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Via Electronic Filing

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

**RE: Ex Parte Notice: CG Docket Nos. 10-51 and 03-123**

Dear Ms. Dortch:

On March 13<sup>th</sup>, Sean Belanger of CSDVRS, LLC. (“ZVRS”), communicated with Gregory Hlibok, Chief of Disability Rights Office and Karen Strauss, CGB Deputy Chief the following information on ZVRS’s behalf.

For years, ZVRS and other providers have experienced significant interoperability problems with Sorenson Communications. The latest interoperability issue results in “black screen problems” that deaf consumers believe to be caused by their default provider (i.e. Purple or ZVRS) but are in fact, a result of actions taken by Sorenson.

The first interoperability issue is related to Sorenson’s hardware-based videophone, the ntouch VP. Sorenson put out a version of firmware on the ntouch VP that created an interoperability issue with ZVRS products. This issue presented itself as a black screen appearing on ZVRS products when consumers attempted to establish a connection to an ntouch VP. Consumers believed the black screen issue was a problem related to their ZVRS-provided videophone because it continuously occurred when they tried to connect to another deaf individual using Sorenson’s ntouch VP. Since Sorenson represents a dominant position in the market place, the blame always falls on the smaller providers. After a considerable amount of time, ZVRS discovered the issue was based on a change in the Sorenson firmware. ZVRS contacted Sorenson and Sorenson agreed to fix their software in order to put a halt to this interoperability issue. This of course puts ZVRS at the mercy of Sorenson. To date, we continue to wait for Sorenson to upgrade 100 percent of their devices that are still using the non-interoperable firmware. While ZVRS waits, our customers believe it is a ZVRS problem. This

does not even take into account the market impact by porting to Sorenson due to our customers' belief that the issue is a ZVRS issue.

Today, the FCC has contracted with both Mitre and VTsecure. A VRS company should not be able to put new products or firmware into the market without first having interoperability testing for compatibility with open market CPE by a third party. Both Mitre and VTsecure are capable of this type of testing.

The second issue discovered in ZVRS testing is that Sorenson's videophones have an option within their settings to set "privacy mode" to be defaulted as "on" for inbound calls. If this feature is enabled, it also creates what's perceived as a black screen issue. For example, if a ZVRS customer calls a Sorenson ntouch VP that has privacy mode set to on, the ZVRS customer only sees a black screen on their device. There is no indication or notification to a ZVRS customer that the person with a Sorenson ntouch VP is in "privacy mode". When a Sorenson ntouch VP calls another ntouch VP, they are notified via a message in the middle of the screen that the other party is in "privacy" mode. (The message appears in the middle of the black screen). However, if a ZVRS customer calls another ZVRS customer, or if a ZVRS customer calls a Purple customer and "privacy mode" is enabled, the calling party receives a message on their videophone that "privacy mode" is enabled. This deceptive practice leads non-Sorenson customers to believe their ZVRS or Purple product is defective.

In addition, ZVRS also surmises that this feature can extend VRS calls and overbilling the FCC. When a Sorenson interpreter calls a phone on "privacy mode", they will simply hang on the line even though the phone has been answered but no communication has started. This is especially true as many users' phones are set to auto-answer.

These are problems that have been going on for years. ZVRS went on to emphasize that the standards that are coming only have to do with Video Communication in the standard mode. By example, Sorenson can have a proprietary mode that works better between Sorenson customers and their videophones but Sorenson disables this mode with a non-Sorenson phone and chooses the lowest video quality standard for that communication. At the same time, features like video mail, address books, and how you display a privacy screen are not part of any of the standards presently discussed. Again, Sorenson is proprietary so other providers cannot emulate their function. With open market products, ZVRS and other providers can duplicate all features and functions.

Lastly, ZVRS urged the FCC to legislate only neutral hardware and software for deaf consumers. This would be a way for a consumer to port or choose whichever provider they wanted without dial around or loss of features. This can easily be accomplished by the FCC ordering it with a one year window to comply. Providers would have lower costs and consumers would have the ability to choose any provider without the loss of any features or functions. An action from the FCC would change the focus of providers to better interpreting. Like "net neutrality", ZVRS urges "VRS Neutrality". This can be accomplished in much the same way as network access and equipment were broken up in all the Bell/AT&T actions. The FCC certainly should not foster a monopolistic provider.

Respectfully submitted,

/s/

Sean Belanger  
CEO of CSDVRS, LLC.

Cc:

Karen Strauss  
Gregory Hlibok