

# KPS CONSULTING

“Building an Access Bridge in Technology and Telecommunications”

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October 19, 2006

Ms. Monica Desai  
Chief  
Consumer and Governmental Affairs Bureau  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

Dear Ms. Desai:

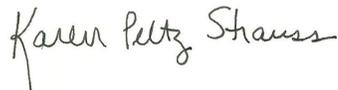
On February 6, 2006, Communication Service for the Deaf (CSD) requested the Federal Communications Commission to clarify that as a non-mandated service, the provision of ASL-to-Spanish non-shared language translation video relay service (VRS) was not required to be provided to the public on a 24 hour/7 day a week basis. By this letter, CSD withdraws this request.

CSD made the aforementioned request because it understood that FCC rules did not require non-mandated relay services to be provided on a 24/7 basis, and because it believed that few VRS providers would be capable of providing ASL-to-Spanish VRS were it so required. CSD specifically feared that imposing this requirement might defeat the purposes of Title IV of the Americans with Disabilities Act (ADA). However, shortly after making the above filing, CSD began to provide ASL-Spanish VRS on a 24/7 basis, and has been providing this service ever since. It is CSD's understanding that there are other VRS providers that are also now offering this service around the clock.

For the reasons outlined in the February petition, CSD continues to maintain that the Commission's authorization of ASL-to-Spanish VRS as a telecommunications relay service did not by itself, constitute a mandate for

this service to be provided on a 24/7 basis.<sup>1</sup> Nevertheless because CSD has found the provision of this service over the past several months to be feasible, CSD is now withdrawing its request not to require this service to be provided on a 24/7 basis, where it is otherwise voluntarily provided. Because CSD believes that the FCC's orders in this regard remain unclear, however, CSD continues to urge the Commission to clarify whether or not its rules do in fact require Spanish-to-ASL VRS at all hours of the day.

Sincerely,



Karen Peltz Strauss  
Legal Consultant for CSD

cc: Jay Keithley  
Thomas Chandler  
Gregory Hlibok

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<sup>1</sup> *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities, Order on Reconsideration* CC Dkt. No. 98-67, CG Dkt. No. 03-123, FCC 05-139 (July 19, 2005). As noted in CSD's petition, that FCC order contained numerous references that reflected the optional nature of this service, giving the impression that it was not mandated on a 24/7 basis. See, e.g., ¶17 (“*authorizing* ASL-to Spanish VRS is particularly critical for deaf Latino children. . .”); ¶21 (“*some non-English language relay service should be provided*”; ¶31 (“*allowing* compensation from the Interstate TRS Fund for ASL-to-Spanish VRS. . .”)