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

In the Matter of	)	
	)	
Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities	)	CC Docket No. 98-67
	)	CG Docket No. 03-123
Americans with Disabilities Act of 1990	)	

COMMENTS OF SPRINT CORPORATION

Sprint Corporation ("Sprint"), on behalf of the Telecommunications Relay Services ("TRS") operations of its subsidiary, Sprint Communications Company L.P., and pursuant to the Commission's *Public Notice* DA 03-3109 released October 8, 2003, hereby respectfully submits its comments on the Petitions by Verizon and AT&T seeking reconsideration of the Commission's *Second Improved TRS Order* in the above-captioned dockets.[1] Both petitions ask the Commission to reconsider its decision to require that TRS providers route emergency calls made through TRS centers to "an appropriate Public Safety Answering Point (PSAP)." 47 C.F.R. §64.604(a)(4). AT&T also asks that the Commission waive the February 2004 deadline for TRS providers to deploy 3-way calling functionality at their relay centers and that the

[1] *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, 18 FCC Rcd 12379 (2003).

Commission extend the current waivers of minimum standards applicable to Video Relay Services (VRS) until January 1, 2008.[2]

As more fully set forth below, Sprint supports Verizon's revision to the Commission's definition of "an appropriate PSAP." The revised definition would not lessen the ability of callers to a relay center to be connected to a PSAP expeditiously but would enable TRS providers to avoid incurring costs that cannot be justified under a cost/benefit analysis. Sprint also believes that AT&T's suggestion for a national PSAP database should be explored by the Commission and interested parties and that AT&T has demonstrated that good cause exists for the waiving the requirement for three-way calling.

A. The Revision To The Definition Of "An Appropriate PSAP" Recommended by Verizon Should Be Adopted.

The Commission has defined "an appropriate PSAP" as "the designated PSAP to which a direct call from the particular number would be delivered." 47 C.F.R. §64.604(a)(4). Verizon recommends that the Commission modify the definition of "an appropriate PSAP" to be "*either* a PSAP that the caller would have reached if he had dialed 911 directly or a PSAP that is capable of enabling the dispatch of emergency services to the caller in an expeditious manner." Verizon Petition at 2, emphasis in original. Sprint supports Verizon's recommendation. Indeed, unless the LECs are required to furnish all TRS providers with changes to PSAP routings at the same time the LECs make such changes in their switches -- and as AT&T points out (at 5), the Commission has refrained from imposing such a requirement -- it will be impossible for TRS providers to comply with the current definition for every emergency call to a relay center.

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[2] Both Hamilton Relay and Hands On Video Relay Service, Inc. have also filed petitions seeking extensions of the current waivers of minimum standards for VRS. Sprint's comments supporting these petitions are being filed separately.

Fortunately, as Verizon has explained (at 3-4), imposing a requirement that LECs furnish TRS providers all changes to PSAP designations on a real-time basis is not necessary. This is so because even if the PSAP assigned to a telephone number has been changed from the one shown in the TRS provider's database -- and Sprint through its vendor does maintain a PSAP database which identifies the PSAP on the basis of the caller's 10-digit number as opposed to the caller's NPA-NXX -- the "old" PSAP has the ability in many cases to "hot-wire" the call to the "new" PSAP. Moreover, in cases where the "old" PSAP cannot instantly transfer the call to the new PSAP and instructs the TRS provider to dial the new PSAP directly, the entire process usually takes a matter of seconds and, therefore, is unlikely to have any untoward effects on the person seeking to reach the PSAP through the relay center rather than doing so directly by calling 911.

Verizon also states that developing the systems necessary to enable TRS providers to receive PSAP changes from the LECs on a real-time basis could cost hundreds of millions of dollars. Verizon Petition at 5-7. Sprint, of course, has no way of testing the accuracy of this statement. Nonetheless, given the fact that Verizon and presumably most other LECs update their "911 databases...around the clock 7 days a week," *id.* at 7, the provision of these updates on a real-time basis to TRS providers clearly will not be inexpensive. And, requiring TRS providers to incur such costs, which will necessarily have to be recovered from their State customers as well as from the Interstate TRS fund, may not be justified under a cost/benefit analysis. Certainly, the costs of establishing the mechanisms for real-time updates cannot be justified by the number of emergency calls handled by a relay center which is *de minimis.*[3] Nor can these costs be justified by a need to ensure that deaf and hard-of-hearing individuals dialing a

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[3] *See* Sprint's Comments in CC Docket No. 98-67 filed August 29, 2002 at footnote 1. See *also* AT&T's Petition at 6.

relay center are able to receive emergency services as rapidly as is humanly possible. The fact that Sprint's PSAP database vendor does not receive real-time updates has not had any adverse effects.

Thus, Verizon's suggested revision to the definition of "an appropriate PSAP" should be adopted. Such revision would enable the industry to avoid the expenditure of costs that cannot be justified under a cost/benefit analysis and more importantly would not diminish the ability of relay providers to see to it that anyone who calls a relay center in need of emergency services is able to secure such services in an expeditious manner.

B. AT&T's Suggestion For The Establishment Of A Nationwide PSAP Database Merits Further Study.

AT&T suggests that the Commission on reconsideration "mandate the development and deployment of … a single [nationwide PSAP] database by all TRS providers, in consultation with NECA as TRS Fund Administrator, state relay administrators and the TRS Fund Advisory Committee." AT&T Petition at 7. Although Sprint believes that the Commission cannot issue such mandate on the basis of the current record, it believes that AT&T's suggestion has considerable merit and should be explored further. As AT&T explains, the fact that each TRS provider must maintain a PSAP database in order to handle "the extremely small volume of emergency calls" received at relay centers "is economically inefficient and unnecessarily raises the costs for which relay providers are compensated from the TRS Fund and, correlatively, the amount of the TRS fund assessment on all carriers." *Id.* at 6-7. At the very least, a nationwide PSAP database could help mitigate these economic inefficiencies.

C. AT&T's Request For A Waiver Of Requirement To Provide Three-Way Calling Capability.

Among the various enhancements to TRS required by the *Second Improved TRS Order* is the provision of three-way calling capability. Such capability, which must be made available by February 24, 2004, can, according to the Commission, be provided in "one of two ways." *Second Improved TRS Order*, 18 FCC Rcd at 12420 (¶73). One way requires that the Communications Assistant (CA) set up the call at the relay center and "voice[] TTY messages to the hearing users and relay[] voice messages as text to the TTY user." *Id.* The other way "is for the TRS user to connect to two telephone lines at the same time from his or her premises by using the telephone's switch-hook (or "flash") button." After the TRS user sets up the call, "the CA again relays voice messages to the TRS user, and voices text messages to the hearing parties." *Id.*

Sprint is currently able to provide three-way calling capability to TRS users who are able to set up the call from their premises either by using the switch-hook function on their phones or using the three-way custom calling feature provided by their LECs. Thus, based on the Commission's statement that three-way calling capability can be provided in "one of two ways," Sprint believes that it is already meeting the requirement to provide three-way calling capability. If, despite the above-quoted language in paragraph 73, the Commission expects TRS providers to offer both types of three-way calling to TRS users, Sprint supports AT&T's request for a waiver of the requirement to provide three-way calling functionality to the extent that such functionality requires the CA to set-up the call through the relay center. Like AT&T, Sprint's TRS platforms

currently deployed at its relay centers do not allow for the provision of this type of three-way calling.[4]

For the reasons stated above, Sprint urges the Commission to grant the petitions for reconsideration of Verizon and AT&T.

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October 20, 2003

[4] Sprint will begin offering captioned telephone ("CapTel™") service early next year using the technology developed by Ultratec. That technology does not permit the provision of three-way calling functionality. Ultratec's CapTel phones are not equipped with a hook-flash function, and three-way calling cannot be set-up at the relay centers providing CapTel services. Thus, Sprint will need a waiver of the apparent requirement that both types of three-way calling so that it can offer CapTel service. Such waiver will need to be open-ended since Sprint is uncertain as to whether and when Ultratec will be able to deploy new technology that will permit the offering of three-calling to users of CapTel service.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing **COMMENTS OF SPRINT CORPORATION** was filed by electronic mail and e-mail and by hand on this the 20th day of October, 2003 to the parties on the attached list.

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