

Dana Frix
direct tel (202) 974-5691
dfrix@chadbourne.com

Doc. 233261

April 21, 2006

Via Hand Delivery and Electronic Filing

Ms. Marlene Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Room TW-A325
Washington, D.C. 20554

**Re: CG Docket 03-123: Supplement to VRS and IP Relay Service
Certification Application of GoAmerica, Inc.**

Dear Ms. Dortch:

On March 16, 2006 GoAmerica, Inc. ("GoAmerica") filed its VRS and IP Relay Services Application ("Application") pursuant to the Commission's December 12, 2005 Order in Docket No. 03-123. Pursuant to discussions with Commission Staff, this filing supplements that application by (i) providing additional background information on Go America and its commitment to serving the Deaf, Hard of Hearing and Speech Disabled community and (ii) by providing additional information relative to GoAmerica's qualifications to provide Video Relay Services and IP Relay Services.

Enclosed is an original and three copies of this filing. If you have any questions, please contact the undersigned.

Very truly yours,

/s/

Dana Frix
Counsel to GoAmerica, Inc.

cc: Mr. Greg Hlibok, Disability Rights Office
Mr. Thomas Chandler, Chief, Disability Rights Office
Ms. Monica Desai, Chief, Consumer and Governmental Affairs Bureau

**Before The
Federal Communications Commission
Washington, D.C.**

In the Matter of)
)
Telecommunications Relay Services and)
Speech-to-Speech Services for Individuals) CG Docket No. 03-123
With Hearing and Speech Disabilities)
)
)
VRS and IP Relay Certification Application)

To: Chief, Consumer and Governmental Affairs Bureau,
VRS and IP Relay Certification Program

**Supplement to Application by GoAmerica, Inc. for
Certification as a Video and IP Relay Services Provider**

Pursuant to discussions with Commission Staff and pursuant to the Commission's December 12, 2005 Order in Docket No. 03-123,¹ this filing supplements the previously filed certification application of GoAmerica, Inc. ("GoAmerica") by (i) providing additional background information on GoAmerica and its commitment to serving the Deaf, Hard of Hearing and Speech Disabled community (the "Deaf and Hard of Hearing Market" or "Community"), and (ii) by providing additional information relative to GoAmerica's qualifications to provide Video Relay Services and IP Relay Services.

¹ *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, CG Docket No. 03-123, Report and Order and Order on Reconsideration (rel. Dec. 12, 2005) ("*VRS and IP Certification Order*").

I. ADDITIONAL BACKGROUND INFORMATION ON GOAMERICA'S COMMITMENT TO SERVING THE DEAF, HARD OF HEARING AND SPEECH DISABLED COMMUNITY

As alluded to in its Application, GoAmerica is among a select group of entities in the United States with a demonstrated historical commitment to serving the Deaf and Hard of Hearing Community. GoAmerica does so by providing both wireline and wireless services.

GoAmerica became publicly-traded in April 2000. For the Commission's convenience a copy of its most recent Form 10-K is appended hereto as Attachment 1. The company's business is dedicated to providing a variety of accessible communications services to the Deaf and Hard of Hearing Market, which GoAmerica estimates to include some 28 million Americans. It is committed to the creation of technological solutions to serve the Community and to provide superior customer support services for each of its products and to each of its consumers.

In conjunction with Nordia,² GoAmerica provides to consumers an IP relay service branded "i711.com" which is an Internet relay service enabling people who are deaf or hard of hearing to communicate with hearing people by accessing communications assistants via computer or wireless devices. i711.com provides a variety

² GoAmerica currently uses portions of Nordia's technology platform and communications assistants ("CAs") to facilitate relay calls.

of features not otherwise available to the Community. For example, GoAmerica's current i711.com relay service includes unique features such as:

- Smart Dialing
 - **i711 Phone Book.** An online phone book to store frequently called numbers.
 - **i711 Speed Dial.** One-click dialing of the numbers users call the most.
 - **i711 Recent Calls.** i711.com stores the last 10 numbers dialed. Users can choose one from the drop down menu, and then redial it with a single click.
- Custom Calling
 - **My i711. Customized Calling Made Easy.** Users can customize relay calls selecting among a variety of settings including gender, language (English or Spanish), and style of communications (TTY style or IM style).
- Accessibility Options
 - **i711.com Web Portal.** - Any user with access to the web can make an i711.com relay call through the online portal.
 - **i711.com Toolbar with ClickRelay™.** This free download adds one-click i711.com relay calling to web browsers, enabling users to make relay calls from any web site they visit.
 - **i711.com on AOL Instant Messenger.** Users who rely on AOL Instant Messenger (AIM) can use this method of access to i711.
 - **i711 Wireless.** GoAmerica has developed custom software for the T-Mobile Sidekick and BlackBerry devices which operate on a variety of wireless networks.
- Community News on i711.com

- **Exclusive Articles.** GoAmerica has contracted with noted deaf authors who furnish the company with weekly columns covering topics such as culture, technology, employment, and sports in the deaf and hard of hearing communities, as well as a column that discusses the deaf and hard of hearing communities internationally.
- **Community Headlines.** Through partnerships with deaf and hard of hearing groups, the i711 web portal includes headlines from popular community news sources such as Deaf Professional Network, DeafDC.com, and 4HearingLoss.com.
- **Technology and World News.** The i711 web portal includes access to the latest news from sources such as the New York Times, The San Jose Mercury News, and MSNBC.
- **InSight Open Captioned Movie Information.** Through the i711 web portal, GoAmerica provides users with a complete list of nearby open captioned movies.

i711.com is based upon a proprietary services platform developed by GoAmerica which is designed to promote the development of new value-added services to the Community. It offers users a fast, reliable and user-friendly relay platform, efficient coding practices, systems redundancy and user-centric design principles. It involves a combination of licensed technology and custom built software. Confidentiality of relay calls sent through the Internet is assured through the use of Secure Socket Layer (“SSL”) technology.

Prior to launching its independently branded i711 Wireless™ service, GoAmerica provided a wireless version of relay services under a license to Sprint-Nextel, which was marketed under the Sprint brand. As of February 1, 2006, GoAmerica declined to renew its license to Sprint-Nextel and has launched its own i711.com branded wireless relay service.

GoAmerica also provides wireless subscription services for the popular RIM BlackBerry service. These services operate on the T-Mobile wireless network and GoAmerica provides the billing, customer care, and operational support for subscribers to this service. GoAmerica offers an additional subscription service called the “Wireless Toolkit”. The Wireless Toolkit, operating in conjunction with devices such as the T-Mobile Sidekick and the RIM BlackBerry, allows consumers to send and receive text, telephone or typewriter ("TTY/TTD") or pager messages, send text-to speech messages, and receive voice-to-text messages.

In developing these services, GoAmerica has developed and operates gateway technology (the company's proprietary wireless services platform) to connect wireless devices to a variety of traditional TTY devices as well as GoAmerica's proprietary TTY-based applications. As a result of this experience, GoAmerica has acquired substantial wireless and Web formatting expertise, which enables the company to develop or adapt new solutions as new wireless devices are introduced.

GoAmerica recognizes the Commission’s need to ascertain the cultural, technical, and operational competency of providers who desire to offer relay services. As evidenced through its initial application and this supplemental information, GoAmerica is

demonstrating its history of service to this market, which includes recognition by both the Clinton and Bush administrations for involvement in technological developments for deaf and hard of hearing consumers which resulted in the showcasing of our wireless services³ at a ceremony held at the Vice President's residence commemorating the 10th Anniversary of the signing of the American's with Disabilities Act.

In short, GoAmerica has a historical commitment to serving the Deaf and Hard of Hearing Market and its history serving the Community demonstrates GoAmerica's proven technical competence to be certificated by this Commission to provide both IP Relay Services and Video Relay Services. GoAmerica's historical efforts to provide friendly and familiar services to the Community demonstrate that certification of GoAmerica will promote the public interest.

II. IP RELAY SERVICES APPLICATION -- ADDITIONAL INFORMATION

By way of background, GoAmerica understands that, regardless of the manner in which it provides its services, upon certification it will be obligated to comply with all of the rules and regulations of the Commission applicable to the services GoAmerica will provide, both those currently in existence and that that may be propounded in the future. In addition, GoAmerica looks forward to actively contributing to the discussion before

³ Wireless services were part of GoAmerica's Wynd subsidiary at the time of this event.

the Commission of the regulatory requirements applicable to IP and video relay services and how best to promote the public interest by providing superior services to the Deaf and Hard of Hearing Community.

The Commission has concluded that carriers such as GoAmerica that seek certification shall provide documentation, in narrative form, of (1) a description of the form of TRS to be provided, (2) a description of how the provider will meet all mandatory minimum standards established for the form of TRS to be provided, (3) a description of the provider's procedures for ensuring ongoing compliance with all applicable TRS rules, (4) a description of the provider's complaint procedures and (5) a statement that the provider will file annual compliance reports demonstrating continued compliance with the TRS rules.⁴

As noted herein, GoAmerica seeks to provide both IP Relay Service and Video Relay Service. A description of how it will meet all mandatory minimum standards is provided below, as is a description of GoAmerica's complaint procedures. Lastly, as

⁴ *VRS and IP Certification Order* at ¶ 22. The Commission also requires (a) a description of how the provider's service will differ from the applicable mandatory standards, (b) a narrative establishing that such difference are consistent with the public interest, (c) demonstration as a common carrier. GoAmerica noted in its application, that (a) and (b) are not applicable, and with regard to (c) demonstrated that it is a common carrier. Those matters are not repeated here.

GoAmerica noted in its application as originally filed, GoAmerica will file annual compliance reports.

Accordingly, in the sections below, GoAmerica demonstrates, by individual service, a description of (i) how it will meet all applicable minimum standards and (ii) of its complaint procedures.

A. Description of Go American's IP Relay Services

As noted above, GoAmerica currently provides IP Relay Services to its customers in conjunction with Nordia's technology platform and CAs. Following certification GoAmerica will continue to provide IP Relay Services in the manner provided today and over time expects that it will introduce new service features.

B. Compliance with the Commission's Rules Relating to IP Relay Services

The Commission's rules and regulations applicable to IP Relay Services were first established in the *IP Relay Order*⁵ and the *IP Reconsideration Order*,⁶ and are largely codified in 47 C.F.R. §64.604 and §64.605. IP Relay calls "are text-based calls, but the user connects to the TRS facility via computer (or other similar device), selects the

⁵ Provision of Improved Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities, CC Docket No. 98-67, Declaratory Ruling and Second Further Notice of Proposed Rulemaking, 17 FCC Rcd 7779 (rel. April 22, 2002) ("*IP Relay Order*").

⁶ Provision of Improved Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities, Order on Reconsideration, , CC Docket No. 98-67 (rel. April 22, 2002) ("*IP Reconsideration Order*").

Internet address of an IP Relay provider, and is connected to a CA who handles the call in the same way that TTY-based calls are handled.⁷

1. Communications Assistant Competency Qualifications. Sections 64.604(a)(1)(i-iv) of the Commission's rules require that all Communications Assistants ("CAs") be sufficiently trained to meet the needs of people who are deaf, hard of hearing, or speech-disabled; that they have competent typing, grammar, spelling and ASL skills, that they be familiar with deaf, hard of hearing, and speech-disabled cultures; that they possess clear and articulate voice communications; that they have a typing speed of at least 60 wpm; and that service providers such as GoAmerica test for such compliance with such typing competency. Importantly, service providers such as GoAmerica are responsible for ensuring that CAs in VRS settings are qualified interpreters, meaning that these CAs must be able to interpret effectively, accurately and impartially.

GoAmerica acknowledges these mandatory minimum obligations and agrees to comply with them. Today, GoAmerica will comply with these obligations by relying upon Nordia's CAs and its training, testing and management processes. Nordia has been certified by the state of California as meeting these stringent requirements. Training for CAs associated with the GoAmerica IP relay service entails a four to six week training program consisting of approximately fourteen specific subject areas beginning with the

⁷ *VRS and IP Certification Order* at ¶ 6.

understanding of Deaf culture and American Sign Language. Each subject area covered includes theory, practice, and examinations. Prior to being released to a call center workstation, each CA must pass examinations for each subject matter covered, including the typing speed standard of 60 words per minute (WPM) with 98% accuracy. Once released to the call center to handle live calls, CAs are monitored by managers at least 3 times per week where they must achieve performance metrics in both quality and accuracy. If a CA is not meeting performance targets for quality and accuracy, the CA is placed in an ongoing individual coaching plan with their manager where progress is closely monitored. Typing tests are required on a quarterly basis in order to ensure all CAs are performing at least 60 WPM at 98% accuracy.

In the event that GoAmerica determines to staff CAs itself, as noted elsewhere in this application, GoAmerica will hire and train CAs that meet -- or exceed -- these minimum standards.

2. *Staying with Calls/ CA Gender/ Real Time.* Sections 64.604(a)(v-vii) of the Commission's rules require that CAs answering and placing a TTY-based TRS or VRS call must stay with a call for a minimum of ten minutes, recognizing that TRS providers must make best efforts to accommodate a user's requested CA gender and that CAs shall transmit conversations in real time. GoAmerica shall ensure that its CAs

operate in compliance with these standards.⁸ Nordia's and GoAmerica's training of CA's currently specify that CAs shall make best efforts to meet these obligations.

3. ***Confidentiality/ Accuracy/ No Altering.*** Section 64.604(a)(2)(i-ii) of the Commission's rules prohibit CAs from disclosing the contents of relayed conversations and, with limited exception, from keeping records of the content of calls, even where inconsistent with state or local law. Generally, CAs may retain information from a call only to facilitate the completion of consecutive calls. CAs are also prohibited from intentionally altering a relayed conversation and, except where illegal under other laws, must relay all conversations verbatim, unless requested otherwise. Appropriate measures must be taken to ensure such confidentiality. *See* Section 64.604(a)(2)(ii). GoAmerica shall ensure, through initial training, supervision and subsequent training, that all CAs operating under its employ shall comply with these rules and shall require the same of Nordia's CAs. As a matter of policy, the CAs are provided with separate break room and lunch room areas, and personal lockers in which they can store their belongings prior to entering the call center area to handle relay calls. Cell phones, tape recorders, personal digital assistants, or any electronic recording device, are not permitted in the call center

⁸ In its *2004 Omnibus TRS Order* (at ¶¶ 248-249), the Commission has sought comment on but not yet issued a decision regarding whether the rule relating to CAs staying on the line for 10 minutes should be modified and also whether CAs should be allowed to ask questions of the calling party during the call set-up period. *See* *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities, Order on Reconsideration*, , CC Docket No. 98-67, Report and Order, Order on Reconsideration and Further Notice of Proposed Rulemaking (rel. June 30, 2004).

area. If a manager detects, and validates, a lapse in confidentiality or a breach in security measures, the CA's employment is subject to immediate termination.

4. *Types of Calls.* Sections 64.604(a)(3)(i-iii) of the Commission's rules prohibit CAs from refusing calls or limiting the length of calls. Providers such as GoAmerica shall be capable of handling all types of calls, except where credit authorization has been denied or those which the Commission has determined they need not accept. GoAmerica shall ensure, through initial training, supervision and subsequent training, that all CAs operating under its employ shall comply with these rules and shall require the same of Nordia's CAs.

5. *Pay-Per-Call/ Types of Call (VCO, etc.)* Sections 64.604(a)(3)(iv-v) of the Commission's rules have been waived with regard to IP Relay and Video Relay services.

6. *Voice Mail.* Section 64.604(a)(3)(vii) of the Commission's rules require that TRS providers alert end-users to recorded messages and interactive voice response systems via a "hot key" on the CA's terminal. Section 64.604(a)(3)(viii) of the Commission's rules require that providers provide answering machine and voice mail retrieval to end-users. GoAmerica shall ensure, through initial training, supervision and subsequent training, that all CAs operating under its employ shall comply with these rules and shall require the same of Nordia's CAs.

7. *Emergency Calling.* Section 64.604(a)(4) of the Commission's rules, relating to handling of emergency calls has been waived with regard to IP Relay and Video Relay services.

8. ***STS Called Numbers.*** Section 64.604(a)(5) of the Commission's rules, relating to providers offering STS users the option to maintain at the relay center a list of names and telephone numbers, has been waived with regard to IP relay and Video Relay services.

9. ***Speed of Answer.*** Sections 64.604(b)(2) of the Commission's rules require that TRS providers shall ensure adequate facilities and shall meet speed-of-answer requirements, which requirements include calculation of abandoned calls and shall be measured on a daily basis.

For IP Relay calls, pursuant to Section 64.604(b)(2)(iii), the speed to answer rules are the same as the TRS rules generally: 85% of all calls shall be answered within 10 seconds (by any method which results in the caller's call being placed, not on hold or in queue) on a daily basis.⁹ With 15 months of i711.com forecasting and operational experience to date, GoAmerica has a substantial amount of historical call data on which to base call center staffing levels. This data can easily be segmented into 15-minute intervals for each 24 hour period, allowing GoAmerica to derive time-of-day and day-of-week traffic patterns for any range of dates, for each type of modality (e.g., Web-based, AIM-based, or wireless-based), and therefore CAs can be scheduled appropriately. This data is updated on a daily basis, so that "on-the-fly" adjustments to staffing can be made as needed. A certain amount of excess capacity is reflected in CA schedules, to help prevent unforeseen surges in demand or unexpected CA absences (e.g., due to illness) from impacting speed-of-answer levels. This excess capacity also has the benefit of improving speed of answer times overall, thereby resulting in an even more positive end

⁹ See *IP Relay Order* at ¶ 29.

user experience. GoAmerica also takes into account known external events that could influence demand on a given day, such as holidays, consumer trade shows, and marketing programs. GoAmerica will comply with speed of answer requirements.

10. *Equal Access to IXCs.* Section 64.604(b)(3) of the Commission's rules requires that TRS users shall have access to their chosen interexchange carrier. This requirement has been waived for VRS and IP Relay service providers until January 1, 2008, provided that TRS providers provide free long distance service to end users. *See 2004 Omnibus TRS Order*, at ¶127. GoAmerica hereby agrees to comply with this rule and to provide free long distance service to its end users in all cases.

11. *Twenty-Four Hour Operation.* Section 64.604(b)(4) of the Commission's rules require that TRS providers operate twenty-four hours per day, every day, and that they have redundant features, including uninterruptible power for emergency use. GoAmerica's i711 relay service has been in production for over a year and operates on a twenty-four hour basis with CA staffing and in its data center. The i711 service resides in a twenty-four hour monitored data center facility with redundant power, multiple network connections, fire suppression systems, and environmental control systems. GoAmerica agrees to comply with the twenty-four hour operational rule.

12. *Technology/Caller ID.* Sections 64.604(b)(5) and (6) of the Commission's rules provide that TRS facilities that utilize SS7 shall be subject to Calling Party Telephone Number rules, and that where a TRS facility is capable of transmitting any calling party identification information to the public telephone network. GoAmerica notes that SS7 is not applicable to VRS and IP Relay calls where such calls do not

originate on the public switched telephone network -- and therefore do not utilize SS7 (where the calling party is deaf or hard of hearing) and/or do not terminate on the public switched telephone network (where the called party is deaf or hard of hearing).

13. *Complaints.* Sections 64.604(c)(1) and (2) of the Commission's rules provide that carriers shall maintain a log of consumer complaints, and must maintain the log until the next application for certification is granted. The log shall contain: the date of the complaint, the nature of the complaint, the date of resolution, and the nature of the resolutions. On July 1 of each year providers shall submit summaries of logs indicating the number of complaints received during the 12 months period ending May 31 of the each year. GoAmerica agrees to comply with this rule.

GoAmerica's procedures for handling complaints includes analysis of the complaint to determine if it is technical or operational in nature. Once the nature of the complaint is identified, information is collected and in the case of an identified CA who may be the source of the complaint, an interview between the CA and their manager ensues in order to ascertain certain facts related to the complaint. The customer making the complaint receives a reply from GoAmerica summarizing the findings and closing the issue once formally resolved. Complaints are summarized and include among other things the nature of the complaint, action taken, and the date resolved.

14. *Public Access to Information/ Consumer Outreach.* Section 64.604(c)(3) of the Commission's rules requires that TRS providers undertake education and outreach efforts to educate the public about TRS, including to members of the disability community and to the general public. Such efforts shall publicize the availability of 711

access to TRS in a manner reasonably designed to reach the largest number of consumers possible. GoAmerica's business is designed to serve the TRS market, and therefore such "outreach" efforts is directly related to GoAmerica's success in the marketplace. Accordingly, GoAmerica will market its services consistent with this rule. Such outreach activities are already in progress and include advertising, consumer trade show presentations, meetings with user communities, distribution of informational pamphlets, direct mailings to consumers, regular online communication, and other similar promotional activities.

15. Rates. Section 64.604(c)(4) of the Commission's rules impose certain rules regarding rates. By filing this application GoAmerica seeks to be compensated entirely through the Interstate TRS Fund, and therefore its services will be provided at no cost to GoAmerica's end-users. Each month, GoAmerica will report all of its Conversation Minutes of Use to NECA and NECA will reimburse GoAmerica based upon the rates established by the Commission.

16. TRS Fund Administrative Issues. Section 64.604(c)(5)(iii) of the Commission's rules provide that (i) telecommunications carriers providing interstate telecommunications services shall contribute to the Interstate TRS Fund, (ii) that TRS providers shall provide the administrator with true and accurate information necessary to determine the fund's revenues requirements, (iii) that TRS providers shall comply with a variety of TRS Fund rules, including rules designed to ensure that providers calculate monthly minutes of use accurately. GoAmerica agrees to comply with all such

obligations applicable to TRS providers and to accurately file with the Commission an annual "Telecommunications Reporting Worksheet."

17. Substantive Changes. Section 64.605(f)(2) of the Commission's rules provide that IP Relay and Video Relay service providers shall notify the Commission of substantive changes in their TRS programs, services and features within 60 days when such changes occur, and must certify that they are in continued compliance with federal minimum standards after implementing such substantive changes. GoAmerica acknowledges and agrees to comply with this obligation.

18. Annual Report. The Commission has required IP Relay and Video Relay service providers to file, on April 16 of each year, an annual report addressing the feasibility of meeting any of the TRS requirements waived in the Commission's orders.¹⁰ GoAmerica acknowledges this obligation and agrees to comply with it.

19. Additional Commitment. GoAmerica agrees to comply with any and all orders, regulations, or obligations lawfully promulgated from time to time by the Commission and applicable generally to providers certificated by the Commission to provide IP Relay or Video Relay Services or to GoAmerica specifically.

¹⁰ All waivers provided for in this order, except the emergency call handling and speed to answer waivers expire on January 1, 2008. See *2004 Omnibus TRS Order* at ¶140. Section 64.605(g) also provides that IP Relay and Video Relay service providers shall file an annual report each year advising the Commission that they are in compliance with the provisions of Section 64.604 of the Commission's Rules.

IV. VIDEO RELAY SERVICES APPLICATION -- ADDITIONAL INFORMATION

A. Description of Go America's Proposed Video Relay Services Operations

As it has successfully done with Internet relay services, Go America will offer its VRS through a combination of internally developed software and licensed third-party technology. The video interpreters for the GoAmerica VRS will be a combination of full-time staff and freelance interpreters located in small call centers in targeted geographical markets. GoAmerica is sensitive to the Community's needs for available interpreting support for "community-based" activities such as doctor's appointments, job interviews and other common situations. GoAmerica acknowledges that the demand for VRS is high and in some cases other VRS providers have saturated particular geographical markets with the presence of call centers thereby reducing the availability of interpreters for "community-based" needs. GoAmerica will seek to avoid creating similar constraints on the supply of available interpreters through careful selection of target cities for call centers. GoAmerica will work with the Commission and other VRS providers to discuss longer-term solutions to the potential shortages of interpreting talent in the United States.

To ensure quality, GoAmerica will seek to staff its call centers with video interpreters who are nationally certified. By virtue of the many years of training in sign language interpretation, and obtaining national certification, CAs for VRS are equipped

to understand Deaf culture, ASL, conversational and expressive cues utilized by deaf persons.

Each GoAmerica CA for VRS will be required to satisfactorily complete a multi-week training program consisting of theory, practice, and examinations prior to being released to a call center workstation. For example, training will include sessions in receiving and placing video calls, in operating the telephone system, and in technical awareness of how the VRS platform functions. Training will also encompass VRS procedures (greetings, explanation of VRS to hearing callers, optimizing CA switches mid-call, and otherwise facilitating the conversation between deaf and hearing callers).

Each CA for VRS must pass examinations for each subject matter covered and once released to the call center to handle live calls, CAs are monitored by managers at least 3 times per week where they must achieve performance metrics. If a CA is not meeting performance targets, the CA is placed in an ongoing individual coaching plan with their manager or in a teaming situation with a more senior and more experienced CA for VRS to develop deeper understanding of more complex VRS calls.

B. Compliance with the Commission's Rules Relating to Video Relay Services

The Commission's Video Relay Service rules have been developed over the last five years in a variety of orders.¹¹ The majority of the Commission's rules that apply to Video Relay Services are identical to those that apply to IP Relay Services. As such, except as specified below in this section, the information supplied in Section II.B(1-19) above should be deemed to also apply to Go America's provision of Video Relay Services, and will not be repeated here.

1. Speed of Answer. Section 64.604(b)(2) (iii) imposes different speed of answer requirements for Video Relay Services than those applicable to IP Relay Services. Speed of answer requirements for VRS providers are phased in as follows: "by January 1, 2006, VRS providers must answer 80% of all calls within 180 seconds, measured on a

¹¹ See e.g., Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities, CC Docket No. 98-67, Order, (rel. Dec. 31, 2001) ("*VRS Waiver Order*"); Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities, CC Docket No. 98-67, Order (rel. Dec. 19, 2003) ("*Extension of VRS Waiver Order*"); the *2004 Omnibus TRS Order*; Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities, CC Docket No. 98-67, Order (rel. Jun 28, 2005) ("*TRS Rate Order*"); Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities, CC Docket No. 98-67, Order on Reconsideration ("*2004 Omnibus TRS Reconsideration Order*"); Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities, CC Docket No. 98-67, Report and Order (rel. July 19, 2005) ("*VRS Speed of Answer Order*"); and Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities, CG Docket No. 03-123, Order (rel. Dec. 5, 2005) ("*911 VRS Waiver Extension Order*").

monthly basis; by July 1, 2006 VRS providers must answer 80% of all calls within 150 seconds, measured on a monthly basis; and by January 1, 2007 VRS providers must answer 80% of all calls within 120 seconds, measured on a monthly basis." Abandoned calls shall be included in the speed of answer calculation. As is also the case for IP Relay calls, a VRS call is considered "answered" when either a CA or an automated system responds to the incoming call and begins taking instructions from the calling party about the outbound call the calling party wishes to make, and "call back" arrangements are precluded. See *VRS Speed of Answer Order* at ¶ 21 and ¶ 23.

While VRS does differ from IP relay in functionality, the operational analysis and staffing metrics are similar. Again, with 15 months of i711.com forecasting and operational experience to date, GoAmerica has a substantial amount of historical call data on which to base call center staffing levels. GoAmerica has proven its ability to derive time-of-day and day-of-week traffic patterns for any range of dates and schedule CAs appropriately. A certain amount of excess capacity is reflected in CA schedules, to help prevent unforeseen surges in demand or unexpected CA absences (e.g., due to illness) from impacting speed-of-answer levels. This excess capacity also has the benefit of improving speed of answer times overall, thereby resulting in an even more positive end user experience. GoAmerica also takes into account known external events that could influence demand on a given day, such as holidays, consumer trade shows, and marketing programs. GoAmerica will comply with speed of answer requirements.

2. *Emergency Call Handling.* The Commission has waived its emergency (911) call handling requirements for Video Relay Services through January 1, 2007. *See*

911 VRS Waiver Extension Order"). The Commission also has under consideration the question of what 911 rules should apply to Video Relay Services.¹² GoAmerica understands that it will be bound by any such rules that result from expiration of the current waiver and/or rules adopted as a result of the *VRS 911 NPRM*.

3. ***Video Mail.*** The Commission has concluded that VRS Mail is eligible for compensation from the Interstate TRS fund. *See VRS Speed of Answer Order* at ¶¶ 31-37. Although the Commission has not yet deemed Video Mail a mandatory service, GoAmerica intends to provide Video Mail. It intends to do so by integrating into its VRS technology platform several discrete components, enumerated as follows: a) a profile management system that stores and maintains end user preferences for how and where end users can receive Video Mail messages, when end users cannot be reached through a live VRS session; b) a video capture and storage system used by CAs to generate and store Video Mail messages for end users, on behalf of hearing callers choosing to leave messages for end users; c) a notification system for notifying end users of the availability of Video Mail messages and how and where such Video Mail messages can be viewed; and d) an Internet-accessible video playback facility that enables end users to receive and view Video Mail messages. Appropriate safeguards to assure the security and

¹² *See Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities, CC Docket No. 98-67, Notice of Proposed Rulemaking (rel. Nov. 30, 2005) ("VRS 911 NPRM").*

confidentiality of Video Mail messages stored for eventual retrieval and viewing by end users will integrate into the VRS technology platform.

Conclusion

GoAmerica's application should be granted because, as demonstrated in GoAmerica's application and as supplemented herein (1) the provision of VRS and IP Relay services by GoAmerica will meet or exceed all non-waived operational, technical, and functional minimum standards contained in the Commission's rules, (2) GoAmerica will make available adequate procedures and remedies for ensuring ongoing compliance with the Commission's rules, including making available informational materials on complaint procedures sufficient for VRS and IP Relay end-users to know the proper procedures of filing complaints; and (3) GoAmerica's VRS and IP Related services will not differ from the mandatory minimum standards. *See VRS and IP Certification Order* at ¶ 23 and Section 64.605(b) (2) of the Commission's rules.

Very truly yours,

/s/

Dana Frix
Chadbourne & Parke, LLP
1200 New Hampshire Ave, Suite 300
Washington, D.C. 20036
202-974-5691

Counsel to GoAmerica, Inc.

April 21, 2006

Attachment 1

Go America Form 10K