

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

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In the Matter of

Telecommunications Relay Services  
And Speech-to-Speech Services for  
Individuals with Hearing and Speech  
Disabilities

CC Docket No. 98-67

COMMENTS AND OPPOSITION OF SPRINT CORPORATION

Pursuant to Section 1.429(f) of the Commission's Rules, 47 C.F.R. §1.429(f) and *Public Notice* (Report No. 2428) issued July 28, 2000, Sprint Corporation ("Sprint") hereby respectfully submits its comments on and opposition to the petitions for reconsideration of the Commission's *Report and Order* (FCC 00-06) issued March 6, 2000 ("*TRS Order*") in the above-captioned proceeding.

**A. The Commission Should Clarify That Relay Providers Have A Reasonable Opportunity To Train Newly Hired Communications Assistants To Reach The 60 Word Per Minute Standard.**

One of the most significant changes in the standards governing the provision of Telecommunications Relay Services (TRS) adopted by the Commission in the *TRS Order* was to impose the requirement that Communications Assistants ("CAs") be able to "transmit words at a minimum speed equivalent to typing 60 words per minute (wpm)." *Id.* at ¶74. Although the Commission had previously declined to establish a minimum equivalent typing speed at any level and did not propose to do so in this proceeding because of concerns that "a federal standard could constrain the labor pool for CAs," *id.* at ¶72, it concluded, based on "consumers'

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overwhelming support for a minimum standard," that the prescription of an equivalent transmission speed was necessary to provide functional equivalency. *Id.* at ¶73.

Initially, Sprint was concerned that the 60 wpm standard adopted by the Commission would require that it fire many of its current CAs. Although these CAs were able to type at rates averaging 50 wpm, performed their tasks in a capable manner, and were otherwise good employees, Sprint was uncertain that its CAs who were typing below the 60 wpm equivalent rate would be unable to meet the new standard. However, Sprint has provided further training to its CAs and has tested certain technology-based tools that appear to be promising in terms of enabling CAs to type at an equivalent typing speed of 60 wpm. Based upon this experience, Sprint is highly confident that nearly all, if not all, of its current CA workforce will be able to meet the new transmission speed standard.

This experience also convinces Sprint that new hires will require a certain amount of training and live call processing time, not only to develop the necessary skill set to handle the day-to-day responsibilities of providing relay service, but also to learn how to use and become comfortable with the technological aids that Sprint will likely deploy in order to ensure that its CAs are able to meet the 60 wpm equivalent typing speed standard. It is simply unrealistic to expect that a newly hired CA will be able to meet all of the requirements of the job in a competent manner without training and without some "on the job" experience.

For this reason, Sprint supports the petition of Vista Information Technologies that the Commission establish rules that allow relay providers time to develop CA candidates to meet the 60 wpm standard. In other words, a relay provider should be able to hire individuals who otherwise have the necessary skill set to be CAs and who, in the relay provider's opinion, will be

able with training and on-the-job experience to meet, within a reasonable amount of time, the 60 wpm equivalent transmission speed standard. Vista at 6; *see also* WorldCom's Petition at 11.

Adopting this clarification will also help ensure that relay providers have the widest pool of potential CA hires possible. In today's extremely tight labor market, a large potential labor pool is an absolute necessity. *See* Vista at 4. But even if today's labor market were to loosen a bit, it would still be necessary for relay providers to have a large enough pool of individuals from which to hire new CAs.<sup>1</sup> Indeed, if the Commission were to insist that all newly hired CAs meet the 60 wpm equivalent standard from day one, it may narrow the potential labor pool to such a degree that relay providers will not be able to replace departing CAs in a timely manner. And if relay providers are not able to fill such vacancies quickly, the ability of TRS providers to provide high quality TRS service will be severely tested. The end user would suffer the most in this scenario. Thus, a 60 wpm standard may have the unintended consequence of leading to worse rather than better service.

In short, the Commission should clarify its 60 wpm equivalent speed requirement as recommended by Vista and supported by Sprint.

**B. Interstate Spanish-to-English and English-to-Spanish Relay Calls Should Be Reimbursable Through the Interstate TRS Fund.**

In its *TRS Order*, the Commission has found that "non-English language relay services which relay conversations in a shared language are telecommunications relay services, and therefore can be reimbursed from the relay funds." *Id.* at ¶29. Unfortunately, nowhere in its

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<sup>1</sup>*See* SBC at 3, pointing out that even in normal labor markets it is extremely difficult to find individuals with the necessary skill sets to become excellent CAs, since "those individuals prefer working in other environments." For this reason, raising the wage rate for CAs is unlikely to increase the pool of qualified CAs. In any case, the States and their citizens may balk at paying these increased costs.

discussion of such non-English language relay services did the Commission address whether relay translation services, *e.g.*, Spanish-to-English and English-to-Spanish, are eligible for reimbursement from interstate relay funds. This issue, which was raised in comments by the Public Utility Commission of Texas ("PUCT"), was supported by Sprint and by other parties. *See* PUCT Comments at 9; Sprint's Relay Comments at 4-5; TDI Comments at 9-10; and NAD at 9. As Sprint explained, the provision of Spanish translation service "is absolutely necessary because otherwise certain persons -- especially hearing-impaired children of foreign language-speaking parents -- would be unable to communicate with their families." Moreover, the incremental costs of providing this service "are *de minimis*, and their inclusion in the TRS funding reports submitted by TRS providers to NECA would not have any appreciable impact on the payment amount or TRS fund size." *See, Telecommunications Relay Services and the Americans with Disabilities Act of 1990*, 10 FCC Rcd 1191, 1192 ¶7 (1994); Sprint Reply Comments at 4-5.

Sprint recognizes that the Commission's failure to find that Spanish translation services are within the scope of the relay services to be provided and thereby are eligible for reimbursement from the interstate TRS fund may have been inadvertent. In any case, Sprint would point out that Spanish translation services can be considered a type of enhanced service since the form and perhaps the content of the message as sent or received is changed, *i.e.*, from Spanish to English or English to Spanish. Thus, the Commission's finding that "Section 225 does not prohibit us from requiring relay services to accommodate enhanced or information services," *TRS Order* at ¶88, provides yet further justification -- as if more were needed -- for finding that Spanish translation services should be offered by relay providers.

**C. The Commission Need Not Reconsider Its Finding That TRS Is Not A Telecommunications Service.**

WorldCom asks that the Commission reconsider its finding that TRS as defined in Section 225 of the Act includes the provision of enhanced and information services. But it has not presented any new facts or argument to demonstrate that the Commission's extensive discussion of why its previous narrow definition of what services are included within the scope of Section 225 (*TRS Order* at ¶¶88-91) was incorrect.

WorldCom does suggest that by again defining TRS as solely a telecommunications service, the Commission would be able to require the deployment of SS7 technology by carriers to relay providers. Petition at 5. However, as Sprint has pointed out in its comments and reply comments on the *Further Notice* in this Docket, the costs of deploying SS7 are substantial and plainly outweigh the alleged benefits of such deployment. Indeed, the relatively few benefits cited by the Commission that could result from the deployment of SS7 technology either would not be realized or can be achieved by other technologies. *See* Sprint's Comments at 3-7; Sprint's Reply Comments at 1-3.<sup>2</sup>

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<sup>2</sup>WorldCom claims that the provision of customer profile information can still be required even if the Commission were to again narrow the definition of TRS to telecommunications services by ruling that such information can be provided without customer consent to third parties under Section 222(d)(1). The Commission has already rejected WorldCom's attempt to expand the scope of this provision and need not visit that conclusion here. *See Telecommunications Carriers' Use of Customer Proprietary Network Information and Other Customer Information*, 13 FCC 8061, 8125-26 (1998), *Order on Reconsideration*, 14 FCC Rcd 14409 (1999), *vacated on other grounds, sub nom. U.S. West, Inc. v. FCC*, 182 F.3d 1224, 1999 (10th Cir. 1999).

**D. Sprint Supports WorldCom's Request That The Commission Refrain From Applying Certain Of The TRS Standards To VRI Service.**

On the other hand, Sprint agrees with WorldCom that several of the minimum standards applicable to TRS service should not be applied to a relay provider's voluntary provision of VRI service. WorldCom at 7-9. The provision of this service is still in its infancy and relay providers do not have a good sense as to whether the Commission's minimum standards are even applicable to this service. Once relay providers gain some experience in providing VRI, they can report to the Commission as to what minimum standards should be adopted.

Sprint also agrees with WorldCom that both STS and VRI service should be reimbursed on the basis of the number of minutes for each call, including set-up time, rather than just conversation time. As WorldCom correctly explains, "the setup for an STS or VRI session can often greatly exceed the time of an average TRS call." Petition at 8. Thus, failure to include the minutes of the entire session would be unfair to the States since the costs associated with such minutes would be shifted back to the States.

Respectfully submitted,

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August 22, 2000

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing **COMMENTS AND OPPOSITION OF SPRINT CORPORATION** was sent by hand or by United States first-class mail, postage prepaid, on this the 22nd day of August, 2000 to the parties on the attached list.

  
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