

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of)
)
Proposals for Telecommunications) Public Notice
Relay Service (TRS) Fund Administrator) DA 99-297
and on the Authorization of an Additional)
TRS Advisory Committee Member to)
Represent the Speech-Disabled Community)

COMMENTS OF AT&T CORP.

Pursuant to the Commission's February 4, 1999 Public Notice (DA 99-228), AT&T Corp. ("AT&T") hereby submits its comments on the Bureau's inquiry regarding the National Exchange Carrier Association's ("NECA") performance as the administrator of the Telecommunications Relay Services ("TRS") fund, and the authorization of an additional TRS advisory committee member to represent the speech-disabled community.

First, AT&T acknowledges NECA's diligent efforts to implement the Commission's TRS funding plan in a fair and neutral manner. AT&T does not take issue with NECA's performance as fund administrator, and believes NECA should continue as the TRS administrator on an interim basis.

Second, AT&T supports the Commission's authorization of an additional position on the TRS advisory committee for

a representative from the speech disability community subject to the considerations described below.

The Commission originally established the advisory committee in order for TRS users, service providers and state representatives to provide guidance on TRS issues.¹ As the Commission points out, the representatives on the committee for the hearing and speech disability community represent primarily the hearing disabled community. Public Notice at 1. These representatives have worked well to address TRS implementation and funding issues, and the committee's focus on the hearing disabled community has been appropriate because the Commission has not yet ordered speech-to-speech ("STS") relay service as part of its minimum TRS standards.

The Commission has tentatively concluded that within two years of a final order in its 1998 TRS rulemaking proceeding, all common carriers must ensure that STS services are available in their service territory.² As AT&T showed in its comments in that rulemaking, there is

¹ Telecommunications Relay Services, and the Americans with Disabilities Act of 1990, Third Report and Order, 8 FCC Rcd 5300, 5301 (1993).

² Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities, Notice of Proposed Rulemaking, 13 FCC Rcd 14187, 14195 (1998) ("TRS NPRM").

insufficient demand for STS services to justify the Commission's tentative conclusion to require carriers to provide the service on a nationwide basis. AT&T demonstrated that even state relay administrators report that use of the service would be extremely limited, in some cases accounting for less than one-tenth of one percent of relay calls.³ This limited demand does not justify the additional costs of personnel, specialized training and equipment that mandatory nationwide implementation of the service would entail.

AT&T again urges the Commission to rely on competitive market forces to deploy STS service. To this end, AT&T supports the addition of a representative from the speech disability community on the advisory committee to the extent that such an individual could assist the committee in monitoring the availability of STS programs in the marketplace. While the advisory committee is primarily responsible for monitoring cost recovery issues associated with TRS, it could, with the assistance of the new representative, provide guidance to the Commission on the

³ See AT&T Comments, July 20, 1998, at 3-5; AT&T Reply Comments, Sept. 14, 1998, at 1-4. For example, in Georgia, where AT&T operates the state's TRS program, AT&T has processed only one customer-initiated STS call since it began offering the service in April 1998.

extent to which the communications needs of the speech-disabled community are being met by cost-effective providers of STS relay service.

At a minimum, the Commission could permit the advisory committee to monitor STS issues during the two year implementation period that it is tentatively prepared to allow providers to prepare to offer STS. If at the end of the two years, the committee reports that adequate, cost-effective STS is not available to meet consumer demand, the Commission could prescribe minimum standards for the service at that time. The committee, with the assistance of the representative, would be well-positioned to monitor these programs if the Commission permits carriers and state programs voluntarily to offer STS while recovering costs their costs from the TRS fund. In this way, the Commission could defer mandatory adoption of STS, while it continues

to monitor the evolution of this offering in the marketplace.⁴

Respectfully submitted,

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⁴ The Commission has stated that it expects competition among TRS providers to attract customers to the service and should spur providers to achieve the highest quality service, but that it stands ready to modify or revise its minimum TRS standards to reflect the experience of the TRS industry. See, e.g., Telecommunications Services for Individuals with Hearing and Speech Disabilities, and the Americans with Disabilities Act of 1990, Report and Order and Request for Comments, 6 FCC Rcd 4657, 4658-59 (1991); Telecommunications Relay Services, and the Americans with Disabilities Act of 1990, Notice of Inquiry, 12 FCC Rcd 1152, 1170 (1997). The Commission has tentatively concluded that the monitoring approach AT&T advocates is acceptable for the deployment of Video Relay Interpreting ("VRI") and Multilingual Relay Services ("MRS"). TRS NPRM, 13 FCC Rcd at 14200-01 ("We recognize that TRS providers may be increasingly likely to offer VRI services to TRS users as technology develops and as the costs of providing VRI decrease. Accordingly, we tentatively conclude that the Commission should continue to monitor the state of VRI technology.").