Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of	)	
	)	
Telecommunications Relay Services and	)	
Speech-to-Speech Services for	)	CG Docket No. 03-123
Individuals with Hearing and Speech	)	
Disabilities	)	
	)	
Access to Emergency Services	)	

REPLY COMMENTS OF SORENSON COMMUNICATIONS, INC.

Sorenson Communications, Inc. ("Sorenson") submits these Reply Comments in response to the Federal Communications Commission's ("FCC's" or "Commission's") Notice of Proposed Rulemaking[1] ("NPRM") in the above-captioned proceeding. As a preliminary matter, Sorenson notes the broad consensus among commenters on several key issues, including: the need for providers of Video Relay Service ("VRS") and Internet Protocol ("IP") Relay service to provide users access to emergency services;[2] the need to continue treating all VRS and IP Relay calls as jurisdictionally interstate in

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1 *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities; Access to Emergency Services*, Notice of Proposed Rulemaking, 20 FCC Rcd 19476 (2005) (FCC 05-196) ("NPRM").

2 *See, e.g.*, Comments of Sorenson Communications, Inc. at 1 ("Sorenson Comments"); Comments of the New Jersey Division of the Ratepayer Advocate at 2 ("NJ Advocate Comments"); Comments of Verizon at 1 ("Verizon Comments"); Comments of Communication Service for the Deaf at 2 ("CSD Comments"); Comments of Telecommunications for the Deaf, Inc. at 1 ("TDI Comments"). (Unless otherwise indicated, all comments cited herein were filed in CG Docket No. 03-123 on February 22, 2006.)

nature;[3] and the need to tailor any 911 requirements to the unique traits of VRS and IP Relay.[4]

Because the record is sufficiently clear on these and other points, Sorenson takes this opportunity to focus on a single issue: the need for VRS and IP Relay providers to ensure priority access for all incoming 911 calls.

I. THE FCC SHOULD REQUIRE PRIORITY HANDLING OF 911 CALLS

In their initial comments, Sorenson and others urged the FCC to fulfill the functional equivalency mandate of section 225 by requiring priority handling of all 911 calls placed to VRS and IP Relay providers.[5] Priority handling is necessary to ensure that all 911 calls placed to such providers are treated with the urgency afforded to traditional wireline 911 calls. And, as Sorenson's experience demonstrates, such prioritization is technologically feasible.[6]

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3 *See, e.g.*, Verizon Comments at 1, 7-9; Comments of the Public Service Commission of the State of Missouri at 2-4 (Feb. 21, 2006).

4 One commenter urged the FCC to require TRS providers to "obtain affirmative acknowledgement from every subscriber," because a similar requirement was adopted in the *VoIP E911 Order*. NJ Advocate Comments at 8. As several commenters explained, however, there are key differences between VRS/IP Relay and VoIP that make it impractical to impose such regulations on Relay providers. *See* Sorenson Comments at 9-14; Comments of Communication Access Center for the Deaf and Hard of Hearing at 7, 10; Comments of Hamilton Relay, Inc. at 4; Comments of Sprint Nextel Corporation at 6-8 ("Sprint Nextel Comments"); Verizon Comments at 3-7, 9 n.10.

5 Sorenson Comments at 7-9; s*ee also* TDI Comments at 2 ("Emergency calls should be designated as 'top priority' in the call centers, and should be answered and handled as such."); NJ Advocate at 9 ("The Commission should direct VRS and IP Relay providers to implement a way to identify incoming calls as emergency calls so that they are not held up in a queue during busy periods.").

6 Sorenson Comments at 7-8.

Contrary to Sprint's suggestion, the need for priority handling of 911 VRS calls has not been made less "pressing" by the adoption of a phased-in speed-of-answer requirement for VRS.[7] At the end of the phase-in period, VRS providers must answer 80% of all calls within 120 seconds, measured on a monthly basis.[8] As the Commission itself recognized, however, relying solely on this 80/120 rule would "likely [result in] too long a wait for a [VRS] caller seeking emergency services."[9] Moreover, because the 80/120 rule merely requires VRS providers to achieve a *monthly average* of 120 seconds, and only for 80 percent of calls, the actual delay experienced by any single 911 caller on a particular day could be longer than 120 seconds.[10]

The goal is to ensure that 911 calls are answered immediately. Sprint has focused on speed-of-answer requirements as a means of meeting that goal. It would be possible to have a separate speed-of-answer requirement that applied only to 911 calls and that was much more stringent than the general requirements that apply to all other VRS calls. Sorenson would comply with such a rule by giving 911 calls priority over all other calls. Other providers would be free to use other means to comply with a 911 speed-of-answer rule. However, Sorenson continues to believe that the best way to ensure that 911 calls are answered as quickly as possible is to adopt a rule requiring that such calls be given priority over all other calls.

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7 Sprint Nextel Comments at 9.

8 47 C.F.R. § 64.604(b)(2)(iii).

9 NPRM ¶ 26 n.80. *See* NJ Advocate at 9 ("It is unacceptable for a caller seeking emergency services to be put in a queue for two minutes before even connecting to a CA.")

10 *See, e.g.*, CSD Comments at 5 & n.3.

Similarly, the Commission should not require VRS providers to use a separate queue to answer VRS 911 calls, as CSD appears to propose.[11] This solution could prove less efficient than other alternatives. For example, a separate-queuing solution would lead to underutilization of interpreters, since dedicated teams of 911 interpreters would spend a significant amount of time sitting idle.[12] The costs of such idle time would, of course, be borne by the Interstate TRS Fund. Moreover, the need to hire teams of dedicated interpreters would exacerbate the current shortage of qualified interpreters.[13]

The FCC should allow VRS and IP Relay providers to devise more efficient solutions for ensuring priority handling of 911 calls. Sorenson's solution, for example, affords priority to all 911 VRS calls, without incurring the added costs necessitated by separate queuing or sacrificing the quality of 911 service.[14] For example, all of Sorenson's interpreters are trained to handle 911 calls before being allowed to handle any calls; as a result, there will always be a qualified Sorenson interpreter available for expert priority handling of 911 calls. Sorenson's solution also will not be prone to abuse –

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[11] CSD Comments at 15 (proposing that separate queues "be used for priority answering of 911 calls"). Sorenson does not object to allowing providers to use separate queues, as long as there is no requirement that providers do so.

[12] Normally, emergency calls are infrequently placed to a VRS or IP Relay provider. *See* Verizon Comments at 2 n.3, 9 (stating that on average, Verizon's IP Relay communications assistants ("CAs") handle approximately 60 emergency calls per month, and that 99.99% of IP Relay calls are not emergency calls). During times of regional or national crisis, however, the volume of 911 calls can dramatically spike. Under a separate queuing proposal, providers would have to hire enough CAs or interpreters to handle such spikes, even though they rarely occur. On most days, therefore, the dedicated team of 911 CAs or interpreters would have large amounts of idle time.

[13] *See Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, Report and Order, 20 FCC Rcd 13165, ¶¶ 18-20 (2005) (discussing shortage of interpreters).

[14] *See* Sorenson Comments at 5.

provided the FCC adopts prudent precautionary rules to permit VRS providers to drop non-emergency calls if necessary in order to answer all 911 calls as rapidly as possible in cases of widespread emergencies.[15]

II. CONCLUSION

VRS and IP Relay users should have access to high-quality 911 services that ensure the priority handling of all 911 calls. Sorenson therefore urges the Commission to adopt the solutions proposed herein and in Sorenson's initial comments, taking into account the unique characteristics of VRS and IP Relay.

Michael D. Maddix
Product Manager
4393 South Riverboat Road
Suite 300
Salt Lake City, Utah 84123

Ruth Milkman
Gil Strobel
Richard D. Mallen
Lawler, Metzger, Milkman & Keeney
2001 K Street, NW
Suite 802
Washington, DC 20006
(202) 777-7700
gstrobel@lmmk.com

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[15] As CSD recognized, in order to prevent callers from abusing any solution (including separate queuing), the FCC should ensure that priority is given only to valid 911 calls, and not to "other 'urgent' destinations, such as doctors' offices, hospitals and close relatives." CSD Comments at 15; *see also* Sorenson Comments at 8 (identifying natural disasters or terrorist attacks as instances that might necessitate the dropping of non-emergency calls).