

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

In the Matter of )  
)  
Telecommunications Relay Services And Speech-to- )  
Speech Services for Individuals with Hearing and ) CG Docket 03-123  
Speech Disabilities )

To: The Commission

***REQUEST FOR EXTENSION OF WAIVERS***

Hands On Video Relay Services, Inc. (“Hands On”), by its counsel, requests extension of the current waivers of certain of the minimum mandatory standards for telecommunications relay service (“TRS”), including video relay service (“VRS”) and Internet Protocol relay (“IP Relay”). In support, the following is shown.

Currently, a number of minimum mandatory standards for VRS and IP Relay are waived due to technical limitations. To date, these technical limitations have not been resolved. For this reason, Hands On requests that the waivers discussed below be extended. Each waived standard is addressed in turn.

***Emergency Call Handling.***

Section 64.604(a)(4) requires that providers use a system for incoming emergency calls that, at a minimum, automatically routes the caller to the appropriate public safety answering point (“PSAP”). Such a system is not currently feasible. Hands On can respond to a VRS caller’s request to connect to an emergency agency, but location information must be provided real time by the customer to the video interpreter prior to contacting the

appropriate PSAP. Although Hands On may be able to capture the IP address of a VRS caller's computer or videophone, that address is subject to manipulation; moreover, Hands On does not have access to the specific location where that computer or videophone may be in use. Additionally, even if it had a specific street address tied to the IP address, Hands On cannot automatically route an emergency call to the appropriate public safety answering point. Hands On has spent considerable resources in research and development to create a mechanism to provide specific location information and integrate that information with public safety answering point data. That mechanism requires the assignment of 10 digit numbers to VRS users and the creation of a central database of VRS numbering information. Hands On has presented this proposal to the Commission in Docket 03-123. Commission action is needed to adopt a uniform numbering scheme for VRS and IP Relay in order to facilitate automatic routing of emergency calls. Pending FCC action on adoption of a uniform numbering plan. Hands On requests that the waiver for automatic routing of emergency calls be extended.

***Operator assisted calls; billing for long distance calls.***

Pursuant to existing waiver, VRS providers are not required to handle operator assisted calls and are not required to bill certain types of long distance calls to the end user.<sup>1</sup> See *VRS Waiver Order*, 17 FCC Rcd at 161. Hands On currently completes long distance calls at no charge to the VRS user as required by the FCC. Moreover, incoming calls to be

---

<sup>1</sup> FCC Rule Section 64.604(a)(3) requires TRS providers to complete all types of calls.

routed to deaf or hard of hearing persons over the Internet come to Hands On via an 800 number at no charge to the calling party. By the very nature of VRS, it is difficult for Hands On to know whether a call coming to it is local, even if IP address data are available.

Hands On completes calls via the most affordable method where appropriate. Hands On also handles 411 information calls for its customers at no charge to them. Therefore, deaf and hard of hearing persons receive service comparable to the switched telephone network. Requiring VRS providers such as Hands On to handle all operator assisted calls and to bill long distance calls to its deaf or hard of hearing users is problematic. Hands On does not have the billing mechanism for these calls. Nor pursuant to the existing interpretation of what are reasonable costs, does Hands On have the resources to devote to development of the billing mechanism. Completion of operator assisted calls and billing for long distance calls is technically possible, but only through credit card billing, and as the Commission has acknowledged, using calling cards is not a viable alternative. *VRS Waiver Order*, 17 FCC Rcd 157, 161 (Com.Car. Bur. 2001). Moreover, at present the Hands On platform is not set up to accept credit card billing. To do so would again require research and development efforts to design software modifications which would tax its already overextended engineering staff. For these reasons, Hands On requests extension of the waiver to handle operator assisted calls.

***Equal access to interexchange carriers.***

The Commission has previously granted waiver of the equal access to interexchange carrier requirement for several reasons. First, since the deaf to VI portion of a VRS call is

carried over the Internet, the VRS provider does not necessarily know the interexchange carrier of choice of the consumer since the consumer's identity may not in fact be known.<sup>2</sup> Second, choice of carrier is not critical in the VRS context since the deaf or hard of hearing consumer is not paying for call completion. Third, requiring VRS providers to route calls over a host of different interexchange carriers would serve to unnecessarily increase the costs of providing VRS service even if it were possible to charge actual long distance costs to the deaf or hard of hearing customers. Fourth, because a VRS provider may be located in another state from the deaf or hard of hearing consumer, what may be a local call for the deaf or hard of hearing person is likely to be a toll call for the VRS provider. Thus, the Commission has previously concluded that implementing carrier of choice for VRS is likely to lead to confusion, increased complaints and unnecessary costs, without serving any appreciable public interest objective. These reasons remain extant.

From a technical standpoint, if an IP address can be tied to an exchange area – and that is a big if – part of the problem of locating the deaf or hard of hearing person is solvable. However, this still leaves each of the other issues addressed above, which are not readily solvable. The principal technical and practical issue is that VRS service is not a local service. There are only a handful of VRS providers. Thus, cost considerations strongly favor continuation of the choice of carrier waiver. Relatedly is the fact that most VRS calls are interstate in routing, even if they are local in origin. For example, Hands On currently operates call centers in several states, including Arizona, California, Florida and Washington

---

<sup>2</sup> There is no requirement for registration of VRS customers and any such requirement would raise privacy concerns.

State. Were a deaf or hard of hearing person in Arlington, Virginia, to make a call to Washington, DC, over Hands On's network, that call would be routed over the Internet from Arlington to one of its call centers, and then completed as an interexchange call to Washington, DC, even though the call would be a local call if placed by a hearing person over the public switched telephone network. Likewise, were the Arlington caller to place a call to Roseville, CA, via Hands On's VRS service, and that call transit over the Internet to the Rocklin, CA call center, a few miles from Roseville, it would be completed as a local call to Roseville. Thus, the very nature of the Internet transmission of the call raises issues concerning the appropriate means of billing. For these reasons, continued waiver of the equal access requirement is appropriate.

***900 number services.***

The *VRS Waiver Order* waived the requirement for handling pay-per-call services, *see* FCC Rule Section 64.604(b)(6), due to the expected low demand for these types of calls and the burden this requirement would impose on startup VRS providers. *VRS Waiver Order*, 17 FCC Rcd at 164. That waiver was later extended to IP Relay providers at the request of Sprint. Sprint sought waiver on the ground that 900 service providers require the ANI of the calling party. The ANI obviously cannot be provided in an IP Relay context for the same reason it cannot be provided for emergency call handling. Until there is a uniform numbering system in place, the ANI of a VRS and IP Relay call cannot be provided. Accordingly, Hands On requests that the waiver of the requirement to accept 900 number calls be extended.

***Call release.***

Call release would allow two VRS users to converse with one another after Hands On has set up the call. Two VRS users can now talk to one another without VRS if they have video conferencing software which is compatible with one another. For Hands On to feature this service would require research and development in a number of areas, for example, the platform's video software would have to be modified to provide a multipoint connection (second window) so the video interpreter could sign to more than one person at a time. In addition, a means of translating incompatible video conferencing formats would have to be achieved. The Commission has placed strict limits on research and development expense for VRS which prevent Hands On from having the resources to make these types of modifications to its platform. Moreover, informal discussions with the staff have raised the issue whether such calls are in fact TRS calls. Given that consumers may place these types of calls on their own, continued waiver of this requirement should be granted.

***Three-way calling.***

Three-way calling is currently possible from one VRS user to two or more hearing users through conference calling using the public switched telephone network. Three-way calling among two VRS users and one or more hearing users is not possible without additional research and development and addition to the VRS platform of certain additional hardware. Hands On estimates the additional cost of the research and development and hardware would be from \$750,000 to \$1,000,000. In addition to the modification to the platform video software discussed above, users would need to have available video

conferencing software with multiple video windows so that two VRS users could see each other as well as the interpreter. Other platform related research and development efforts would need to be made.

Hands On has experience conducting audio conference calls set up over a conference bridge where each deaf person calls in using a separate VI. In Hands On's view that is a much more manageable situation at this point. Should the Commission determine that this type of arrangement satisfies the waiver, Hands On is fully capable of offering that service.

Otherwise, Hands On requests the Commission to extend the waiver of three way calling to the extent it involves more than one VRS user on a single VRS call.

***Speed dialing.***

Hands On offers speed dialing through the personal phonebook feature on its platform. It therefore needs no extension of the waiver of this requirement.

***VCO-to-TTY, HCO-to-TTY, VCO-to-VCO and HCO-HCO.***

VCO to TTY and HCO to TTY require the video interpreter to video interpret to a deaf, hard of hearing or speech impaired individual and simultaneously operate a keyboard to interpret to the TTY user. Though technically possible with certain modifications to Hands On's platform, such a call requires the VI to conduct two hand intensive interpretations. The VI cannot sign and type at the same time, however. Hands On questions the utility of such calls since they would be disjointed due to the time necessary to conduct separate transliterations using sign language and TTY. Moreover, the likelihood of confusion on the part of VIs is substantial. Such calls are likely to cause strain and fatigue

to a VI. A better means of doing such a call -- to the extent there is any demand for them -- is for the VI to place the call to a text relay service so that the text relay operator -- who is trained to handle such a call -- can handle the TTY side of the call and the VI can handle the VRS side of the call. Informal discussion with the staff has indicated at least some question whether such a call is a compensable relay call, however. Thus, FCC clarification of this requirement is necessary in the VRS context. Pending such clarification, an extension of the waiver for these types of calls is necessary.

VCO to VCO and HCO to HCO calls may have some of the similar problems if TTYs are used for one side of the conversation. The VI can interpret to the VRS user who is using VCO, but will likely have difficulty typing the incoming voice message from a VCO TTY user. Similarly, with HCO to HCO, the interpreter must concurrently read the signing of the VRS user and read the incoming text of the TTY user. The interpreter cannot therefore pay attention to both ends of the conversation and is likely to miss significant portions of the conversation. VCO to VCO and HCO to HCO VRS calls could be done with video conferencing software modifications similar to those discussed concerning three-way calling. If the FCC were to conclude that the reasonable costs of providing relay included research and development to meet waived standards, these software modifications could be undertaken. To date the FCC has strictly limited provider's research and development efforts. For these reasons, waiver of the requirement to handle VCO to VCO and HCO to HCO calls is necessary.

***Conclusion.***

For the reasons stated above, Hands On requests extension of the waivers for the following minimum mandatory standards:

Emergency call handling,

Operator assisted calls,

900 pay per calls,

Equal Access to Interexchange Carriers,

VCO to TTY calls,

HCO to TTY calls,

VCO to VCO calls,

HCO to HCO calls,

Call Release, and

Three way calling.

Respectfully submitted,

**HANDS ON VIDEO RELAY SERVICES, INC.**

By: \_\_\_\_\_/s/\_\_\_\_\_

George L. Lyon, Jr.  
Its Counsel

Lukas, Nace, Gutierrez & Sachs, Chartered  
1650 Tyson's Blvd., Suite 1500  
McLean, Virginia 22102  
(703) 584-8664  
December 12, 2007