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Morgan Lewis

November 20, 2015

VIA ELECTRONIC FILING

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

Re: *Ex Parte* Letter in CG Docket Nos. 10-51 and 03-123

Dear Ms. Dortch:

On November 18, 2015, Howard Rosenblum, Chief Executive Officer, and Zainab Alkebsi, Policy Counsel, National Association of the Deaf (“NAD”) and the undersigned, on behalf of Telecommunications for the Deaf and Hard of Hearing, Inc. (“TDI”) (together, “Consumer Groups”) participated in a roundtable meeting with Nicholas Degani, Legal Advisor to Commissioner Ajit Pai, representatives of VRS service providers, and Matthew Sandgren, Senior Counsel to Senator Hatch.

Consumer Groups support Video Relay Service (“VRS”) rate stabilization until service quality standards are adopted to ensure that the burden of VRS rate cuts do not fall primarily on deaf and hard of hearing consumers and VRS Interpreters. Although Consumer Groups do not know what the “correct” VRS rate should be, they have long advocated for service quality standards and reimbursement rates that are sufficient to ensure an evolving level of service from multiple providers. The May 8, 2015 GAO Report¹ confirms that the Commission needs to establish performance goals and internal controls to oversee its national TRS Program.

The extraordinary focus on cost cutting is contrary to the mandate of the Americans with Disabilities Act (“ADA”) for functionally equivalent telecommunication services for deaf and hard of hearing individuals. While fiscal efficiency is important, the Commission needs to set performance goals and metrics for quality VRS service that provides a functionally equivalent communications experience. Only after the Commission establishes metrics can it determine the costs of providing quality VRS and an adequate reimbursement rate. Under the current declining

¹ The GAO Report is available at <http://www.gao.gov/products/GAO-15-409>.

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rate schedule, Consumer Groups see pressures being put on interpreters, including fewer breaks and less support for the vital role interpreters play in ensuring functionally equivalent communications. The quality of the interpreter determines if and whether a deaf or hard of hearing consumer has an effective call with her hearing counterpart. Consumer Groups are increasingly nervous that without quality standards in place, VRS rate cuts will result in a race to the bottom. The losers in that race will be the deaf and hard of hearing consumers the ADA was designed to protect. Consumer Groups therefore support VRS rate stabilization until service quality standards are adopted to ensure that the burden of VRS rate cuts do not fall primarily on consumers and VRS Interpreters.

Respectfully submitted,

/s/ Tamar Finn

Tamar Finn

Counsel for TDI

cc (by e-mail): Nicholas Degani