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

COMMENTS OF ULTRATEC, INC. ON NECA TWO-LINE CAPTEL PETITION

I. Introduction

Ultratec, Inc. files these comments in support of the Petition for Declaratory Ruling filed by the National Exchange Carrier Association (NECA) to reimburse two-line inbound captioned telephone services with a methodology that presently proposes allocation of 10% of these costs to the Interstate Fund and 90% of these costs to states electing to provide captioned telephone. Ultratec further requests that efforts be taken to monitor the use of captioned telephone relay calls to ensure that this allocation continues to fairly reflect the intra and interstate use of this service.

II. The Funding Issue: Two-Line Captioned Telephone Calls

On December 6, 2004, Ultratec, Hamilton Telephone, and Sprint petitioned the FCC to authorize interstate reimbursement for two-line captioned telephone. As Petitioners then noted, two-line captioned telephone is simply an extension of one-line captioned telephone, in the same way that two-line VCO is an extension of VCO. The main differences between the two forms of the captioned telephone is the number of lines

used and the many benefits offered by two-line captioned telephone. The technologies used and the nature of the underlying service are exactly the same: the captioned telephone user is able to hear and read what the other party is saying with the assistance of a communications assistant and voice recognition technology.

There is however, one funding issue that distinguishes one-line from two-line captioned telephone. As NECA has explained in its petition, when an inbound or outbound relay call is made over one-line captioned telephone, the relay center is able to accurately determine whether the call is intrastate, interstate, or toll free because the center is able to capture both where the call has originated and where it is destined to end.[1] Accordingly, the relay center can report and bill the call's minutes to a state or the Interstate TRS Fund, as appropriate.

Traditional TRS reporting is also possible for outbound two-line captioned telephone calls. When the two-line captioned telephone user places the outbound call directly on the first telephone line to the called party, the phone is designed so that it records the number the user dialed and automatically forwards that number to the captioned telephone relay center through the second line. Once the relay center connects the call to its destination, it has information about where both ends of the calls are located, and can bill accordingly.

However, when an *inbound* two-line captioned telephone call is placed, there is no way of knowing where the call originated because the call does not go through any relay operator. Instead, the two-line captioned telephone phone user receives an inbound call directly on his or her primary telephone line, in the same way that a conventional voice telephone user receives calls. Once the call is received, the captioned telephone

[1] NECA Petition at 2.

dials the relay center on the second line. For residential phone service, there is no information available about the original calling party that can be forwarded with the call to the center on this second line; thus, it is impossible to identify whether the call is an intrastate, interstate, or toll free call.

Because inbound two-line captioned telephone calls do not go through the captioned telephone relay center, and the incoming number and billing jurisdiction of these calls is not identified, an alternate solution is needed to achieve the appropriate jurisdictional separation of costs. Ultratec urges the FCC to approve NECA's proposed solution to achieve this separation by using an interstate allocation factor that divides "the number of interstate and international traditional TRS minutes projected for the funding year by the total number of traditional TRS local, intrastate toll, interstate and international minutes."[2] For the present time, NECA notes that this formula would allocate 10% of all inbound two-line captioned telephone minutes to the Interstate TRS Fund and the remaining 90% to state relay programs that have elected to provide captioned telephone services. Ultratec supports use of this proposed allocation factor for 2004-05, with the understanding that the FCC will direct NECA to use the proposed allocation methodology to re-calculate the proposed factor annually. Ultratec agrees with NECA that, with interstate captioned telephone minutes currently equaling less than 1% of monthly reimbursements for TRS, this is not likely to have much of an impact on the 2004-05 TRS Fund.

While the above methodology and allocation factor will fairly allocate inbound two-line captioned telephone costs for the present time, Ultratec does wish to note that because two-line captioned telephone service is still new, and is expected to offer many

[2] NECA Petition at 3.

benefits that one-line captioned telephone service does not offer, it is more than likely that use of this service will grow over time. In order to ensure that the allocation of inbound two-line captioned telephone minutes closely approximates the number of calls actually made, we urge the Commission to monitor, over the next two years, national trends in the use of both one-line and two-line captioned telephone.[3] We believe that analyzing and adjusting for trends that take place in use of this service will enable NECA's reimbursement to more accurately reflect interstate use of two-line captioned telephone than will an analysis of trends in traditional TRS. To the extent that such captioned telephone trends do suggest changes in the split between intra and interstate two-line captioned telephone minutes, the FCC should require NECA to make adjustments in its methodology that would more accurately reflect this split.

III. Conclusion

Because it is not technically feasible to determine the jurisdiction of inbound two-line captioned telephone calls, Ultratec supports NECA's recommendation to divide these costs proportionally between intra and interstate jurisdictions, allocating 90% to the states and 10% to the Interstate Fund, based on a national average of traditional TRS calls for the present time. However, we request that (1) the FCC direct NECA to re-calculate the allocation factor for inbound two-line captioned calls annually (based on NECA's proposed methodology) and (2) both the FCC and NECA continue to monitor trends in the use of one-line and two-line captioned telephone service to ensure that this allocation method accurately reflects the use of two-line captioned telephone, and to make any

[3] For example, although the split between traditional intra and interstate calls TRS may be 90%-10%, currently, the actual split between one-line captioned telephone intra and interstate calls is closer to 67%-33%.

adjustments that may be needed once two-line captioned telephone has gained greater acceptance in the relay user community.

Respectfully submitted,

/s/

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Pamela Holmes
Director of Consumer and Regulatory Affairs
Ultratec, Inc.
450 Science Drive
Madison, WI 53711
(608) 238-5400

Karen Peltz Strauss

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Karen Peltz Strauss
KPS Consulting
2120 L Street, N.W.
Washington, D.C. 20037
kpsconsulting@starpower.net

Legal Consultant for Ultratec

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