

**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
)	
Petition for Declaratory Ruling Filed by the)	
California Coalition of Agencies Serving the)	
Deaf and Hard of Hearing (CCASDHH))	
Concerning Video Relay Service (VRS))	
Interoperability)	

To: Secretary, FCC
For: Chief, Disabilities Rights Office,
Consumer & Governmental Affairs Bureau

REPLY COMMENTS OF HAMILTON RELAY, INC.

Hamilton Relay, Inc. (“Hamilton”) hereby replies to the comments filed in response to the Commission’s March 1, 2005 *Public Notice* regarding interoperability among Video Relay Services (“VRS”).¹ The *Public Notice* was issued in response to a petition from the California Coalition of Agencies Serving the Deaf and Hard of Hearing (the “Coalition”). On April 15, 2005, Hamilton filed comments in support of the Coalition’s request that the Commission prohibit a VRS provider from intentionally restricting its customers to a single VRS provider via the

¹ *Petition for Declaratory Ruling Filed by the California Coalition of Agencies Serving the Deaf and Hard of Hearing (CCASDHH) Concerning Video Relay Service (VRS) Interoperability, Public Notice, CC Docket No. 98-67, CG Docket No. 03-123, DA 05-509 (rel. Mar. 1, 2005).*

software or hardware of the customers' VRS equipment or through exclusivity agreements with those customers.

The Coalition's petition is supported by all commenters but one.² The one commenter that objects to the petition is at the center of the debate and practices the restrictive marketing techniques at issue. In light of the comments filed, Hamilton submits that there is now ample evidence in the record to support the Coalition's petition.

CSD is correct in noting that "[t]he matter presented to the Commission [by the Coalition's petition] is not a complicated one."³ The question presented is whether restrictive marketing practices such as the blocking of Internet Protocol ("IP") addresses should be prohibited because they are inconsistent with functional equivalency requirements. By ruling that such practices are prohibited, using the same rationale applied previously,⁴ the Commission will have granted the relief requested by the Coalition.

Numerous additional issues have been raised by other parties which are beyond the scope of this proceeding. The Commission need not, and should not, address those extraneous issues at this time. The essential purpose of the

² See, e.g., Hamilton Comments at 2-3; RERC-TA Comments at 3-4; MCI Comments at 1-2; Hands On Comments at 1-3; Communications Services for the Deaf ("CSD") Comments at 1-11; National Association of the Deaf ("NAD") Comments at 1-4.

³ CSD Comments at 5.

⁴ See *Federal Communications Commission Clarifies that Certain Telecommunications Relay Services (TRS) Marketing and Call Handling Practices Are Improper and Reminds that Video Relay Service (VRS) May Not Be Used as a Video Remote Interpreting Service*, Public Notice, CC Docket No. 98-67, CG Docket No. 03-123, DA 05-141, at 2-3 (rel. Jan. 26, 2005) ("*Public Notice*").

Coalition's petition is to request that the Commission close a loophole left open by the *Public Notice*. A Commission decision barring providers from blocking IP addresses will accomplish that goal.

Respectfully submitted,

HAMILTON RELAY, INC.

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