

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

In the Matter of)
)
Telecommunications Relay Services)
And Speech-to-Speech Services for) CC Docket No. 98-67
Individuals with Hearing and Speech)
Disabilities)
_____)

REPLY COMMENTS OF SPRINT CORPORATION

Sprint Corporation ("Sprint"), on behalf of the Telecommunications Relay Service ("TRS") operations of its subsidiary Sprint Communications Company LP ("Sprint Relay"), and pursuant to the Commission's *Public Notice* DA 03-2629 released August 11, 2003 in the above-captioned proceeding, hereby respectfully submits its reply to the comments of MCI and AT&T filed in response to Sprint's May 27, 2003 Petition for Declaratory Ruling.

In its Petition, Sprint has requested that the Commission declare that Sprint's provision of 900 pay-per-call services to end users who access Sprint's relay centers by dialing 711 and who are then instructed to redial the center using a special toll-free 900 number fully satisfies the requirement that such services be offered by relay providers.¹ Sprint explained that its procedure for handling 900 calls was implemented in order to comply with the Commission's regulatory paradigm governing access to pay-per-call services. Specifically, this procedure enables Sprint to deny access to pay-per-call services through a toll-free number -- the 711 access code call is

¹ End users wishing to make 900 calls who access a Sprint's TRS center by using a toll-free number rather than 711, are given the same instructions.

delivered to the TRS center via a toll-free number -- and to ensure that there is no pay-per-call block on the line being used by the TRS caller. *See* 47 CFR §64.1504 & §64.1508.

Only MCI and AT&T filed comments on Sprint's Petition. MCI unequivocally supports the grant of Sprint's Declaratory Ruling request. Indeed, MCI employs the same procedure "so as not to be conduit for the circumvention of the Commission's various pay-per-call blocking requirements." MCI Comments at 2 (footnote omitted).

AT&T also does not explicitly oppose the grant of Sprint's Petition. Rather, AT&T seeks to dispel what it believes to be Sprint's inference "that access by TRS to 900 pay-per-call services via the 711 dialing code is generally technically infeasible or unavailable." AT&T's Comments at 2.² AT&T claims that such inference "is erroneous," and goes on to explain its procedures for "harmoniz[ing] the ability to access a TRS center via the 711 code with the customer's right to block 900 calling originated from his/her telephone." *Id.* AT&T's chosen method is to provide "900 blocking capability through its TRS Relay Choice Profile ("RCP") database." *Id.* Thus, "regardless of whether the calling party has used the 711 or 8YY dialing sequences to access the TRS center," AT&T's Communications Assistants (CAs) will not place a call to a 900 pay-per-call service provider "if the TRS customer's profile shows that the automatic number identification ("ANI") for a user's incoming call to [AT&T's] TRS center has 900 blocking activated." *Id.*

² AT&T does not cite any language in Sprint's petition stating that "access by TRS customers to 900 pay-per-call services via the 711 dialing code" is "technically infeasible or unavailable." Nor could it. Sprint's Petition dealt with the issue of whether the way that Sprint provides pay-per-call services to its TRS end users satisfies the requirement that TRS providers offer such services. As stated in the Petition, Sprint believes that its provision of pay-per-call services through TRS fully satisfies such requirement, and has simply asked the Commission to so declare.

Sprint agrees that enabling TRS users to enter 900 call blocking instructions into their customer profiles may allow a TRS provider to comply with the Commission's 900 call blocking rules, and if AT&T wishes to rely to on such method, it is, of course, free to do so. However, unlike the procedures employed by Sprint and MCI, use of customer profiles does not provide any reasonable assurance to the TRS provider that there is no 900 call block on the ANI being used to access the relay center. Obviously, if there are no instructions in the customer profile that the end user wanted all 900 calls blocked -- and AT&T does not provide the Commission with any information on its efforts to inform its TRS users who wish to block 900 calls from their ANI of the need to enter blocking instructions in their customer profiles -- the TRS provider who relied on such profiles may end up processing a 900 call even though the end user had authorized his LEC to block 900 access from the end user's ANI.³

Of course, the deaf end user who is aware of the need to include blocking instructions from in his TRS profile but who wanted to access 900 pay per call services from his home phone would have no need to include blocking instructions in his profile. Such end user may also believe that there is no need to include in his profile blocking instructions for 900 calls from the phone lines at his place of work since he would not even contemplate making 900 calls over such lines. Yet his employer, who is also aware of the need to include 900 blocking instructions in the deaf employee's TRS profile, may insist that the deaf employee do so, thereby humiliating the employee by suggesting that the employee is not be trusted. Obviously, there would be no need to subject hearing employees to the same treatment since the employer can seamlessly deny them

³ Sprint notes that AT&T does not provide the Commission with any data with which to measure the effectiveness of its chosen method of relying on customer profiles in preventing the 900 calls from ANIs that have a 900 block at the LEC but not in AT&T's RCP database.

access to 900 pay-per-call services by programming the PBX to block 900 calls or by authorizing the LEC to do so that the local switch.

Nonetheless, as stated, Sprint does not insist that AT&T adopt Sprint's or MCI's chosen method for ensuring that the provision of 900 pay-per-call services through TRS complies with the Commission's pay-per-call regulations. By the same token, AT&T should not be able to insist that Sprint and MCI must adopt AT&T's chosen method.⁴ Indeed, while AT&T may assume that its reliance on a customer profile database enables it to comply with the Commission's pay-per-call blocking requirements, Sprint is simply unwilling to make that assumption. Sprint should not be put in the position of having to defend itself in complaints before the Commission or in lawsuits in court against charges that it unreasonably allowed access to 900 pay-per-call services through TRS from an ANI where the end user had authorized his LEC to block all 900 calling.

Accordingly, Sprint respectfully requests that the Commission issue the declaratory ruling requested by Sprint.

Respectfully submitted,

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⁴ Sprint does not read AT&T's petition as asking the Commission to require that all TRS providers adopt AT&T's method of relying on customer profiles.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing **REPLY COMMENTS** of Sprint Corporation was sent by Electronic mail or by United States first-class mail, postage prepaid, on this the 25th day of September, 2003 to the parties on the attached list.


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