

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

In the Matter of)	
)	
Telecommunications Services for)	
Individuals with Hearing and Speech)	CC Docket No. 98-67
Disabilities, and the Americans with)	
Disabilities Act of 1990)	
)	

**REPLY COMMENTS OF THE
NATIONAL EXCHANGE CARRIER ASSOCIATION, INC.**

The National Exchange Carrier Association, Inc. (“NECA”)¹ submits this reply to comments filed by AT&T Corp. (AT&T)² in response to the Commission’s *Public Notices* in the above captioned proceeding.³

AT&T seeks clarification regarding the Commission’s service requirements and policy for reimbursement of international Internet Protocol (IP) Relay Service.⁴ AT&T opposes NECA’s proposal to decrease the reimbursement rate for Video Relay Service

¹ NECA is a not-for-profit corporation responsible under Subpart G of the Commission’s Part 69 rules for administering interstate access charge pools for participating local exchange carriers (LECs) and the TRS Fund.

² Comments of AT&T Corp. (filed May 22, 2003) (*AT&T*).

³ National Exchange Carrier Association (NECA) Submits the Payment Formula and Fund Size Estimate for Interstate Telecommunications Relay Services (TRS) July 2003 Through June 2004, CC Docket No. 98-67, *Public Notice*, DA 03-1491 (rel. May 2, 2003); National Exchange Carrier Association (NECA) Amends the Payment Formula and Fund Size Estimate for Interstate Telecommunications Relay Services (TRS) Fund for July 2003 Through June 2004, CC Docket No. 98-67, *Public Notice*, DA 03-1527 (rel. May 7, 2003) (*Public Notices*).

⁴ *AT&T* at 2-3.

(VRS).⁵ Finally, AT&T recommends that the Commission change its policy to eliminate LEC recovery of TRS shared costs from access charges.⁶

NECA agrees with AT&T that the Commission should clarify service requirements and reimbursement policies for international IP Relay Services. Acting at the direction of the Wireline Competition Bureau (WCB), NECA suspended payment to TRS providers for reimbursement of international IP relay services minutes on March 28, 2003.⁷ As a result of the suspension, NECA also did not include projections for international IP relay services in developing the 2003-2004 funding requirements. A Commission order addressing reimbursement status and service requirements for international IP relay services, including whether NECA should reimburse providers for international IP relay services provided prior to the March 28th suspension date, would help to eliminate uncertainty for TRS providers.

NECA's proposed TRS reimbursement rates, including the reimbursement rate for VRS, are based on cost and demand projections from TRS providers.⁸ The cost and usage data provided support a reduction in reimbursement rate from \$17.044 per minute to \$14.644 per minute.⁹ AT&T provides no data to support its objection to the proposed

⁵ *AT&T* at 3-4.

⁶ *AT&T* at 4-7.

⁷ See March 28, 2003 email from Maripat Brennan, NECA, to TRS Providers advising them of the Wireline Competition Bureau's directive to suspend reimbursement of international IP relay minutes immediately.

⁸ Interstate Telecommunications Relay Services Fund Payment Formula and Fund Size Estimate, CC Docket No. 98-67 (filed May 1, 2003) (*TRS Annual Filing*) at 4. See also Exhibit 1E detailing the TRS Provider 2003 – 2004 Rate Calculation for VRS.

⁹ Because VRS platform and cost characteristics are significantly different from traditional TRS services, NECA calculates a separate per minute rate for VRS. Due to limited availability of historical data, NECA used a combination of the providers' 2003-2004 forecasts and the 2002 growth to develop the fund size requirements for the service.

VRS reimbursement rate of \$14.644 per minute. Absent cost or usage data to refute NECA's projection, there is no basis for continuing the \$17.044 per minute reimbursement rate as requested by AT&T.

Finally, AT&T's request that the Commission alter current mechanisms by which LECs recover the cost of TRS contributions has nothing to do with this filing, which seeks only to establish the funding requirement and reimbursement rates for the upcoming TRS funding year. If AT&T believes that cost recovery practices are not in compliance with the Act, it should file a petition via the proper procedural channels, thereby affording the public an opportunity to comment.

Respectfully submitted,

NATIONAL EXCHANGE CARRIER
ASSOCIATION, INC.

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May 29, 2002

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See TRS Annual Filing at 5, 10. NECA is currently reviewing VRS cost data and may propose further revisions to the rate based on this review.

CERTIFICATE OF SERVICE

I hereby certify that a copy of NECA's Reply was served on this 29th day of May 2003 by electronic delivery or by first-class mail to the persons listed below.

By : /s/ Shawn O'Brien
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