

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matters of)	
)	
IP-Enabled Services)	WC Docket No. 04-36
)	
Implementation of Sections 225 and 251(a)(2) of)	WT Docket No. 96-198
The Communications Act of 1934 as Enacted by)	
The Telecommunications Act of 1996: Access to)	
Telecommunications Service, Telecommunications)	
Equipment and Customer Premises Equipment)	
By Persons with Disabilities)	
)	
Telecommunications Relay Services and)	CG Docket No. 03-123
Speech-to-Speech Services for Individuals with)	
Hearing and Speech Disabilities)	
)	
The Use of N11 Codes and Other Abbreviated)	CC Docket No. 92-105
Dialing Arrangements)	

To: Secretary, FCC
For: Chief, Consumer & Governmental Affairs Bureau

COMMENTS OF HAMILTON RELAY, INC.

Hamilton Relay, Inc. (“Hamilton”), by its counsel, hereby submits these comments in response to the Bureau’s October 9, 2007 *Order and Public Notice Seeking Comment (“Order and Public Notice”)* in the above-captioned proceedings.¹ In the *Order and Public Notice*, the Bureau granted in part Hamilton’s Petition for Waiver of Section 64.604(a)(4) of the

¹ *Implementation of Sections 255 and 251(a)(2) of the Communications Act of 1934, as Enacted by the Telecommunications Act of 1996: Access to Telecommunications Service, Telecommunications Equipment and Customer Premises Equipment by Persons with Disabilities; Telecommunications Relay Services and Speech-to-Speech Services for Individuals With Hearing and Speech Disabilities*, WC Docket No. 04-36, WT Docket No. 96-198, CG Docket No. 03-123 & CC Docket No. 92-105, Order and Public Notice Seeking Comment, DA 07-4178 (CGB rel. Oct. 9, 2007) (“*Order and Public Notice*”); see also 72 Fed. Reg. 61,882 (Nov. 1, 2007) (setting comment and reply comment deadlines as December 3, 2007 and December 17, 2007, respectively).

Commission's rules,² to the extent that the rule requires traditional Telecommunications Relay Service ("TRS") providers to automatically and immediately transfer emergency calls originated on interconnected voice over Internet Protocol ("VoIP") networks to an appropriate Public Safety Answering Point ("PSAP").

Specifically, the Bureau recognized that there are technical challenges to the ability of interconnected VoIP providers to route 711 calls to an appropriate relay center.³ This in turn means that TRS providers receiving 711 emergency calls via an interconnected VoIP service do not have the necessary geographic location information about the calling party to determine the appropriate PSAP to which the call should be routed in compliance with Section 64.604(a)(4), since the calling number information received at the relay center may not necessarily correspond to the physical location of the caller. This is particularly a problem when the calling party is using an interconnected VoIP service "nomadically", because the TRS provider may contact a PSAP that corresponds to the caller's telephone number but not the caller's actual location.⁴ As a practical matter, therefore, Hamilton and other TRS providers cannot fully comply with Section 64.604(a)(4), which requires such routing to be made "automatically and immediately", until the technical obstacles faced by VoIP providers are overcome.

Recognizing this problem, the Bureau issued a six month waiver of the TRS providers' obligation to call an appropriate PSAP when receiving an emergency 711 call via an interconnected VoIP service. The Bureau also requested comments on how this issue may be resolved.

² 47 C.F.R. § 64.604(a)(4).

³ *Order and Public Notice*, ¶ 2.

⁴ *Id.* ¶ 13.

Hamilton applauds the Bureau's efforts to clarify VoIP providers' obligation to provide ADA services to all Americans. Resolution of this issue is crucial to ensuring that deaf and hard of hearing VoIP users are not disenfranchised, particularly in emergency situations, and to ensuring that they are provided with service that is "functionally equivalent" to voice users as required under the ADA.⁵

At the same time, Hamilton believes that this matter may only be resolved if VoIP providers supply TRS providers with a standardized mechanism for identifying the geographic location of the calling party, in a manner that is consistent with, or at least comparable to, their traditional wireline counterparts. For example, wireline carriers provide TRS providers with Automatic Numbering Identification (ANI) of a calling party, which permits the TRS provider to "automatically and immediately" route the call to an appropriate PSAP because the physical location of the calling party is known in light of the ANI. That is not the case with all VoIP providers. Once TRS providers are supplied with a standardized mechanism by VoIP providers for identifying the location of the calling party, the TRS providers will then be in a position to route emergency 711 VoIP calls to an appropriate PSAP.

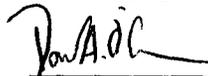
Hamilton encourages the Bureau to direct VoIP providers to include TRS providers in creating the necessary standards and protocols. As noted in the *Order and Public Notice* (at ¶ 17), the Commission expects that VoIP providers, TRS providers and members of the industry and community will work closely together to achieve a meaningful, workable solution. Hamilton encourages the Commission to clarify that VoIP providers must take the lead in organizing this effort, since ultimately it will be the VoIP providers that will be required to implement that solution.

⁵ 47 U.S.C. § 225(a)(3).

Finally, the *Order and Public Notice* requires that, during the pendency of the waiver, TRS providers implement a manual system for complying with Section 64.604(a)(4) in connection with emergency 711 nomadic VoIP calls. Hamilton is pleased to report that it has developed a manual system that has proven thus far to be effective in resolving the problem. Under this manual system, the Hamilton Communications Assistant (“CA”) prompts the calling party to self-identify their location. Based on this information, the CA then accesses a national PSAP database to determine an appropriate PSAP to which the call may be routed, in a way similar to how all TRS and non-nomadic VoIP calls are processed today. Hamilton believes that this is the most efficient manner currently available for handling such calls, but it still is a best faith effort that needs to be improved and automated. Hamilton encourages the VoIP industry to work with TRS providers to provide long-term solutions to the technical problems highlighted in this proceeding. Until the interconnected VoIP industry has implemented a standardized mechanism for resolving these problems, however, Hamilton and other TRS providers will be unable to fully comply with Section 64.604(a)(4), and a waiver of that rule will continue to be warranted.

Respectfully submitted,

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