

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In re)
)
HANDS ON VIDEO RELAY SERVICES, INC.) CGB Docket 03-123
)
For certification as an eligible Video Relay Services)
provider pursuant to FCC Rule Section 64.605(A)(2) to)
receive reimbursement from the TRS Fund administered)
by the National Exchange Carrier Association)

To: Chief, Consumer and Governmental Affairs Bureau

APPLICATION FOR CERTIFICATION AS AN ELIGIBLE VRS AND IP RELAY PROVIDER

Hands On Video Relay Services, Inc. (“Hands On”), by its attorneys, submits this application for certification that the company is eligible to receive reimbursement from the Telecommunications Relay (“TRS”) Fund as a provider of Video Relay Service (“VRS”) and IP Relay Service. In support, the following is shown:

I. Hands On.

Hands On is a Delaware corporation with its headquarters at 595 Menlo Drive, Rocklin, CA, 95765-3708. A copy of its articles of incorporation are attached as Exhibit 1. Hands On was founded in 2002 to continue the VRS service started by its corporate affiliate, Hands On Sign Language Services, Inc. (“HOSLS”). HOSLS was founded in 1992 by Ronald E. Obray as a sole proprietorship to provide American Sign Language (“ASL”) interpreting services in the northern California Area. The company later reorganized as a corporation with its principal owners being Mr. Obray and his wife, Denise Obray. HOSLS currently provides ASL interpreting service primarily in northern California, as well as nationwide, employing in house staff interpreters and also

utilizing more than 600 free lance interpreters and more than 300 sign language interpreting agencies nationwide.

HOSLS began the process of entering the VRS market in 2000. It constructed a call center and began providing VRS in July of 2002 on a beta test basis to a select group of test users. In November of 2002, HOSLS entered into an agreement with AT&T to provide VRS to it on a turn key basis. That agreement was later assigned to Hands On. Hands On in 2003 entered into an agreement, since lapsed, to provide VRS for MCI. Hands On is now affiliated with the State of Washington's certified relay program and has provided VRS through that program and through its AT&T contract ever since. Hands On now provides thousands of minutes of VRS daily from three call centers in California, and one each in Washington, Florida and Puerto Rico.

Hands On is a certificated resale carrier under California Public Utilities Commission ("CPUC") regulations. A copy of the CPUC order granting HOSLS its Certificate of Public Convenience and Necessity ("CPCN") is attached as Exhibit 2. That CPCN is being assigned to Hands On pursuant to CPUC regulations and procedures. *See* note 1, *infra*.

II. Hands On's Video Relay Service.

Hands On provides VRS via a combination of Internet Protocol and the public switched network ("PSTN") to allow deaf and hard of hearing individuals to place and receive telephone calls in a manner functionally equivalent to telephone service provided hearing persons. A typical call operates as follows: a deaf or hard of hearing individual will access the Hands On relay center via the Internet on his or her personal computer equipped with a video camera, or via a video-phone device. In order for the video portion of the link to function properly the connection must be a high speed Internet line of 128 kBs or better. The deaf or hard of hearing individual will be connected

via two-way video link with one of Hands On's video interpreters ("VIs") who will communicate with the deaf or hard of hearing individual through sign language. The VI then places a landline telephone call to the called (hearing) party and translates sign language to voice and vice versa to allow the parties to converse in a functionally equivalent manner to a telephone conversation between hearing persons. Hands On operates 24 hours a day, seven days a week with both English to sign and Spanish to sign language interpreters. Hands On leads the VRS industry by providing the most platforms to meet diverse consumer needs. Hands On serves both Windows based and Macintosh based personal computers and video-phones, such as the Dlink 1000.

Hands On also allows hearing persons to place calls to deaf or hard of hearing persons. VRS can be accessed online by deaf and hard of hearing customers by visiting the company's website at www.hovrs.com, or by the hearing community by dialing 1-877-HOS4VRS (1-877-467-4877) for English, or 1-877-467-4875 for HOVRS en Español. IP Relay will be available via the company's IP Relay website and by the hearing community by dialing a toll free number.

A. Overview of technical facilities.

Since 2000, Hands On has been developing an affordable video technology network that will enhance the lives of the deaf and hard of hearing by delivering to their desk top, in their homes or businesses, a professional sign language trained interpreter, 24 hours a day, seven days a week. With the use of the Internet, video compression, hardware and software, Hands On developed a service to take its core competency, sign language interpreting, to any deaf or hard of hearing person with a high speed Internet line and either a personal computer ("PC") equipped with a video camera, or a video phone. Hand On's video network incorporates redundancy in its hardware, software and

Internet provider to ensure reliable and continuous service. Its IP Relay network will likewise incorporate these features.

B. Video Enhanced Work Stations.

The VIs workstations include video enhanced features such as at a minimum: Intel 2.4 GHz Pentium Processor, 533 MHz bus, 1024 MB RDRAM PC800 Memory, 128MB NVIDIA GeForce4 Ti4200G Graphic Card, and #18" High Resolution Flat Screen Monitor. All of these features are designed to enhance the quality of the VRS and provide the VI with an ergonomic environment. Biennial upgrades of equipment allow the VIs to maintain quality of service using state of the art equipment.

C. High Speed Internet.

Hands On has installed high speed Internet lines in its call centers to facilitate multiple video calls simultaneously. Currently each call center is equipped with at least one T-1 or DS-3 circuit. These high speed Internet lines coupled with Hands On's use of enhanced video compression, provide a design specification of 25 frames per second (FPS) or higher for video calls.

D. Database Driven Reports/Call Tracking.

To accurately track calls for billing, expansion, FCC Reporting and quality control, Hands On has developed an automated database software system. This software allows supervisory personnel to track calls in a variety of ways. They include:

1. Length of calls.
2. Number of calls at any given hour of the day, week or month.
3. Number of calls holding for more than 10 seconds, 30 seconds, 120 seconds, etc.
4. Number of dropped calls.
5. Number of unanswered calls.

The call tracking software is the key to effective and efficient resource allocation. Measured usage trends demonstrate system busy hours (and days) and thus allow for optimum coverage by the VIs. On a longer term basis the call tracking provides guidance on the necessity for system upgrades of incoming and outgoing lines, and additional work station or call center construction. Thus, Hands On's call tracking ability allows management to maintain quality service and facilitate service improvement.

E. Call Centers.

In addition to the equipment configuration discussed above, the call centers are designed to incorporate the latest technological advancements. Generator/UPS back up systems are deployed to protect critical circuits. Private cubicles are deployed to ensure caller privacy and recreation rooms to facilitate VI retention.

F. Video Laboratory.

Hands On has designed a Video Laboratory to test new technology prior to introduction into the Relay Center environment.

III. Hands On's IP Relay Service.

Hands On's IP Relay service will build on its experience and expertise as a VRS provider. There are three essential differences between VRS and IP Relay. Those differences are in the qualifications of interpreters, the lack of video equipment, and the greater simplicity of the call centers.

IP Relay communications assistants ("CA") will receive similar training to video interpreters in terms of FCC regulations; however, because video interpreters have a greater knowledge of deaf culture when hired, IP Relay CA's will receive more intensive training in deaf culture prior to taking calls. In other respects, the rigors of the recruitment and training process will be similar, only adapted for the text-based versus video nature of the interpreting.

While adopting its existing database driven call center management software for IP Relay, Hands On will construct separate call centers for the text based service due to the simpler equipment configuration. In addition, because the supply of IP Relay CAs is not expected to be as tight as the supply of video interpreters, Hands On's IP Relay call centers will be more heavily staffed. Nonetheless, these call centers will emphasize ergonomic design and employee safety similar to the video call centers. Fewer equipment upgrades are considered necessary for IP Relay service due to the simpler technology for a text-based system

IV. Hands On is a qualified VRS and IP Relay provider.

FCC Rule Section 64.605(a)(2) sets forth the requirements for certification as a relay provider. As shown below, Hands On meets these requirements.

(i) A description of the forms of TRS to be provided (i.e., VRS and/or IP Relay).

Hands On currently provides VRS and will provide IP Relay.

(ii) *A description of how the provider will meet all non-waived mandatory minimum standards application to each form of TRS offered.*

A. Hands On meets all the minimum operational and technical standards set forth in §64.604 for VRS.

Hand On meets all minimum standards specified in §64.604 that have not been waived for the provision of VRS service and will meet all non-waived standards for IP Relay service.

1. Communications Assistants.

Hands On employs only certified sign language interpreters as VIs. Its VIs have sufficient training to meet the specialized communications needs of deaf and hard of hearing individuals in order to interpret effectively, accurately and impartially, both receptively and expressively using any necessary specialized vocabulary. Where VIs encounter persons with minimal language skills, they can call upon certified deaf interpreters as a resource to ensure effective and accurate interpretation. Hands On is in a unique position to attract and hire the best qualified VIs in the field because for the past 14 years Hands On, through its corporate affiliate HOSLS, has been providing interpreting services for deaf and hard of hearing people living in the northern California Area.

Hands On attracts qualified interpreters by following a hiring plan that includes offering an excellent benefits package and attractive salaries, and screening candidates through a well designed interviewing process. Applicants are required to hold a current certification, RID: CSC/CI, CT; or NAD level IV/V. As a result of HOSLS's existing line of business of providing ASL translation services, Hands On has a natural recruitment resource for its VIs. Currently, HOSLS maintains a database of more than 600 ASL interpreters residing mostly in the State of California. Hands On

may draw from this base and other sources to fulfill its needs for its VIs , as well as utilizing other recruitment sources.

Hands On's VIs are able to interpret effectively, accurately and impartially, both receptively and expressively, using any necessary specialized vocabulary. VI candidates for their second interview are required to submit to a skills assessment. The applicant is asked a series of questions using a video workstation similar to the one he or she would be using if hired. This type of interview allows Hands On to accurately judge the video relay skills of the interpreter being interviewed. Hands On prefers to hire individuals with at least three months of prior experience in video relay or video based interpreting.

Hands On believes that attracting and hiring interpreters is only the beginning. It is dedicated to maintaining the highest level of service. To do so Hands On seeks to keep employee turnover to a minimum. It believes this can best be achieved through on going training and focus on employee morale. Although continuing education is a requirement for certification, Hands On is dedicated to fostering a company philosophy that promotes continual improvement.

Initial training is provided all new employees during the first two weeks of employment. During orientation to the company, all benefits are explained in detail and necessary forms completed and signed. The employee's health and safety is a priority; as such employees receive training in ergonomics and how to prevent injury. All interpreters are trained on call processes, policies and procedures as well as cultural diversity. Employees are allowed to learn and practice handling video relay calls in a safe training environment. Once the employees have completed their initial training they work closely with a more experienced employee during this initial period. For

the first week handling actual relay calls the new hire works side by side with a partner before handling calls on his or her own.

Ongoing training will be provided as new software releases and hardware improvements are developed. As individuals, employees, and the company continue to strive for excellence Hands On seeks out beneficial training opportunities for its employees which include professional development and deaf culture training.

Hands On also concentrates on employee morale to retain trained interpreters. VIs work in a call center environment. The VRS call center is accessible; designed and built with a focus on safety and ergonomics. Work stations have adjustable desks and chairs. Employee's cubicles have clear pass through panels to facilitate communication while not on calls. Due to the physical and mental demands of interpreting, employees will rotate every twenty to thirty minutes, essentially taking a break for twenty minutes before returning to their workstation, subject to the rules concerning in-call replacement of VIs. This type of schedule impacts the design of the call center. To break the monotony of the call center environment, Hands On call centers are of a unique design. Break rooms provide employees a place to eat, recover and be entertained providing high speed internet access, and high end entertainment systems. Hot wax machines are available so employees may help protect themselves from repetitive motion injuries.

IP Relay call centers will be similarly appointed. IP Relay CAs will be sufficiently trained to effectively meet the specialized communications needs of deaf and hard of hearing persons. They will have competent skills in typing, grammar, spelling, interpretation of typewritten ASL, cultural familiarity and sensitivity, languages and etiquette, and will have clear and articulate voice

communication skills. CAs will possess a minimum typing speed of 60 words per minute as tested by oral to type tests. All CAs are required to stay with a call for a minimum of 10 minutes. All relay calls will be transmitted in real time.

2. *Confidentiality and conversation content.*

Company policy stresses that VIs and CAs are prohibited from disclosing the content of any relayed conversation regardless of content, except as authorized by Section 705 of the Communications Act. No record may be kept of the contents of communications handled. Likewise company policy forbids altering a relayed conversation and requires that conversations be properly translated verbatim except with the caller's permission.

3. *Types of calls.*

Hands On does not limit the type or length of calls. Hands On provides long distance service for no charge to VRS callers and will do so likewise for IP Relay callers. The requirement to provide pay-per-call service is waived for VRS and IP Relay. Hands On's IP Relay service will provide text to voice, voice to text, VCO, two line VCO, VCO to text, VCO to VCO, HCO, two-line HCO, HCO to text and HCO to HCO, except where the requirement to provide such calls is waived. Hands On's IP Relay service will also provide call release functionality, speed dialing functionality and three-way calling functionality. Hands On's CAs will alert IP Relay users to the presence of a recorded message or interactive menu through a hot key on the CA's terminal. The hot key will send text from the CA to the consumer's station indicating that a recording or interactive menu has been encountered. Hands On's IP Relay service will electronically capture recorded messages and retain them for the length of the call.

4. *Emergency calls.*

The Commission has waived for VRS and Internet Protocol traffic the requirement for immediate routing of calls to the nearest Public Safety Answering Point ("PSAP"), and the passing of the caller's telephone number to the PSAP when a caller disconnects before being connected to emergency services. However, when such service is technically feasible for VRS and IP Relay, Hands On commits to implement such service. Hands On makes it clear on its web site and any promotional material the shortcomings and potential dangers of using VRS or IP Relay to place an emergency call.

5. *In-call replacement of communications assistants.*

Hands On's VIs and CAs stay with a call for at least 10 minutes before being replaced by another VI or CA except where requested by the consumer or where communication is not effective.

6. *Gender Preference.*

Hands On uses its best efforts to accommodate a VRS or IP Relay user's requested VI/CA gender when a call is initiated and, if a transfer occurs, when the call is transferred to another VI or CA.

7. *ASCII and Baudot.*

The requirement of capability to communicate with ASCII and Baudot is waived for VRS. Hands On's IP Relay service will be capable of communicating with ASCII and Baudot format at any speed generally in use.

8. *Speed of answer.*

Hands On has met the VRS speed of answer requirement since that requirement went into effect. It is Hands On's goal to exceed the Commission's standards for speed of answer. Hands On

is currently answering better than 80 percent of calls within 120 seconds as measured on a monthly basis. Hands On's IP Relay service will meet or exceed the current speed of answer requirement of 85 percent of calls answered with 10 seconds.

9. *Equal access to interexchange carriers.*

The equal access requirement of §64.604 is waived for VRS and for IP Relay.

10. *Hands On's operational schedule comports with the FCC's Rules.*

Hands On provides seven days a week, 24 hour service. Hands On operates with redundant features to ensure reliable service equivalent to a local exchange carrier's central office, including uninterruptible power supplies for emergency use. Hands On provides service in real time and maintains adequate facilities so that under projected calling volume the probability of a busy response due to network congestion will be functionally equivalent to that experienced by a voice caller over the non-TRS telephone network.

11. *Voice mail and interactive menus.*

Hands On alerts deaf and hard of hearing callers to the presence of a recorded message and interactive menus. Hands On also provides video mail service to its VRS consumers.

12. *Complaints.*

Hands On maintains a log of consumer complaints including all complaints concerning its relay service. Separate VRS and IP Relay logs will be maintained. The logs includes the date the complaint is filed, the nature of the complaint, the date of resolution, and an explanation of the resolution. Summaries of logs indicating the number of complaints received for the 12-month period ending May 31 are submitted to the Commission by July 1 annually.

13. Contact person.

The contact person for Hands On for VRS and IP Relay consumer information and complaints is Brent Jolley, 595 Menlo Drive, Rocklin, California 95765, telephone 800-900-9478 (voice), 800-900-9477 (TTY), email bjolley@hovrs.com.

14. Public access to information.

Hands On makes an ongoing effort to educate the public concerning all forms of TRS. This is done in any billing inserts, any directories published, in advertising, on Hands On's web site, and in other available media of communication. Hands On regularly participates at meetings and conventions where deaf and hard of hearing persons are likely to attend.

15. Rates.

Users of Hands On's VRS and IP Relay service pay no greater rates than paid for functionally equivalent voice communications services with respect to such factors as the duration of the call, the time of day, and the distance from the point of origination and point of termination. At this time, VRS and IP Relay are free to the end user. Hand On does not at this time charge for calls placed to locations outside the United States.

16. Blocking access to competitors.

Hands On does not distribute equipment which blocks consumer access to competitors.

(iii). A description of the provider's procedures for ensuring compliance with all applicable TRS rules.

In addition, to the discussion above, all employees and especially VIs and CAs are trained when hired concerning applicable TRS rules. In addition, Hands On's president consults frequently

with legal counsel and the FCC concerning any possible situation that might result in a potential violation of the TRS rules.

(iv) A description of the provider's complaint procedures.

Complaints are handled by the customer care department. Consumers may register complaints in several ways. They may access customer care live via video. Each of the Hands On access platforms (i.e., Videosign (for PCs), hovrs.tv (for videophones), HOVRSim (for MacIntosh users) and Net Meeting (also for PCs) has a link to live customer service. Upon reaching customer service, the user is queried as to his problem or concern. Most issues, which tend to be of a technical or informational nature, are handled immediately by the customer service representative. Issues that cannot be handled immediately by the customer service representative are referred to the appropriate department for resolution. IP Relay as well as VRS users may also file a complaint online by filling in a customer service form. These forms are reviewed by customer care representatives and handled like other complaints with the consumer promptly receiving a response from the customer care representative or having the matter referred to the appropriate department head for resolution. Complaints can also be made by email, instant messaging or by telephone and are handled similarly.

The Hands On employee in contact with a customer is required to create that day a customer care ticket using the Customer Care Database. The customer care representative receives the ticket and provides a response back to customer (if contact information is available) acknowledging the information has been received and informs the customer that appropriate steps will be taken. The customer is also informed that his or her input is valued. In the case of complaints alleging a problem in the quality of VRS service or a violation of relay regulations, the customer care representative re-assigns the ticket to the call center manager. The call center manager reviews the

ticket and re-assigns the ticket to the VI's immediate supervisor. The supervisor reviews the ticket and sets up a meeting with the VI, who is allowed to share his or her side of the story. (Customer information is not shared). The supervisor determines what appropriate further steps, if any, are needed and proceeds to take that action. The supervisor completes a resolution section in the customer care ticket and closes the ticket. The procedure for IP Relay will be identical.

(v). *A narrative describing any areas in which the provider's service will differ from the applicable mandatory minimum standards.*

As shown above, Hands On meets all unwaived mandatory minimum services for VRS and IP Relay.

(vi). *A narrative establishing that services that differ from the mandatory minimum standards do not violate applicable mandatory minimum standards.*

Since Hands On meets all unwaived mandatory minimum standards, this section is inapplicable.

(vii). *Demonstration of status as a common carrier.*

Section 3 of the Communications Act of 1934, as amended, 47 U.S.C. § 153 defines a "common carrier" as "any person engaged as a common carrier for hire, in interstate or foreign communication by wire, or radio" Section 225 of the Act, similarly defines a common carrier. 47 U.S.C. § 225(a)(1). As discussed, Hands On is a certificated resale carrier in the State of California.¹ Hands On is authorized to provide interstate resale service through its purchase and

¹As discussed, Hands On's CPCN was originally issued to its affiliate, HOSLS, which initially provided video relay service prior to Hands On's formation. Hands On is transferring its CPCN to HOVRS pursuant to California CPUC procedures which allow the transfer of such authority to affiliates via a letter notice filing. See <http://www.cpuc.ca.gov/static/telco/information+for+providing+service/cpcntransfer.htm>.

clients (and others requesting the service). In addition, Hands On is a common carrier as a result of its processing of VRS traffic received from the Internet via the translation services of its VIs and its delivery of such traffic for termination to local exchange carriers and/or through the purchased services of interexchange carriers.

The furnishing of a line to a third party to facilitate an interstate communication is the provision of common carriage subject to the Commission's jurisdiction. *Ward v. Northern Ohio Tel. Co.*, 300 F.2d 816 (6th Cir. 1962), *cert. denied* 371 U.S. 820. The sine qua non of common carrier status is a quasi-public character which arises out of the undertaking to carry for all people indifferently. Particular services offered need not be practically available to the entire public and a specialized carrier whose services is of possible use to only a fraction of the population may nonetheless be a common carrier if it holds itself out to serve indifferently all potential users. It is not essential that there be a statutory or other legal commandment to serve indiscriminately, rather it is the practice of such indifferent service that confers "common carrier" status. *National Ass'n Regulatory Utility Com'rs v. FCC*, 533 F.2d 601 (D.C. Cir. 1976).

In *Beehive Telephone, Inc. v. Bell Operating Cos.*, 78 Rad. Reg 2d (P&F) 1376 (1995), the Commission stressed that the "key feature of common carriage under Section 3(h) of the Act is the provision of service indifferently to all potential customers. There the Commission rejected the claim that access to the 800 number database was not common carriage in the face of a claim that "SMS access service does not enable customers to transmit anything." It was sufficient, said the Commission that the service was "incidental to a service that provides transmission of intelligence of the customer's own design and choosing" that was sufficient to support a finding of common carriage. In this case, Hands On not only holds itself out indifferently to supply lines to customers, it performs a service that allows its customers "to transmit intelligence of the customer's own design

and choosing," the deaf and hard of hearing person's message traffic, and Hands On completes that call over facilities it leases to allow transmission of the message traffic to the voice/hearing recipient. Plainly, then, Hands On is engaged in common carriage.

Hands On holds itself out to provide service indiscriminately to the public. Indeed, the Commission's rules so require it to do so. Since Hands On is plainly engaged for hire in interstate communication by wire (i.e., Internet and the PSTN). Hands On is plainly a common carrier. As such, it is eligible to receive reimbursement from the TRS Fund.

FCC Rule §63.01 provides that "Any party that would be a domestic interstate communications common carrier is authorized to provide domestic, interstate services to any domestic point and to construct any domestic transmission line as long as it obtains all necessary authorizations from the Commission for use of radio frequencies." Section 63.01 thus affords blanket Section 214 certification to all domestic common carriers. *Section 214 Entry and Exit Certification Requirements*, 16 CR 529 (1999). Accordingly, by operation of law, Hands On possesses FCC authority to provide interstate common carrier services.

(viii) A statement that the provider will file annual compliance reports demonstrating continued compliance with these rules.

Hands On will file annual compliance reports demonstrating continued compliance with these rules.

B. Hands On has notified NECA that it is providing VRS service and expects compensation therefore and will notify NECA upon commencement of IP Relay Service.

Pursuant to FCC Rule §64.604(c)(5)(G), NECA has been notified of Hands On's intent to participate in the TRS Fund by notice delivered more than 30 days prior to submitting reports of TRS interstate minutes of use. Hands On currently receives payment for VRS through its affiliation with

the State of Washington's TRS program. Upon receipt of FCC certification, Hands On will advise NECA of its updated status.

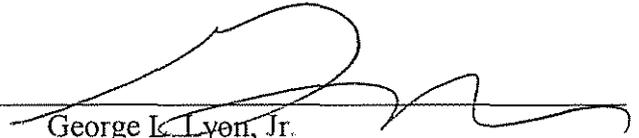
V. Conclusion.

As is plainly evident, Hands On is a qualified VRS and IP Relay service provider. Hands On therefore requests that the Commission grant it certification to provide VRS and IP Relay service. Should the Bureau require any additional information, kindly contact the undersigned.

Respectfully submitted,

HANDS ON VIDEO RELAY SERVICES, INC.

By


George K. Lyon, Jr.

Its Counsel

Lukas, Nace, Gutierrez & Sachs, Chartered
1650 Tyson's Blvd., Suite 1500
McLean, VA 22102
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October 4, 2006

Exhibit 1

Delaware

PAGE 1

The First State

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED ARE TRUE AND CORRECT COPIES OF ALL DOCUMENTS ON FILE OF "HANDS ON VIDEO RELAY SERVICES, INC." AS RECEIVED AND FILED IN THIS OFFICE.

THE FOLLOWING DOCUMENTS HAVE BEEN CERTIFIED:

CERTIFICATE OF INCORPORATION, FILED THE FIRST DAY OF NOVEMBER, A.D. 2002, AT 4:30 O'CLOCK P.M.

AND I DO HEREBY FURTHER CERTIFY THAT THE AFORESAID CERTIFICATES ARE THE ONLY CERTIFICATES ON RECORD OF THE AFORESAID CORPORATION, "HANDS ON VIDEO RELAY SERVICES, INC.".



3584270 8100H

060858878

Harriet Smith Windsor

Harriet Smith Windsor, Secretary of State

AUTHENTICATION: 5048315

DATE: 09-18-06

**CERTIFICATE OF INCORPORATION
OF
HANDS ON VIDEO RELAY SERVICES, INC.**

STATE OF DELAWARE
SECRETARY OF STATE
DIVISION OF CORPORATIONS
FILED 04:30 PM 11/01/2002
020678213 - 3584270

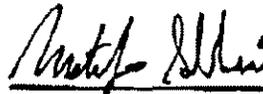
1. The name of the corporation is Hands On Video Relay Services, Inc
2. The address of the corporation's registered office in the State of Delaware is Corporation Trust Center, 1209 Orange Street, Wilmington, New Castle County, Delaware 19801. The name of its registered agent at such address is The Corporation Trust Company.
3. The purpose of the corporation is to engage in any lawful act or activity for which corporations may be organized under the General Corporation Law of Delaware
4. The corporation is authorized to issue one class of stock to be designated "Common Stock." The total number of shares of Common Stock the corporation shall have authority to issue is Ten million (10,000,000), par value of \$0.001 per share.
5. The name and mailing address of the incorporator are as follows:

Mustafa Salehbhai
Wilson Sonsini Goodrich & Rosati
650 Page Mill Road
Palo Alto, CA 94304
6. In furtherance and not in limitation of the powers conferred by statute, the Board of Directors of the corporation is expressly authorized to adopt, amend or repeal the Bylaws of the corporation.
7. The election of directors need not be by written ballot unless the Bylaws of the corporation shall so provide.
8. **Limitation of Director's Liability and Indemnification of Directors and Officers**
 - A. *Limitation of Director's Liability.* To the fullest extent permitted by the General Corporation Law of Delaware as the same exists or may hereafter be amended, a director of the corporation shall not be personally liable to the corporation or its stockholders for monetary damages for breach of fiduciary duty as a director.
 - B. *Indemnification of Directors and Officers.* To the fullest extent permitted by applicable law, the corporation is authorized to provide indemnification of, and advancement of expenses to, directors, officers, employees, other agents of the corporation and any other persons to which the General Corporation Law of Delaware permits the corporation to provide indemnification.

C. *Repeal or Modification.* Any repeal or modification of this Section 8, by amendment of such section or by operation of law, shall not adversely affect any right or protection of a director, officer, employee or other agent of the corporation existing at the time of, or increase the liability of any such person with respect to any acts or omissions in their capacity as a director, officer, employee, or other agent of the corporation occurring prior to, such repeal or modification.

I, the undersigned, as the sole incorporator of the corporation, hereby declare and certify that this certificate of incorporation is my act and deed and that the facts stated in this certificate of incorporation are true.

November 1, 2002



Mustafa Salehbhai, Incorporator

Exhibit 2

Decision 02-06-053 June 27, 2002

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Hands On Sign Language Services, Inc. for a Certificate of Public Convenience and Necessity to Provide InterLATA and IntraLATA Interexchange Services and Competitive Local Exchange Services as a Reseller.

Application 02-03-063
(Filed March 28, 2002)

O P I N I O N

I. Summary

Hands On Sign Language Services, Inc. (Applicant) seeks a certificate of public convenience and necessity (CPCN) under Pub. Util. Code § 1001 for authority to resell local exchange and interexchange telecommunications services. By this decision, we grant the requested authority subject to the terms and conditions set forth below.

II. Background

In prior decisions we authorized the provision of competitive interexchange services by carriers meeting specified criteria. In addition, we authorized the provision of competitive local exchange service, by carriers meeting specified criteria, within the service territories of Pacific Bell Telephone Company (Pacific), Verizon California Inc. (Verizon), Roseville Telephone Company (RTC), and Citizens Telecommunications Company of California, Inc. (CTC).

Applicant, a California corporation, seeks authority to resell interexchange services as a nondominant interexchange carrier (NDIEC), and local exchange services as a competitive local carrier (CLC) throughout Pacific's service territory.

Applicant's principal place of business is located at 1103 High Street #200, Auburn, California 95603.

III. Financial Qualifications

To be granted a CPCN, an applicant for authority to resell local exchange and/or interexchange services must demonstrate that it has a minimum of \$25,000 of cash or cash equivalent to meet the firm's start-up expenses.¹ An applicant must also demonstrate that it has sufficient additional resources to cover all deposits required by local exchange carriers (LECs) and/or interexchange carriers (IECs) in order to provide the proposed service.² Applicant provided a bank statement that demonstrates that it has sufficient cash to satisfy the financial requirement.

IV. Technical Qualifications

Applicants for NDIEC and CLC authority are required to make a reasonable showing of technical expertise in telecommunications or a related business. Applicant submitted biographical information on its officers that

¹ The financial requirement for CLCs is contained in D.95-12-056, Appendix C. The financial requirement for NDIECs is contained in D.91-10-041.

² The requirement for CLC applicants to demonstrate that they have additional financial resources to meet any deposits required by underlying LECs and/or IECs is set forth in D.95-12-056, Appendix C. For NDIECs, the requirement is found in D.93-05-010.

demonstrates that it possesses sufficient experience and knowledge to operate as a telecommunications provider.

Applicant represents that no one associated with or employed by Applicant as an affiliate, officer, director, partner, or owner of more than 10% of Applicant was previously associated with any telecommunications carrier that filed for bankruptcy or went out of business, or was sanctioned by the Federal Communications Commission or any state regulatory agency for failure to comply with any regulatory statute, rule, or order.

V. Tariffs

Commission staff reviewed Applicant's draft tariffs for compliance with Commission rules and regulations. The deficiencies are noted in Attachment A to this decision. Applicant shall correct these deficiencies in its tariff compliance filing as a condition of our approval of its tariffs.

VI. California Environmental Quality Act (CEQA)

CEQA requires the Commission as the designated lead agency to assess the potential environmental impact of a project in order that adverse effects are avoided, alternatives are investigated, and environmental quality is restored or enhanced to the fullest extent possible. Applicant represents that it will not be constructing any facilities for the purpose of providing interexchange or local exchange services. Therefore, it can be seen with certainty that there is no possibility that granting this application will have an adverse effect upon the environment. Applicant must file for additional authority, and submit to any required CEQA review, before it can construct facilities.

VII. Request to File Under Seal

Applicant requests that the financial information filed with the application be filed under seal. The financial information consists of its balance sheet, and

income statement. Applicant represents that the information is proprietary and sensitive. The information, if revealed, would place Applicant at an unfair business disadvantage. We have granted similar requests in the past and will do so here.

VIII. Categorization and Need for Hearings

In Resolution ALJ 176-3086 dated April 22, 2002, the Commission preliminarily categorized this application as ratesetting, and preliminarily determined that hearings were not necessary. No protests have been received. There is no apparent reason why the application should not be granted. Given these developments, a public hearing is not necessary, and it is not necessary to disturb the preliminary determinations.

IX. Comments on Draft Decision

This is an uncontested matter, in which the decision grants the relief requested. Accordingly, pursuant to Public Utilities Code Section 311(g)(2), the otherwise applicable 30-day period for public review and comment is being waived.

X. Conclusion

We conclude that the application conforms to our rules for authority to resell local exchange and interexchange telecommunications services. Accordingly, we shall approve the application subject to the terms and conditions set forth herein.

Findings of Fact

1. Notice of the application appeared in the Daily Calendar on April 12, 2002.
2. No protests have been filed.
3. A hearing is not required.

4. In prior decisions the Commission authorized competition in providing interexchange services for carriers meeting specified criteria.

5. In prior decisions the Commission authorized competition, by carriers meeting specified criteria, in providing local exchange telecommunications services within the service territories of Pacific, Verizon, RTC and CTC.

6. Applicant has a minimum of \$25,000 of cash or cash equivalent that is reasonably liquid and readily available to meet its start-up expenses.

7. Applicant has sufficient additional cash or cash equivalent to cover any deposits that may be required by other telecommunications carriers in order to provide the proposed service.

8. Applicant possesses sufficient experience and knowledge to provide telecommunications services.

9. As part of its application, Applicant submitted a draft of its initial tariff that contained the deficiencies identified in Attachment A to this decision. Except for those deficiencies, its draft tariffs complied with the Commission's requirements.

10. Applicant will not be constructing facilities.

11. Public disclosure of the financial information filed under seal would place Applicant at an unfair business disadvantage.

Conclusions of Law

1. Applicant has the financial ability to provide the proposed service.

2. Applicant has sufficient technical expertise to operate as a telecommunications carrier.

3. Public convenience and necessity require that Applicant's competitive local exchange and interexchange services be subject to the terms and conditions set forth herein.

4. Since Applicant will not be constructing any facilities, it can be seen with certainty that there will be no significant effect on the environment.

5. The application should be granted to the extent set forth below.

6. Applicant, once granted a CPCN, should be subject to the applicable Commission rules, decisions, General Orders, and statutes that pertain to California public utilities.

7. Applicant's initial tariff filing should correct the deficiencies in its draft tariffs as indicated in Attachment A to this decision.

8. Applicant's request to file its financial information under seal should be granted for two years.

9. Because of the public interest in competitive local exchange and interexchange services, the following order should be effective immediately.

O R D E R

IT IS ORDERED that:

1. A certificate of public convenience and necessity (CPCN) is granted to Hands On Sign Language Services, Inc. (Applicant) to resell competitive local exchange services, and interexchange services, subject to the terms and conditions set forth below.

2. Applicant is authorized to provide local exchange service in the service territory of Pacific Bell Telephone Company.

3. Applicant is authorized to file tariff schedules for the provision of competitive local exchange and interexchange services with the deficiencies noted in Attachment A corrected. Applicant may not offer services until tariffs are on file. Applicant's initial filing shall be made in accordance with General Order (GO) 96-A, excluding Sections IV, V, and VI. The tariff shall be effective

not less than 1 day after tariff approval by the Commission's Telecommunications Division. Applicant shall comply with its tariffs.

6. The certificate granted, and the authority to render service under the rates, charges, and rules authorized, will expire if not exercised within 12 months after the effective date of this order.

7. The corporate identification number assigned to Applicant, U-6667-C, shall be included in the caption of all original filings with this Commission, and in the titles of other pleadings filed in existing cases.

8. Applicant shall comply with all applicable rules adopted in the Local Exchange Competition proceeding (Rulemaking 95-04-043/Investigation 95-04-044), the Commission's rules and regulations for NDIECs set forth in Decision (D.) 93-05-010 and D.90-08-032, as well as all other applicable Commission rules, decisions, GOs, and statutes that pertain to California public utilities, subject to the exemptions granted in this decision.

9. Applicant shall comply with the requirements applicable to competitive local exchange carriers and non-dominant interexchange carriers included in Attachment B to this decision.

10. Applicant is not authorized to construct facilities.

11. Applicant's request to have the financial information filed with the application kept under seal is granted for two years from the effective date of this decision. During that period the information shall not be made accessible or disclosed to anyone other than the Commission staff except on the further order or ruling of the Commission, the Assigned Commissioner, the assigned Administrative Law Judge (ALJ), or the ALJ then designated as Law and Motion Judge.

12. If Applicant believes that further protection of the information kept under seal is needed, it may file a motion stating the justification for further

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withholding of the information from public inspection, or for such other relief as the Commission rules may then provide. This motion shall be filed no later than one month before the expiration date.

13. This application is closed.

This order is effective today.

Dated June 27, 2002, at San Francisco, California.

LORETTA M. LYNCH
President
HENRY M. DUQUE
CARL W. WOOD
GEOFFREY F. BROWN
MICHAEL R. PEEVEY
Commissioners