



Assistive Technology  
Resource Centers of Hawaii

Linking people with Assistive Technology

December 6, 2002  
ATRC: 2002120

Federal Communications Commission  
445 12<sup>th</sup> Street, SW, Room TW-A325  
Washington, DC 20554

In re: Hawaii State Certification Renewal Application  
Telecommunications Relay Services (TRS)  
47 CFR § 64.604 & 47 CFR § 64.605  
May 1, 2002 FCC Public Notice (DA 02-1006)

Assistive Technology Resource Centers of Hawaii (“ATRC”) is a statewide, non-profit organization committed to ensuring access to assistive technology (“AT”) for persons with disabilities.

ATRC is in daily contact with people with disabilities, most of whom have personal struggles which would preclude them from easily filing their individual comments with the FCC on the matter of Hawaii’s application for renewal of certification of its telecommunications relay services.

Through this contact, and from discussions with those who have tested the speech-to-speech relay service, significant and meaningful deficiencies with the service as implemented in Hawaii have been brought to our attention. These deficiencies are sufficient to render the service useless for most Hawaii users who may learn about it. Additionally, failure to promote the service as required has assured that few users who could benefit from it will ever find out about the service.

In cooperation with those many users who are speech-disabled with whom we work, we submit this comment to the FCC on their behalf as well as on ours.

414 Kuwili Street, Suite 104, Honolulu, HI 96817  
V/TTY: (808) 532-7110 \* Fax: (808) 532-7120 \* Toll Free: 1-800-645-5007  
Email: [atrc@atrc.org](mailto:atrc@atrc.org) \* Website: [www.atrc.org](http://www.atrc.org)

On behalf of the many users with speech-disabilities in Hawaii we request that the FCC not grant the certification request until significant and substantive violations of applicable rules are corrected and the technical and operational impediments to the use of the speech-to-speech relay service in Hawaii be removed. At the time of this submission, substantial barriers exist, which have resulted in vanishingly low utilization.

Further, if it is within the scope of the FCC action with regard to Hawaii's request for recertification, we ask that the FCC direct that the TRS surcharge be withheld from the contracted service provider, Verizon Hawaii, in whole or in part, retroactively from January 21, 2002, until such time as corrections to the speech-to-speech relay service are effected.<sup>1</sup>

### Basis for Objection to Recertification

#### A. Hawaii is in violation of 47 CFR § 64.604(c)(3)

1. Information about the availability and operation of the speech-to-speech relay service as required by 47 CFR § 64.604(c)(3) is not provided in the telephone directories.<sup>2</sup> Indeed, potential users of the speech-to-speech service have a hard time even learning about the existence of the service.

There is no reference to relay services in the table of contents of either the 2001 or 2002 editions of the Oahu white pages directory.

The entry for the 711 access number mentions only the text TTY relay service. The wording also implies that text TTY is all that 711 is good for.

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<sup>1</sup> On January 30, 2002, the Hawaii Public Utilities Commission issued Order No. 19164 in Docket No. 02-0027 approving a telephone relay service surcharge of seventeen cents (\$.17) per access line. As noted in Hawaii's application for recertification, "Although Order No. 19164 allowed the surcharge increase to take effect on January 31, 2002, it also stated that the Division of Consumer Advocacy and the Commission may continue their review of the justness and reasonableness of the TRS surcharge."

<sup>2</sup> (3) Public access to information. Carriers, through publication in their directories, periodic billing inserts, *placement of TRS instructions in telephone directories*, through directory assistance services, and incorporation of TTY numbers in telephone directories, shall assure that callers in their service areas are aware of the availability and use of *all forms of TRS*. Efforts to educate the public about TRS should extend to all segments of the public, including individuals who are hard of hearing, speech-disabled, and senior citizens as well as members of the general population. In addition, each common carrier providing telephone voice transmission services shall conduct, not later than October 1, 2001, ongoing education and outreach programs that publicize the availability of 711 access to TRS in a manner reasonably designed to reach the largest number of consumers possible. (emphasis added)

Within the body of the white pages directory, speech-to-speech appears briefly on page 15, buried in other information, with no text or graphic highlight, no header or other typographic device that would direct a reader to that small spot. The description amounts to only two short sentences buried within information on the text TTY relay service.

The subsequent paragraph implies that 711 is usable only for text TTY, which may be described as disinformation rather than outreach. Users who might have thought 711 is available for speech-to-speech are led to call another number for information unless they have a TTY.

We suggest that this documentation does not even minimally meet the requirements of 47 CFR § 64.604(c)(3).

2. Verizon has printed a 37-page "TRS User & Listings Guide", dated August 2002, to assist users. Unfortunately, it does not include speech-to-speech in its table of contents. The description on page 3 of the speech-to-speech relay service is only two paragraphs long. A third paragraph describes Spanish-language speech-to-speech. Finally, there is a short definition of the services inside the back cover within a block of other definitions.

This brief coverage is not sufficient to convey more than a minimal description of the service to potential users who may have requested information, and does not indicate where additional information may be obtained.

3. 47 CFR § 64.604(c)(3) requires outreach to those with speech-disabilities and to senior citizens. Hawaii's application for certification renewal does not even specifically claim to have met this requirement with regard to speech-to-speech services. In the absence of supporting data (number of presentations and to whom, number of senior citizen facilities visited, etc.), and in view of the almost complete lack of awareness of the speech-to-speech service among persons with disabilities, senior citizens, service providers, the medical community and those potential users who do not have speech disabilities but who would like to communicate with those who have speech disabilities, we believe that Hawaii's assertion that it is in compliance is unsupported and groundless.
4. Call volume data in Hawaii's application for certification renewal is absent, and utilization of the speech-to-speech relay service is believed to be quite low.

As outreach progresses, the expectation is that utilization will increase proportionately. In California, for example, effective outreach has brought about a dramatic increase in call volume. As a measure of its success, California's outreach plan is able to cite an outbound call volume of 4,000 calls a month.

It is not accurate to claim that an effective outreach program is in place when usage data would demonstrate the opposite. Thus in the complete absence of any supporting data, we hold that Hawaii is not in compliance with this requirement with regard to speech-to-speech services.

B. Hawaii is in violation of 47 CFR §64.604 (b) Technical Standards

Because of problems with the speech-to-speech relay service as technically implemented in Hawaii, users with speech-disabilities and their correspondents find they cannot use the service.

1. Hawaii's application for certification renewal describes the technical implementation of text TTY relay but does not include any description of the technical implementation for speech-to-speech.<sup>3</sup> A technical description would reveal that the service is not actually provided by Communication Assistants (CAs) located in Hawaii.

Instead, Verizon Hawaii created an intermediate manual relay procedure that connects to CAs located in the state of Virginia. These CAs unfortunately speak in a strong Southern dialect which is seldom heard within Hawaii and which presents severe obstacles to both the speech-disabled users and to their correspondents. Both consistently report that they cannot understand the CAs regional dialect.

Hawaii appears therefore to be in violation of 47 CFR §64.604 (a) (1).<sup>4</sup>

2. Because Verizon does not provide a direct connection, for example via an 800 number to the CA, callers to 711 must be manually re-routed. 47 C.R.F. 64.604 (b)(2)<sup>5</sup> requires that 85% of calls be completed within 10

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<sup>3</sup> p. 7 ff, B. Technical Standards

<sup>4</sup> Mandatory minimum standards.

(a) Operational standards--(1) Communications assistant (CA). TRS providers are responsible for requiring that CAs be sufficiently trained to effectively meet the specialized communications needs of individuals with hearing and speech disabilities; and that CAs have competent skills in typing, grammar, spelling, interpretation of typewritten ASL, and familiarity with hearing and speech disability cultures, languages and etiquette. ***CAs must possess clear and articulate voice communications.*** CAs must provide a typing speed of a minimum of 60 words per minute. Technological aids may be used to reach the required typing speed. Providers must give oral-to-type tests of CA speed. TRS providers are responsible for requiring that VRS CAs are qualified interpreters. A "qualified interpreter" is able to interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary (emphasis added).

<sup>5</sup> TRS shall, except during network failure, answer 85% of all calls within 10 seconds by any method which results in the caller's call immediately being placed, not put in a queue or on hold. The ten seconds begins

seconds. Due to Verizon's inadequate technical implementation of the speech-to-speech relay service, this is not achieved. The typical connection time is unacceptable in view of the requirements.

Sincerely,

A handwritten signature in cursive script that reads "Barbara Fischlowitz-Leong". The signature is written in black ink and is positioned to the left of a vertical line.

Barbara Fischlowitz-Leong  
Executive Director

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at the time the call is delivered to the TRS center's network. The call is considered delivered when the relay center's equipment accepts the call from the local exchange carrier and the public switched network actually delivers the call to the TRS center.