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Via Electronic Comment Filing Submission (ECFS) and Electronic Delivery

November 25, 2015

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

RE: ASL Services Holdings, LLC Confidential Supplemental Submission to *Emergency Petition for a Temporary Nunc Pro Tunc Waiver*, Structure and Practices of the Video Relay Service Program, CG Docket No. 10-51; Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities, CG Docket No. 03-123 (Public Inspection Copy)

Dear Secretary Dortch:

ASL Services Holdings, LLC (“ASL/Global VRS”) submits to the Commission a confidential Company-specific supplement to an *Emergency Petition for a Temporary Nunc Pro Tunc Waiver* submitted jointly by Convo Communications, LLC, Hancock Jahn Lee & Puckett, LLC dba CAAG and ASL/Global VRS (“Joint Petition”) today, in the above-referenced matters.

Pursuant to Section 0.459 of the Commission’s rules, 47 C.F.R §0.459, ASL/Global VRS requests confidential treatment for the Company-specific, highly sensitive and proprietary commercial information contained in the attached supplement, and withhold that information from any public inspection. The confidential information has been redacted from the public version electronically filed with the Commission. In addition, the confidential information constitutes highly sensitive commercial information that falls within Exception 4 of the Freedom of Information Act (“FOIA”).

In support of its request and pursuant to Section 0.459(b) of the Commission’s rules, ASL/Global VRS states as follows:

1. Identification of the specific information for which confidential treatment is sought.

ASL/Global VRS requests confidential treatment to the confidential information redacted from the version filed electronically with the Commission, specifically including usage and financial information.

2. Identification of the circumstances giving rise to the submission.

ASL/Global VRS is providing corporate-specific proprietary information to supplement information provided to the Commission in the Joint Emergency Petition.

3. Explanation of the degree to which the information is commercial or financial or contains trade secret or is privileged.

The confidential information in the supplemental submission contains highly confidential commercial usage and financial information that could be useful to competing entities. This information is safeguarded from competitors and is not made to the public accordingly.

4. Explanation of the degree to which the information concerns a service that is subject to competition

The confidential information involves video relay services, a highly competitive service.

5. Explanation of how disclosure of the information could result in competitive harm.

Disclosure of the redacted information could cause substantial competitive harm to ASL/Global VRS, because other video relay service providers would gain access to critical financial information and be able to assess the Company's relative size; information that would be useful in competing against ASL/Global VRS and undermine the Company's ability to compete.

6. Identification of any measures taken to prevent unauthorized disclosure.

ASL/Global VRS treats the redacted information as highly confidential and exercises significant care to ensure that such information is not disclosed to competitors, the public, or third parties.

7. Identification of whether the information is available to the public and the extent to of any previous disclosures of information to third parties.

ASL/Global VRS does not make the redacted information to the public or to third parties. Financial and usage information has been provided to the Commission.

Ms. Marlene H. Dortch
November 25, 2015
Page 3

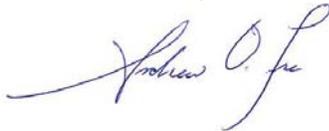
8. Justification of the period during which the submitting party asserts that the material should not be available for public disclosure.

ASL/Global VRS requests that the redacted information be treated as confidential indefinitely as the Company cannot identify a date certain by which this information could be disclosed without causing irreparable competitive harm to ASL/Global VRS.

Thank you for your attention to this matter. Questions may be directed to the undersigned.

Sincerely,

MILLER ISAR, INC.

A handwritten signature in blue ink, appearing to read "Andrew O. Isar". The signature is fluid and cursive, with a long horizontal stroke at the beginning.

Andrew O. Isar

Regulatory Consultants to
ASL Services Holdings, LLC

Attachments

cc: Edward Smith (via electronic delivery)
Rebekah Goodheart (via electronic delivery)
Travis Litman (via electronic delivery)
Jennifer Thompson (via electronic delivery)
Nicholas Degani (via electronic delivery)
Amy Bender (via electronic delivery)
Karen Peltz Strauss (via electronic delivery)
Robert Aldrich (via electronic delivery)
Gregory Hlibok (via electronic delivery)

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**SEPARATE STATEMENT OF ASL SERVICES HOLDINGS, LLC
TO JOINT *EMERGENCY PETITION FOR A TEMPORARY NUNC PRO TUNC WAIVER*
CG DOCKET NOS. 10-51 AND 03-123**

ASL Services Holdings, LLC (“ASL/Global VRS”) has provided VRS since 2011 with a particular focus on the underserved Spanish speaking community. Beyond assuming the higher cost of compensating Spanish sign language video interpreters, ASL/Global VRS has assumed growing costs of finding and training trilingual (ASL, English, and Spanish) interpreters and engaged in uncompensated outreach to this segment of the Spanish speaking community. The assumption of these costs has been necessary to ensure that Spanish language translation meets the functional equivalency goals for the Spanish speaking community.

Notwithstanding these costs, ASL/Global VRS has been compelled to devote significant uncompensated costs to comply with additional mandatory minimum standards adopted by the Commission in its *2013 VRS Rate Order*. These costs have exacerbated the losses ASL/Global VRS has experienced under the Commission’s declining compensation structure and change in allowable costs for technology and Outreach.

The Company has been sustaining uncompensated costs since the Commission’s first rate reductions adopted under the *2013 VRS Rate Order*. ASL/Global VRS has provided the Commission with detailed financial information demonstrating that the level of compensation is not meeting ASL/Global VRS’s reasonable costs of providing service. These data are a matter of record with the Commission. In the absence of relief, the Company faces a Hobson’s Choice of severely curtailing certain functions to maintain minimum compliance or ceasing to provide VRS altogether. If the latter, the ultimate losers are the Deaf community that ASL/Global VRS and other Tier 1 providers serve.

ASL/Global VRS continues to operate its operations as lean as financially feasible, while continuing to add new interpreting call centers, increasing its labor force by hiring qualified interpreters and adjusting the technological needs in order to enhance video relay services to the Company’s growing customer base.

ASL/Global VRS is currently experiencing an average of [REDACTED] minutes per month. Based upon the current increases in conducting business (i.e., being in compliance with the Affordable Care Act), the Company is experiencing monthly losses ranging between \$[REDACTED], while readjusting break-even points due to the profound challenge of increasing semi-annual reductions to per minute compensation rates, our business model continues to be jeopardized within the industry.

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For the past three years, ASL/Global VRS has experienced net operating losses, which do not afford the Company the opportunity to expand, grow and reinvest to the degree that its competitors can. ASL/Global VRS is being financially penalized for providing stellar services to niche deaf groups such as Spanish. The needs of its diverse customer base continue to increase, along with the costs to service those customers, yet the FCC continues to lower per minute compensable rates, which is challenging the very success of the Company's business operating cycle. The rate of declining revenues is growing faster than ASL/Global VRS' rate of minutes produced, which is not allowing our company to recoup costs and be profitable.

ASL/Global VRS' projected operating loss for 2015 will be close to \$[REDACTED]. If rates continue to decline, its projected operating loss for 2016 will be close to \$[REDACTED].

A freeze by the FCC at the June 30, 2015 rate would be a positive and real response to ASL/Global VRS' circumstances that would allow the company to continue providing our very critical specialized community based video relay services.

The Fund Administrator and Commission have acknowledged the Tier 1 Provider's financial dilemma. At issue is not whether the Commission should freeze Tier 1 rates, but when. Faced with the prospect of growing unsustainable losses coupled with ASL/Global VRS's strong desire to continue serving the Deaf community, ASL/Global VRS urges the Commission to grant this Waiver Request and enable the Tier 1 providers to continue providing VRS to the public.¹

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¹ ASL appreciates the Commission consideration of the Tier 1 providers' Waiver Request. Yet, beyond a rate freeze at the July 1, 2015 levels, the Commission should further consider compensating Tier 1 providers at the initial Tier 1 rate levels adopted *2013 VRS Rate Order*. These Tier 1 rate levels equitably compensated the Company for its costs. Though outside of the scope of this Waiver Request, ASL urges the Commission to consider this proposal through the FNPRM comment process.