



NATIONAL ASSOCIATION OF THE DEAF

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Ms. Magalie R. Salas
Secretary
Federal Communications Commission
1919 M Street, N.W., Room 222
Washington, D.C. 20554

Re: In the Matter of Telecommunications Relay Services
and Speech-to-Speech for Individuals with Hearing and
Speech Disabilities, CC Dkt. No. 98-67

Dear Ms. Salas:

Enclosed please find one original and six copies of reply comments filed by the National Association of the Deaf and the Consumer Action Network in the above captioned proceeding.

Sincerely,

Karen Peltz Strauss
Legal Counsel for Telecommunications Policy

Enclosures

cc: Carmell Weathers, Network Services Division (paper and diskette)
Pam Gregory, Disabilities Issues Task Force
International Transcription Services, Inc.

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Before the
FEDERAL COMMUNICATIONS COMMISSION
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In the Matter of)
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and Speech-to-Speech Services for) CC Docket No. 98-67
Individuals with Hearing and Speech)
Disabilities)

**REPLY COMMENTS OF
THE NATIONAL ASSOCIATION OF THE DEAF AND
THE CONSUMER ACTION NETWORK**

By Counsel:

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September 14, 1998

SUMMARY

The National Association of the Deaf and the Consumer Action Network (NAD et. al.) urge the Federal Communications Commission (FCC) to devise final rules which will result in the provision of telecommunications relay services (TRS) in real time.

Toward this end, we urge the Commission to issue a further notice of proposed rulemaking (FNPRM) on video relay interpreting services (VRI). The costs of VRI will come down and the availability of these services will expand, as several events take place: (1) higher transmission speeds become widespread, (2) more interpreters are trained to perform VRI, and (3) industries develop low cost VRI equipment for home use.

Some relay providers have begun to capture the information provided on voice menu-driven systems with recording devices at communications assistant stations. Insofar as this is an inexpensive, technically feasible means of providing access to these systems, we urge the Commission to mandate the use of such recordings, until such time that interactive phone systems are directly accessible to TTYs or TRS. In addition, because at least one relay provider is already offering access to 900 pay-per-call services, we urge the FCC to mandate such access by all common carriers. Finally, some consumers have complained of an inability to access "TTY mail" where such mail is controlled through voice menu systems. The NAD et. al. request the Commission to direct relay centers to handle these types of calls.

The FCC should permit the reimbursement of costs associated with new TTY protocols and technologies, including those that provide higher transmission speeds and voice recognition. These technologies are designed to facilitate real time relay

transmissions and will succeed in bringing TRS closer to the functionally equivalent standard. Permitting cost recovery for these services will provide added incentive to states and relay providers that might otherwise be reluctant to adopt these new technologies.

The Commission should do what it can to encourage the use of statewide databases which can automatically route emergency calls from relay centers to local PSAPs. Until such time that the technology is available to implement such databases on a large scale basis, emergency calls should be handled similarly to the manner in which they are handled by the states of Maryland and Texas.

Additional outreach on TRS is necessary to reduce hang-ups by businesses and individuals, and to promote the use of TRS by employers. We urge the FCC to require a coordinated national advertising campaign that can inform the general public about TRS, to be established and funded by NECA. Additionally, outreach on the ability of relay consumers to control their own calls, and on speech-to-speech services is critically needed.

With respect to controlling the number of relay calls that are blocked or turned away, the FCC should require relay providers to keep records on 1) calls that are abandoned after 30 seconds, 2) re-dialed calls, 3) calls receiving busy signals, and 4) calls placed on hold. Finally, the FCC should ensure that its action in this proceeding in no way impairs the ability of states to provide foreign language TRS translation that is disability related.

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**REPLY COMMENTS OF
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I. Introduction

The National Association of the Deaf and the Consumer Action Network (collectively referred to as “NAD et. al.”)¹ submit these reply comments in the above captioned proceeding released by the Federal Communications Commission (FCC) to improve our nation’s telecommunications relay services (TRS). We note at the outset that it should be the overarching goal of the Commission in this proceeding to devise final rules that will result in the provision of relay services in real time. Although the Commission’s existing rules already require real time relay transmissions,² it has been eight years since the Commission has taken the opportunity to re-define this term in light of new technological advances. We submit that FCC authorization and mandates for these various new technologies are necessary to bring about the “functionally equivalent” access to the telephone network so desired by the FCC and TRS consumers.

¹ See Attachment A for a complete list of CAN Membership organizations.

² 47 C.F.R. §64.604(b)(4).

II. Video Relay Interpreting

In the initial comments submitted in this proceeding, the NAD et. al. was joined by a number of parties in noting the extensive benefits of video relay interpreting (VRI) and in urging the Commission to take action that would make VRI a reality. See Telecommunications for the Deaf (TDI) at 6-7; Northern Virginia Resource Center for Deaf and Hard of Hearing Persons (NVRC) at 1-2; Maryland Department of Budget and Management (Maryland) at 4 (given the “rapidly changing technology in this arena, the State encourages the FCC to revisit this issue in a timely manner and reconsider its ruling.”); see also Public Utility Commission of Texas (Texas PUC) at 7 (FCC should “monitor VRI technology on a biennial basis to determine whether it should be mandated under the FCC’s rules.”) Indeed, without Commission action directing the implementation of VRI, there will be little incentive to offer this service for most providers. The Massachusetts Assistive Technology Partnership (MATP) points out that “[i]t is the experience of TRS users in Massachusetts that providers in single-vendor states may not be likely to offer anything but the mandatory requirements.” MATP at 3.

VRI can provide real time relay transmissions for individuals whose primary language is American Sign Language or Signed English, and thereby more closely approximate the FCC’s objective for functional equivalence. In addition to the many benefits noted in our initial comments to this proceeding, it has also come to our attention that individuals are less likely to hang up on a VRI call, because the VRI user can respond faster to the recipient of the call; thus the caller is able to quickly enter a conversation before the recipient is given the chance to think that the call is a solicitation.

A number of parties raised questions about the feasibility of offering VRI, including concerns about the ability to meet the demand for video relay services. MATP accurately points out, however, that an increased demand for qualified interpreters will be met by an increased supply of such individuals. MATP explains that if “aspiring interpreters could foresee the field growing to include VRI, undoubtedly the ranks of that profession would grow to meet this need.” MATP at 2; see also Texas PUC at 7 (“the number of available interpreters will continue to increase over the years.”). The state of North Carolina uses remote interpreters for its video relay services; the eight interpreters used for those services are all located in Arizona.³ The State of Maryland proposes other solutions for fulfilling the demand for VRI interpreters. It suggests the development of regional centralized pools of VRI qualified interpreters and the establishment of classes “specifically designed to train and prepare students to handle relay calls” by interpreter training centers. Maryland at 4-5. Insofar as there are approximately 112 interpreter training programs in the United States, the supply of VRI interpreters is sure to increase with the availability of such classes.

Others raised concerns about the potential costs of VRI. Yet MCI, which now offers VRI in North Carolina, explained that VRI eliminates the difficulties associated with typing, “which is often among the weakest skills of many TRS users.” MCI at 3. MCI notes that “[a]s use of VRI increases, demand for traditional TRS will decline, so the costs of implementing VRI will be offset by cost reductions elsewhere.” Id. It is also noteworthy that the length of VRI calls has generally been comparable to the length of TTY-voice TRS calls. North Carolina reports that the length of

³ According to the TRS administrator for North Carolina, the North Carolina relay program sent an individual to train the Arizona VRI interpreters on North Carolina signs before their VRI duties began.

an average VRI call is six minutes, while VRI calls in the Texas trial averaged only four minutes.

An upcoming Maryland trial, scheduled to begin this Fall, as well as an expected trial in California (starting date unknown), will provide additional data on the length of VRI calls, as well as other aspects of providing this service.

Currently, the costs of video products and services needed to receive video quality remain a barrier to providing VRI for home or office use. The pricing for high bandwidth varies considerably from state to state, with some states offering ISDN/BRI for around \$20 per month (plus a per minute charge), and others charging as much as \$75 per month. The cost of ISDN/PRI, needed to provide the best video quality, is as high as \$250 in some states. However, it is only a matter of time before higher transmission speeds become the telecommunications norm, rather than the exception. Section 706 of the Telecommunications Act of 1996 requires the FCC and state regulatory commissions to encourage the deployment of advanced telecommunications capability on a "reasonable and timely basis." "Advanced telecommunications capability" is defined in the 1996 Telecommunications Act as "high-speed, switched, broadband telecommunications capability that enables users to originate and receive high-quality voice, data, graphics, and video telecommunications." The FCC is in the midst of proceedings to determine the extent to which these services are being provided to Americans, and the extent to which Commission action is needed to ensure the rapid expansion of such advanced telecommunications capabilities to all American communities.⁴ As higher transmission speeds become more widespread, VRI as a service for home and office use will become a reality, and

⁴ Section 706 Notice of Inquiry, FCC 98-187; Deployment of Advanced Telecommunications, *Notice of Proposed Rulemaking*, FCC 98-188, CC Dkt. No. 98-146 and CC Dkt No. 98-147.

simply take the place of a significant portion of today's relay services. Finally, a requirement for VRI will spur the industry to develop low cost equipment for home use, further facilitating the expansion of these services.

It is clear from the comments to the FCC's NPRM that a number of issues remain to successfully implement VRI across the nation. Questions about VRI interpreter qualifications, VRI transmission speeds, VRI performance standards, and other matters need to be resolved by the Commission over the next few years. We renew our request for the Commission to issue a further notice of proposed rulemaking on VRI to obtain answers to these questions, and to achieve the successful phase-in of video relay services.

In our earlier comments, we urged that where VRI is provided, certain standards should be in place conditioning the recovery of costs for these services. Among other things, we supported the Commission's proposal to apply the U.S. Department of Justice (DOJ) definition of "qualified interpreter" to VRI. NPRM ¶34. Sprint proposes instead a set of standards for VRI interpreters which includes 1) three years interpreting experience; 2) experience functioning as a TRS CA; 3) various certification requirements; 4) sensitivity to the cultural needs of VRI users and standard voice users; and 5) aptitude for use of computer and video equipment. The NAD et al. believe that the set of standards proposed by Sprint have considerable merit, but we do not think that they are mutually exclusive with the DOJ standard. Indeed, we believe that the qualifications set forth by Sprint are compatible with, and will in fact, further the ability of VRI CAs to fulfill the DOJ mandate to "interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary. 28 C.F.R. §35.104.

III. TRS Access to Advanced Telecommunications Services

Comments to the FCC's NPRM revealed the extreme frustration that consumers have experienced in failing to gain access to voice menu-driven telephone services and other audiotext services. Many pointed out that without access to these types of telephone services, TRS users cannot receive telephone services that are functionally equivalent to conventional voice telephone services. See Maryland at 7 (audiotext systems "have become so prolific that . . . access to these systems is crucial to provide functionally equivalent service as mandated by the ADA."); Self Help for Hard of Hearing People, Inc. (SHHH) at 5 (not being able to navigate these services continues to "create[] significant barriers to telecommunications for people with hearing loss."); National Catholic Office for the Deaf at 1 (because audiotext services are "increasingly used by businesses in the United States, [they present] substantial barriers to TRS users"); see also Association of Tech Act Projects at 3. The Deaf and Disabled Telecommunications Program (DDTP) explained:

The outstanding question . . . may be what is the requirement for TRS providers where [automated response units] have replaced hearing people. . . . [W]here a person would have been accessible to TRS, the "functional equivalent" must be interpreted as communicating with the audiotext service. . . . While an audiotext service itself may be an "enhanced service," the ability to enable two-way communication is the basic service and purpose of TRS.

DDTP Report filed with the Comments of the California Public Utilities Commission at 7-8. The President's Committee on Employment of People with Disabilities (PCEPD) pointed to the importance of having access to interactive services in a job search. PCEPD explained that voice response services are among the many telephone services routinely used by job recruiters, training establishments, and even disability services providers. PCEPD at 9. We agree with these various points and further note that federal, state, and local governments are among the most frequent users of voice menu-driven systems. Unfortunately, the efforts of these regulatory bodies

to save personnel costs have resulted in the total exclusion of deaf and hard of hearing people from many, if not most, of their telephone services.

Currently, the only way for TRS users to interact with voice menu systems is by making repeated calls through the relay. This process is laborious and often expensive for both the consumer and relay provider, as numerous calls are frequently needed to capture all of the information provided and to secure responses to each of the prompts from the relay user. A number of parties to this proceeding have suggested that until such time that voice menu-driven systems are fully accessible to TTY users, relay services should capture and respond to audiotext information by recording the audiotext messages and then relaying the information to the TRS user. Texas PUC at 11; MATP at 4; DDTP Report at 8; NVRC at 2 (reporting that New York and Wisconsin already require the capture of audiotext information); Stephen Gregory at 11-12 (reporting that New Jersey has requested its relay provider to provide such recording devices at several of its CA stations). Such information would be retained for the length of the call, permit the relay user to respond to the menu selections, and would be deleted at the conclusion of the call, in order to maintain the caller's confidentiality. Insofar as this method is technically feasible, and requires only the minimal expense of purchasing audio recording equipment, we urge the FCC to issue a rule requiring the capturing of messages from voice menu-driven systems in this manner.

On a related matter, as noted in our initial comments, the ADA prohibits relay providers from refusing calls that can generally be handled by common carriers. *NAD et. al.* at 12, citing 47 U.S.C. §225(d)(1)(E); 47 C.F.R. §64.604(a)(3). In its comments on the NPRM, Sprint reports that it already provides access to 900 calls at nine of its relay centers. Sprint at 5. Indeed, as attestation to the overwhelming desire for access to 900 services, Sprint reports that there has

been an increase of over 3300 percent in the number of such calls since access to these calls was first made available in July 1996! Under the Commission's own rules, carriers who allege that they are not able to handle certain types of relay calls must bear the burden of proving the infeasibility of handling those calls. Given that one provider is already offering 900 services in several of its states, it is highly doubtful that carriers in other states will be successful in meeting that burden. It is incumbent upon the FCC, then, to require TRS access to 900 pay-per-call telephone services nationwide.⁵

Since the submission of our initial comments, we have been reminded of another problem concerning access to enhanced services. Specifically, individuals seeking to access their "TTY mail" are frequently blocked from doing so because access to this mail is through voice menu systems. This is perhaps best illustrated by the experience of a deaf blind woman who wrote:

My office is small with only myself as a full time employee and a part time secretary. . . I am constantly in and out of the office. I have voice mail to receive all of my voice and TTY messages when I am not in the office or on the line. My problem is: When I need to access the voice mail messages, relay will access only the voice messages but not the TTY messages. The messaging service is in voice, explaining what to do and what options you have. I need a hearing person to listen to the instructions and press the appropriate keys to retrieve my messages, save, delete, etc. When relay access[es] my voice messages, there is usually no problem. However, whenever TTY tones come on, they tell me I need to go to OSD, which is a fee oriented service. I do not mind paying the fee, but the problem is that OSD will not stay on the line to listen to the voice instructions. . . . When I asked Relay why can't they access both of my messages for me, they stated: "it is the policy that we only do voice to TTY."

⁵ We disagree with Sprint that 900 pay-per-call services should be designated as improved, but not mandatory relay services. Sprint at 5. Once a telephone service has proven to be technically feasible, not requiring that service would be in conflict with the heart of the ADA's requirement for functional equivalence. We note as well that an FCC ruling mandating TRS access to audiotext or 900 services may be made irrespective of the Commission's ruling on access to enhanced services in its Section 255 proceeding. The Commission has separate authority to mandate access to TRS enhanced services under Title IV of the ADA. See NAD et. al. at 11-12, citing Congressional colloquy on this matter.

Given the FCC's willingness to expand the definition of TRS beyond voice to TTY services, retrieval of the above TTY messages - because they are only accessible through a voice-based menu driven system - should be required by relay providers nationwide. The Catch-22 described by the above woman is readily correctable by an FCC ruling directing relay centers to handle such calls. Indeed, as noted by the author of the above account, this would simply be an extension of current relay practice already permitting TRS consumers to retrieve their voice mail.

IV. Cost Recovery for Advanced Technologies

In our initial comments on the NPRM, we quoted the Commission as stating that its present proceeding was intended to "ensure that [the] TRS regulations do not artificially suppress or impair the development of TRS in a changing, dynamic telecommunications landscape." NAD at 25, quoting NPRM ¶8. Various parties to this proceeding have come forth with a request that the FCC incorporate, in the definition of improved TRS, new TTY protocols and technologies that promise to bring TRS closer to the standard of functional equivalency. See Ultratec, Inc. at 5,10; Stephen Gregory at 4-7. The NAD et. al. believes that this is not only in keeping with, but is necessary to accomplish the above-stated goal of the Commission. By so defining these advanced technologies, the Commission will make possible the cost recovery for these applications, and thereby provide added incentive to states and relay service providers who might otherwise be reluctant to include such features in their relay service offerings. Permitting cost recovery will also spur innovation into new real time technologies that will ultimately facilitate business interactions, open employment opportunities, and reduce frustrations caused by slow relay transmissions. Although we do not endorse any one specific technology, we do believe that permitting reimbursement for higher speed transmission protocols, successful voice recognition

applications,⁶ and other improved technologies will be consistent with the trends of many of the states that have already begun to offer these enhanced applications in efforts to provide higher quality and cost effective relay services.

As new technologies continue to be developed, a mechanism should be in place to expedite the designation of such technologies as “improved” relay services. The main purpose of this would be to provide the means of ensuring swift cost recovery for the provision of these technologies. TDI and the Texas PUC have proposed that the Commission establish a three month deadline for approving or rejecting requests for “improved TRS” status. TDI at 4; Texas PUC at 3. We support such an approach. In the event that the FCC needs public input on such requests, we urge the FCC to initiate expedited rulemakings within three months of such requests.

V. Access to Emergency Services

In an emergency, the speed with which information from a TRS caller is passed on to an emergency dispatcher will determine the effectiveness of the emergency services. We agree with Sprint, therefore, that a full integration of TRS with E-911 mechanisms is critical to ensuring the public safety of TRS callers. Sprint at 10. Sprint notes that in Texas, the establishment of a state-wide routing database, containing the telephone number for the PSAP associated with a TRS caller’s actual location, is being explored. *Id.* at 10-11. The NAD *et. al.* urges the Commission to take whatever action is needed to further the implementation of such automated databases nationwide. We agree with the Texas PUC that “[o]nce the CA identifies an incoming relay call as an emergency, the CA should be able to initiate a procedure by which the network identifies the

⁶ One such technology utilizes speech recognition software to transmit in text the voice party’s end of the conversation, as the CA repeats what that person says.

caller's ANI, matches the appropriate 10-digit emergency facility phone number, and then dials the number automatically." Texas PUC at 10; see also Texas Advisory Commission on State Emergency Communications at 3 (supporting this concept, but going further to suggest that an automated process should ultimately be able to route calls directly to 9-1-1 systems, rather than 10-digit emergency numbers) Automated routing is critical to achieving maximum protection for relay callers in the event of an emergency.

Until such technology is available, we urge, at a minimum, adoption of emergency procedures similar to those utilized by the States of Maryland and Texas, set forth in the comments submitted by those states. These procedures would include the following:

- Upon receiving information from the TRS caller that an emergency situation exists, the CA should immediately obtain information on the location where the emergency help is needed, so as to determine the closest PSAP to the caller's location. The CAs shall have readily available accurate tables and directories of all PSAPs in the state, indexed by cities, counties, and major roadways.
- The CA shall immediately dial the 10-digit emergency number (or 9-1-1 where possible), of the appropriate PSAP, providing that PSAP information about the caller's ANI, and other information obtained from the caller about the nature of the emergency (fire, ambulance, police, etc.).
- If the relay call is disconnected, the CA shall continue with the call to the 9-1-1 center nearest to the ANI received, whereupon the PSAP dispatcher will follow standard procedures for silent calls. That will include a callback to the ANI provided, and the dispatch of emergency services if no one responds to the callback.

Although CAs should respond quickly where a caller has identified an emergency situation, we agree with those parties who have said that a CA should not have to decide when an emergency exists. Bell Atlantic at 5; Southwestern Bell Telephone Company, Pacific Bell and Nevada Bell (SBC) at 8; Kansas Relay Service, Inc. at 6. Insofar as relay services are intended to provide a transparent conduit of information flowing between the parties to a conversation, we

are concerned that allowing CAs to make these kinds of determinations would infringe upon the confidentiality of TRS calls.

VI. Outreach

Comments to the FCC's NPRM and Notice of Inquiry on relay services confirmed that public awareness about relay services continues to be inadequate. The result is an alarming number of hang-ups by both businesses and individuals, and a general reluctance by employers to allow their employees to use TRS for the purpose of conducting business. The State of Maryland has requested the Commission to reconsider its tentative decision not to propose rules on carrier outreach. Maryland at 11. It reports that a "coordinated and comprehensive outreach effort to educate the general public about the availability and utilization of TRS" in Maryland has been extremely successful over the past several months, resulting in increased relay inquiries and call volumes. Id. at 11-12. We join the State of Maryland in calling for a coordinated national advertising campaign for the purpose of informing the general public about TRS. We further support their suggestion that NECA be authorized to establish and fund national television campaigns, as well as other outreach efforts designed to expand awareness of relay services. Not only will such efforts reduce ignorance by individuals likely to be recipients of relay calls, they will bring into the fold senior citizens and other persons who have lost their hearing later in life, and who might not otherwise be aware that they may make telephone calls through TRS.

In addition to outreach on the availability of relay services, many individuals, and most notably late-deafened adults or persons who are hard of hearing, are not aware that they may control their relay calls by simply instructing a CA on their calling preferences. Outreach efforts are needed to alert consumers to the existence and advantages of exercising such control. This

can be accomplished by providing such information in TRS mailings, telephone directories, and other informational materials distributed to telephone subscribers.

VII. Other Matters

The NAD et. al. offers the comments below to supplement other issues raised in our initial comments to this proceeding.

A. Speed of Answer

In its initial comments to this proceeding, the NAD et. al. expressed support for the Commission's proposal to improve the speed of answer by TRS providers; at that time, we did not oppose excluding re-dialed or abandoned calls from the blockage rate calculation. NAD et. al. at 14-15. We cautioned however, that relay providers should be required to maintain separate records containing the number of such re-dialed or abandoned calls. See also Texas PUC (requesting that a profile of delayed or abandoned calls, using increments from 5 to 120 seconds, be maintained by state providers to monitor these calls). Others to this proceeding expressed similar concerns regarding the affect of abandoned and re-dialed calls on a relay caller's ability to access a relay service. For example, DDTP stated that "[i]f TRS providers are not held accountable for abandoned calls and busy signals, they can manipulate the length of the queue during times when the demand exceeds their staffing. . . ." DDTP further expressed the concern that if these calls are not included in the speed of answer calculations, "states may never know that they are experiencing high numbers of abandoned calls or busy signals. . . . Requiring these types of calls to be included in the calculation would . . . allow states to receive a complete picture of the actual speed of answer experienced by callers . . . If the [speed of answer] is good (10 seconds or less), there typically will not be a high percentage of abandoned calls." Id. at 9.

Similarly, the Kansas Relay Service, Inc. (KRSI) asserted that it has had no difficulty meeting an average daily speed of answer of “substantially less than 10 seconds from the time a call first reaches the KRSI switch until the call is answered by a CA prepared to place the TRS call . . . without excluding redialed or abandoned calls from the calculation.” KRSI at 8-9. KRSI urges inclusion of these types of calls in the speed of answer calculations, and urges as well as that such calculations should include statistics on (1) the number of busy signals callers receive and (2) the number of incoming calls placed on hold, to lessen distortion of a provider’s actual TRS performance. *Id.* at 9. Finally, the State of Maryland has suggested that when call rings continue for over sixty seconds and are then abandoned, they should be considered to have been blocked. Maryland at 9.

Given the above comments, we wish to revise somewhat our initial comments made with respect to TRS speed of answer calculations. Because of the deviations in speed of answer calculations that might otherwise occur, we urge the Commission to require relay providers to keep records of (1) calls that have been abandoned after thirty seconds, (2) re-dialed calls, (3) busy signals which callers receive, and (4) incoming calls placed on hold. Thirty seconds is a long time to wait for a call to be answered, and any call abandoned after that time is more than likely to have been abandoned owing to a lack of a response by the relay provider.

B. Speech-to-Speech Relay Services

The FCC should take note of the strong support for speech-to-speech services by both consumers and industry. *See* TDI at 6; Sprint at 2; President’s Committee on Employment of People with Disabilities (PCEPD) at 6; United Cerebral Palsy Associations at 3; Ameritech at 3;

American Speech-Language-Hearing Association at 1; GTE at 3. The NAD et. al. wish to reiterate their support for this type of relay service, and note as well support for the proposal set forth by DDTP to allow states to relax service quality standards during a six month period of adjustment, during which time such states will be able to fully assess call volumes and traffic patterns. As proposed by DDTP, after that time, these states should be able to provide STS services which meet the FCC's service quality standards. DDTP at 3.

The NAD also agrees with many parties to this proceeding that extensive efforts are needed to educate the public about the existence of speech-to-speech services. We agree with other parties who have suggested requirements for such outreach activities should be in place, PCEPD at 7, and that the expenses associated with such outreach efforts should be recoverable. DDTP at 4; United Cerebral Palsy Associations at 2; see generally Bob Segalman at 2.

C. Multilingual Relay Services and Translation Services

In our initial comments, we requested the FCC to allow cost recovery for foreign language translation that is disability related. In its comments on the NPRM, Sprint notes that it already offers this service in eight of the states for which it provides relay services. Sprint at 2. The provision of these translation services was a direct response to the need for such services by the disability communities in those states. The FCC should ensure that its action in this proceeding in no way impairs the ability of those states to continue offering this service.⁷

⁷ We refer the FCC to the excellent discussion on this issue contained in the DDTP Report filed with the comments of the California PUC. DDTP explains that the inability of a deaf person who speaks Spanish to communicate with family members is directly related to that person's disability. If, as a child, the relay user learned ASL as a visual language and English as a written language, that individual may never have learned to write in Spanish, which would be needed to use the single language relay services proposed by the FCC. See DDTP at 6. Without foreign language relay services, these individuals are effectively precluded from benefiting from TRS.

VIII. Conclusion

The NAD et. al. wishes to again thank the Commission for stepping forward to initiate this review of telecommunications relay services. We urge the Commission to take the actions proposed in these and our earlier comments to achieve real time relay transmissions that are truly functionally equivalent to voice telephone transmissions. We stand ready to assist the Commission in whatever ways we can to achieve this objective, and urge the Commission to develop an advisory body so that our nation's relay services can continue to improve with the ongoing deployment of advanced telecommunications and technological applications.

Respectfully submitted,

National Association of the Deaf
Consumer Action Network

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September 14, 1998

ATTACHMENT A

Consumer Action Network

Members

American Association of the Deaf-Blind
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Association of Late Deafened Adults
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