

**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)	

REPLY COMMENTS OF SORENSON COMMUNICATIONS, INC.

Sorenson Communications, Inc., formerly Sorenson Media, Inc. (“Sorenson”), hereby submits its reply comments to the Commission’s Public Notice in the above-captioned proceeding, regarding the “Payment Formula and Fund Size Estimate for Interstate Telecommunications Relay Services (TRS) Fund for July 2005 through June 2006” submitted by the National Exchange Carrier Association.¹ Sorenson’s reply comments will address one issue concerning the video relay service (“VRS”) payment rate suggested by Hands On Video Relay Services, Inc. (“Hands On”).

Specifically, Hands On proposes tying the VRS rate of reimbursement to a provider’s speed of answer, such that as a provider’s answer time goes up, the VRS

¹ *National Exchange Carrier Association (NECA) Submits the Payment Formula and Fund Size Estimate for Interstate Telecommunications Relay Services (TRS) Fund for July 2005 Through June 2006*, Public Notice, CC Docket No. 98-67, DA 05-1175 (rel. April 28, 2005).

payment rate goes down.² Sorenson believes that, given the shortage of qualified interpreters, setting the VRS payment rate based upon a provider's speed of answer cannot be justified until the Commission establishes the mandatory minimum standards for VRS providers.

Sorenson believes that imposing any VRS payment rate that is tied to speed of answer is premature. The Commission has granted a temporary waiver of the speed of answer rule, along with waivers of several of the minimum standards set forth in Section 64.604 of the rules.³ Having found that extensions of the waivers were in the public interest, the Commission has extended these waivers.⁴ The Commission, since the time it added VRS as a voluntary form of relay service, has acknowledged the potentially inadequate supply of qualified interpreters.⁵

² Hands On Comments at 15.

³ 47 C.F.R. § 64.604. *See Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, Order, CC Docket No. 98-67, DA 01-3029, 17 FCC Rcd 157 at ¶ 16 (Dec. 31, 2001) (*VRS Waiver Order*).

⁴ In 2004, the Commission recognized that VRS is not yet functionally equivalent and extended the waivers, stating that "because VRS remains a voluntary service, it is appropriate to provide flexibility that might not be warranted for a mandatory service." *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, CC Docket Nos. 90-571 and 98-67 and CG Docket No. 03-123, FCC 04-137, 19 FCC Rcd 12475 at ¶ 121 (June 30, 2004) (*2004 TRS Report and Order*) (waiving speed of answer rule for VRS until January 1, 2006, or such time as the Commission adopts a speed of answer rule for VRS, whichever is earlier).

⁵ *See Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, Report and Order and Further Notice of Proposed Rulemaking, CC Docket No. 98-67, FCC 00-56, 15 FCC Rcd 5140, ¶ 24 (Mar. 6, 2000); *VRS Waiver Order*, at n.58; *2004 TRS Report & Order*, at n.347; *see also* Registry of Interpreters for the Deaf, Inc. Comments, filed in CC Docket No. 98-67, Feb. 14, 2005, at 2-5.

Sorenson, which is currently the only VRS provider operating 24 hours a day, seven days a week, is making significant efforts to provide faster speed of answer by aggressively recruiting qualified interpreters. The Commission in the *2004 TRS Report and Order* stated, “we believe that it is premature to require VRS providers to meet the speed of answer requirement.”⁶ Therein, the Commission also indicated that it would monitor and rely on the information provided in annual reports in determining when termination of this waiver may be appropriate. The Commission has recently requested further comment on certain elements of the speed of answer requirement⁷ and should be addressing the issue soon. In light of the Commission’s temporary waiver of the speed of answer requirement, and in light of the shortage of qualified interpreters, any VRS payment rate based on speed of answer is not justified. Once the Commission establishes mandatory minimum standards for all VRS providers, it might be appropriate for the Commission to consider a scaled VRS payment rate based upon quality of service that is consistent among all VRS providers, as Hands On suggests.

DATED this 25th day of May 2005.

SORENSEN COMMUNICATIONS, INC.

⁶ *2004 TRS Report and Order* at ¶ 122.

⁷ *Federal Communications Commission Seeks Additional Comment on the Speed of Answer Requirement for Video Relay Service (VRS)*, Public Notice, CC Docket No. 98-67 and CG Docket No. 03-123, DA 05-339 (rel. Feb. 8, 2005).

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CERTIFICATE OF SERVICE

I hereby certify that true and correct copies of the foregoing **REPLY COMMENTS** of Sorenson Communications, Inc., were sent via electronic mail or hand delivered to the following this 25th day of May 2005:

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