

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

In the Matters of)	
)	
Telecommunications Relay Services and)	CG Docket No. 03-123
Speech-to-Speech Service for Individuals)	
with Hearing and Speech Disabilities)	

**PARTIAL OPPOSITION OF
TELECOMMUNICATIONS FOR THE DEAF AND HARD OF HEARING, INC.;
ASSOCIATION OF LATE-DEAFENED ADULTS, INC.;
NATIONAL ASSOCIATION OF THE DEAF;
DEAF AND HARD OF HEARING CONSUMER ADVOCACY NETWORK; AND
CALIFORNIA COALITION OF AGENCIES SERVING
THE DEAF AND HARD OF HEARING**

Telecommunications for the Deaf and Hard of Hearing, Inc. (“TDI”), Association of Late-Deafened Adults, Inc. (“ALDA”), National Association of the Deaf (“NAD”), Deaf and Hard of Hearing Consumer Advocacy Network (“DHHCAN”), and California Coalition of Agencies Serving the Deaf and Hard of Hearing (“CCASDHH”) (collectively, the “Consumer Groups”), hereby respectfully submit their Partial Opposition to the Request for Extension of Waivers filed by Hands On Video Relay Services (“Hands On”).¹

On December 12, 2007, Hands On filed a Request for Extension of Waivers with the Federal Communications Commission (“FCC” or “Commission”) that included a request for extension of waiver of its TRS Rules, 47 C.F.R. § 64.604(a)(4), which requires the automatic routing of E911 telephone calls to the correct public safety answering point (“PSAP”).² The correct PSAP is defined in the Commission’s Rules as “either a PSAP that the caller would have reached if he had dialed 911 directly, or a PSAP that is capable of enabling the dispatch of

¹ *In the Matter of Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, Request for Extension of Waivers, CG Docket 03-123 (filed Dec. 12, 2007) (“Request”).

² *See* Request at 1-2.

emergency services to the caller in an expeditious manner.”³ While the Consumer Groups do not object to a limited extension of waiver of the automatic routing requirements, and only until the FCC has established the protocol for dialing parity, it is critical that any limited waiver order issued by the Commission require all Video Relay Service (“VRS”) and Internet Protocol Relay (“IP Relay”) providers to manually route emergency telephone calls to the appropriate PSAP, effective January 1, 2008, when the current waiver expires, something that Hands On has said in its petition that it can accomplish. In other words, the Consumer Groups oppose a complete waiver of Section 64.604(a)(4), but would accept a limited waiver conditioned on the interim, short-term provision of manual routing of 911 VRS and IP Relay calls.

The need to have VRS and IP Relay emergency calls routed to the correct PSAP is unequivocally the most important aspect of VRS and IP Relay functional equivalency as required by Section 225 of the Communications Act of 1934, as amended (the “Act”), 47 U.S.C. § 225. Without question, the ability to contact and receive emergency services when life or property are endangered must be as readily available to the deaf and hard of hearing communities as such services are available to the rest of the population. The ability to route TTY calls to PSAPs is no longer sufficient to meet the needs of the deaf and hard of hearing communities because many people have given up TTY service in favor of VRS or IP Relay.

Reluctantly, the Consumer Groups recognize the current difficulty of establishing automatic routing of emergency telephone calls. Until such time as the FCC issues a decision addressing VRS numbering and E911 in this proceeding, VRS providers like Hands On are not in a position to develop an automated E911 routing system. Fortunately, some progress is being made. Previously, several parties, including Hands On, submitted proposals in this docket to establish a central database of VRS numbers. The Consumer Groups understand that AT&T and

³ 47 C.F.R. § 64.604(a)(4).

Hands On have reconciled the differences between their two approaches and have developed a joint proposal to establish guidelines for functional equivalency of dialing parity and emergency services. We understand that AT&T and Hands On are using their joint proposal as a foundation to develop an industry consensus which they anticipate submitting in this docket for the Commission's consideration by mid-February 2008.

In short, the need to resolve the existing technical difficulties and enact regulations to make automatic routing of IP Relay and VRS 911 calls to PSAPs possible should not form the basis of any continuing waiver of all routing of VRS and IP Relay emergency calls. Individuals who rely upon VRS or IP Relay and do not have TTYs must be able to reach emergency assistance. Therefore, the Consumer Groups respectfully request that the FCC include a requirement for manual routing of VRS and IP Relay 911 calls to PSAPs, effective January 1, 2008, with any continuation of the waiver of automatic 911 routing granted in this proceeding.

In addition, the Consumer Groups are very concerned with the length of time that the VRS numbering and E911 call routing proceedings have been going on. As stated earlier, there is nothing more urgent than the need to reach emergency services when life or property are at stake. Therefore the Consumer Groups propose adoption of the following time table to arrive at a solution for the routing of emergency VRS and IP Relay calls.

January 1, 2008: All VRS and IP Relay providers required to process 911 calls, even if the requirement for automatic routing is still waived.

February 20, 2008: VRS and IP Relay providers will be directed to reach and present an industry consensus proposal on the number plan.

March 5, 2008: The FCC issues its decision regarding the VRS and IP Relay numbering system proposal and the process of selecting a company to manage the numbering database. Implementation of the proposal commences. If no consensus has been reached by this time, the FCC will adopt its own plan (based on the proposals submitted).

June 1, 2008: The permanent automated system incorporating the VRS and IP Relay numbering system is operational and telephone numbers become available for assignment

to users. In addition, service providers assistance and consumer educational efforts begin in coordination with the Commission's Consumer and Governmental Affairs Bureau.

September 1, 2008: Emergency Alert System begins to incorporate the telephone numbers assigned to users.

January 1, 2009: The FCC develops a plan of action incorporating future 911 needs to align the system with the next generation 911 goals for voice, text, and video emergency calling from any communications device via internet networks including transfer and improved interoperability and location-specific emergency alerts.

If it is necessary for the Commission to issue a public notice seeking comment on the industry consensus proposal after it is submitted, the Consumer Groups recommend the following alternative timetable.

January 1, 2008: All VRS and IP Relay providers will be required to process 911 calls, even if the requirement for automatic routing is still waived.

February 20, 2008: VRS and IP Relay providers will be directed to reach and present an industry consensus proposal on the number plan.

March 1, 2008: Commission issues a public notice seeking comment on the industry consensus proposal. If no consensus has been reached by this time, the FCC will adopt its own plan (based on the proposals submitted).

March 12, 2008: Comments are filed on the industry consensus proposal.

March 22, 2008: Reply Comments are filed on the industry consensus proposal.

April 20, 2008: The FCC issues its decision regarding the VRS and IP Relay numbering system proposal and the process of selecting a company to manage the numbering database and implement the proposal is commenced.

July 15, 2008: The permanent automated system incorporating the VRS and IP Relay numbering system is operational and telephone numbers become available for assignment to users. In addition, service providers assistance and consumer educational efforts begin in coordination with the Commission's Consumer and Governmental Affairs Bureau.

October 15, 2008: Emergency Alert System begins to incorporate the telephone numbers assigned to users.

February 15, 2009: The FCC develops a plan of action incorporating future 911 needs to align the system with the next generation 911 goals for voice, text, and video emergency

calling from any communications device via internet networks including transfer and improved interoperability and location-specific emergency alerts.

As a result, the recommended timetable would simply be pushed back by approximately 45 days in the event there is need for public comment on the industry consensus timetable.

Although either of the above-proposed timetables are challenging, lives are at stake when it comes to E911 calling. In addition, the leadership of the U.S. House of Representatives Committee on Energy and Commerce (the "Committee") and its Subcommittee on Telecommunications and the Internet has expressed concern regarding the length of time this proceeding has been pending. They have directed the Commission to complete the numbering proceeding by the end of the first quarter of 2008, and if not, to report back to the Committee in writing.⁴ Therefore, the Consumer Groups urge the Commission to follow one of the proposed timetables and issue the rules that are needed to implement VRS numbering and E911 call routing for VRS and IP Relay. The resolution of this proceeding and establishment of the implementation process will eliminate the need for any further waivers and provide for a stronger, more reliable, and necessary routing system for emergency calls for VRS and IP Relay system users.

Conclusion

For the foregoing reasons, the Consumer Groups respectfully request the FCC to include with any further waiver of the 911 automatic routing rule a requirement that all VRS and IP Relay providers route emergency VRS and IP Relay calls to the appropriate PSAP, even if it must be done manually, effective January 1, 2008. In addition, the Consumer Groups urge the Commission to move forward with the adoption of rules to implement VRS numbering and 911 call routing in accordance with one of the alternative timetables recommended herein.

⁴ See Attachment 1.

Respectfully submitted,

/S/

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Dated: December 20, 2007

ATTACHMENT 1

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ONE HUNDRED TENTH CONGRESS

U.S. House of Representatives
Committee on Energy and Commerce
Washington, DC 20515-6115

JOHN D. DINGELL, MICHIGAN
CHAIRMAN

November 26, 2007

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The Honorable Kevin J. Martin
Chairman
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20445

Dear Chairman Martin:

On October 30, 2007, the Committee on Energy and Commerce approved H.R. 3403, the 911 Modernization and Public Safety Act of 2007. During consideration of this measure, Representative Inslee brought to the Committee's attention the lack of equal access to 911 services for individuals who are deaf or hard of hearing and use video relay services (VRS) to communicate. We understand that the Federal Communications Commission (FCC) has two open rulemakings that address this issue. We write to urge the Commission to resolve these rulemakings as expeditiously as possible.

Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities, Access to Emergency Services, CG Docket No. 03-123, FCC 05-196, which has been pending for 2 years, concerns the ability of VRS providers to offer enhanced 911 service to the deaf and hard of hearing. *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, CG Docket No. 03-123, FCC 06-57, which has been pending for 18 months, concerns numbering issues that would enable disabled consumers who rely on VRS to communicate with each other.

The Communications Act of 1934 directs the Commission to make the Nation's telecommunications system available to all Americans. We believe this mandate is especially true for Americans with disabilities. The ability to use 911 is a core component of our telecommunications system. Because members of the disabilities community may not be able to hear or speak to an emergency operator, it is critical that those who rely on VRS have meaningful access to the 911 system.

The Honorable Kevin J. Martin
Page 2

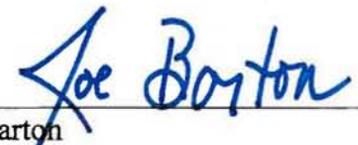
In light of the public safety implications of these proceedings, the Commission should conclude them expeditiously. We would ask that the Commission complete CG Docket No. 03-123, FCC 05-196, before the end of the year and CG Docket No. 03-123, FCC 06-57, no later than the end of the first quarter of 2008.

If the Commission will be unable to complete these proceedings within this period, please notify the Committee in writing.

Sincerely,



John D. Dingell
Chairman



Joe Barton
Ranking Member



Edward J. Markey
Chairman
Subcommittee on Telecommunications
and the Internet



Fred Upton
Ranking Member
Subcommittee on Telecommunications
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cc: The Honorable Jay Inslee, Member
Subcommittee on Telecommunications and the Internet

The Honorable Michael J. Copps, Commissioner
Federal Communications Commission

The Honorable Jonathan S. Adelstein, Commissioner
Federal Communications Commission

The Honorable Deborah Taylor Tate, Commissioner
Federal Communications Commission

The Honorable Robert M. McDowell, Commissioner
Federal Communications Commission