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November 20, 2002

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

Re: ***Notice of Ex Parte Presentation*** – Telecommunications Relay Services
And Speech-to-Speech Services for Individuals with Hearing and Speech
Disabilities, CC Docket No. 98-67

Dear Ms. Dortsch:

On November 18, 2002, Ken Levy, NECA Vice President and General Counsel, and I met with the following staff members of the Consumer and Governmental Affairs Bureau, Disability Rights Office: Tom Chandler, Cheryl King, Erica Myers and Greg Hlibok, and Sharon Webber of the Telecommunications Access Policy Division. Several items relative to Telecommunications Relay Services (TRS) were discussed including Internet Protocol Relay Cost Recovery Guidelines, the NECA petition for waiver of TRS rules concerning wireless calls, and video relay service.

A national awareness program for relay services was also discussed, as was the attached letter, filed with the FCC on November 18th, requesting a decision in the near future on the program.

In accordance with the Commission's rules, a copy of this Notice has been filed electronically in the above-referenced docket. Additionally, a copy has been provided to Qualex International.

Sincerely,

A handwritten signature in black ink that reads "John Ricker". The signature is written in a cursive style with a long, sweeping underline that extends to the left.

Attachment

Cc: T. Chandler (by email)
C. King (by email)
E. Myers (by email)
G. Hlibok (by email)
S. Webber (by email)
Qualex (by U.S. mail)



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November 18, 2002

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S W
Room TW-A235
Washington, D. C. 20554

Re: **Telecommunications Relay Services and Speech-to-Speech for
Individuals with Hearing and Speech Disabilities,
CC Docket No. 98-67**

Dear Ms. Dortch:

On behalf of the Interstate TRS Fund Advisory Council (the Council), the National Exchange Carrier Association, Inc. (NECA) respectfully requests that the Commission act soon to resolve outstanding questions regarding the status of a national TRS outreach program.

Since 1993, the Commission has required carriers to advertise the availability of Telecommunications Relay Services (TRS) through such means as publication in phone directories and billing inserts.¹ Commenters in various phases of this proceeding have repeatedly suggested, however, that existing Commission rules and orders, which generally encourage but do not mandate TRS outreach efforts, are not adequate.

Convinced that existing outreach rules have not effectively ensured that callers are aware of TRS, and that a lack of awareness adversely affects the quality of TRS, the Commission released a *Report and Order and Further Notice of Proposed Rulemaking (FNPRM)* in March 2000 which tentatively concluded that TRS service would be improved with a

¹ 47 C.F.R. 64.604 (c)(2). See generally Telecommunications Services for Hearing-Impaired and Speech-Impaired Individuals, and the Americans with Disabilities Act of 1990, CC Docket No. 90-571, *Report and Order and Request for Comments*, 6 FCC Rcd 4657 (1991).

nationwide awareness campaign potentially supported by the Interstate TRS Fund.² The *FNPRM* also proposed to amend the mission of the Interstate TRS Fund Advisory Council to include establishing guidelines and a procedure to fund a coordinated national outreach campaign.³

Comments submitted in response to the *FNPRM* generally supported the Commission's proposal to institute a nationwide awareness program. The Commission has yet to act on this proposal, however.

In its August 2000 *Second Report and Order* in CC Docket 92-105,⁴ the Commission required carriers, in cooperation with relay providers and the states, to engage in on-going outreach programs to publicize the availability of 711 access. However, the Commission did not mandate any specific means of advertising 711 access to TRS. Similarly, in June 2001, the Commission sought comment on the need for an outreach program to inform consumers of the availability of Internet Protocol Relay (IP Relay).⁵

While comments filed in that proceeding generally supported creation of an IP Relay outreach program, to be integrated into a general TRS Outreach program, the Commission's April 22, 2002 *IP Relay Order*⁶ did not resolve the outreach question. The Commission did, however, suggest that IP Relay outreach questions would be considered along with comments filed in response to the March 2000 *FNPRM*.⁷

Most recently, the Commission released its *Fifth Report and Order* in this proceeding regarding TRS payphone calls.⁸ That Order again encouraged carriers to conduct individual outreach efforts on the use of payphones to make TRS calls (for example, by conducting TRS demonstrations at malls and through advertisements in printed media) but

² Telecommunications Relay Services and Speech-to-Speech for Individuals with Hearing and Speech Disabilities, CC Docket No. 98-67, *Report and Order and Further Notice of Proposed Rulemaking*, 15 FCC Rcd 5140 (2000).

³ *Id.* at ¶ 134.

⁴ The Use of N11 Codes and Other Abbreviated Dialing Arrangements, CC Docket No. 92-105, *Second Report and Order*, 15 FCC Rcd 15188 (2000).

⁵ Consumer Information Bureau Seeks Additional Comment on the Provision of Improved Telecommunications Relay Service, CC Docket No. 98-67, *Public Notice* 16 FCC Rcd 13100 (2001).

⁶ Provision of Improved Telecommunications Relay Services and Speech-to-Speech Services for Individuals With Hearing and Speech Disabilities, Petition for Clarification of WorldCom, Inc., CC Docket No. 98-67, *Declaratory Ruling and Second Further Notice of Proposed Rulemaking*, 17 FCC Rcd 7779 (2002).

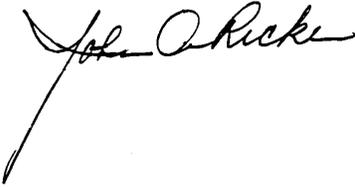
⁷ *Id.* at n. 11.

⁸ Telecommunications Relay Services and the Americans with Disabilities Act of 1990, CC Docket No. 90-571, *Fifth Report and Order*, FCC 02-269 (rel. Oct. 25, 2002). This *Order* addressed issues presented in the 2001 *Further Notice*. See Telecommunications Relay Services and the Americans with Disabilities Act of 1990, CC Docket No. 90-571, *Second Further Notice of Proposed Rulemaking*, 16 FCC Rcd 5803 (2001).

failed to respond directly to suggestions for nationwide outreach programs. In a separate statement issued with the *Fifth Report and Order*, Commissioner Michael Copps expressed frustration with the Commission's failure to resolve questions regarding a nationwide outreach program.⁹

The issue of whether to create a nationwide outreach program has been outstanding for over two and a half years. The Council would appreciate the Commission's decision on this extremely important issue as quickly as possible.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John A. Ricks". The signature is written in a cursive style with a long, sweeping underline that extends downwards and to the left.

NECA, Inc.
On behalf of the Interstate TRS Fund Advisory Council

⁹ *Id.*, Statement of Commissioner Michael J. Copps, Approving in Part, Dissenting in Part.