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December 11, 2017

REDACTED FOR PUBLIC INSPECTION

VIA ECFS

Marlene H. Dortch, Esq., Secretary
Federal Communications Commission
445 Twelfth Street, SW
Washington, DC 20554
Attn: Chief, Consumer & Governmental Affairs Bureau

Re: Hamilton Relay, Inc.
CG Docket Nos. 10-51, 03-123
Fifth Amendment to Internet-based TRS Certification Application

Dear Ms. Dortch:

Transmitted herewith, on behalf of Hamilton Relay, Inc. ("Hamilton"), are an original and four (4) copies of a fifth amendment to Hamilton's December 5, 2011 application for certification as a provider of Internet Protocol Captioned Telephone services. Hamilton is concurrently filing a redacted version of this filing in ECFS.

Pursuant to Section 0.459 of the Commission's rules, 47 C.F.R. § 0.459, Hamilton hereby requests confidential treatment of the enclosed information. Hamilton has enclosed a separate exhibit justifying the need for confidential treatment.

An extra copy of the filing is enclosed. Please date-stamp the extra copy and return it to the courier. Should there be any questions concerning this matter, please contact the undersigned.

Respectfully submitted,

WILKINSON BARKER KNAUER, LLP



David A. O'Connor
Counsel for Hamilton Relay, Inc.

Enclosure

HAMILTON RELAY, INC.
December 2017

REQUEST FOR CONFIDENTIAL TREATMENT

Pursuant to Sections 0.457 and 0.459 of the Commission's rules, 47 C.F.R. §§ 0.457, 0.459, Hamilton Relay, Inc. ("Hamilton") hereby requests that the redacted contents of the fifth amendment (the "Amendment") to its pending application for certification as a provider of Internet Protocol Captioned Telephone services (the "Application") be treated as confidential and withheld from public inspection.

In accordance with the requirements of Section 0.459(b), 47 C.F.R. § 0.459(b), Hamilton submits the following:

1. 0.459(b)(1): Identification of the specific information for which confidential treatment is sought: Hamilton requests that the redacted portions of the public version of the Amendment, including all exhibits (collectively, the "Redacted Materials"), be treated as confidential and withheld from public inspection. The Redacted Materials contain highly sensitive commercial information, trade secrets, and proprietary technical information pertaining to the services offered by Hamilton. Pursuant to the Freedom of Information Act ("FOIA"), public disclosure is not required for documents that are "trade secrets, commercial or financial information obtained from a person and privileged and confidential." For this reason, the Redacted Materials are covered by the FOIA exceptions.
2. 0.459(b)(2): Identification of the Commission Proceeding in which the Information Was Submitted or a Description of the Circumstances Giving Rise to the Submission: The Amendment is being submitted to the Commission in CG Docket Nos. 10-51 and 03-123 pursuant to 47 C.F.R. §§ 1.65 and 64.606(a)(2).
3. 0.459(b)(3): Explanation of the degree to which the information is commercial or financial, or contains a trade secret or is privileged: The Redacted Information contains sensitive information about Hamilton's internal operations, as well as commercial, financial and other trade secrets. Such information "would customarily be guarded from competitors." 47 C.F.R. § 0.457(d)(2).
4. 0.459(b)(4): Explanation of the degree to which the information concerns a service that is subject to competition: IP CTS is a competitive service with at least four competitors to Hamilton.
5. 0.459(b)(5): Explanation of how disclosure of the information could result in substantial competitive harm: Substantial competitive injury would result from the disclosure of the Redacted Materials, by providing Hamilton's competitors with ready access to confidential information about Hamilton's internal processes and strategic

efforts. Hamilton has expended considerable funds and resources for the development of its IP CTS offering, which would be compromised through public disclosure.

6. 0.459(b)(6): Identification of any measures taken by the submitting party to prevent unauthorized disclosure: Hamilton requires that its employees treat the Redacted Materials as confidential and privileged. In keeping with this practice, Hamilton has requested confidential treatment of the Redacted Materials by the Commission.
7. 0.459(b)(7): Identification of whether the information is available to the public and the extent of any previous disclosure of the information to third parties: The Redacted Materials are proprietary and not routinely available to the public. Certain portions of the Redacted Materials may be submitted to various state TRS programs as part of a Request For Proposal bid process or for a state certification, and portions of that information are submitted in redacted form.
8. 0.459(b)(8): Justification of the period during which the submitting party asserts that material should not be available for public disclosure: Hamilton requests that the Commission withhold the Redacted Materials indefinitely. As long as the Internet-based relay industry remains competitive, the public interest will be served if the Commission maintains the confidentiality of the Redacted Materials, in order to foster an environment in which regulated entities may submit sensitive materials for agency review without risking public disclosure and thus competitive harm.

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the Matter of)	
)	
Structure and Practice 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
)	
Internet-based TRS Certification Application of Hamilton Relay, Inc.)	

To: Secretary, FCC
For: Chief, Consumer & Governmental Affairs Bureau, TRS Certification Program

FIFTH AMENDMENT TO APPLICATION OF HAMILTON RELAY, INC. FOR CERTIFICATION AS A PROVIDER OF INTERNET PROTOCOL CAPTIONED TELEPHONE SERVICES

Hamilton Relay, Inc. ("Hamilton"), by its counsel and pursuant to Sections 1.65(a) and 64.606(a)(2) of the Commission's rules, hereby submits this fifth amendment to its December 5, 2011 application (the "Application") for federal certification as a provider of Internet Protocol Captioned Telephone Services ("IP CTS").¹ By this amendment, Hamilton is providing updated information as follows.

I. Updating Section I. Introduction

Due to changes in TRS service contracts over time, the second sentence of this Section is changed to state: "Hamilton currently provides intrastate TRS and/or Captioned Telephone Services in ■ states and U.S. territories."

Hamilton original application, page 2

¹ Previous amendments to the Application were filed on May 8, 2012 ("First Amendment"), January 16, 2013 ("Second Amendment"), July 11, 2013 ("Third Amendment"), and December 4, 2014 ("Fourth Amendment").

II. Updating Section II. Certification Information Required by the Second R & O
A. Forms of Internet-based TRS to Be Provided

In addition to the list of *IP CapTel Access Points* provided on page 3 of the original application and listed on page 2 of the Second Amendment, Hamilton now has two additional access points to reach IP CTS:

- CapTel 880i and 2400i Model Telephone
- Hamilton CapTel for Business, Interconnected by Tenacity. Hamilton CapTel for Business allows businesses to seamlessly integrate CapTel into the Cisco® VoIP environment through the installation of the Hamilton CapTel phone application. No additional equipment is required.

Hamilton original application, page 3 & Hamilton Second Amendment, page 2

C. Additional Information Required Under Section 606(a)(2)(ii)
2. Ownership Information

Hamilton hereby updates its ownership information as follows:

[REDACTED]

3. Employee Information

The employee data graphic on page 4 of the original application and submitted on page 8 of the Fourth Amendment are deleted in their entirety. The current number of employees involved in Hamilton's operations is as follows:

[REDACTED]

5. Sponsorship Arrangements

In addition to the sponsorship arrangements relating to IP CTS that Hamilton listed in its original application, Hamilton notes the following additional IP CTS sponsorship arrangements:

[REDACTED]

III. Updating Section III. Compliance with Operational and Technical Standards
B. IP CTS – Operational and Technical Standards
1. Communication Assistants

Hamilton would like to add the following paragraph to this section:

[REDACTED]

Hamilton original application, page 25

B. IP CTS – Operational and Technical Standards

1. Communication Assistants

b. Initial Training

Hamilton would like to replace the first paragraph in our original application with the following paragraph:

All IP CTS CAs are required to satisfactorily complete a series of skills assessments to achieve the expertise and knowledge to adequately and accurately caption in a professional manner the words spoken by the hearing party without intervening in or intentionally altering the communication between the parties. The evaluation process includes the quality of voice, clarity of speech and correct use of words and sentence structure. All IP CTS CAs are required to sign a Pledge of Confidentiality that requires that all relayed conversations are in a verbatim manner. This pledge is included as Exhibit 6.

Hamilton original application, pages 26-27

B. IP CTS – Operational and Technical Standards

6. IP CTS Facilities

[REDACTED]

Section 64.604(a)(7) – International Calls

While this Section is applicable to VRS, Hamilton IP CTS offers the following information on international calling.

International calling is available on the IP CTS phones (all IP based devices including 800i, 840i, 2400i, etc.) International calling is not available via Hamilton Web or Wireless CapTel although calling to the following U.S. territories is available:

- American Samoa
- Guam
- United States minor outlying islands
- Virgin Islands, U.S.
- Northern Mariana Islands
- Puerto Rico

Compliance with the Revised IP CTS Rules

Hamilton remains in compliance with the non-vacated IP CTS rules that were adopted by the Commission in August 2013, many of which became effective on August 28, 2014.² Specifically:

Section 64.604(c)(9)

Hamilton complies with all Pre-March 7 User registrations in accordance with interim rule requirements where all Hamilton IP CTS users re-registered under these requirements. Hamilton continues to register all new IP CTS Users in accordance with Permanent IP CTS rules adopted on August 28, 2014.

Hamilton Amendment Four, page 5

IV. Updating Section IX. Hamilton Designated Agent

Hamilton submits the following updates to the contact information for the designated agent:

Dixie Ziegler, Vice President of Relay
Hamilton Relay, Inc.
1006 12th Street
Aurora, NE 68818
Tel: Voice/TTY 402-694-5101
Fax: 402-694-5037
E-mail: dixie.ziegler@hamiltonrelay.com
Website: www.hamiltonrelay.com

Hamilton Original Application, page 41

V. Hamilton is submitting the follow updates to previous Attachments from Hamilton's original filing and previous Exhibits from Hamilton's Amendments:

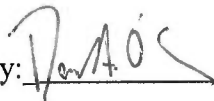
- Exhibit 1 Replacement to Attachment A Hamilton Personnel Biographies and Responsibilities.
- Exhibit 2 Replacement to Attachment B Hamilton Organizational Chart.
- Exhibit 3 Replacement to Attachment F Hamilton Relay, Inc. Terms and Conditions.
- Exhibit 4 Replacement to Exhibit 1 from Hamilton's Amendment Four filing.
- Exhibit 5 Replacement to Exhibit 4 from Hamilton's Amendment Four filing.
- Exhibit 6 Hamilton's Confidentiality Agreement with Employees.

VI. Conclusion

For the reasons set forth above and in the Application, as amended, Hamilton submits that it has satisfactorily demonstrated compliance with all requirements for federal certification of its IP CTS offering, and that the public interest would be served by a grant of the Application.

Respectfully submitted,

HAMILTON RELAY, INC.

By:  _____

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Its Counsel

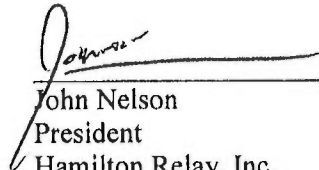
December 11, 2017

DECLARATION OF JOHN NELSON, PRESIDENT
OF HAMILTON RELAY, INC.

In compliance with 47 C.F.R. § 64.606(a)(2)(v), I declare under penalty of perjury that I am John Nelson, President, an officer of the above-named applicant, and that I have examined the foregoing Fifth Amendment to the applicant's pending December 5, 2011 application, 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.

I hereby certify that neither Hamilton Relay, Inc. nor any affiliated party or person to the application is subject to a denial of federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. § 862; 47 C.F.R. § 1.2001.

Signed and dated this day of December 11, 2017.



John Nelson
President
Hamilton Relay, Inc.

Exhibits

REDACTED FOR PUBLIC INSPECTION

[REDACTED]