

# KPS CONSULTING

“Building an Access Bridge in Technology and Telecommunications”

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November 7, 2005

Marlene Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

Re: **Ex Parte Presentation**  
CC Docket No. 03-123

Dear Ms. Dortch:

On November 7 2005, the undersigned, on behalf of Communication Service for the Deaf, Inc., (CSD) met with Monica Desai, Chief of the FCC's Consumer and Governmental Affairs Bureau, to discuss video relay service (VRS) blocking and ways to promote VRS innovation. The following solutions for promoting innovation were offered:

- The FCC can (and should) restore compensation for reasonable and prudent costs associated with research and development through the VRS/TRS per minute rates.
- The FCC can allow providers to receive direct reimbursement for innovation from the NECA fund (i.e., separate from the per minute rates).
- The FCC can allow providers to receive direct reimbursement from the NECA fund for TRS/VRS-related equipment that they distribute (e.g. through a national equipment distribution program).

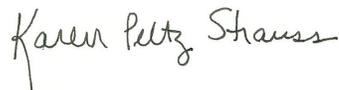
Under no circumstances, though, should a provider ever be permitted to recoup innovation costs on the backs of consumers, in a way that violates the functional equivalency mandates of the ADA.

In addition, concerns were raised about the new practice of Hands On VRS to distribute free pre-configured routers to customers, who can then apply to HOVRS for reimbursed Internet fees. It is CSD's understanding that these routers restrict users to only HOVRS, though they are placed on D-links which CSD or other providers may have distributed. CSD believes that this practice is inappropriate, violates the FCC's "no incentive" ruling, and needs to be terminated immediately. This newest unfair practice, coupled with the unfair practices of other VRS providers, is rapidly creating an untenable situation for CSD. With Sorenson and HOVRS now blocking or restricting VRS users, it will not be long before other vendors will need to join this practice. When this happens, the real losers will be deaf people, those whom we are all trying to serve. Not only do these practices prevent effective competition for new customers in this market, but they have made it exceedingly difficult for CSD to provide the high quality service that our existing customers have grown to appreciate. The practice of a competitor restricting the use of devices that CSD pays for and distributes is simply unacceptable and should not be permitted under this federal program.

Finally, CSD briefly raised concerns about VRS and video communication users not being linked to the North American Numbering Plan, and about the FCC's plans for extending the current waiver for emergency call handling.

This letter is being filed electronically.

Sincerely,

A handwritten signature in cursive script that reads "Karen Peltz Strauss".

Karen Peltz Strauss  
Legal Consultant, CSD