

MCI

MCI Telecommunications Corporation

1801 Pennsylvania Avenue, NW
Washington, DC 20006
202 887 2180
FAX 202 887 2204

Lawrence Fenster
Senior Economist
Federal Law and Public Policy

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June 5, 2000

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Magalie Roman Salas
Secretary
Federal Communications Commission
Portals II
445 12th St., SW
Room TW-B204
Washington, DC 20554

**Re: Late Filed Comments In the Matter of TRS Fund Administration
Fund size Estimate and Payment Formula, July 2000 Through June
2000, CC Docket 90-571.**

Dear Ms. Salas:

Due to an inadvertant error, our Comments in the above-captioned docket were not filed on May 31, 2000.

Please accept the following late-filed comments.

Sincerely,



Larry Fenster

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List A B C D E

**Before the
Federal Communications Commission
Washington, D.C. 20554**

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JUN - 5 2000

**FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY**

**In the Matter of)
TRS Fund Administration)
Fund Size Estimate and Payment Formula) CC 90-571
July 2000 Through June 2000)**

**WORLD COM, INC.
COMMENTS**

In its May 18, 2000, Public Notice in the above-captioned proceeding,¹ the Commission asks parties to comment on the estimates of size and reimbursement for the Interstate Telecommunications Relay Services (TRS) Fund filed by the National Exchange Carrier Association, Inc (NECA) on May 1, 2000.²

¹Public Notice, Telecommunications Relay Services (TRS) Fund Administrator Files Annual Report Including Fund Size Estimate and Payment Formula For July 2000 Through June 2001, Released May 18, 2000.

²Annual Submission of TRS Payment and Revenue Requirements, NECA, filed May 1, 2000.

In recent years, the provision of TRS has remained fairly standard from year to year, and relay providers have been able to provide reasonably accurate estimates of their expenses. As NECA notes, the estimate of expenses for traditional TRS, i.e., services other than Speech-to-Speech (STS) and Video Relay Interpreting (VRI) has become complicated and more uncertain as a result of the higher standards and additional services required in the Commission's March 6 TRS Order.³ To give carriers the opportunity to more accurately estimate the additional expenses that will be incurred by relay providers complying with the March 6 Order, NECA will be accepting updated expense data in submissions made by relay providers in July 2000.⁴ The reimbursement rates do not currently reflect the substantial additional expenses associated with the higher typing speed, speed of answer, and other new requirements for traditional TRS service. Consequently, the reimbursement rate proposed by NECA for traditional TRS service is not fully compensatory. WorldCom, Inc., (WorldCom) expects that NECA will modify the reimbursement rate for traditional TRS and submit this higher rate to the Commission for comment and approval soon after July 2000. The new rate should also compensate relay providers for the revenues foregone at the lower reimbursement rate between July 2000 and the establishment of the new rate.

³Telecommunications Relay Services and Speech-to Speech Services for Individuals with Hearing and Speech Disabilities, Report and Order and Further Notice of Proposed Rulemaking, CC Docket No. 96-67, Released March 6, 2000.

⁴*Id.*, at 4. NECA's reference to July 1999 appears to be a typographical error.

Another area that must be modified is the reimbursement rate for STS and VRI.

WorldCom's experience with both of these new and advanced TRS services is that they often take a long time to set up before the call is placed by the relay operator. WorldCom Global Relay operators recently spent 8 hours instructing and dictating key features of the conversation to the Calling Assistant (CA) before the call was placed. CA's handling VRI calls may also require extensive briefing by the caller on technical terms they are not familiar with will also significantly increase call set up time. Currently, relay operators are reimbursed according to minutes of use after the call is set up.⁵ Excluding call set up time from reimbursement prevents relay operators from being fully reimbursed for these two services. To rectify this problem, and ensure that relay operators are fully encouraged to offer these services the Commission should waive its existing rules and permit relay operators to be reimbursed according to session minutes, which begin when the call reaches the CA and concludes when the call is terminated.⁶

Finally, WorldCom requests clarification about whether customer premise equipment for VRI is recoverable from the interstate TRS fund, and whether NECA included estimates of this cost in its submitted VRI reimbursement rate. WorldCom has considered the equipment installed in the locations to which VRI users will travel when they place a video call to a video relay

⁵47 U.S.C. § 64.604(c)(4)(iii)(E).

⁶47 C.F.R. § 1.3. The Commission may waive any rule either on its own motion or for good cause shown

operator to be customer premise equipment, since they are not located at the relay center. At the May 10 forum discussing the March 6 TRS Order, the Commission implied that recoverable costs were limited to costs incurred at the relay center.⁷ One could conclude that VRI customer premise equipment at sites away from the relay center would not be reimbursable. On the other hand, the Commission may have limited customer premise equipment to equipment owned and used by the customer in their home when it addressed this issue at the forum. Relay operators that submitted estimates of VRI expenses may have held the same interpretation as WorldCom, and may have excluded video premise equipment at customer sites from their submissions to NECA. WorldCom therefore asks the Commission to determine that video premise equipment at non-residential sites for VRI is recoverable from the interstate TRS fund. WorldCom also requests the Commission inquire whether estimates of this cost element was submitted to NECA. If not, the Commission should authorize NECA to make a supplemental data request to include these costs, and increase the VRI reimbursement rate.⁸

Respectfully submitted,

Lawrence Fenster

Lawrence Fenster
WorldCom, Inc.
1801 Pennsylvania Ave., NW
Washington, DC 20006
(202) 887-2180

⁷“The providers would incorporate the expenses associated with *relay centers* in their annual estimates of future minutes of use that are submitted to NECA...all of the cost would be recoverable, with the possible exception of the end user equipment.” Comments of Karen Peltz-Strauss, Transcript, Public Forum, TRS 2000 March 10, 2000, p. 28.

⁸As above, the new rate should also compensate relay providers for the revenues foregone at the lower reimbursement rate between July 2000 and the establishment of the new rate.

Statement of Verification

I have read the foregoing and, to the best of my knowledge, information and belief, there is good ground to support it, and it is not interposed for delay. I verify under penalty of perjury that the foregoing is true and correct.

Executed on June 5, 2000

Lawrence Fenster

Lawrence Fenster
1801 Pennsylvania Ave., N.W.
Washington, D.C. 20006
202-887-2180

Service List

I, Barbara Nowlin, do hereby certify that a copy of WorldCom's Comments has been sent by United States first class mail, postage prepaid, hand delivery, to the following parties on this 5th June, 2000.

Jeannie Grimes (2 copies)*
Network Services Division
445 12th St., SW
Room 6-A207
Washington, DC 20554

International Transcription Service*
1231 20th St., NW
Washington, DC 20036

Barbara Nowlin

Barbara B. Nowlin

***HAND DELIVERED**