

February 13, 2015

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

Re: **Notice of Ex Parte – CG Docket Nos. 10-51 and 03-123  
Purple Communications, Inc.**

Dear Ms. Dortch:

On Wednesday, February 13, Bob Rae, Chief Executive Officer of Purple Communications, Inc. (Purple), John Goodman, Chief Legal Officer of Purple, and Monica Desai of Squire Patton Boggs (US) LLP, counsel to Purple, met with the following staff of the Federal Communications Commission (FCC): Bob Aldrich (Front Office Legal Advisor, Consumer & Governmental Affairs Bureau (“CGB”)), Greg Hlibok (Chief, Disability Rights Office, CGB), Darryl Cooper (Attorney Advisor, Disability Rights Office, CGB), Caitlin Vogus (Attorney Advisor, Disability Rights Office, CGB), and David Schmidt (Office of the Managing Director). Mr. Hlibok and Mr. Schmidt participated in the meeting by telephone.

The purpose of the meeting was to discuss several pending issues about which Purple is awaiting clarification. For example, over 18 months ago, Purple informally sought clarification regarding footnote 122 of the Commission’s June 10, 2013 Video Relay Service Order, which stated that “[c]alls that are completed using a technology that does not provide both inbound and outbound functionality are not compensable from the TRS fund,” does not apply when users access Internet Protocol Captioned Telephone Service (IP CTS) through web and wireless services.<sup>1</sup> After being advised by staff that Purple should tee up the issue formally, Purple filed a formal Petition on July 8, 2013, and has since that time had submitted numerous filings on this issue.<sup>2</sup> Purple continues to seek clarification that the

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<sup>1</sup> See *Structure and Practices of the Video Relay Service Program, et al.*, CG Docket Nos. 10-51 and 03-123, Report and Order and Further Notice of Proposed Rulemaking, 28 FCC Rcd 8618, 8642 ¶ 46 n.122 (2013); see also 47 C.F.R. §§ 1.3 and 1.429.

<sup>2</sup> *Petition of Purple Communications, Inc. for Expedited Clarification, or Partial Reconsideration or, Alternatively, a Waiver*, CG Docket Nos. 10-51, 03-123 (July 8, 2013); *Purple Communications*,

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Commission did not intend footnote 122 to apply to inbound web and wireless calls, or, alternatively, a waiver for Purple's web and wireless IP CTS minutes generated between August 5, 2013, and September 30, 2013, during which time Purple handled calls while awaiting a Commission response to this issue.<sup>3</sup>

Purple emphasized to staff that the cumulative impact surrounding the lack of clarity on this and other issues has created significant economic impact for Purple, a small, competitive TRS provider.

Respectfully submitted,



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*Counsel to Purple Communications, Inc.*

cc:

Bob Aldrich  
Darryl Cooper  
Greg Hlibok  
David Schmidt  
Caitlin Vogus

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*Inc., Notice of Ex Parte*, CG Docket Nos. 03-123 and 10-51 (Apr. 21, 2014); *Purple Communications, Inc., Notice of Ex Parte*, CG Docket Nos. 03-123 and 10-51 (Apr. 18, 2014); *Purple Communications, Inc., Notice of Ex Parte*, CG Docket Nos. 03-123 and 10-51 (Feb. 28, 2014); *Purple Communications, Inc., Notice of Ex Parte*, CG Docket Nos. 03-123 and 10-51 (Dec. 9, 2013); *Purple Communications, Inc., Notice of Ex Parte*, CG Docket Nos. 03-123 and 10-51 (Nov. 18, 2013); *Reply Comments of Purple Communications, Inc.*, CG Docket Nos. 03-123 and 10-51 (Oct. 23, 2013); *Comments of Purple Communications, Inc.*, CG Docket Nos. 03-123 and 10-51 (Sept. 26, 2013); *Purple Communications, Inc., Notice of Ex Parte*, CG Docket Nos. 03-123 and 10-51 (Aug. 23, 2013); *Purple Communications, Inc., Notice of Ex Parte*, CG Docket Nos. 03-123 and 10-51 (Aug. 15, 2013); *Purple Communications, Inc., Notice of Ex Parte*, CG Docket Nos. 03-123 and 10-51 (Aug. 2, 2013); *Purple Communications, Inc., Notice of Ex Parte*, CG Docket Nos. 03-123 and 10-51 (Aug. 1, 2013); *Purple Communications, Inc., Notice of Ex Parte*, CG Docket Nos. 03-123 and 10-51 (July 26, 2013); *Purple Communications, Inc., Notice of Ex Parte*, CG Docket Nos. 03-123 and 10-51 (July 25, 2013).

<sup>3</sup> *Id.*