

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

In the Matter of)	
)	
Telecommunications Relay Services and)	
Speech-to-Speech Services for Individuals with)	CG Docket No. 03-123
Hearing and Speech Disabilities)	
)	
Hamilton Relay, Inc. and Sprint Corporation)	RM-_____
Joint Petition for Rulemaking to Reform the)	
Commission's Mandatory Minimum)	
Requirements for Traditional TRS and CTS)	
Providers)	

JOINT PETITION FOR RULEMAKING

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Pursuant to Sections 1.1, 1.41, and 1.401 of the Federal Communications Commission’s (“FCC’s” or “Commission’s”) rules,¹ Hamilton Relay, Inc. (“Hamilton”) and Sprint Corporation (“Sprint” and, collectively with Hamilton, the “Petitioners”) hereby jointly petition the Commission to initiate a rulemaking proceeding to revise the mandatory minimum requirements that currently apply to traditional Telecommunications Relay Service (“TRS”) and Captioned Telephone Service (“CTS”) offerings.² For the reasons discussed below, the Petitioners urge the Commission to modify two legacy requirements as part of this rulemaking: (1) the equal access requirement, which requires TRS providers to offer consumers access to their interexchange carrier of choice to the same extent that such

¹ 47 C.F.R. §§ 1.1, 1.41, 1.401.

² Pursuant to section 1.401(c), a party filing a rulemaking petition must indicate how its interests will be affected by the requested action. 47 C.F.R. § 1.401(c). As providers of traditional TRS and CTS services, both Hamilton and Sprint are impacted directly by the existing requirements and would be impacted by any efforts to update the Commission’s rules to better reflect the current competitive and technological climate.

access is provided to voice users;³ and (2) the obligation to “be capable of handling any type of call normally provided by telecommunications carriers” to the extent that it requires providers to offer users the “same billing options (*e.g.*, sent-paid long distance, operator-assisted, collect, and third party billing) traditionally offered for wireline voice services” (hereinafter referred to as the “billing option” requirement).⁴ Specifically, the Petitioners request that the rules exempt providers of traditional TRS and CTS to the extent that they do not assess a separate toll charge for long-distance traffic that they carry.

I. BACKGROUND AND SUMMARY

By any measure, the interstate TRS program has been an incredible success, “bridg[ing] the gap between the communications-impaired telephone user and the community at large” as Congress intended.⁵ One major contributing factor to the continuing success of the program has been the FCC’s willingness to adapt the program and its rules to account for changes in technology and the competitive landscape.

Consistent with that history, the Commission now should initiate a proceeding to address the need for further revisions to the rules that currently apply to traditional TRS and CTS providers in light of recent technological advances and marketplace changes. The equal access and billing option requirements were adopted more than twenty years ago for a

³ 47 C.F.R. § 64.604(b)(3).

⁴ 47 C.F.R. § 64.604(a)(3)(ii). Concurrently herewith, Sprint is submitting a Petition for Interim Waiver that requests that the Commission waive the equal access and billing option requirements to the extent that it and other similarly-situated parties do not charge for long-distance service. *See* Petition for Interim Waiver of Sprint Corporation, CG Docket No. 03-123 (Sept. 23, 2015). This waiver is requested until action is taken on the instant Petition. As outlined in that filing, grant of a waiver will accelerate delivery of the public interest benefits that will flow from modification of these rules.

⁵ H.R. Rep. No. 458, Pt. 2, 101st Cong., 2d Sess., at 129 (1990).

very different communications landscape, one in which per-minute long-distance charges were standard, and for a very different TRS program, one in which “there was only one form of TRS transmitted over the PSTN – TTY-to-voice relay service.”⁶ Today, the majority of all telephone subscribers no longer pay separate, per-minute charges for long-distance calls,⁷ and well over ninety percent of all compensable TRS minutes are carried via Internet-based TRS (“iTRS”) technologies such as Video Relay Service (“VRS”), Internet Protocol Captioned Telephone Service (“IP CTS”), and Internet Protocol Relay (“IP Relay”) service.⁸

As outlined below, in the current competitive and technological climate, the equal access and billing option requirements are not needed for traditional TRS and CTS providers to the extent that they do not assess separate charges for long-distance calls. Allowing providers to be exempt from these obligations when they do not assess such charges would advance both the public interest and the Commission’s statutory obligations by:

- (1) benefitting existing users of traditional TRS and CTS offerings, including by streamlining the process through which a number of these users place a long-distance call;
- (2) encouraging the transition to advanced IP-based networks and platforms; and
- (3) increasing the efficiency of the TRS program.

⁶ *Telecommunications Relay Services And Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities; Waivers of iTRS Mandatory Minimum Standards*, Report and Order, Order, Declaratory Ruling, and Further Notice of Proposed Rulemaking, 29 FCC Rcd 10697, ¶ 4 (2014) (“*Exemption Order*”).

⁷ See discussion *infra* at 4-7.

⁸ *Exemption Order* ¶ 4; see also, e.g., Rolka, Loube, Saltzer and Associates, Interstate TRS Fund Monthly Status Report for July 2015, http://media.wix.com/ugd/455e4d_4c334202730948b781c5c8f7762ded59.pdf (demonstrating, *inter alia*, that text telephone (“TTY”) disbursements represented less than one percent of TRS Fund disbursements).

II. THE EQUAL ACCESS AND BILLING OPTION REQUIREMENTS ARE NO LONGER NECESSARY WHEN A TRADITIONAL TRS OR CTS PROVIDER DOES NOT CHARGE FOR LONG-DISTANCE CALLS

In its recent decision to exempt iTRS providers from the equal access and billing option requirements, the Commission recognized that these requirements could be eliminated while still “ensuring that TRS consumers continue to have access to communications services that are functionally equivalent to voice telephone services.”⁹ The Commission’s findings apply with equal force to all TRS providers. To the extent that a provider of *any* type of TRS does not impose separate charges for long-distance calls, these rules simply are obsolete.¹⁰

Equal Access. The equal access requirement for TRS providers was adopted at a time when the structure of the telecommunications industry looked vastly different. Virtually all long-distance service at that time was provided by three independent entities (AT&T, MCI, and Sprint) that charged distance-sensitive, per-minute charges to carry traffic, and the requirement was designed to enable a consumer to select the carrier that offered the most attractive rates for the consumer’s particular long-distance needs. Indeed, the genesis of the requirement was the 1982 consent decree that led to the break-up of the

⁹ *Exemption Order* ¶ 1.

¹⁰ While already irrelevant today, these rules could become moot in the future as the communications industry transitions to an all-IP world. Notably, the equal access rule requires TRS users to have access “to the same extent that such access is provided to voice users,” and the billing option requirement applies to the extent a service or option is “traditionally offered for wireline voice services.” 47 C.F.R. §§ 64.604(a)(3)(ii), (b)(3). Because, however, modifying these unnecessary rules now would produce immediate, tangible public interest benefits, there is no reason to wait until the Commission completes a comprehensive overhaul of its rules for a post-transition communications landscape. *See* discussion *infra* at Section III.

old Bell System and was designed to erode AT&T's dominant position in the long-distance industry.¹¹

The long-distance business today has been completely transformed from the industry that existed in the early 1990s. Most relevant to this petition, a growing number of non-TRS voice users obtain their service from wireless, cable, and over-the-top providers that are not subject to an equal access obligation. Further, the charge-per-minute-of-use business paradigm largely has been supplanted by flat-rated plans that offer unlimited calling. In other words, marketplace and technological changes over the past quarter century have rendered the current TRS equal access requirement an irrelevant anachronism.

The Commission recognized these changes when it largely exempted iTRS providers from compliance with the equal access requirement. There, the Commission properly concluded that equal access to interexchange carriers is not necessary to provide “functionally equivalent”¹² telephone services when providers do not charge for long-distance service.¹³ As the Commission noted, the vast majority of all telephone users today

¹¹ *United States v. AT&T*, 522 F. Supp. 131 (D.D.C. 1982), *aff'd sub nom. Maryland v. United States*, 460 U.S. 1001 (1983).

¹² 47 U.S.C. § 225(a)(3).

¹³ *Exemption Order* ¶ 16. *See also* Comments of ASL Services Holdings, LLC; CSDVRS, LLC; Convo Communications, LLC; Hamilton Relay, Inc.; Hancock, Jahn, Lee and Puckett, LLC; Purple Communications, Inc.; Sorenson Communications, Inc.; and Sprint Corporation, CG Docket No. 03-123, at 4 (Dec. 23, 2013) (“Because iTRS users do not pay for long-distance calls, it simply does not make sense to require providers to offer users access to their choice of long-distance provider.”) (“Joint Comments”); Request for Extension and Clarification of Various iTRS Waivers of Hamilton Relay, Inc., AT&T Inc., CSDVRS, LLC, Sorenson Communications, Inc., Sprint Nextel Corporation, and Purple Communications, Inc., CG Docket No. 03-123, at 6 (Nov. 19, 2009) (“Provided that VRS providers agree to abide by the condition placed on the equal access waiver issued to Internet Relay and IP CTS providers, i.e., that the VRS providers will pay for all long distance charges for VRS calls, the need for equal access is rendered moot.”) (“Joint Petition”).

are unable to select their long-distance carrier “[g]iven the evolution of the marketplace for voice services, and in particular [the fact] that wireless, cable, and over-the-top VoIP providers generally do not allow for a choice of IXCs.”¹⁴ Many TRS users similarly are migrating to IP and wireless technologies that include unlimited nationwide calling for a fixed price, and even “traditional wireline telephone customers increasingly are purchasing bundled local and long distance service for a set monthly fee.”¹⁵

Moreover, in today’s environment, consumers across all technology platforms have shown little interest in selecting a long-distance carrier on a per-call basis. This lack of consumer interest in choosing a long-distance carrier is hardly surprising. As the Commission previously has observed, when carriers do not assess per-minute charges for long-distance calls, “consumers derive no value from equal access to long distance carriers . . . and, consequently, have no interest in ‘price shopping’ for a long-distance provider.”¹⁶ The Commission, therefore, should grant the requested exemptions from compliance with the equal access requirement.

¹⁴ *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities, Waivers of iTRS Mandatory Minimum Standards*, Notice of Proposed Rulemaking, 28 FCC Rcd 13514, ¶ 13 (2013) (“*Waiver NPRM*”).

¹⁵ *Id.* See also, e.g., *Connect America Fund, et al.*, Report and Order and Further Notice of Proposed Rulemaking, 26 FCC Rcd 17663, ¶ 9 (2011) (finding that the intercarrier compensation regime was “outdated” because it was “designed for an era of separate long-distance companies and high per-minute charges, and established long before competition emerged among telephone companies, cable companies, and wireless providers for bundles of local and long distance phone service and other services”); *FCC Replaces Outmoded Long-Distance Rules with New Protections for Consumers*, News Release, 2007 FCC LEXIS 6240 (rel. Aug. 31, 2007) (finding that the existing rules were “at odds with a market environment where local and long distance services increasingly are marketed and provided on a bundled basis”).

¹⁶ *Exemption Order* ¶ 16. See also, e.g., *Provision of Improved Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities, et al.*, Declaratory Ruling and Second Further Notice of Proposed Rulemaking,

Billing Option. Just as with the equal access requirements, the Commission recognized that the billing option requirement is not needed to maintain functional equivalence when TRS users do not pay for long distance or use calling cards.¹⁷ In largely exempting iTRS providers from these obligations, the Commission correctly noted that such options are “not as important as in the past”¹⁸ and that customers may “no longer need or necessarily want the same billing options that were appropriate when relay services were primarily accessed via the PSTN.”¹⁹ Indeed, when providers do not charge for long distance, they “receive few if any requests for operator-assisted billing, collect calls, third-party billing, and sent-paid billing for long-distance calls.”²⁰

In short, to the extent that traditional TRS or CTS providers do not impose a fee for the completion of long-distance calls,²¹ they should be exempt from the current equal access

17 FCC Rcd 7779, ¶ 31 (2002) (recognizing that “cost is a significant factor in carrier of choice”).

¹⁷ *Exemption Order* ¶ 12. *See also* Joint Petition at 6 (“[P]rovided that iTRS providers offer their services free of charge, including free long distance service, the Providers submit that the rationale underlying the ‘types of calls’ [*i.e.*, the billing option] requirement is rendered moot.”).

¹⁸ *Exemption Order* ¶ 12.

¹⁹ *Waiver NPRM* ¶ 10. *See also* Joint Comments at 4 (“[I]n a world where VoIP and cellular-telephone users routinely receive free long distance as part of their plan, operator services are simply ‘less relevant’ than they were previously and are not necessary in order to guarantee ‘functional equivalency.’ This is especially true in the iTRS world, where users do not pay for long distance, which makes operator-assisted billing completely unnecessary.”).

²⁰ Joint Comments at 3.

²¹ To the extent that traditional TRS and CTS providers continue to impose long-distance charges, they would, of course, continue to be subject to these requirements. Similarly, providers could impose charges or offer billing options only to certain subsets of customers, such as correctional facilities or payphone users, and be subject to the requirements only with respect to those customers. For example, TRS providers sometimes

and billing option requirements, just as the rules exempt iTRS providers. These revisions to the current rules, which are set forth in Appendix A, would further the Commission’s consistent efforts to modify or eliminate outdated and unnecessary rules.²²

III. REFORMING THE EQUAL ACCESS AND BILLING OPTION REQUIREMENTS WOULD ADVANCE THE PUBLIC INTEREST AND AID THE COMMISSION IN FULFILLING ITS STATUTORY OBLIGATIONS

The reforms proposed in this Petition would advance several different FCC public interest objectives by providing tangible benefits to consumers, encouraging the ongoing TDM-IP transition, and improving the efficiency of traditional TRS and CTS service.

A. Traditional TRS and CTS Users Would Benefit from the Proposed Exemptions

Traditional TRS and CTS users would benefit from the proposed modifications to the equal access and billing option requirements in at least two ways. First, the process for placing a long-distance call would be simplified and more calls would be completed successfully. Today, when a traditional TRS user wishes to place a long-distance call, TRS providers must, in some instances, ask a user who has not registered a long-distance carrier

facilitate calls from correctional facilities by limiting all inmate TRS calls to operator-assisted collect calls and should continue to have the flexibility to rely on the collect calling billing option for this purpose.

²² See, e.g., *Inquiry Concerning the Deployment of Advanced Telecommunications Capability to All Americans in a Reasonable and Timely Fashion, and Possible Steps to Accelerate Such Deployment Pursuant to Section 706 of the Telecommunications Act of 1996, as Amended by the Broadband Data Improvement Act*, 2015 Broadband Progress Report and Notice of Inquiry on Immediate Action to Accelerate Deployment, 30 FCC Rcd 1375, ¶ 160 (2015) (noting that “[t]he Commission is committed to eliminating its outmoded or unnecessary regulations”); *Report on FCC Process Reform*, Report, 29 FCC Rcd 1338 (2014) (seeking comment on process reform and the recommendation that the Commission eliminate or modify “outdated rules” that, “as a result of marketplace or technology changes [are] no longer necessary in the public interest”); *Sports Blackout Rules*, Report and Order, 29 FCC Rcd 12053, ¶ 5 (2014) (eliminating the sports blackout rules after seeking comment on “whether the . . . rules have become outdated due to marketplace changes since their adoption and whether modification or elimination of those rules is appropriate”).

with the relay provider to name his or her preferred long-distance provider. Similarly, when an individual attempts to place a long-distance call to a CTS user, he or she must, in some instances, sit through an advisory regarding the need to register a preferred provider for long-distance calls. Many users understandably find this question or advisory to be confusing in today's communications marketplace. As a result, they frequently do not select a carrier, and the call ends up being carried by a default carrier. For those users who do name a long-distance provider on a per-call basis, the traditional TRS or CTS agent then must look up the provider and place a call out to that carrier's circuit.

All of these steps delay the time it takes to complete a call, thereby inconveniencing the consumer. Notably, this delay undermines the "functional equivalency" of TRS services because virtually all, if not all, non-TRS users avoid this extra step in placing a long-distance call.²³ Worse yet, users often complain to the Petitioners that their attempts to use a selected carrier are unsuccessful – a problem that typically occurs for reasons wholly unrelated to the TRS provider's call processing. For example, a user may not have an account with the long-distance carrier the user requests.²⁴

²³ In 2007, the Commission forbore from applying the equal access scripting requirement to the Bell Operating Companies ("BOCs") and waived the requirement for their independent incumbent LEC affiliates. *Petition of USTelecom for Forbearance Under 47 U.S.C. § 160(c) from Enforcement of Certain Legacy Telecommunications Regulations, et al.*, Memorandum Opinion and Order and Report and Order and Further Notice of Proposed Rulemaking and Second Further Notice of Proposed Rulemaking, 28 FCC Rcd 7627, ¶ 11 n.27 (2013) ("2013 Forbearance Order") (citing *Section 272(f)(1) Sunset of the BOC Separate Affiliate and Related Requirements, et al.*, Report and Order, 22 FCC Rcd 16440, ¶¶ 125-26 (2007) (forbearing from the equal access scripting requirement for Verizon, Qwest, and AT&T, and waiving the requirement for their non-BOC affiliates)). In 2013, the FCC forbore from applying the requirement to the remaining independent incumbent LECs' mass market long-distance calling services. *2013 Forbearance Order* ¶ 16 (finding it "not 'necessary for the protection of consumers'").

²⁴ While Sprint, in its role as a long-distance provider, does not reject TRS calls for this reason, a number of long-distance providers do.

Second, users who still pay long-distance charges in order to place traditional TRS or CTS calls no longer would do so when providers operate pursuant to the proposed exemptions. The financial savings to these users represent an obvious benefit to that portion of the community of TRS users. Importantly, the provision of free long-distance service to TRS customers is consistent with the Communications Act of 1934, as amended (the “Act”). Section 225 of the Act requires only that TRS users “pay rates *no greater than* the rates paid for functionally equivalent voice communication services with respect to such factors as . . . the distance from point of origin to point of termination.”²⁵

Further, aside from these benefits, there are no countervailing public interest concerns that the current rules are needed to address. For example, with respect to equal access, the Common Carrier Bureau in the past expressed concern that, “[i]f TRS users are

²⁵ 47 U.S.C. § 225(d)(1)(D) (emphasis supplied). The Petitioners propose that the Commission condition its exemptions from the equal access and billing option rules on a TRS provider’s agreement to complete long-distance calls without charging for the toll portion of the calls. The Commission, however, also should expressly confirm that such providers will continue to be compensated from the TRS Fund for the costs they incur in originating traditional TRS and CTS calls. In so doing, the Commission would avoid any potential implication that the provision of free long-distance service constitutes an impermissible financial incentive. See *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, Order, 20 FCC Rcd 12503, ¶ 1 (2005). In deeming the “offering of free or discount long distance service” unlawful, the Commission expressly addressed “only the situation where TRS consumers, but not other consumers, are given free long distance service (or discount long distance service) as [an] incentive for the consumer to use the particular TRS provider that also offers the long distance service, or to make more or longer TRS calls.” *Id.* ¶ 6 n.18. When the Petitioners no longer bill for traditional long-distance TRS calls, they also will no longer bill for any other long-distance calls. In particular, Sprint is in the process of discontinuing its provision of wireline consumer long-distance services and associated features other than the Casual Caller TRS interexchange service Sprint provides to TRS users. Section 63.71 Application of Sprint Communications Company L.P., WC Docket No. 15-186 (June 19, 2015). Thereafter, Sprint no longer will assess per-minute charges for its non-TRS long-distance calls. As a relay provider, Hamilton is not itself a long-distance service provider and thus does not provide long-distance to any customers today. Accordingly, the offering of free long-distance service is permitted in these circumstances, and such traffic would be compensable.

not able to use their carrier of choice and are forced to select an alternative provider, they may pay rates that are higher than those charged by their preferred carrier, or may not have access to particular services.”²⁶ As discussed above, few customers today pay per-minute long-distance rates, and such charges would not be imposed by the Petitioners when they operate under the proposed rule exemptions outlined herein.

B. Ongoing Technology Transitions Would Be Advanced

Section 225 of the Act specifically directs the Commission to “ensure that regulations prescribed to implement this section . . . *do not discourage or impair the development of improved technology.*”²⁷ Indeed, the Commission long has sought to ensure that it keeps abreast of technological changes that potentially could serve to improve relay services.²⁸ At this time, the communications industry is in the midst of a transformational period as “[c]ommunications networks are rapidly transitioning . . . to new, all-Internet Protocol (IP) multimedia networks.”²⁹ Moreover, the Commission previously has summarized the various benefits that a technology transition, when completed, produces:

²⁶ *Common Carrier Bureau Reminds All Common Carriers of Their Obligation to Provide Access to Their Telecommunications Services via Telecommunications Relay Services*, Public Notice, 15 FCC Rcd 9916 (1999).

²⁷ 47 U.S.C. § 225(d)(2) (emphasis supplied).

²⁸ *See, e.g., Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, Report and Order and Further Notice of Proposed Rulemaking, 15 FCC Rcd 5140 (2000) (soliciting comment on “any other changes to technology that may improve relay services or should be available via TRS”).

²⁹ *Technology Transitions, et al.*, GN Docket No. 13-5, Report and Order, Order on Reconsideration, and Further Notice of Proposed Rulemaking, FCC 15-97, ¶ 1 (rel. Aug. 7, 2015) (“*2015 Technology Transitions Order*”).

Modernizing communications networks can dramatically reduce network costs, allowing providers to serve customers with increased efficiencies that can lead to improved and innovative product offerings and lower prices. It also catalyzes further investments in innovation that both enhance existing products and unleash new services, applications and devices, thus powering economic growth. The lives of millions of Americans could be improved by the direct and spillover effects of the technology transitions, including innovations that cannot even be imagined today.³⁰

Continuing to impose the equal access and billing option obligations would undermine the ongoing technology transition,³¹ an outcome that would cause substantial consumer harm with no countervailing benefit to the TRS users that no longer require or desire these calling options. In particular, while industry participants anticipate upgrading their TRS platforms to IP in the future, implementing such upgrades would make the task of continuing to comply with the obsolete equal access and billing option requirements an onerous undertaking. Thus, retention of the rules not only would discourage improving the technology of the TRS platform, but also would complicate unnecessarily Sprint's TRS operations by requiring it to maintain a portion of its TDM network solely for the purpose of fulfilling those outdated obligations.

³⁰ *Technology Transitions, et al.*, Order, Report and Order and Further Notice of Proposed Rulemaking, Report and Order, Order and Further Notice of Proposed Rulemaking, Proposal for Ongoing Data Initiative, 29 FCC Rcd 1433, ¶ 2 (2014) (“*2014 Technology Transitions Order*”); see also *id.* ¶ 15 (“Technology transitions mark progress and are a good thing – sometimes even a triumph.”); *2015 Technology Transitions Order* ¶ 1 (the IP transition offers “the prospect of innovative and improved services to consumers and businesses alike”).

³¹ The transition process already is well under way. *2014 Technology Transitions Order* ¶ 2 (“Network providers have invested billions of dollars to transition legacy networks and services to next generation technologies, and over the next several years will invest many billions more.”).

C. The TRS Program Would Operate More Efficiently

The Commission has a statutory duty to “ensure that interstate and intrastate telecommunications relay services are available, to the extent possible and in the *most efficient manner*, to hearing-impaired and speech-impaired individuals in the United States.”³² By no longer forcing traditional TRS and CTS providers unnecessarily to comply with the equal access and billing option requirements, the Commission would better fulfill its statutory obligation to maximize the efficient provision of the TRS program. For example, as outlined above, the call setup process would, in a number of cases, be shorter, less confusing, and thereby more efficient.³³ In addition, the Petitioners anticipate that it would be simpler for the TRS Fund administrator to carry out its oversight duties because TRS and iTRS providers would be treated in a similar manner with respect to these types of calls.

IV. CONCLUSION

For the foregoing reasons, the Petitioners respectfully request that the Commission promptly initiate a rulemaking proceeding to reform the current rules that apply to traditional TRS and CTS providers. At the conclusion of that proceeding, the Petitioners are confident that the record overwhelmingly will demonstrate that the current equal access and

³² 47 U.S.C. § 225(b)(1) (emphasis supplied).

³³ See, e.g., *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, Report and Order, 23 FCC Rcd 5255, ¶ 4 (2008) (noting that the “use of TRS (which requires two separate calls) in an emergency situation represents a less efficient method of accessing emergency services”); *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, Order, 30 FCC Rcd 6073, ¶ 4 (2015) (finding that the requirements of section 225(b)(1) would be “most effectively implemented [by taking action] that would permit Sprint to focus its efforts on ensuring that service is provided with little or no interruption to those consumers with a legitimate need for IP Relay”).

billing option requirements should no longer apply to traditional TRS and CTS providers to the extent that they do not charge for long-distance calls.

Respectfully submitted,

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APPENDIX A

Text of Proposed Rules

Section 64.604(a)(3)(ii) and (b)(3) of the FCC's rules shall be revised as follows:

§ 64.604 Mandatory minimum standards.

(a) Operational standards.

(3) Types of calls.

(ii) Relay services shall be capable of handling any type of call normally provided by telecommunications carriers unless the Commission determines that it is not technologically feasible to do so. Relay service providers have the burden of proving the infeasibility of handling any type of call. Providers of ~~Internet-based~~ TRS need not provide the same billing options (e.g., sent-paid long distance, operator-assisted, collect, and third party billing) traditionally offered for wireline voice services if they allow for long distance calls to be placed using calling cards or credit cards or do not assess charges for long distance calling. Providers of ~~Internet-based~~ TRS need not allow for long distance calls to be placed using calling cards or credit cards if they do not assess charges for long distance calling.

(b) Technical standards –

(3) Equal access to interexchange carriers. TRS users shall have access to their chosen interexchange carrier through the TRS, and to all other operator services to the same extent that such access is provided to voice users. This requirement is inapplicable to providers of ~~Internet-based~~ TRS if they do not assess specific charges for long distance calling.