

BEFORE THE
Federal Communications Commission
WASHINGTON, D.C.

In the Matter of)
)
Snap Telecommunications, Inc.'s) CG Docket No. 03-123
Request for Limited Waiver)

REQUEST FOR LIMITED WAIVER

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To: Chief, Disabilities Rights Office,
Consumer & Governmental Affairs Bureau

REQUEST FOR LIMITED WAIVER

Pursuant to 47 C.F.R. §§ 1.3 and 1.925(b)(3)(ii), Snap Telecommunications, Inc. (“Snap”) respectfully requests a three-month waiver (ending on April 1, 2008) of the Commission’s speed dialing requirement (47 C.F.R. § 64.601(13)), which will become effective for Video Relay Service (“VRS”) providers as of January 1, 2008 pursuant to the order released on December 26, 2007 by the Consumer & Government Affairs Bureau (“Bureau”).¹ As shown below, grant of this waiver is in the public interest and is fully supported by Commission precedent and by the record in this proceeding.

¹ See *In re Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, Order, DA 07-5098 (rel. Dec. 26, 2007), ¶¶ 20-21 (“*Waiver Order*”). See also *id.* ¶ 29 (indicating that the *Waiver Order* is effective upon release, *i.e.*, December 26, 2007).

I. BACKGROUND AND DESCRIPTION OF WAIVER REQUEST

Snap Telecommunications, Inc. (“Snap”) is a wholly owned subsidiary of Aequus Technologies Corp. (“Aequus” -- <http://www.aequustechnologies.com/>), a company with a long-standing commitment to removing barriers and enabling access for people with physical and cognitive disabilities. Snap’s entry into VRS comprises a key component of Aequus’ mission to use innovative technology to improve access for individuals with hearing and speech disabilities.

On May 8, 2006, the Commission certified Snap as an eligible provider of VRS under its new federal procedures. In March of 2007, Snap opened its first call center and began offering VRS to the public under the brand name Snap!VRS, with a mission focused on expanding the delivery of high-quality, functionally equivalent, and innovative VRS services to more deaf, hard of hearing, and speech-impaired sign language users. Snap has been expanding its VRS operations since then and has been providing an advanced video phone -- the Ojo -- to eligible VRS consumers for free. To date, Snap has deployed several thousand Ojos, which are fully interoperable and which therefore enable individuals to place calls to, and receive calls from, other existing VRS providers besides Snap, as well as to connect with video phones made available by other VRS providers. Relay users have enthusiastically embraced Snap!VRS and the Ojo video phone, and the customer reviews and positive feedback on our offerings have surpassed Snap’s expectations.

When Snap filed its annual report earlier this year on the status of compliance with waived VRS rules, it informed the FCC that Snap had not yet implemented a speed-dialing solution but that it was exploring various options based on consumer feedback

and discussions with its key suppliers.² In this regard, Snap respectfully notes that the *Waiver Order*'s finding that "[t]he record reflects that all VRS providers are currently offering a speed dialing feature" (*Waiver Order* ¶ 21) is incorrect. Besides Snap, Verizon also told the FCC in its annual waiver report that it had not yet implemented a speed dialing solution for its VRS users,³ and AT&T did not address the speed dialing waiver in its annual report.⁴ Accordingly, the record on this issue was mixed -- in fact, more like the record in the IP Relay context, which received an additional one-year extension of the speed dialing waiver, even though the record showed that certain IP Relay providers had already implemented speed dialing.⁵

Since its April waiver report and in anticipation of the possibility that the FCC might remove the waiver for the speed dialing requirement for VRS providers, Snap selected a speed dialing approach and began working with its key vendors and suppliers, notably WorldGate Communications, Inc. and AuPix Ltd, to design and implement this solution prior to January 1, 2008.

² See Snap Telecommunications, Inc.'s Annual Report on Progress Toward Meeting Waived Requirements, filed in CG Docket No. 03-123 (Apr. 16, 2007) ("As a new VRS provider, Snap is currently researching the technical and practical feasibility and user friendliness of various possible options to implement speed dialing for its customers, including web-based solutions involving customizable user profiles and solutions that make use of the capabilities of the Ojo. Snap is committed to implementing a speed-dialing approach that best meets the needs and feedback of its VRS customers. ").

³ See Verizon's Annual Report on Waived Requirements for IP Relay and Video Relay Services, filed in CG Docket No. 03-123 (Apr. 16, 2007), at 5 ("While not offered presently, Verizon could with additional expense and investment, procure or develop the VRS equivalent of speed dialing using Verizon's Relay web site. By accessing this site, the calling party could select the previously stored speed dial number of choice and have the call automatically dialed to the called party.").

⁴ See generally AT&T 2007 Annual Report on TRS Waivers, filed in CG Docket No. 03-123 (Apr. 16, 2007).

⁵ See *Waiver Order* ¶ 21.

The Snap speed dialing solution will work as follows with a VRS call:

- (1) The first time a customer makes a VRS call to a particular party, he or she will enter the full 11-digit SIP number into the Ojo and then press the SnapVRS711 button.⁶
- (2) At this point, the 11-digit number that was entered by the user will be automatically passed on to the CA who takes the VRS call. This will save the caller the time of having to tell the CA what number he or she would like to dial.
- (3) Snap is also modifying the phone book function of the Ojo, so that when a customer dials a number as in step #1 he or she can store this number in the phone book. Thus, in the future any time that a phone book entry is chosen, the call will be processed with the 11-digit number pre-loaded into the CA's screen for instant dialing as in #1 above. Phone book entries may also be saved to a speed dial number to further simplify the process.
- (4) For one-time calls where the customer does not wish to save the dialed number in his or her phone book or associate a speed dial code with it, he or she can just dial the 11-digit number and decline to save the number in the Ojo's phone book. The call then proceeds to go through as described above.

This solution -- which is phone- and switch-based but controlled by the user -- not only provides a robust speed dialing option as well as seamless dialed number pass through to CAs, but it also affords greater protection to VRS user privacy and eliminates the need for any manual lookups by Snap and any wasteful communication between the caller and the CA regarding which number to call. Moreover, it is a permanent solution that will serve VRS users indefinitely; if the Ojo's current phone number is changed, Snap's advanced speed dialing solution will still work as described above.

It is also worth highlighting that Snap's approach to speed dialing is consistent with efforts Snap has made in other areas to leverage existing advanced consumer

⁶ While Snap here describes in detail the current design of its speed dialing solution in order to give the Commission as much helpful information as possible so that it will act favorably on this waiver request, we note that certain aspects of this design may change somewhat during final development or Alpha/Beta testing based on user feedback.

technology that is designed for the mass market, as well as Snap's commercial relationships, in order to bring innovative solutions to the VRS marketplace in as efficient a manner as possible. Since Snap does not itself design the video phones it provides to VRS users, this means it faces certain business risks, such as foregoing some of the control over the design and implementation of new technology solutions into its network. However, the benefits of this approach far outweigh the shortcomings. Notably, for example, Snap and the entire relay community are able to benefit from the millions of dollars and thousands of hours of R&D that WorldGate and other Snap partners have put into designing the Ojo and other innovative technologies in a highly efficient manner and without imposing significant costs on the TRS Fund.

Unfortunately, despite its best and diligent efforts, Snap's speed dialing solution will not be available to its users until April 1, 2008. The reason for the delay and for the additional time requested by Snap is a result of the following:

- (1) The Snap speed dialing solution requires complex software code design and integration in both the Ojo and with Snap's AuPix phone switch that records the call data records ("CDRs") that drive the billing system.
- (2) The initial design of the speed dialing solution that Snap pursued several months ago turned out to cause significant compatibility problems with the AuPix phone and billing systems. Specifically, the initial solution was designed to use the caller ID field, and this caused the phone switch to handle call recording improperly and also impaired development of a platform for caller ID pass through, which is a future feature that Snap is contemplating. This resulted in a required redesign of the Ojo code that would avoid this incompatibility with the AuPix system.
- (3) Snap diligently pursued this redesign of the Ojo code with WorldGate and was scheduled to receive the new software code and be able to test it starting in mid-October 2007. That plan would have provided Snap sufficient time to conduct a full round of Alpha and Beta testing and to implement any changes to the code based on user feedback in advance of the January 1, 2008 waiver deadline.

- (4) Unfortunately, due to internal resource constraints within WorldGate that were beyond Snap's control, Snap was informed by WorldGate that WorldGate would not be able to deliver the new code to Snap until November 16, 2007. However, WorldGate was unable to meet that deadline and then in mid-December, WorldGate informed Snap that the Ojo code could not be delivered until January 16, 2008 -- three months later than it was initially scheduled to be received by Snap.
- (5) At the same time, Snap has been working with AuPix to develop companion code for the phone switch to receive and load into the CA's phone the number from the new Ojo code. This solution allows a single button from the CA to connect the incoming calls. This AuPix code has been completed, is loaded on the Snap Quality Assurance test server, and is ready for testing once Snap receives the new Ojo code from WorldGate.

Therefore, Snap requires approximately three months after the January 1, 2008 effective date -- until April 1, 2008 -- to implement the above speed dialing solution.

Specifically, three months is needed in order to:

- (1) Integrate the new Ojo code into the Snap system once it is received on January 16, 2008.
- (2) Undertake sufficient and rigorous testing of each of the above components and of every possible user scenario, first within WorldGate's Quality Assurance Department and then in a Beta test with Snap in the field -- specifically to ensure seamless interaction with Snap's AuPix CDR and billing systems (as well as with Snap's E-911 and other systems) and to ensure that a reliable, high-quality speed dialing solution is achieved before it is launched as part of the Snap!VRS offerings to end users.
- (3) Make any changes to the Ojo and/or AuPix code to ensure full compatibility and to reflect feedback received from users during testing (such as on the ease of use of the speed dialing option).
- (4) Implement the revised code before public release to users.
- (5) Develop and implement a consumer educational kit (including both video and written instructions) about how to use the new speed dialing capability. Snap will not be able to begin this process until it finishes all testing and implements any revisions based on user feedback.

Snap stresses that it has no ability on its own to implement this speed dialing solution, and that designing a new one (whether video phone based, web-based, or otherwise)

would take longer to create, implement, and test than the three months sought by Snap in this waiver request.

II. THE WAIVER WILL SERVE THE PUBLIC INTEREST.

The Commission may waive any of its regulations -- including its VRS speed dialing rule -- for good cause shown.⁷ In addition, the Commission may waive specific requirements of a rule where, “in view of unique or unusual factual circumstances . . . , application of the rule would be inequitable, unduly burdensome, or contrary to the public interest, or [where] the applicant has no reasonable alternative.”⁸ The courts have found that waiver is appropriate if “special circumstances warrant a deviation from the general rule and such deviation will serve the public interest”⁹ or when the rule, as applied, results in an outcome that erodes a Commission policy.¹⁰ As shown below, these standards are met in this case, and Snap’s request should be expeditiously granted.

Most importantly, the three-month waiver will afford Snap sufficient time to implement and fully test an advanced speed dialing option for VRS users that is very responsive to their needs and requests and that is functionally equivalent to what is available for hearing users today. As the FCC has noted in past decisions, TRS users have often opposed registration systems and requirements, noting that because voice

⁷ 47 C.F.R. § 1.3.

⁸ 47 C.F.R. § 1.925(b)(3)(ii).

⁹ *Northeast Cellular Telephone Co. v. FCC*, 897 F.2d 1164, 1166 (D.C. Cir. 1990) (citing *WAIT Radio v. FCC*, 418 F.2d 1153, 1159 (D.C. Cir. 1969)) (explaining the necessary criteria to establish good cause for a waiver).

¹⁰ *See KCST-TV v. FCC*, 699 F.2d 1185, 1193 (D.C. Cir. 1983) (agreeing with the Commission’s holding that “[a] party demonstrating with persuasive evidence the invalidity of this underlying premise is entitled to waiver,” citing *OkeAirCo, Inc.*, 44 R.R.2d 166, 168-69 (1978)).

telephone users did not have to similarly "register" to obtain telephone service, any such requirement would impose an additional burden on relay users alone.¹¹ Snap's user surveys and discussions with deaf consumers and advocacy groups have confirmed these concerns as well as others (*e.g.*, concerns over their privacy and provider use of their customer data), which is why Snap chose to pursue the speed dialing solution it has. This solution will allow a VRS user to enter its speed dialing list directly into the Ojo and to then have that list available to it at all times without having to supply information to the VRS provider and have the provider do a manual lookup of the called party's number. This is not only a more efficient approach, but it also tracks exactly how voice phone users currently make use of speed dialing capabilities in their telephone calling. Snap commends the Commission for facilitating this result. Specifically, by according providers flexibility in terms of the particular speed dialing solution they implement,¹² the FCC encouraged Snap and others to develop and implement solutions that are more responsive to user needs and requests.

By contrast, grant of this waiver would result in minimal harm to VRS customers. While customers would not have a Snap speed dialing option available until April 1, 2008, these users would continue to have full access to the main Snap!VRS offerings and, if they prefer, would also have available to them (even using the interoperable Ojo) speed

¹¹ See *In the Matter of Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities; Access to Emergency Services*, 20 FCC Rcd 19476, ¶ 20 (2005).

¹² See *In re Telecomm. Relay Servs. & Speech-To-Speech Servs.* 18 FCC Rcd 12379, ¶ 71 (2003) ("We decline to adopt specific requirements for speed dialing functionality at this time. We anticipate that TRS providers will develop customized speed dialing and expect that consumers' needs will be addressed as this feature matures.").

dialing capabilities currently offered by other providers.¹³ Indeed, the greatest harm associated with this waiver is likely to be felt by Snap itself, in that the lack of a speed dialing option after January 1, 2008 may cause users to place VRS calls through a Snap competitor. Thus, Snap has every incentive and intention to implement its speed dialing capability as soon as possible.

III. GRANT OF THE WAIVER IS FULLY SUPPORTED BY COMMISSION PRECEDENT.

The Commission has granted temporary waivers well beyond the three months requested here, in similar situations, in order to achieve the same or comparable public interest benefits that would result in this case. Snap's waiver request is fully supported by this well-established Commission precedent in that Snap's speed dialing solution will introduce new services and technologies consistent with the ADA's functional equivalency mandate and the exhortations on continued innovation put forth by Congress and the Commission. In addition, as noted, Snap currently faces a situation beyond its control in which key technology it needs to fully implement its speed dialing solution will not be available to Snap from its vendor until January 16, 2008. Snap respectfully submits that this technological unavailability and these enhancements to VRS service/technology justify this temporary waiver, consistent with the waiver cases described below.

¹³ Also, denial of this waiver would not change this fact, since, as noted, Snap simply "has no reasonable alternative" (*see* 47 C.F.R. § 1.925(b)(3)(ii)) and is not able to launch its speed dialing solution until April 1, 2008 due to the vendor delays and other complications noted above which are beyond its control.

A. Unavailability of Key Technology

The Commission has granted waivers where, as here, key technology was not available to the petitioners or when delays in the development of such equipment or software prevented immediate compliance with an FCC rule. For example, the Commission's navigation device rules require multichannel video programming distributors ("MVPDs") to unbundle the security element from set-top boxes and other navigation devices. Cable operators were accordingly required to offer modular "point of deployment" ("POD") security modules that would work with commercially available set-top boxes. The Commission granted various cable operator requests for interim waivers -- some up to 18 months in length -- because necessary analog POD equipment was not available at the time the rule became effective.¹⁴

Similarly, in the CALEA context, the Commission adopted a streamlined process under which telecommunications carriers could seek temporary waivers of CALEA requirements because "CALEA-compliant equipment and software has not become available as extensively as the industry had expected in 1998."¹⁵

¹⁴ See *In re Charter Communications, Inc. et al.*, Memorandum Opinion & Order, 15 FCC Rcd 15075, ¶ 13 (2000).

¹⁵ Public Notice, FCC, *CALEA Section 103 Compliance and Section 107(c) Petitions*, CC Docket No. 97-213, FCC 00-154, at 1 (rel. Apr. 25, 2000). See also *In re Revision of the Commission's Rules To Ensure Compatibility with Enhanced 911 Emergency Calling Systems*, Order, 14 FCC Rcd 694, ¶ 7 (1998) (Wireless Telecommunications Bureau) ("*November 13 Order*") ("We cannot ignore the fact that ... users of TTY devices will not be able to operate such devices in conjunction with digital phones at any time in the near future."); *id.* ¶ 11 (noting that, pursuant to the terms of the *November 13 Order*, carriers may extend their waivers by filing submissions every three months, beginning on the date of the waiver grant, indicating progress they are making toward implementation of TTY/digital capability); *In re CTIA Petition for Forbearance from CMRS Number Portability Obligations*, Memorandum Opinion and Order, 14 FCC Rcd 3092, ¶¶ 1-6 (1999) (extending the deadline for CMRS providers by over 40 months to support service provider local number portability in the top 100 MSAs).

Moreover, even where key technology *is* or *will become* available, the Commission has granted temporary waivers based on vendor delays in the delivery of software and/or hardware to the petitioner. For example in the 911-TTY context, the FCC granted waivers of up to one year to allow small carriers to “obtain equipment and software from their vendors and to install and test the solutions in their systems.”¹⁶ With respect to such 911-TTY waivers, it also recognized that “unexpected delays can occur in the testing process and [noted its] wish to allow adequate time to test and verify the performance of handset software [because] [i]nadequate testing, which could occur if testing is rushed, might fail to uncover problems that could undercut the performance of handsets, especially in emergency situations.”¹⁷

Snap realizes that the speed dialing requirement has been waived for some time and that VRS providers have been on notice that this requirement might become effective as of January 1, 2008. However, Snap has not wasted its time in pursuing a solution, but rather has been diligently researching and implementing a solution ever since it became operational in the VRS business just nine months ago.¹⁸ Based on the three-month delay of the delivery date of a key WorldGate technology component necessary for Snap’s solution (which is now expected to be received on January 16, 2008 as opposed to the originally scheduled date in mid-October), it will now take three months beyond the January 1, 2008 effective date of the speed dialing requirement for Snap to finalize,

¹⁶ *911-TTY Waiver Order* ¶ 17 (noting that larger carriers typically get first and favored treatment by manufacturers as compared to the smaller carriers).

¹⁷ In re *911 Call Processing Modes*, Order, 15 FCC Rcd 3075, ¶ 3 (2000).

¹⁸ Of course, Snap has been pursuing this speed dialing solution at the same time as it has been implementing its Ojo interoperability solution, its E-911 solution, and a number of other complex integration projects to support its delivery of advanced and innovative VRS services.

integrate, and fully test the Snap speed dialing solution described above. The cases described in this section support a Commission grant of a three-month waiver under such circumstances.

B. Introduction of New and Improved Services and Technologies

The Commission has frequently granted waivers to promote the introduction or advancement of new or enhanced services and technologies for consumers.¹⁹ In the 911 call processing proceeding, for example, the Commission granted Nokia a four-month waiver to deploy an alternate 911 call completion method for its multi-mode products. The Commission found that Nokia's proposed 911 call completion method "should generally help improve and speed call completion," "offers certain advantages associated with digital technology, such as improved capacity, call quality, and coverage, as well as increased talk time for portable phones," and "represents a meaningful improvement in 911 call processing technology that has the potential to help improve wireless 911 reliability."²⁰

Likewise, the wireless E-911 caller location waivers also underscore that the Commission has been very willing to grant waivers where a temporary delay in compliance will ultimately yield new services, technological advancements, and other results meeting or exceeding the Commission's objectives. For example, under Phase II of the Commission's wireless E-911 rules, wireless carriers are required to provide the location of wireless 911 callers, a capability known as Automatic Location Identification

¹⁹ See, e.g., *In re 911 Call Processing Modes*, Order, 15 FCC Rcd 1911, ¶ 12 (2000).

²⁰ *Id.* ¶¶ 8, 10-11.

(“ALI”).²¹ AT&T Wireless filed a waiver request, stating that while its solution “ultimately will meet and even exceed the Commission’s accuracy requirements,” the current technology did not initially meet the Commission’s rules for handset-based location technologies.²² The Commission found that a year-long waiver of the accuracy requirements was in the public interest because AT&T’s ultimate solution would facilitate “substantial public safety benefits ‘including rapid initial deployment of ALI capability with a relatively brief transition to even more precise levels of accuracy.’”²³

In the VRS context, the Commission has endorsed “bring[ing] innovation to the provision of VRS ... both with new equipment and new service features”²⁴ and

²¹ See *In re Revision of the Commission’s Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems*, Report and Order and Further Notice of Proposed Rulemaking, 11 FCC Rcd 18676 (1996), *subsequent history omitted*.

²² *In re Revision of the Commission’s Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems; Request for Waiver by AT&T Wireless Services, Inc.*, Order, 16 FCC Rcd 18253, ¶ 9 (2001).

²³ *Id.* ¶ 20 (footnote omitted). See also *In re Revision of the Commission’s Rules To Ensure Compatibility with Enhanced 911 Emergency Calling Systems; Request for Waiver by Cingular Wireless LLC*, Order, 16 FCC Rcd 18305, ¶ 15 (2001) (granting Cingular limited waiver of the wireless E-911 Phase II rules, in order to deploy an enhanced hybrid network- and handset-based solution for locating 911 callers: “Cingular explains that although it continues to believe that handset-based GPS technology is the best solution for GSM networks, GPS handsets will not be available in time to meet the Commission’s implementation deadlines. Moreover, Cingular asserts that it ‘has been unable to identify the existence of another Phase II solution that currently provides fully compliant location information for GSM networks.’ ... Additionally, Cingular asserts that E-OTD currently satisfies the accuracy requirements for network-based solutions and that it should be able to satisfy the accuracy requirements for handset-based solutions by October 1, 2003.”) (footnotes omitted); *In re Revision of the Commission’s Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems, Wireless E-911 Phase II Implementation Plan of Nextel Communications, Inc.*, Order, 16 FCC Rcd 18277 (2001) (granting Nextel waiver permitting a delay in the deployment of A-GPS-capable handsets of one year to 23 months beyond the benchmarks for handset-based technologies in the Phase II rules); *In re Revision of the Commission’s Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems, Request for Waiver by Sprint Spectrum L.P.*, Order, 16 FCC Rcd 18330 (2001) (granting Sprint similar waiver relief due to the potential for service enhancements).

²⁴ See *In re Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, Report and Order and Order on Reconsideration, 20 FCC Rcd 20577, ¶ 21 (2005).

“advanc[ing] technological development, increas[ing] quality of service, and reduc[ing] costs.”²⁵

As noted above, Snap is pursuing an advanced, consumer-friendly implementation of speed dialing that is based on user surveys and requests and that provides for greater functional equivalency in the VRS marketplace as compared to what is available and typically used by voice callers. As such, providing a brief waiver to Snap would be consistent with both the Commission orders described above and with the Commission’s ongoing commitment to the introduction of improved technology in the VRS industry.

IV. THE RECORD IN THIS PROCEEDING SUPPORTS THIS LIMITED WAIVER.

Finally, as noted above, contrary to the statement in the *Waiver Order*, the record in this proceeding did not indicate that all VRS providers had already implemented a speed dialing solution. Rather, at least Snap and Verizon indicated that they had not implemented such a solution, and AT&T did not address the issue.²⁶ So the record on the VRS speed dialing issue was actually mixed -- as it was in the IP Relay context. As such, it would have been appropriate and consistent with the approach taken in the IP Relay context for the Bureau to have extended the VRS speed dialing requirement for another year, yet to warn those VRS providers, like Snap, that had not yet implemented speed

²⁵ *Id.* ¶ 26. See also *In re Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, Report and Order and Further Notice of Proposed Rulemaking, 15 FCC Rcd 5140, ¶ 26 (2000) (noting that the FCC must encourage the use of new technology and include VRS in the TRS context in order to comply with the FCC’s mandate to foster improved technology (*citing* 47 U.S.C. § 225 (c)(2))).

²⁶ It is also worth noting that the *Waiver Order* cites only six VRS providers as having implemented speed dialing (*see Waiver Order* at n. 62), even though there are now 13 VRS providers in the marketplace (*see* list at http://www.fcc.gov/cgb/dro/trs_providers.html). It is also curious that the annual waiver reports of a number of the VRS providers are not even available for access and review from the FCC’s web site.

dialing that “[i]n light of the fact that some providers report that they are offering this service . . . , we anticipate that there will be no further extensions of this waiver.”²⁷ Seen in this light, Snap’s requested three-month waiver for VRS speed dialing is much less than, and particularly reasonable in light of, the additional year afforded certain IP Relay providers to implement speed dialing, even though other IP Relay providers have already done so.

V. CONCLUSION

For the reasons stated herein, Snap respectfully asks the Commission to grant it a limited, three-month waiver (ending on April 1, 2008) from the VRS speed dialing requirement.

Respectfully submitted,

/s/ Francis M. Buono

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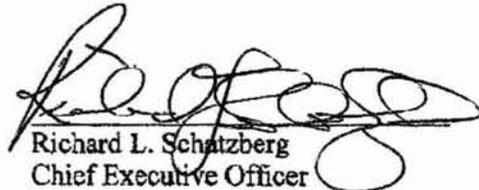
²⁷ Waiver Order ¶ 21.

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DECLARATION OF RICHARD L. SCHATZBERG

1. My name is Richard L. Schatzberg. My business address is 1 Blue Hill Plaza, Pearl River, NY 10965.
2. I am the Chief Executive Officer of Snap Telecommunications, Inc. In this role, I am ultimately responsible for all aspects of the Snap!VRS business. I have been actively involved in Snap's planning, design, and implementation of a speed dialing solution for its VRS service, including the associated negotiations and business arrangements with WorldGate Communications, Inc. and AuPix Ltd.
3. I have read the foregoing Request for Limited Waiver ("Request") and I am familiar with the contents thereof.
4. I declare under penalty of perjury that the facts contained herein and within the foregoing Request are true and correct to the best of my knowledge, information, and belief.


Richard L. Schatzberg
Chief Executive Officer
Snap Telecommunications, Inc

Executed on: December 30, 2007