

December 21, 2007

Via Electronic Filing

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

Re: *Ex Parte Notice: Telecommunication Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities* – CG Docket No. 03-123

Dear Ms. Dortch:

On December 21, 2007, Jeff Rosen of Snap Telecommunications, Inc. and Frank Buono of Willkie Farr & Gallagher LLP, outside counsel to Snap; Toni Acton of AT&T (by telephone); Deb MacLean of CAC (by telephone); Andy May of CSDVRS and Karen Peltz Strauss, KPS Consulting, outside counsel to CSDVRS (both by telephone); Kelby Brick of Hands On VRS and George Lyon of Lukas, Nace, Gutierrez & Sachs, Chartered, outside counsel to HOVRS; Michael Fingerhut of Sprint Nextel Corporation (by telephone); Michael Maddix of Sorenson Communications, Inc. (by telephone), and A. Richard Metzger, Jr. and Ruth Milkman of Lawler, Metzger, Milkman & Keeney, outside counsel to Sorenson; Sherry Ingram and Mary Crespy of Verizon (by telephone); and Carla Mathers of Viable (by telephone) (collectively “VRS and IP Relay Providers”) met with Ian Dillner, Legal Advisor to Chairman Martin, to discuss issues relating to implementation of the *Report and Order and Declaratory Ruling* (FCC 07-186) (*Rate Methodology Order*) released on November 19, 2007 in the above-referenced proceeding.

The VRS and IP Relay Providers requested that they be permitted to make their annual filings with the National Exchange Carrier Association on April 1, 2008 rather than in early February 2008. In the past, NECA has asked that the annual filings be made in late January or early February because it needed the cost and demand information included with the providers’ annual filings to develop timely recommendations for VRS and IP Relay compensation rates for the succeeding rate year. The *Rate Methodology Order*, however, has replaced that process by implementing a three-year plan that prescribes the initial VRS tiered rates and IP Relay rate, as well as the adjustments that are to be made to each rate annually during the period the plan is in effect. Consequently, the only data that providers have filed in the past that NECA likely will continue to find useful in developing its TRS filing with the Commission in early May are the estimates of VRS and IP Relay demand for the years 2008 and 2009. NECA can use those forecasts, together with its own forecasts of VRS and IP Relay demand, to prepare an estimate of the 2008-09 interstate TRS fund. Thus, because NECA no longer needs cost or demand information to recommend VRS or IP Relay compensation rates for 2008-09, it should not impose any undue burden on NECA if providers were to make their filings on April 1, 2008. Establishing April 1, 2008 as the filing date would have the added benefit of permitting

providers to close their books for the preceding calendar year in January, and file their tax returns in March, before submitting their annual information to NECA.

On a related topic, the VRS and IP Relay Providers emphasized that the adoption of the new three-year rate plan also eliminates the need for providers to file projected cost information as part of their annual NECA submissions. As noted, NECA previously has used the providers' projected and historic information in preparing their VRS and IP relay rate recommendations to the Commission. The *Rate Methodology Order*, however, prescribes the initial VRS and IP Relay rates, as well as the annual adjustments to each and thus makes the preparation of rate recommendations unnecessary. Moreover, if the FCC's purpose for continuing to collect data from providers is to help it determine the ongoing merits of applying the new cost recover methodology and compensation rates beyond the three-year period initially set, only historic cost data, not projected cost data, is needed to further that goal.

In addition, developing projected costs is costly and burdensome. Providers develop budget estimates based on the needs of the business, and not based on NECA categories. Hence, completing the cost projections for NECA requires VRS and IP Relay Providers to devote hours and hours of staff time to assign amounts budgeted by the company to provide service in the relevant calendar years to individual NECA categories and subcategories. Providing cost estimates according to NECA's categories is not only resource-intensive but it also does not provide any benefit for deaf consumers – particularly since these estimates are no longer needed for establishing rates. The VRS and IP Relay Providers also stressed that they did not oppose a requirement that they continue to file historic cost information regarding their provision of service, since that information is far easier to compile and report.

The VRS and IP Relay Providers noted that neither the change in the filing date, nor the requirement that providers file historic but not projected cost information in 2008, would require any formal action by the Commission. Rather, the Commission rule authorizing NECA to obtain information from providers – 47 C.F.R. § 64.604(c)(5)(iii)(C) – is quite broad (requiring that providers “provide the administrator with . . . total TRS minutes of use . . . total TRS operating expenses and total TRS investment in general accordance with part 32 of the Communications Act, and other historical *or* projected information reasonably requested by the administrator for purposes of computing payments and revenue requirements.”) (emphasis added). Thus, NECA simply would have to revise its guidance to the providers. Attached is a red-lined version of the instructions that NECA circulated earlier this year showing the limited revisions that would be necessary to implement the above requests.

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Pursuant to the Commission's rules, this letter is being submitted for inclusion in the public record of the above-referenced proceeding.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Ruth Milkman", with a long horizontal flourish extending to the right.

Ruth Milkman

Enclosure

cc: Ian Dillner

RELAY SERVICES DATA REQUEST INSTRUCTIONS

A. GENERAL INFORMATION

In filling out the Relay Services Data Request form, bear in mind these general principles:

- **Do not include profit or tax allowances in expenses.** (FCC 04-137, ¶179-182)
- Only expenses to meet the non-waived mandatory minimum standards should be included. (FCC 04-137, ¶188-190)
- NECA will perform a comparative analysis of all providers' data as part of determining reasonable costs.
- Costs must be allocated between TRS and non - TRS services and the allocation methodology must be described. (FCC 04-137, ¶182, FN 520)
- If costs are allocated across TRS services (i.e. TRS, IP, STS, VRS), the allocation methodology must be described.
- Capital investment data, if applicable, must be submitted by service. NECA will calculate an 11.25% rate of return on capital investment. The result of this calculation will be included in the development of the 2008-2009 TRS, IP, STS, and VRS compensation rates. (FCC 04-137, ¶177-182)
- If depreciated expenses are reported, the year end net book value of the capital investment from which depreciation was computed must be reported in Section F.
- NECA will apply a factor of 1.4% as an allowance for working capital to the total average cost per minute for each service to arrive at the reimbursement rate for each service. The 1.4% represents one-twelfth (or one month) of the 11.25% rate of return, plus a tax allowance. (DA 04-1999, ¶16, FN 53)

This request has been designed to identify total traditional Telecommunications Relay Service (TRS), Internet Protocol (IP) Relay Service, Speech-to-Speech (STS) Service, Video Relay Service (VRS), Captioned Telephone VCO (CTV), and Internet Protocol Captioned Telephone Service (IP CTS) expense and demand data requirements.

- total annual expenses of providing traditional TRS, IP Relay, STS, VRS, CTV, and IP CTS in English and Spanish, including local, intrastate, interstate and international expenses
- reported in only one category; the section total of expense categories should reflect the total expenses of providing each service (i.e. TRS, IP, STS, VRS, CTV, and IP CTS).
- actual 2006 expenses, actual expenses for 2007,.

If your company provides Traditional TRS, IP, STS, VRS, CTV, and IP CTS, please complete the appropriate expense page for each of the services performed. Each expense form is identified by service on the first line of the form.

All reasonable expenses of providing eligible relay services, whether as part of a state-contracted service or a stand-alone service, are reportable for inclusion in the development of the reimbursement rate. Return completed responses on or before April 1, 2008, to: Jill Cardoso

NECA TRS Fund Administration
80 South Jefferson Road, Room N3097
Whippany, New Jersey 07981

The original signed forms must be returned to NECA. Questions concerning the data request should be referred to Jill Cardoso at 973-884-8124 or via email to jcardos@neca.org. Also, Jeff Henderson at 973-884-8261 or via e-mail at jhender@neca.org is available to answer questions. This data will be the basis for the total fund size requirement. Carrier revenue information to determine the contribution base will be filed on April 1, 2008 via the FCC Form 499-A, Telecommunications Reporting Worksheet.

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Deleted: Providing this information will assure consistency in the development of an average rate per interstate minute for traditional TRS (including CTV), and all IP Relay minutes (including IP CTS); a separate average rate per interstate minute for STS; and an average per minute rate for VRS to be effective July 2008 through June 2009. Expense data submitted on this data request should be:

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Deleted: reimbursement rates for all relay services, as well as

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NECA will use the provider cost and demand information and the carrier revenue information to calculate the carrier contribution factor. On May 1, 2008, NECA will file with the FCC its proposed provider reimbursement rates for each eligible form of TRS, as well as its proposed fund size requirement and carrier contribution factor for the fund year July 1, 2008 through June 30, 2009.

B. FORM INSTRUCTIONS

Provider Identification

- A. **Service Provider/Administrator:** Provide the requested information about the service provider -- the entity responsible for providing TRS/IP/STS/VRS/CTV and IP CTS. The contact name requested is the name of the person who will serve as the official provider interface for the interstate TRS Fund Administrator.
- B. **Data Request Response:** List the name and contact information for the person to whom questions and requests for clarification regarding the data request response should be directed.
- C. **Changes, Activities & Improvements:** If significant changes have occurred or are expected to occur with this service, please provide an explanation.
- D. **Other Information:** Provide the requested information for each state served. The rate information is confidential and will not be shared with anyone outside of NECA. Indicate with a check whether the rate is for a completed/conversation or a total/session minute.
- E. **Center Location:** Please provide address, city and state, and the hours of operation for each relay center and list the services provided in that center.
- F. **Subcontractors, etc.:** Please provide a listing of all subcontractors, marketing entities, websites, and any other entities through which relay services are provided.

I. Total Traditional TRS Expense Data

Include reasonable expenses attributable to providing traditional TRS in English and Spanish as required under Part 64 of the FCC rules, such as gathering traffic, the center itself, and handing off calls to the interexchange carrier. TRS expenses do not include the expenses of the interexchange carrier terminating the call after it leaves the center. Those expenses are recovered by the carrier from the TRS user. When reporting expenses, please **round only to the next dollar**; report all amounts in whole dollars.

A. Annual Recurring Fixed/Semi-Variable Expenses

1. **Rent:** Annual payments solely for land and/or buildings rented for the provision of TRS.
2. **Utilities:** Expenses associated with land and buildings, such as water, sewerage, fuel, T1 lines, internet connectivity and power. **Telephone service expenses, such as center toll free numbers, local and foreign exchange should also be included here.** Also see ITEM B. 4.
3. **Building Maintenance:** Expenses for maintenance and repair.
4. **Property Tax (if owned):** Taxes paid on property owned and used for the provision of TRS.
5. **Furniture (if leased):** Lease or rental expenses associated with center furnishings.
6. **Office Equipment (if leased):** Lease or rental expenses associated with office equipment.

Subtotal Section A expenses.

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B. Annual Recurring Variable Expenses (Direct TRS Operating Expenses)

1. **Salaries and Benefits:** Compensation to *non-management employees (persons performing communications assistant and interpreter activities)*, such as wages, salaries, commissions, bonuses, incentive awards and termination payments; payroll related benefits paid on behalf of employees, such as pensions, savings plans, workers' compensation required by law, insurance plans (life, hospital, medical, dental, vision); and social security and other payroll taxes. **Included in this expense is the cost of "contract interpreters and/or communication assistants" who are not employees.** **ADDITIONAL DATA REQUIRED – see Appendix 1**
2. **Salaries and Benefits:** Compensation to *management employees (relay center managers & supervisors)*, such as wages, salaries, commissions, bonuses, incentive awards and termination payments; payroll related benefits paid on behalf of employees, such as pensions, savings plans, workers' compensation required by law, insurance plans (life, hospital, medical, dental, vision); and social security and other payroll taxes. **ADDITIONAL DATA REQUIRED – see Appendix 1**
See discussion of executive compensation at paragraph 42 of the Commission's Further Notice of Proposed Rulemaking, released on July 20, 2006 (FCC 06-106).
3. **Salaries and Benefits:** Compensation to *relay center staff*, such as wages, salaries, commissions, bonuses, incentive awards and termination payments; payroll related benefits paid on behalf of employees, such as pensions, savings plans, workers' compensation required by law, insurance plans (life, hospital, medical, dental, vision); and social security and other payroll taxes. **ADDITIONAL DATA REQUIRED – see Appendix 1**
4. **Telecommunications Expenses:** Expenses associated with inspecting, testing, analyzing and correcting trouble; repairing or reporting on telecommunications plant (switching, transmission, operator, cable and wire) to determine need for repairs, replacements, rearrangements, and changes; expenses for activities, such as controlling traffic flow, administering traffic measuring and monitoring devices, assigning equipment and load balancing, collecting and summarizing traffic data, administering trunking, and assigning interoffice facilities and circuit layout work. **Note: expenses reported here are in addition to the telephone service expenses reported in Section A 2.**
5. **Telecommunications Services Priority (TSP):** Expenses associated with providing TSP coverage. This coverage is limited to voice and busy-out circuits from the 9-1-1 selective router to the PSAP. In addition, expenses for the data circuits from the PSAP to the pooled ALI host (ALI data circuits) are to be included. **ADDITIONAL DATA REQUIRED- see Appendix 1**
6. **Billing Expenses:** Rating of toll messages and billing functions not recovered from other sources.
7. **Relay Center Expenses:** Expenses not included in other accounts, such as providing food services, libraries, archives, mail service, procuring office equipment, office supplies, materials and repairs.

Subtotal Section B expenses.

C. Annual Administrative Expenses

- **To the extent these expenses cover TRS and non-TRS services, the expenses must be allocated and the basis for allocation explained.**
1. **Finance/Accounting:** Expenses incurred in providing accounting and financial services. Accounting services include payroll and disbursements, property accounting, capital recovery, regulatory accounting, tax accounting, auditing, capital and operating budget and control, and general accounting. Financial services include banking operations, cash management, and benefit investment fund management, etc. **ADDITIONAL DATA REQUIRED - see Appendix 1**
 2. **Legal/Regulatory:** Expenses incurred for legal and regulatory services. Legal services include conducting and coordinating litigation, providing guidance on regulatory and labor matters, court expenses, filing fees, cost of counsel, etc. Regulatory services include preparing and presenting information for regulatory purposes, such as responding to this data request. **ADDITIONAL DATA REQUIRED - see Appendix 1**
See discussion of legal and lobbying expenses at paragraphs 40-41 of the Commission's Further Notice of Proposed Rulemaking, released on July 20, 2006 (FCC 06-106).

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3. **Engineering:** Expenses incurred in the general day to day engineering operation of the TRS telecommunications plant and /or IP network to meet applicable non-waived mandatory minimum standards. **ADDITIONAL DATA REQUIRED**
– see Appendix 1
4. **Research and Development:** Expenses incurred for R&D required to meet applicable non-waived mandatory minimum standards. **ADDITIONAL DATA REQUIRED** – see Appendix 1
5. **Operations Support:** Expenses that ensure the sustainability of service including troubleshooting, customer service and technical support.
6. **Human Resources:** Expenses incurred in performing personnel administration activities, including recruiting, hiring, forecasting, planning, training, scheduling, counseling employees and reporting. **ADDITIONAL DATA REQUIRED** – see Appendix 1
7. **Billing:** Administrative expenses of rating and providing billing information to interexchange and exchange carriers, if not recovered by other means. **ADDITIONAL DATA REQUIRED** - see Appendix 1
8. **Contract Management:** Expenses of managing activities required by the provider contracts. **ADDITIONAL DATA REQUIRED** – see Appendix 1
9. **Risk Management:** Management expenses associated with workmen’s compensation, payments in settlement of accident and damage claims, insurance premiums against losses and damages, sickness and disability payment, etc.
10. **Other Corporate Overhead:** Other administrative expenses of providing TRS not included in previous categories. All costs over \$10,000 should be itemized. **ADDITIONAL DATA REQUIRED** – see Appendix 1
See discussion of overhead costs at paragraphs 38-39 of the Commission’s Further Notice of Proposed Rulemaking, released on July 20, 2006 (FCC 06-106).

Subtotal Section C expenses.

D. Annual Depreciation/Amortization Associated with Capital Investment

- Depreciation listed in this section **MUST** tie to the capital investment reported in Section F.

1. **Furniture & Fixtures:** Depreciation expense on furniture and/or fixtures. **ADDITIONAL DATA REQUIRED** – see Appendix 1
2. **Telecommunications Equipment:** Depreciation expense associated with capitalized expenses of telecommunications equipment including switching equipment, operator services equipment, cable and wire facilities, transmission equipment, and power equipment. **ADDITIONAL DATA REQUIRED** – see Appendix 1
3. **Leasehold:** Amortization of leasehold improvements – improvements which become a permanent part of a building, like walls or carpeting. **ADDITIONAL DATA REQUIRED** – see Appendix 1
4. **Other Capitalized:** TRS depreciation expense not accounted for in other categories. **ADDITIONAL DATA REQUIRED** – see Appendix 1

Subtotal Section D expenses.

E. Other TRS Expenses

1. **Marketing/Advertising:** Marketing/Advertising is defined as being the expenditures by the provider to persuade users to choose their particular relay service over that of other relay service providers. All costs over \$10,000 should be itemized. The cost of equipment given to, sold to, and/or used by relay callers, and call incentives are **NOT** to be reported as expenses. **ADDITIONAL DATA REQUIRED** – see Appendix 1

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2. **Outreach:** Defined as educational outreach via the following methods: newspapers, TV, internet, community forums, etc. to inform the general community of the availability of TRS service in its various forms and future forms as technology evolves. Outreach is more generic, teaching and educating the community at large about relay, how to use it, how to call and receive calls from deaf and hard of hearing people. **ADDITIONAL DATA REQUIRED – see Appendix 1**

See discussion of marketing and outreach expenses at paragraphs 33-37 of the Commission's Further Notice of Proposed Rulemaking, released on July 20, 2006 (FCC 06-106).

3. **Sub Contactor:** 3rd party costs associated with a contract to provide TRS/IP/STS/VRS/CTV, and IP CT services. **Do not include profit or tax allowances of sub-contractor.**
4. **Other:** Expenses not previously reported. **ADDITIONAL DATA REQUIRED – see Appendix 1**

Subtotal Section E expenses.

Total Traditional TRS expenses.

F. Capital Investments

Please provide the year end net book value of capital investments by categories listed in Section F from which the depreciation expenses in Section D was calculated. **ADDITIONAL DATA REQUIRED – see Appendix 1**

NECA will calculate an 11.25% rate of return on the capital investment reported in Section F. The result will be added to the provider's total expenses in Section A – E to arrive at the average 2008-2009 cost per minute for each service.

Total Section F. (Do not add the Capital Investments total to the Total Expenses.)

II. Total Speech to Speech Expenses

Include reasonable expenses attributable to providing Speech to Speech in English and Spanish as required under Part 64 of the FCC rules, such as gathering traffic, the center itself, and handing off calls to the interexchange carrier. These do not include expenses of the interexchange carrier terminating the call after it leaves the center. Those expenses are recovered by the carrier from the STS user. When reporting expenses, please round only to the next dollar; report all amounts in whole dollars.

Follow the same instructions for Sections A through F as listed above in Total Traditional TRS Expense Data.

III. Total Video Relay Service Expenses

Include reasonable expenses attributable to providing Video Relay Service in English as required under Part 64 of the FCC rules, such as gathering traffic, the center itself, and handing off calls to the interexchange carrier. When reporting expenses, please round only to the next dollar; report all amounts in whole dollars.

Follow the same instructions for Sections A through F as listed above in Total Traditional TRS Expense Data.

IV. Total Internet Protocol TRS Expenses

Include reasonable expenses attributable to providing IP Relay in English and Spanish as required under Part 64 of the FCC rules, such as gathering traffic, the center itself, and handing off calls to the carrier. When reporting expenses, please round only to the next dollar; report all amounts in whole dollars.

Follow the same instructions for Sections A through F as listed above in Total Traditional TRS Expense Data.

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V. Total Captioned Tel. VCO Expenses (Will not be included in 2008-2009 rate development)

Include reasonable expenses attributable to providing Captioned Tel. VCO in English and Spanish as required under Part 64 of the FCC rules, such as gathering traffic, the center itself, and handing off calls to the carrier. When reporting expenses, please round only to the next dollar; report all amounts in whole dollars.

Follow the same instructions for Sections A through F as listed above in Total Traditional TRS Expense Data.

VI. Total Internet Protocol Captioned Telephone Service Expenses

Include reasonable expenses attributable to providing Internet Protocol Captioned Tel. service in English and Spanish as required under Part 64 of the FCC rules, such as gathering traffic, the center itself, and handing off calls to the carrier. When reporting expenses, please round only to the next dollar; report all amounts in whole dollars.

Follow the same instructions for Sections A through F as listed above in Total Traditional TRS Expense Data.

VII. Annual Relay Service Demand Data

All minute data should be reported in conversation minutes. Conversation minutes are measured in terms of conversation time, i.e., from calling party connection to called party to the disconnect of both parties. Do not include time for call set-up, call ringing, waiting for an answer, calls that reach busy numbers or receive no answers, and call wrap-up. 2006 minutes should be actual conversation minutes. Provide actual 2007 conversation minutes for 12 months (January through December 2007). Minutes for 2008 and 2009 should be projected conversation minutes. The projected minutes should reflect reasonable growth rates and include other considerations that might increase or decrease the minutes handled by a center, such as adding a new state to a center. Include a description of the methodology used to determine the projected minutes for 2008 and 2009

Provide annual, annualized and projected minutes as follows:

A. English Minutes

1. Traditional TRS Conversation Minutes

1. **Local:** TRS non-toll conversation minutes for completed calls that are included in local service billing.
2. **Intrastate Message Telephone Service (MTS):** TRS toll conversation minutes billed for completed calls within the state. Does not include toll free or 900 service minutes.
3. **Interstate MTS:** TRS toll conversation minutes billed for completed calls across state boundaries. Does not include toll free or 900 service minutes.
4. **International MTS:** TRS conversation minutes billed for completed international calls.
5. **Toll Free:** TRS conversation minutes for completed toll free calls (800/888/877, etc.). Do not include any toll free minutes in any of the other categories.
6. **900 Service:** TRS conversation minutes for completed 900 calls. Do not include any 900 service minutes in any of the other categories.
7. **General Assistance:** TRS minutes required to provide miscellaneous assistance or services such as time, temperature, service explanations, etc.

Total Traditional minutes

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2. Internet Protocol (IP) Relay Minutes Conversation Minutes

We recognize that the calling number is not provided on an IP Relay call so it is not possible to determine whether a call is intrastate or interstate. For this data request, please report calls to domestic telephone numbers that are not toll free or 900 numbers on the Local, Intra & Interstate line. However, calls to toll free numbers, 900 numbers and international numbers and calls for general assistance should be identified as such.

1. **Local, Intra & Interstate:** IP conversation minutes for calls to US telephone numbers that are not toll free or 900 numbers.
2. **International MTS:** IP conversation minutes for completed calls to international locations. (These minutes are not reimbursed from the TRS Fund at this time.)
3. **Toll Free:** IP conversation minutes for completed toll free calls (800/888/877, etc.). Do not include any toll free minutes in any of the other categories.
4. **900 Service:** IP conversation minutes for completed 900 calls. Do not include any 900 service minutes in any of the other categories.
5. **General Assistance:** IP minutes required to provide miscellaneous assistance or services such as time, temperature, service explanations, etc.

Total Internet Protocol minutes

3. Speech To Speech (STS) Conversation Minutes

1. **Local:** STS non-toll conversation minutes for completed calls that are included in local service billing.
2. **Intrastate Message Telephone Service (MTS):** STS toll conversation minutes billed for completed calls within the state. Do not include toll free or 900 service minutes.
3. **Interstate MTS:** STS toll conversation minutes billed for completed calls across state boundaries. Do not include toll free or 900 service minutes.
4. **International MTS:** STS conversation minutes billed for completed international calls.
5. **Toll Free:** STS conversation minutes for completed toll free calls (800/888/877, etc.). Do not include toll free minutes in any of the other categories.
6. **900 Service:** STS conversation minutes for completed 900 calls. Do not include 900 service minutes in any of the other categories.
7. **General Assistance:** STS minutes required to provide miscellaneous assistance or services such as time, temperature, service explanations, etc.

Total Speech to Speech minutes

4. Video Relay Service (VRS) Conversation Minutes

Since the calling number is not provided on a VRS Internet Relay call, it is not possible to determine whether a call is intrastate or interstate. For this data request, please report VRS Internet calls to domestic telephone numbers that are not toll free or 900 numbers on the Local, Intra & Interstate line. However, VRS calls to toll free numbers, 900 numbers and international numbers and calls for general assistance should be identified as such.

1. **Local, Intra & Interstate:** VRS conversation minutes for calls to US telephone numbers that are not toll free or 900 numbers.
2. **International MTS:** VRS conversation minutes for completed calls to international locations.

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- Toll Free:** VRS conversation minutes for completed toll free calls (800/888/877, etc.). Do not include any toll free minutes in any of the other categories.
- 900 Service:** VRS conversation minutes for completed 900 calls. Do not include any 900 service minutes in any of the other categories.
- General Assistance:** VRS minutes required to provide miscellaneous assistance or services such as time, temperature, service explanations, etc.

Total Video Relay Services Minutes

5. Captioned Telephone VCO (CTV) Conversation Minutes

- Local:** Captioned Telephone VCO non-toll conversation minutes for completed calls that are included in local service billing.
- Intrastate Message Telephone Service (MTS):** Captioned Telephone VCO toll conversation minutes billed for completed calls within the state. Does not include toll free or 900 service minutes.
- Interstate MTS:** Captioned Telephone VCO toll conversation minutes billed for completed calls across state boundaries. Does not include toll free or 900 service minutes.
- International MTS:** Captioned Telephone VCO conversation minutes billed for completed international calls.
- Toll Free:** Captioned Telephone VCO conversation minutes for completed toll free calls (800/888/877, etc.). Do not include any toll free minutes in any of the other categories.
- 900 Service:** Captioned Telephone VCO conversation minutes for completed 900 calls. Do not include any 900 service minutes in any of the other categories.
- General Assistance:** Captioned Telephone VCO minutes required to provide miscellaneous assistance or services such as time, temperature, service explanations, etc.
- Two - Line Inbound:** Captioned Telephone VCO conversation minutes billed for completed two-line inbound calls.

Total Captioned Telephone VCO Minutes

6. Internet Protocol Captioned Telephone Service Conversation Minutes

We recognize that the calling number is not provided on an IP Relay call so it is not possible to determine whether a call is intrastate or interstate. For this data request, please report calls to domestic telephone numbers that are not toll free or 900 numbers on the Local, Intra & Interstate line. However, calls to toll free numbers, 900 numbers and international numbers and calls for general assistance should be identified as such.

- Local, Intra & Interstate:** IP CTS conversation minutes for calls to US telephone numbers that are not toll free or 900 numbers.
- International MTS:** IP CTS conversation minutes for completed calls to international locations. (These minutes are not reimbursed from the TRS Fund at this time.)
- Toll Free:** IP CTS conversation minutes for completed toll free calls (800/888/877, etc.). Do not include any toll free minutes in any of the other categories.

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- 4. **900 Service:** IP CTS conversation minutes for completed 900 calls. Do not include any 900 service minutes in any of the other categories.
- 5. **General Assistance:** IP CTS minutes required to provide miscellaneous assistance or services such as time, temperature, service explanations, etc.

Total Internet Protocol Captioned Telephone Service minutes

B. Spanish Minutes

For Spanish Traditional TRS, IP, STS, IP CTS, and CTV minutes, follow the instructions listed above for English minutes.

- 1. **Traditional TRS Conversation Minutes**
- 2. **Internet Protocol (IP) Conversation Minutes**
- 3. **Speech To Speech (STS) Conversation Minutes**
- 4. **Video Relay Service (VRS) Conversation Minutes***
- 5. **Captioned Telephone VCO (CTV) Conversation Minutes**
- 6. **Internet Protocol Captioned Telephone Service Conversation Minutes**

*Spanish to Spanish is not required for VRS. Only report Spanish VRS minutes if you provide the service.

VIII. Certification

An officer or responsible accounting officer must certify the Center Data Request response. Please read the certification and sign accordingly.

APPENDIX 1 For TRS, STS, IP, VRS, CTV, and IP CTS

This Appendix applies to each service separately

SECTION B Annual Recurring Variable Expenses

1. Salaries and Benefits

A. Provide a detailed schedule of the number of full-time employees or part-time equivalent employees – *Non-management* (persons performing communications assistant and interpreter activities), and the components of their compensation, including salaries and benefits. This includes the cost of contract interpreters and/or communication assistants. The schedule should tie to the actual demand for 2006-2007.
Please provide data for each center.

B. Provide a detailed schedule of the occupancy and utilization percentages used to develop the number of employees

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required to meet call volumes. The schedule should tie to the schedule requested in A above.

Occupancy Percentage = # of minutes a CA/Interpreter is occupied processing a call(including set-up, wrap-up) / # of available minutes (payroll time)

Utilization Percentage = # of conversation minutes(does not include set-up, wrap-up) / # of minutes a CA/Interpreter is occupied processing a call(including set-up, wrap-up)

Please also include information on the normal workday length and the amount of time CAs/interpreters are at their desks waiting to take calls (available/payroll time minus lunch, breaks, vacation).

C. Provide the speed of answer you are staffing to meet for each center.

2. Salaries and Benefits

Provide a detailed schedule of the number of employees – *Management employees* (relay center managers & supervisors), and the components of their compensation, including salaries and benefits. The schedule should tie to the actual demand for 2006 - 2007. Please provide data for each center and job description for each employee.

See discussion of executive compensation at paragraph 42 of the Commission's Further Notice of Proposed Rulemaking, released on July 20, 2006 (FCC 06-106).

3. Salaries and Benefits

Provide a detailed schedule of the number of employees – *Relay Center Staff* (clerical staff and others who perform non-communications assistant and interpreter activities), and the components of their compensation, including salaries and benefits. The schedule should tie to the actual demand for 2006-2009. Please provide data for each center and job description for employee.

5. Telecommunications Services Priority (TSP)

Provide a copy of the approved application from the FCC to participate in the national security and emergency preparedness program.

SECTION C Annual Administrative Expenses

1. Finance/Accounting

- Provide a detailed schedule of the number of employees and the components of their compensation, including salaries and benefits.
- Provide job descriptions for finance/accounting staff.
- Provide other expenses incurred in providing accounting and financial services.

2. Legal/ Regulatory

- Provide a detailed schedule of the number of employees and the components of their compensation, including salaries and benefits.
- Provide other expenses incurred in providing legal services and a description of those expenses.
See discussion of legal and lobbying expenses at paragraphs 40-41 of the Commission's Further Notice of Proposed Rulemaking, released on July 20, 2006 (FCC 06-106).

3. Engineering (day to day operations)

- Provide a detailed schedule of the number of employees and the components of their compensation, including salaries and benefits.
- Provide job descriptions for engineering staff.
- Describe Engineering activities and explain how it relates to meeting the non - waived mandatory minimum standards.
(See FCC 04-137, ¶ 188-190)

4. Research and Development

- Provide a detailed schedule of the number of employees and the components of their compensation, including salaries and

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benefits.

- b) Provide job descriptions for Research and Development staff.
- c) Describe each TRS related Research and Development project and explain how it relates to meeting the non-waived mandatory minimum standards. (See FCC 04-137, ¶ 188-190)
See discussion of marketing and outreach expenses at paragraphs 33-37 of the Commission's Further Notice of Proposed Rulemaking, released on July 20, 2006 (FCC 06-106).

6. Human Resources

- a) Provide a detailed schedule of the number of employees and the components of their compensation, including salaries and benefits.
- b) Provide job descriptions for Human Resources staff.
- c) Provide other expenses incurred in performing personnel administration activities. This includes forecasting, planning, recruiting and reporting.
See discussion of marketing and outreach expenses at paragraphs 33-37 of the Commission's Further Notice of Proposed Rulemaking, released on July 20, 2006 (FCC 06-106).

7. Billing

- a) Provide a detailed schedule of the number of employees and the components of their compensation, including salaries and benefits.
- b) Provide other administrative expenses incurred in rating and providing billing information to exchange and interexchange carriers if not recovered by other means.

8. Contract Management

- a) Provide a detailed schedule of the number of employees and the components of their compensation, including salaries and benefits.
- b) Provide job descriptions of employees.
- c) Provide expenses of managing activities required by provider contract and a description of those activities.

10. Other Corporate Overheads

- a) Provide a detailed schedule of the number of employees and the components of their compensation, including salaries and benefits. Please state the percentage of time allocated to TRS.
- b) Provide job descriptions of employees.
- c) Identify and explain the expenses included in corporate overhead.
- d) Provide a copy of the Cost Allocation Manual or equivalent guidance that describes the underlying basis for all cost allocations.
- e) Itemize any costs over \$10,000.
See discussion of overhead costs at paragraphs 38-39 of the Commission's Further Notice of Proposed Rulemaking, released on July 20, 2006 (FCC 06-106).

SECTION D Annual Depreciation/Amortization Associated with Capital Investment

Depreciation method and period applied should be included. Departures from traditional depreciation methods should be explained in detail. We emphasize that the depreciable life, depreciation method, and depreciation expense must be categorized by items listed in Section D.

SECTION E Other TRS Expenses

1. Marketing/Advertising

- a) Provide a detailed schedule of the number of employees and the components of their compensation, including salaries and benefits. This includes product management expenses associated with managing product lifecycle.
- b) Provide job descriptions of marketing/advertising staff.
- c) Identify and explain the expenses included in marketing/advertising.
- d) Itemize any costs over \$10,000.
- e) Provide a copy of the Cost Allocation Manual or equivalent guidance that describes the underlying basis for all cost allocations.
- f) The cost of equipment given to, sold to, and/or used by relay callers, and call incentives are NOT to be reported in any

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expenses.

g) Expenses associated with installation and training on the equipment are **NOT** to be reported.

2. Outreach

- a) Provide a detailed schedule of the number of employees and the components of their compensation, including salaries and benefits.
- b) Provide job descriptions of outreach staff.
- c) Identify and explain the expenses included in outreach.
- d) Provide a copy of the Cost Allocation Manual or equivalent guidance that describes the underlying basis for all cost allocations.
- e) The cost of equipment given to, sold to, and/or used by relay callers, and call incentives are **NOT** to be reported in any expenses.
- f) Expenses associated with installation and training on customer premises' equipment are **NOT** to be reported. See discussion of marketing and outreach expenses at paragraphs 33-37 of the Commission's Further Notice of Proposed Rulemaking, released on July 20, 2006 (FCC 06-106).

4. Other

Do not include "Profit or Tax Allowances".

List and explain expenses not stated in other categories.

SECTION F Capital Investments

Support data for capital investment should include where appropriate, among other things: all capital equipment purchased in order to provide each form of TRS, itemized by equipment class, gross book values, accumulated depreciation, and net book values. **Only report the year end net book value** in Section F.

Only include capital investment items that are long term in nature and subject to depreciation. Items such as office supplies should be listed in Section B. 6. Relay Center Expenses.

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