

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

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

FIRST ANNUAL REPORT ON CAPTIONED TELEPHONE SERVICE
BY ULTRATEC, INC. and SPRINT CORPORATION

I. Introduction

On August 1, 2003, the Federal Communications Commission (FCC or Commission) released a Declaratory Ruling approving captioned telephone service as an enhanced voice carry over telecommunications relay service.¹ At that time, the FCC waived certain minimum mandatory standards for captioned telephone service, conditioning such waivers upon the filing of annual reports with the Commission for a period of three years.² The purpose of these reports is to detail compliance with the Declaratory Ruling and to describe “any technological advances that may enable captioned telephone service providers to meet these waived standards.”³

¹ *In the Matter of Telecommunications Relay Services, and Speech-to-Speech for Individuals with Hearing and Speech Disabilities, Declaratory Ruling*, CC Dkt 98-67, FCC 03-190 (rel. August 1, 2003) (Declaratory Ruling).

² The Commission permanently waived other mandatory minimum standards that “inherently do not apply” to captioned telephone service, but did not make these waivers contingent on the filing of reports. Permanent waivers were granted for the provision of speech-to-speech relay service, hearing carry over, outbound 711 calls, gender preference, call release, and the requirement to handle calls in ASCII and Baudot formats. Although the FCC also granted a waiver for interrupt functionality, it has since decided not to require this as a minimum relay standard. *In the Matter of Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities, Report and Order, Order on Reconsideration, and Further Notice of Proposed Rulemaking*, FCC Dkts 90-571, 98-67, 03-123, FCC 04-137 at ¶71 (rel. June 30, 2004).

³ Declaratory Ruling at ¶27.

The FCC granted the following three waivers contingent on the filing of these annual reports. This first annual report establishes the continued need for each of these waivers.

- Use of voice recognition technology to meet CA competency skill requirements (including a waiver for CA competency in interpretation of typewritten ASL)
- Use of oral-to-text test to replace oral-to-type test
- Refusal of single or sequential calls for outbound calls

II. Waivers Contingent Upon Filing of Annual Reports

A. Use of voice recognition technology to meet communications assistant (CA) competency skill requirements

Over the past year, Ultratec's captioned telephone service has successfully used its voice recognition technology, Fastran, to achieve compliance with FCC minimum standards that require CA competency in grammar, spelling, and typing skills. Rather than rely on individual CA skills in each of these areas, Fastran software is designed to ensure accuracy in grammar and spelling as a captioned telephone CA repeats, word-for-word, what the voice user says. Trial testing with over 2,000 CapTel Trial participants from twelve different states, from October 1, 2001 through December 2003, verified the usefulness of this technology and level of user acceptance.⁴ Beginning in January 2004, all but one of the state programs that had reached their contractual ending date selected to convert their trial service offering to full service because they were extremely satisfied with the results of those trials. The one state that chose not to continue did so for financial rather than technological or performance reasons.

⁴ In addition to these twelve states, two additional trials were conducted, one for the Federal Relay Service, and one for a small group of individuals.

Since the beginning of 2004, eleven additional states have also begun full service without first offering a trial of this technology.⁵ Volume in all of the states that now offer CapTel service continues to grow, and state administrators have consistently expressed satisfaction with the manner in which CapTel technology is meeting the needs of its residents. Moreover, as the volume of CapTel calls has steadily risen, the number of individuals who have filed complaints about this service has remained low. Ultratec has received only three complaints related to the accuracy of CapTel transmissions over the past seven months. Ultratec believes this confirms the ability of voice recognition technology to meet communication assistant (CA) competency skill requirements.

CA competency in interpretation of typewritten ASL

A subcomponent of the waiver for CA competency relates to the ability of CAs to interpret typewritten ASL. As the FCC acknowledges in its Declaratory Order, there is never a situation where parties to a captioned telephone call use typewritten ASL.⁶ This is because both parties to the conversation use their own voices to speak, and the CA merely repeats, word for word, what the hearing end user says (which is then converted into text with the speech recognition technology). Accordingly, there is no typing by the captioned telephone user at any time during a CapTel call, nor does the CA ever have the opportunity to interpret or convert what anyone types into typewritten ASL because the CA remains transparent to the telephone call. Although the Declaratory Ruling states that this waiver is contingent on the filing of annual reports, in actuality this standard has no application to the captioned telephone service provided

⁵ At present, the following states plus the Federal Relay Service offer CapTel: Alabama, Arkansas, Colorado, Florida, Hawaii, Illinois, Indiana, Maine, Maryland, Minnesota, Missouri, Montana, North Carolina, Oregon, Texas, Utah, Vermont, Virginia, Wisconsin, and Wyoming. In addition, New Mexico begins service August 1, 2004, Mississippi begins service September 1, 2004, and Nebraska and Kentucky will begin full service October 1, 2004. California and Pennsylvania have trial programs in progress.

⁶ Declaratory Ruling at ¶42.

by Ultratec, and should fall into the second category of “do not apply” waivers enumerated in footnote 2 above.

B. Use of oral-to-text test to replace oral-to-type test

With captioned telephone technology, text transcription of the conversation is primarily generated using the Fastran voice recognition technology. As a consequence, the speed and accuracy of the text does not depend on a CA’s typing skills. One of the major benefits of captioned telephone is that it allows faster and more accurate relay conversations precisely because it replaces human typing with high-speed computer voice recognition. Only when words or proper names are used that the computer does not recognize must the CA type in the correct words, after which the CA goes back to re-voicing what is being said. It is for this reason that Ultratec requested, and was granted, a waiver of oral-to-type testing.⁷ Ultratec was permitted to substitute oral-to-*text* testing instead oral-to-*type* testing to ensure conversational accuracy. Since the onset of trials in October 2001, Ultratec has used the oral-to-text testing method to determine the performance level of CapTel CAs. Periodic testing conducted to ensure CA performance and proficiency using voice recognition technologies continues to be at a level that well exceeds the FCC’s minimum transmission speed requirement of 60 words per minute. In fact, CapTel is able to consistently achieve the transmission of conversations at speeds well over 100 words per minute.

C. Refusal of single or sequential calls for outbound calls

In its Declaratory Ruling, the FCC acknowledged that individuals making outbound captioned telephone calls and inbound calls via the captioned telephone access number dial the number for those calls directly, and that a CapTel CA does not have any role in accepting or

⁷ Declaratory Ruling at ¶44.

rejecting those calls.⁸ Because call set-up is automatic, and the CA's role is merely limited to re-voicing what the voice party says, there is no way that a CA can refuse single or sequential calls made by users of the captioned telephone service. Ultratec hereby confirms that captioned telephone callers – both inbound and outbound – continue to dial directly to their destinations, and that there is no danger that their calls could or would ever be rejected by a captioned telephone CA. Although this waiver is contingent on the filing of annual reports, this standard has no application to the captioned telephone service provided by Ultratec, and should fall into the second category of “do not apply” waivers enumerated in footnote 2 above.

III. 711 Waiver for Inbound Calls

The FCC's Declaratory Ruling on captioned telephone service granted a one year waiver for inbound 711 calls. We agree with the FCC that inbound access to captioned telephone service via 711 can facilitate calls from voice telephone users.⁹ Initial testing indicates that 711 service for inbound calls is now technically feasible.

Currently, inbound CapTel callers use a toll-free 800 number to access the CapTel service. Implementing 711 access to CapTel requires the TRS CA to quickly direct 711 CapTel calls to this 800 number so that the CapTel calls are sent to a captioned telephone communications assistant for processing and are released from the traditional TRS CA. We acknowledge that implementation of 711 captioned telephone access could have educational and procedural issues for traditional CAs who receive 711 CapTel calls. Specifically, CAs will need to learn about the availability of this service and the procedures necessary for the successful transfer of CapTel calls to a captioned telephone CA. Also, at present, not all states or TRS providers offer CapTel service.

⁸ Declaratory Ruling at ¶46.

⁹ Declaratory. Ruling ¶35.

