

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

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

AT&T REPLY

Pursuant to Section 1.429 of the Commission’s Rules, 47 C.F.R § 1.429, AT&T Corp. (“AT&T”) submits this reply to comments filed on its Petition for Limited Reconsideration and for Waiver of the Commission’s *June 17 Order* on provision of Telecommunications Relay Services (“TRS”).¹

Request for Limited Reconsideration of Emergency Call Handling

The *June 17 Order* provides that effective August 24, 2004, emergency calls from wireline TRS customers must be routed to the same Public Safety Answering Point (“PSAP”) that would receive such a call directly dialed on a 911 basis.² The Commission’s decision further required that “any database used to route a TRS

¹ *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities; Americans with Disabilities Act of 1990*, CC Docket No. 98-67 and CG Docket No. 03-123, Second Report and Order, Order on Reconsideration and Notice of Proposed Rulemaking, FCC 03-112, 18 FCC Rcd 12379, released June 17, 2003 (“June 17 Order”). Comments on AT&T’s Petition were filed by Hamilton Relay, Inc. (“Hamilton,”), SBC Communications, Inc. (“SBC”), Sprint Corporation (“Sprint”), and Verizon.

² *June 17 Order* at 12407 (¶ 41).

emergency call to a PSAP will be updated *on the same schedule* that PSAP routing databases are updated for 911 calls placed by voice telephone users.”³ AT&T’s Petition showed that, absent a Commission order mandating that local exchange carriers (“LECs”) furnish such routing information contemporaneously with their own system updates, compliance with the latter requirement would be unduly burdensome – if not indeed impossible – due to delays in the provision of PSAP changes by state public safety agencies to AT&T’s database vendor.⁴

Separately, Verizon has requested the Commission to reconsider the *June 17 Order*’s requirement that TRS wireline emergency calls be routed to the same PSAP as they would be had the caller dialed 911, and that TRS providers’ databases be updated contemporaneously with LEC 911 databases.⁵ Verizon there has requested that the Commission permit routing of such TRS emergency calls either to the same PSAP as a 911 dialed call from the same end user or to another PSAP that “is capable of enabling the dispatch of emergency services to the caller in an expeditious manner.”⁶ Verizon’s

³ *Id.* (emphasis supplied).

⁴ AT&T Petition, pp. 3-4. As AT&T also showed (*id.*, pp. 4-5), contemporaneous provision of those data from local wireline carriers still would not eliminate discrepancies between PSAP routing for voice callers and TRS users because multiple PSAPs support each exchange, and TRS providers must determine a calling party’s exact location before ascertaining the correct emergency number. Wireline carriers’ 911 service are not required to provide such supplementary information, because their serving LEC has automated access to information regarding those subscribers’ addresses.

⁵ *See* Petition for Reconsideration of Verizon, filed September 24, 2003.

⁶ *Id.*, p. 2. As Verizon correctly points out (Comments, p. 3), under applicable law PSAPs are already obligated to be equipped to handle 911 calls placed by persons who use a TTY.

reconsideration petition states that modifying its selective routers that switch emergency calls to conform to the *June 17 Order*'s requirements could potentially cost hundreds of millions of dollars and take several years to implement.⁷

Verizon's comments on AT&T's reconsideration petition reiterate these arguments and, in particular that the 911 information used by its selective routers is not a "database" that can be read or used by TRS providers.⁸ Verizon therefore urges that the Commission instead grant its own petition. Hamilton, SBC and Sprint in their comments all endorse Verizon's request for reconsideration and echo Verizon's related position with respect to AT&T's reconsideration petition.⁹

Regardless of the merits of Verizon's assertion that LEC 911 routing does not involve reliance on a "database" as such, it is common ground among AT&T and these commenters that mirroring changes in PSAPs and implementing the routing of wireline TRS calls in the manner contemplated by the *June 17 Order* cannot be accomplished by the deadline established in that decision, and that any eventual deployment of such capabilities is likely to be costly to implement. Thus, if the Commission does not grant the relief requested in AT&T's reconsideration petition, it should at a minimum grant Verizon's requests to modify the requirements of the *June 17*

⁷ See Verizon Reconsideration Petition, pp. 5-6.

⁸ See Verizon Comments, pp. 2-3, *citing* Verizon Reconsideration Petition p. 6.

⁹ See Hamilton, p. 3; SBC, p. pp. 3-4; Sprint, pp. 3-4.

Order with respect to emergency handling of wireline TRS calls.¹⁰

AT&T's reconsideration petition also showed that maintenance of separate PSAP databases by TRS providers is both burdensome and economically inefficient in light of the extremely small volume of emergency TRS calling. AT&T therefore requested that the Commission take steps to establish a single nationwide PSAP database for use by all TRS providers.¹¹ Hamilton (p. 3) states that it "strongly supports" the establishment of such a database, and Sprint (p. 4) states that "AT&T's suggestion has considerable merit and should be explored further." In light of this record demonstrating the desirability of AT&T's proposal, the Commission on reconsideration should move forward with analysis of this proposal in accordance with AT&T's Petition.

Request for Waiver for Three-Way Calling

The *June 17 Order* required TRS providers to provide three-way calling capability for relay calls. AT&T showed that while such three-way calls may be

¹⁰ AT&T's Petition (p. 6 n.14) also requested that the Commission clarify the *June 17 Order* to permit TRS providers such as AT&T to continue to direct relay customers placing emergency calls to hang up and dial 911, while the TRS center may simultaneously place a second call to the caller's PSAP reflected in the TRS provider's records to assure that the caller's ANI is correctly passed to the emergency services provider. Hamilton (pp. 3-4) expresses full support for the two-tiered approach advocated by AT&T, and no other commenter has opposed AT&T's request for clarification. Accordingly, the Commission should grant AT&T's petition in this respect.

In like manner, no party opposes – and Hamilton (p. 7) expressly supports – AT&T's request (Petition, p. 8 n. 14) for reconsideration of the method for computing the minutes of use that are eligible for cost recovery from the interstate TRS fund on calls involving the "call release" functionality required by the *June 17 Order*. The Commission should therefore grant AT&T's petition in this additional respect.

¹¹ AT&T Petition, pp. 6-7.

established by the end user(s) using either a LEC-provided custom calling service (“CCS”) feature or by bridging together two lines via customer terminal equipment. The TRS center does not have the ability to use the LEC network CCS feature to establish the two legs of such conference calls, and implementing a three-way calling capability in its relay centers would require extensive additional development and modification on AT&T’s part. AT&T accordingly requested that the Commission waive the three-way calling requirement insofar as it might apply to deploying such a capability in its relay centers.

Three parties – Hamilton, SBC and Sprint – have commented on this aspect of AT&T’s petition. All of those commenters state they interpret the *June 17 Order*’s three-way calling requirement to be fully satisfied if a TRS center processes such traffic initiated by the end user using the LEC CCS feature.¹² AT&T agrees that, insofar as the Commission on reconsideration affirms those commenters’ interpretation of the *June 17 Order*, AT&T’s request for waiver of an obligation to modify its own relay centers would then be mooted.

Such a determination on the Commission’s part would not, however, dispose of AT&T’s additional request for waiver, to the extent it may be required, of any obligation to process three-way TRS calls involving communication among two or more customers using TTYs. AT&T’s Petition showed (p. 9) that processing a call in this scenario would pose serious operational problems for TRS center personnel in relaying

¹² Hamilton, p. 5; SBC, p. 2; Sprint, p. 5.

the conversation among the participants in such a call.¹³ The *June 17 Order* appears instead to contemplate that the parties to a TRS call between a TTY user and a voice caller would establish a three-way call to another voice caller, which AT&T's relay centers are capable of processing.

WHEREFORE, for the reasons stated above and in AT&T's Petition, the Commission should (a) clarify, or in the alternative reconsider, its *June 17 Order* with respect to emergency call handling and reimbursement of TRS provider call release service costs, and (b) grant AT&T's request for limited waiver of the requirement to process three-way TRS calls exclusively involving TTY traffic, insofar as the order may be deemed to require processing such traffic.

Respectfully submitted,

AT&T CORP.

By /s/ Peter H. Jacoby
Leonard J. Cali
Lawrence J. Lafaro
Peter H. Jacoby

Its Attorneys

Room 3A251
One AT&T Way
Bedminster, NJ 07921
(908) 532-1830

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¹³ Similarly, although the *June 17 Order* addressed the issue of reimbursement for CA time on three-way calls, the decision did not address appropriate billing by the TRS center of the end users that are parties to the conference call, and the Commission's decision should be clarified in this additional respect.

CERTIFICATE OF SERVICE

I, Theresa Donatiello Neidich, do hereby certify that on this 30th day of October 2003 a copy of the foregoing "AT&T Reply" was sent by U.S. first class mail, postage prepaid, upon the parties listed below:

/s/ Theresa Donatiello Neidich
Theresa Donatiello Neidich

David A. O'Connor
Holland & Knight, LLP
2099 Pennsylvania Avenue, NW
Suite 100
Washington, DC 20006
Counsel for Hamilton Relay, Inc.

David M. Grant
Gary L. Phillips
Paul K. Mancini
SBC Communications, Inc.
1401 Eye Street, NW – Suite 400
Washington, DC 20005

Michael B. Fingerhut
Richard Juhnke
Sprint Corporation
401 9th Street, NW, Suite 400
Washington, DC 20004

Ann H. Rakestraw
VERIZON
1515 North Courthouse Road
Suite 500
Arlington, VA 22201