary to address the rule change, the compliance office identifies the affected departments and works with the departments to modify existing policies and procedures or create new ones. The Compliance Office reviews and approves all new policies and procedures. The Compliance Office ensures that departments impacted by the new policy or procedure train their staff accordingly.

**Compliance Reporting Mechanisms**

Sorenson has several mechanisms for employees to report non-compliance with FCC rules, including any fraud, waste or abuse. Each of these is described in the Compliance Manual and is explained to employees as part of their annual compliance training.

To report any compliance concern, employees may contact their department supervisor or executive officer who are then instructed to contact the Compliance Office. Alternatively, employees may contact a "compliance hotline" anonymously through a toll-free number. Employees may also email the Compliance Office directly via a dedicated email address. The Compliance Office monitors the compliance hotline and the compliance email inbox. The Director of Compliance is responsible for responding to concerns, including elevating them to General Counsel and/or the Compliance Committee, as appropriate.

The Compliance Manual informs employees that they have the right to report compliance concerns to the FCC's Office of Inspector General, and provides the website address and hotline phone number to make such reports.

Sorenson does not tolerate retaliatory conduct. Employees are informed in the Compliance Manual and in their training that Sorenson will never take action against employees for reasonably reporting information related to potential compliance violations.

**Monitoring and Auditing Compliance with FCC Rules**

Sorenson's Compliance Office regularly monitors and audits Company departments regarding compliance with FCC rules and will make any necessary changes to the Compliance Plan in response to these evaluations. The following describes Sorenson's (1) monthly review and audit

of minutes for submission to the TRS Fund Administrator; (2) review of compliance with customer registration, certification and verification requirements; and (3) review process for departmental compliance.

**(1) Monthly Review of Minutes:**

Each month, Sorenson conducts a multi-department review of the detailed call records prior to submission to the TRS Fund Administrator. As part of this monthly review process, members of Sorenson's quality assurance staff and database administration team review and analyze the FCC's and TRS Fund Administration's guidelines used to prepare the report of compensable minutes. The engineering team then meets with the executives of the finance, engineering, information technology (IT) and outreach departments, as well as the Compliance Office to review the draft submission. The IT and engineering departments maintain detailed operating procedures that document the monthly submission preparation and review process.

**(2) Compliance with Customer Registration, Certification, Verification Requirements:**

The Compliance Office works with the outreach department to obtain reports on the customer registration, certification and verification for all TRS services. The reports identify the total installed accounts and the percentage of those accounts that have completed registration, self-certification, verification and other relevant metrics. The Compliance Office works with the outreach department to ensure (i) compliance with the TRS registration, certification, and verification requirements for each TRS service, and (ii) that only properly registered, certified and verified customers' minutes are billed to the TRS Fund Administrator.

**(3) Compliance Office Audits**

The Compliance Office is responsible for conducting compliance reviews in order to help minimize risk to the organization and strengthen internal controls. The internal audit process: (1) identifies risks within each department that relate to compliance with FCC rules; (2) ensures that each department has department-specific procedures in place to comply with relevant FCC rules; (3) regularly reviews each department to ensure that procedures and processes are being followed; (4) provides feedback and remedial action items following the reviews; and (5) monitors and enforces completion of action items.

The Compliance Office conducts periodic reviews of all departments with responsibility for providing TRS services, including: outreach, marketing, information systems, operations, engineering, finance and human resources.

**Compliance Policies, Procedures, and Practices**

Sorenson is committed to 100 percent compliance with all FCC rules. To effectuate this commitment, Sorenson has developed and implemented its Compliance Manual as well as a comprehensive and robust set of policies and procedures to prevent fraud, waste and abuse of the TRS Fund.

The Compliance Manual describes Sorenson's commitment to compliance and its expectation that all employees will do their part. The manual describes permitted and prohibited activities in the following areas: working with customers, providing TRS services, determining qualifying calls, providing equivalent and innovative services, and reporting and record keeping.

Sorenson's policies and operating procedures detail the specific requirements that each department must follow to comply with FCC rules. All policies are maintained on Sorenson's internal intranet site, where employees have access to the policies and procedures applicable to their department. All policies implemented to ensure compliance with FCC rules were reviewed and approved by the Compliance Office and by in-house and outside counsel. The TRS policies cover a variety of topics, with detailed operating procedures implementing the policies. The following are examples of these topics: customer data access and use, whistleblower, CPNI, user registration, verification and certification, no direct and indirect inducements.

The Compliance Office in coordination with in-house and outside counsel, monitors developments in FCC rules and evaluates whether those developments require a modification to Sorenson's policies and procedures. If a change is required, the Compliance Office identifies the affected departments and works with them to modify or create a policy or procedure to address the rule change. The Compliance Office reviews and approves all new policies and procedures, and as needed works with in-house and outside counsel to ensure the new policy or procedure appropriately addresses FCC rules.

### **Enforcement of Compliance Plan**

If Sorenson determines that one or more of its employees have engaged in conduct that violates FCC rules, the Compliance Office – in consultation with in-house and outside counsel, will take appropriate disciplinary measures up to and including suspension, termination and referral to the appropriate governmental authorities.

If Sorenson determines that minutes have been billed improperly to the TRS Fund, Sorenson will advise the TRS Fund Administrator at the earliest opportunity through the submission of a revised or corrected billing submission.



## **Addendum 3**

### **Sorenson CPNI Certification and Statement of Operating Procedures**

**Annual 47 C.F.R. § 64.5109 CPNI Certification**

Sorenson Communications, LLC

2018 CPNI Compliance Certificate and Statement

I, Cindy Williams, certify that I am General Counsel of Sorenson Communications, LLC and I have personal knowledge that, effective October 30, 2014, the company has established a CPNI policy that is adequate to ensure compliance with the Commission's iTRS CPNI rules (*see* 47 C.F.R. § 64.5105 *et seq.*).

Attached to this certification is an accompanying statement explaining how the company's policy ensures compliance with the requirements of section 64.5105 *et seq.* of the Commission's rules. Neither Sorenson, nor its affiliate CaptionCall, has taken any actions against data brokers in the past year. Nor has Sorenson or CaptionCall received any customer complaints during the period covered by this certification.

The company represents and warrants that the certification is consistent with 47 C.F.R. § 1.17, which requires truthful and accurate statements to the Commission. The company also acknowledges that false statements and misrepresentations to the Commission are punishable under Title 18 of the U.S. Code and may subject it to enforcement action.

Executed on December 3, 2018.

A handwritten signature in cursive script, appearing to read "Cindy Williams", is written over a horizontal line.

Cindy Williams  
General Counsel  
Sorenson Holdings, LLC

**Sorenson Communications, LLC  
2018 CPNI Compliance Statement of Operating Procedures**

**General Duty, Training, and Discipline**

Sorenson Communications, LLC (the “Company” or “Sorenson”) has adopted and made available to all relevant employees a Customer Proprietary Network Information Standard (“CPNI Policy”) that addresses proper handling and use of CPNI and advises all employees of their duty to safeguard CPNI.<sup>1</sup> Employees are advised that violations of the CPNI Policy will subject an employee to disciplinary action, up to and including immediate termination of employment. The Company makes CPNI available to employees only on a need-to-know basis.

**Use of CPNI without Customer Approval (47 C.F.R. § 64.5105)**

Absent express consent from the customer, it is Sorenson’s policy to use CPNI only for certain specific purposes which are permitted by the FCC’s CPNI rules. These purposes include:

- Win-back marketing campaigns for former customers, which are limited to the same category of service to which the customer formerly subscribed (*i.e.*, IP CTS or VRS);
- Marketing extended services like speed dialing, call waiting, caller ID, and call forwarding, voice or video mail, voice or video storage and retrieval services (together known as adjunct-to-basic services);
- Providing customer training, education, and entertainment tied to the service to which the customer has selected Sorenson as its default provider;
- Providing, upgrading, or adding Customer Premises Equipment (“CPE”) or iTRS access technology.

In addition, Sorenson may use CPNI without customer consent to maintain and monitor the quality of services to customers, including as follows:

- Providing inside wiring installation, maintenance, and repair services;
- Monitoring call processing, speed of answer, routing and failure rates;
- Tracking call quality, including video quality, audio quality, bandwidth, packet loss, and other technical call characteristics.

It is also Sorenson’s policy to use, disclose, or permit access to CPNI to the extent necessary for emergency-call handling, including as follows:

- Accepting and handling 911/E911 calls;
- Accessing, either directly or through a third party, a commercially available database that will allow Sorenson to determine an appropriate Public Safety Answering Point (“PSAP”) designated statewide default answering point;
- Relaying 911/E911 calls to the appropriate local emergency authority that corresponds to the caller’s location;

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<sup>1</sup> This Policy also applies to Sorenson’s affiliate, CaptionCall, LLC.

- Facilitating the dispatch and response of emergency service or law enforcement personnel to the caller's location, in the event that the 911/E911 call is disconnected or the caller becomes incapacitated.

Sorenson does not identify or track CPNI of customers that call competing TRS providers and does not use, disclose, or permit access to CPNI related to a customer call to a competing TRS provider. With all calls, Sorenson does use CPNI in order to track call quality but in doing so does not track whether a call was made to a competing provider.

Sorenson and its affiliate CaptionCall have both adopted policies not to share CPNI with each other for the purposes of marketing.

#### **Customer Approval for Use of CPNI (47 C.F.R. § 64.5107)**

To access, use, or disclose CPNI for any purpose other than one of the pre-approved no-consent uses of CPNI, it is the Company's policy to obtain the customer's affirmative, express consent to allow the requested CPNI usage, disclosure, or access. Before soliciting such consent, it is the Company's policy to notify the customer that he or she may deny or restrict use of, disclosure of, and access to that CPNI. Sorenson maintains records of this notification during the time period that the approval is in effect and for at least one year thereafter. The notification informs the customer:

- That the customer has a right to deny the Companies the right to use, disclose or permit access to the customer's CPNI, and the Companies have a duty, under federal law, to honor the customer's right and to protect the confidentiality of CPNI;
- Of the types of information that constitute CPNI and who will use, receive, or have access to the CPNI;
- Of the purposes for which CPNI will be used;
- Of his or her right to deny or withdraw consent to use, disclose, or permit access to access to CPNI at any time;
- Of the precise steps the customer must take in order to grant or deny use, disclosure, or access to CPNI, and that customer denial of approval will not affect the TRS provider's provision of any services to the customer; and
- That any approval or denial of approval for the use of CPNI outside of the service for which the Company is the default provider for the customer is valid until the customer affirmatively revokes or limits such approval or denial.

If any portion of a notification is translated into any other language (including American Sign Language), then Sorenson's policy requires that all portions of the notification must be translated into that language.

#### **Notice to Customers for Use of CPNI (47 C.F.R. § 64.5108)**

Prior to any solicitation for customer approval to use, disclose, or permit access to CPNI, Sorenson notifies its customers individually of their right to deny or restrict the use or disclosure

of, or access to, that customer's CPNI. Sorenson maintains records of a customer's response for a minimum of one year after the consent is no longer in effect.

Sorenson's policy states that the customer notification must inform the customers of what type of information constitutes CPNI; who would use, receive, or have access to CPNI and how the CPNI will be used; their right to deny Sorenson the right to use, disclose, or permit access to its customers' CPNI at any time; and the steps a customer must take in order to grant or deny permission to use, disclose, or access CPNI. Sorenson informs its customers that their decision regarding CPNI will not affect their Sorenson service.

**Safeguards for Use of CPNI (47 C.F.R. § 64.5109)**

Sorenson's CPNI policy limits CPNI access to those employees who have a need to know. Unauthorized employees are prohibited from attempting to obtain access to CPNI.

For the use of CPNI for any purpose that requires customer consent, Sorenson's policy requires the specific authorization of the Compliance Officer. In addition, sales personnel must obtain supervisory approval of any proposed outbound marketing request for customer approval to use CPNI. Before accessing, using, or disclosing CPNI for any purpose that requires customer consent, Sorenson's policy requires employees to obtain the customer's affirmative, express consent.

Sorenson maintains a record, for a period of at least three years (beginning from the date on which the regulation became effective), of (1) any sales and marketing campaigns that use its customers' CPNI, and (2) where CPNI was disclosed or provided to a third party, or a third party was permitted access to CPNI.

**Safeguards on the Disclosure of CPNI (47 C.F.R. § 64.5110)**

Sorenson protects against attempts to gain unauthorized access to CPNI and authenticates a customer prior to disclosing CPNI. For telephone, TRS, and point-to-point access to CPNI, customers are authenticated without the use of readily available biographical information, or account information, prior to allowing the customer telephonic, TRS, or point-to-point access to CPNI related to his or her TRS account. Alternatively, a customer may obtain telephonic, TRS, or point-to-point access to CPNI related to his or her accounts through a password. To establish a customer's identity without reference to readily available biographical information or account information, Sorenson may call the customer at the telephone number of record, have the customer present a government issued ID over the video phone, or have the customer recite a randomly generated PIN that the Company sends via text to the customer's number of record.

Customers may also access their CPNI online and establish a password for future access only after being authenticated without using readily available biographical information or account information. After initial authentication, customers may only access CPNI online only by providing their pre-established password. Customers that have lost or forgotten their passwords may retrieve their passwords by their previously provided answer to a secret question, which will not involve the use of readily available biographical information or account information. If a

customer cannot provide the correct password or the correct response to the shared secret question, the customer must be re-authenticated and must establish a new password.

It is Sorenson's policy to notify customers whenever a password, answer to shared secret question, online account, or address of record is created or changed. (The policy does not, however, require such a notification when the customer initiates service, including the selection of a password at service initiation.) This notification may be through voicemail, text message, or video mail to the existing telephone number of record, by mail to the existing physical address of record, or by e-mail to the existing e-mail address of record, and shall not reveal the changed information or be sent to the new account information.

**Notification of CPNI Network Information Security Breaches (47 C.F.R. § 64.5111)**

The Company requires that any possible unauthorized disclosure of CPNI must immediately be reported to the Company's Compliance Officer. Upon notification, the Compliance Officer conducts an inquiry to determine whether a breach of CPNI has taken place. If the Compliance Officer determines there has been a breach, he or she shall notify law enforcement, the FCC's Disability Rights Office, and customers of any breach as provided by 47 C.F.R. § 64.5111. The Compliance Officer maintains records of any breaches discovered, notifications made to law enforcement, and notifications made to customers. These records include, where available, dates of discovery and notification, a detailed description of the CPNI that was the subject of the breach, and the circumstances of the breach. These records are retained for two years.

**Exhibits 1-2, 4-8 REDACTED**

# Exhibit 3



Sorenson Communications, LLC, and CaptionCall LLC  
Executive and Board Member List (as of November 1, 2018)

All Entities	
Name	Title
Scott Wood	Chief Executive Officer
Reed Steiner	Chief Financial Officer
Cindy Williams	Secretary and General Counsel

Sorenson Communications, LLC	
Name	Title
Grant A. Beckmann	Chief Operating Officer
Christopher Wakeland	Chief People Officer
Isaac Roach	Vice President of Engineering
Laura Jones Hartness	Vice President of Interpreting
Lance Pickett	Vice President of Marketing
David Johnson	Vice President of Sales
Brian Janzen	Controller
Scot L Brooksby	Vice President of Data Science
Mel Walker	Vice President of Business Development
Kerry W. Brown	Associate General Counsel

CaptionCall, LLC	
Name	Title
Jason Dunn	Chief Operating Officer
Michael Holm	Chief Technology Officer
Cameron Tingey	Chief Customer Officer
Julie Zenas	Sr. Vice President of Operations
David George	Vice President of Finance
Bruce Peterson	Vice President of Marketing
Paul Kershisnik	Vice President of New Business Development
David Thomson	Vice President of Speech Sciences

Board Members	
Name	Affiliation
Scott Wood	Sorenson Holdings
James Continenza	GSO / Chairman of the Board
Clay Macfarlane	GSO
Jason New	GSO
Keith Luh	Franklin Mutual Advisors
Lauren Krueger	KKR
John Sununu	Akin Gump
Duncan Niederauer	Franklin Mutual Advisors