

Hamilton Relay, Inc.
1001 12th Street
Aurora, NE 68818
January 12, 2003

Via Electronic Filing

Marlene H. Dortch, Esq.
Secretary
Federal Communications Commission
445 Twelfth Street, SW
Washington, DC 20554

Re: Report of ex parte presentation in *Provision of Improved Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities (CC Docket No. 98-67)*

Dear Ms. Dortch:

On January 7, 2003, I spoke by telephone with Lisa Zaina, Senior Legal Advisor to Commissioner Adelstein. Consistent with Hamilton's comments and ex parte statements in the record, I called to her attention the need for expedited Commission action to resolve an uncontested reconsideration request regarding reimbursement for providing IP Relay.

The problem stems from the Commission's rules and order requiring provision of pay-per-call and hearing carry over service through IP Relay to qualify for reimbursement from the TRS funding mechanism. Because it is not technically feasible to comply with these requirements, Hamilton has not begun offering its IP Relay services. I explained that reimbursements to other providers are resulting in ever-increasing amounts of legally-questionable payments and mounting competitive distortions and harms. Only prompt Commission action can prevent the daily growth of these problems.

If there are any questions about this report, please call me.

Sincerely,

Gary Warren

cc: Lisa Zaina, Esq. (via e-mail)