

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

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| In the Matter of |) | |
| |) | |
| Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities |) | CC Docket No. 98-67 |
| |) | |
| Americans with Disabilities Act of 1990 |) | CG Docket No. 03-132 |

AT&T REPORT ON TRS WAIVERS

Pursuant to the Commission’s *Second Report and Order* in the above-captioned proceeding,¹ AT&T Corp. (“AT&T”) submits this annual report on its progress in providing certain features and functions for Internet Protocol Relay (“IP Relay”) and Video Relay Service (“VRS”) that are subject to Commission waivers for Telecommunications Relay Service (“TRS”).

PROCEDURAL BACKGROUND

In March 2000, the Commission mandated that providers of TRS offer Speech-to-Speech (“STS”) relay as part of their services, and also concluded that VRS should be eligible for cost recovery through the interstate TRS Fund.² In April 2002, the

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. 03-132, Second Report and Order, Order on Reconsideration, and Notice of Proposed Rulemaking, FCC 03-112, released June 17, 2003 (“Second Report and Order”).

² *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, CC Docket No. 98-67, Report and Order and Further Notice of Proposed Rulemaking, FCC 00-56, released

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Commission on an interim basis authorized recovery from the interstate TRS Fund for the costs of providing both intrastate and interstate IP Relay, although it did not mandate that TRS providers offer that service.³ The Commission has concluded that as a general matter these offerings should comply with the operational, functional and technical requirements that the Commission has mandated for TRS, but it also recognized that with current technology it was not reasonably feasible in all instances for these new and innovative forms of relay service to comply fully with those criteria. Accordingly, the Commission has granted TRS providers waivers of certain of these obligations (and, in a number of cases, has further extended the initial term of waivers previously granted).

Specifically, in its *IP Relay Declaratory Ruling* the Commission waived for one year the requirement that IP Relay providers offer Voice Carry Over (“VCO”) and STS relay.⁴ On reconsideration of its initial decision permitting cost recovery from

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March 6, 2000 (“Improved TRS Order”). STS allows persons with speech disabilities to communicate with voice telephone customers via Communications Assistants (“CAs”) whose special training enables them to understand and repeat the words of persons with speech disabilities. 47 C.F.R. § 64.601(10). VRS is a relay service that allows persons with hearing or speech disabilities that use sign language to communicate with voice telephone users through a video link that allows a CA to view and interpret signed conversation and to relay the conversation to a voice caller. *See* 47 C.F.R. § 64.601(11).

³ *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, CC Docket No. 98-67, Declaratory Ruling and Second Further Notice of Proposed Rulemaking, FCC 02-121, released April 22, 2002 (“IP Relay Declaratory Ruling”).

⁴ *Id.*, ¶ 57. VCO permits a person with a hearing disability to speak directly to the other party to the call; the TRS provider’s CA types the response back to the

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the interstate TRS Fund, the Commission extended the duration of those waivers to five years, and also waived for the same period the requirement that TRS providers offer Hearing Carry Over (“HCO”), emergency call handling, and 900 services over IP Relay.⁵

In June, 2003, the Commission further enriched the services available to relay customers by mandating that TRS providers offer VCO-to-TTY, HCO-to-TTY, VCO-to-VCO, and HCO-to-HCO calling capabilities.⁶ Once again, in recognition of technological limitations the Commission waived until January 1, 2008 the obligation of TRS providers to offer those features with IP Relay and VRS.⁷ The Commission made the waivers granted there, and the waivers previously granted discussed above, contingent on provision of an annual report by TRS providers detailing the technological

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person with a hearing disability, but without voicing the conversation. 47 C.F.R. § 64.601(9).

⁵ *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, CC Docket No. 98-67, Order on Reconsideration, FCC 03-46, released March 14, 2003, 68 F.R. 18825 (April 16, 2003) (“IP Relay Reconsideration Order”). HCO is a form of TRS in which a person with a speech disability is able to listen to the other party to the call and the CA speaks text typed by the person with the disability, but the CA does not type any conversation. *See* 47 C.F.R. § 64.601(6).

⁶ *See Second Report and Order*, ¶¶ 31-34. HCO-to-TTY and VCO-to-TTY calls permit a TRS conversation between an HCO or VCO user and a party using a Text Telephone (“TTY”) device. The CA transliterates or interprets the conversation as necessary. *Id.*, ¶¶ 31, 33. HCO-to-HCO and VCO-to-VCO calls allow TRS conversations between two users of those respective features, with the CA transliterating or interpreting as required. *Id.*

⁷ *Id.*, ¶ 36.

change in those areas, the progress made, and steps taken to resolve the technological impediments to provision through IP Relay and VRS of these types of TRS calls.⁸

In December 2003, the Commission also extended until June 30, 2004 (or, if earlier, until a further order addressing those matters) the waivers that it had granted VRS providers in 2001 with respect to (1) types of call that must be handled; (2) emergency call handling; (3) speed of answer; (4) equal access to interexchange carriers; and (5) pay-per-call services.⁹ The waivers so extended are likewise subject to the April 16, 2004 reporting obligation.

STATEMENT

A. Waivers Relating to IP Relay

The record before the Commission in its *IP Declaratory Ruling* demonstrated that VCO and STS calls are possible over IP relay, provided that the customer possesses a microphone, a computer with a sound card, and Internet telephony software. However, the Commission granted a waiver from the requirement that IP Relay providers offer VCO and STS because it concluded that such call types were critically dependent upon the quality of the user's customer premises equipment ("CPE"),

⁸ *Second Report and Order*, ¶ 36. The Commission prescribed April 16, 2004 as the date for the first annual report, corresponding to the anniversary date of Federal Register publication of the *IP Relay Reconsideration Order*.

⁹ *Telecommunications Relay Service and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, CC Docket No. 98-67, Order, DA 03-4029, released December 19, 2003, *extending waivers granted in Telecommunications Relay Service and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, CC Docket No. 98-67, Order, DA 01-3029, released December 31, 2001 ("TRS Waiver Order"). The call types for which waivers were granted to VRS providers are operator assisted calls and certain other calls that require special billing.

and that the poor intelligibility of voice calls placed using such CPE often precluded accurate relay of calls by CAs. AT&T's experience indicates that in most cases the sound quality for current Voice over Internet Protocol ("VoIP") offers is still not sufficient to adequately address the problem with providing VCO and STS with IP Relay that was identified by the Commission in the *IP Relay Declaratory Ruling*. Accordingly, as of the filing of this report AT&T has been unable to resolve this issue.

HCO using IP Relay involves voice calling over the Internet, with the same sound quality problems described above for VCO over IP Relay. For the reasons already stated, it is currently impracticable for AT&T to resolve this issue for HCO.

AT&T is currently capable of responding to an IP Relay caller's request to be connected to an emergency agency. However, because AT&T is unable in many instances to determine the customer's geographic location from the caller's Internet address, AT&T is currently unable automatically to route the caller to the appropriate Public Safety Access Point ("PSAP"), as would be the case with a traditional voice call to E911. AT&T must therefore obtain location information from the caller in real time. AT&T believes that this same problem continues to affect other IP Relay providers as well.

A long term solution to this issue could potentially be implemented by requiring users of IP Relay to utilize a subscription or log-in process with related password, name and address data.¹⁰ With this procedure, AT&T would be able to

¹⁰ Deployment of a log in system would also provide a long-term solution to the increasingly prevalent problem of fraudulent IP Relay calling originated from overseas locations that has mushroomed since this service first became widely

determine the customer's geographic location and route an emergency call to the appropriate PSAP. However, deploying such a system would require a substantial commitment of resources by AT&T and other TRS vendors, and would still be dependent upon customer cooperation in providing the necessary caller-specific information to allow correct routing of emergency traffic. Again, these factors render the issue beyond AT&T's unilateral ability to resolve.

Processing of pay-per-call (900) traffic using IP Relay is problematic for TRS providers, including AT&T, due to the inability of CAs in all instances to provide the customer's telephone number to the information provider. The digits of the telephone number must be populated in the automatic number identification ("ANI") in order for the information provider to provide service. If the customer's number is not transmitted to the information provider, but the TRS center's telephone number appears instead in the ANI digits, then the TRS provider will inappropriately be assessed the premium charges for those calls. Again, deployment of a log-in system with passwords for use with IP Relay will provide a long-term solution to this problem, because it would allow a TRS provider such as AT&T to obtain and to verify the billing telephone number provided by the user, and to furnish that billing information to the pay-per-call provider. For the reasons already identified above, AT&T is unable unilaterally to resolve this issue.

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available. AT&T is currently devoting substantial resources to identifying international IP Relay calls in real time, so that such fraudulent traffic can be controlled. However, even with that program AT&T is unable to identify all such foreign-originated calls. A log-in system would control this problem more effectively because it would allow TRS providers to more readily identify improper international usage of IP Relay service in real time.

VCO-to-VCO, HCO-to-HCO, VCO-to-TTY, and HCO-to-TTY calls placed over IP Relay are also currently subject to the same sound quality problems described above for HCO and VCO calls using Internet protocol. However, AT&T has conducted laboratory tests of these four call types which demonstrate the feasibility of coordinating these services with VoIP technology, and is currently evaluating means of provisioning them using AT&T's VoIP offering.

B. Waivers Relating to VRS

Processing of emergency calls using VRS is affected by the same problem described above for such traffic over IP Relay, i.e., with current technology it is not possible for the VRS center to determine the caller's geographic location and to route the emergency call automatically to the appropriate PSAP. The Video Interpreter ("VI") in the VRS center must therefore obtain the call's origination point from the customer. AT&T estimates that a database containing the requisite information to allow the emergency call's originating location to be determined in real time and without VIs having to obtain that geographic location from the customer will require approximately two years to develop and deploy.

AT&T currently does not bill VRS end users for either operator assisted calling or certain other types of specially billed long distance calls. AT&T has been unable to date to identify methods of resolving the technical and operational obstacles to provision of these services using VRS. AT&T is therefore currently absorbing the costs of long distance calling by VRS customers who would otherwise make use of these call types.

The Commission has waived for VRS its speed of answer requirement that 85 percent of all calls be answered within 10 seconds (47 C.F.R. § 64.604(b)(2)). As HOVRS, AT&T's contracted provider of VRS, has pointed out in its own separate annual report in this proceeding, it is problematic for VRS to satisfy this criterion because it takes several seconds for a call from the VRS user's computer equipment to synchronize technically ("handshake") with the VRS center computer.¹¹ The speed of answer parameter is also critically affected by the limited availability of trained VIs to staff VRS centers. HOVRS' report shows, however, that with appropriate staffing a VRS center can achieve a speed of answer of 20 seconds. AT&T believes that, in addition to maintaining the current waiver, the Commission should consider prescribing a separate speed of answer criterion for VRS that more closely takes these factors into account.

The extremely limited volume of pay-per-call (900) traffic processed through VRS is subject to the same obstacles described above for IP Relay: namely, the inability of the VRS center to obtain reliable ANI billing information to forward to the information provider. To date, AT&T has not been able to develop systems that would unilaterally allow it to resolve this issue. AT&T notes, however, that the log-in system described above for IP Relay traffic would, if also adopted for VRS, provide AT&T and other VRS providers with real-time access to reliable billing information that could allow offering pay-per-call service through VRS.

¹¹ See Annual Report of Hands On Video Relay Service, Inc., filed April 15, 2004, p. 1. ("HOVRS Annual Report")

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