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Doc. No. 263446

March 25, 2008

Via Electronic Filing

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

Re: Notice of Ex Parte Presentation, CG Docket No. 03-123

Dear Madam Secretary:

On March 24, 2008, Governor George Pataki and Dana Frix, both of this firm, accompanied Dan Luis, Edmond Routhier and Kelby Brick (all of GoAmerica), and Behdad Eghbali (of Clearlake Capital), to meetings with (1) Chairman Kevin Martin and Ian Dillner, a Legal Advisor to Chairman Martin; (2) Commissioner Deborah Taylor Tate and Chris Moore, a Legal Advisor to Commissioner Tate; and (3) Commissioner Jonathan Adelstein and Scott Bergmann, Senior Legal Advisor to Commissioner Adelstein. Mr. Routhier and Mr. Brick also met with Commissioner Michael Copps.

The purpose of these meetings was to introduce the Commissioners to GoAmerica generally in light of its merger with Hands On Video Relay Service and its acquisition of Verizon's TRS business, to discuss GoAmerica's mission to enhance the communications services available to members of the deaf and hard of hearing communities, and to discuss all other matters identified in the attached presentation (entitled "Raising the Bar"), including the need to open TRS networks at the earliest possible time.

Very truly yours,

Aaron Bartell*

* Admitted Only in New York.
Work supervised by Principals of the Firm who are members of the DC Bar.

GoAmerica / Hands On Relay Services
Raising the Bar

March 24, 2008

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GoAmerica

Attendees

- Dan Luis, CEO
- Edmond Routhier, President
- Behdad Eghbali, Director
- Kelby Brick, VP Regulatory & Strategic Policy
- Gov. George Pataki, Chadbourne & Parke LLP
- Dana Frix, Chadbourne & Parke LLP

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GoAmerica

A New GoAmerica

- **GoAmerica -- A new company with a proud history**
  - Acquired Verizon's TRS division
  - Merged with Hands On

- **Multiple lines of services for 32M Deaf and HOH (NIH)**
  - Internet Text Relay (Largest provider)
  - Video Relay Service (2nd Largest)
  - Community Interpreting
  - Wireless Devices and Services
  - State TRS (California, Tennessee, Washington, DC)
  - IP Captioned Telephone Service (certification pending)
- **California HQ with offices and communication centers nationwide**

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GoAMERICA

Our Commitment to Public Interest

- **Starts with our commitment to the deaf, HOH and interpreters**
  - Balanced approach to all communication needs
  - Highest standards for interpreter and call assistant quality and advocacy
  - Highest level of integrity and deaf advocacy
- **Combating IP Relay fraud**
  - Protection of the TRS fund should be a high priority
  - First faced the issue in 2005 with i711 services. Identified sources as being international users who access proxy servers in the US.
  - Similar issues identified within recently acquired assets
  - GoAmerica has offered to share its fraud deterrent technology with industry

Our Public Interest Mandate

- **Critical issues and barriers**
  - Eliminating the remaining barriers to Functional Equivalency
  - Raising the bar for industry wide certification standards
  - Creating a competitive industry that is incentivized to innovate and reduce costs
  - Balancing community needs with new communication advancements
  - Improving public perception of relay by creating Fraud Free^{tm} services
  - Protecting the users' and providers' rights to communicate with each other

Functional Equivalency Issues

- **Congressional mandate for functional equivalency**
  - "to the extent possible"
  - "in the most efficient manner"
  - "it does not unduly raise costs or displace market forces"

- **Deaf & HOH users rightfully feel patronized and discriminated against**
  - Unable to call each other across provider networks
  - No real ten digit number with portability (standard should be: functionally equivalent to telephone numbering system for hearing consumers)
  - No automatic 911 Routing with lesser standards than VoIP industry
  - Users cannot receive communication or marketing materials from providers

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Require Providers to Open Closed Networks

- **No excuse for a closed network**
  - All providers agree that an open network solution is necessary
  - Technology is proven and immediately available
  - Solutions are inexpensive and simple to deploy
  - Open networks allow anyone to call anyone else using 10 digit NANP numbers
- **Closed networks cause harm**
  - Reduces competition – creating an effective single source provider
  - Discourages introduction of new technology, products and services
  - Inhibits numbering and an automatically routed E911 solution
- **Require providers to open closed networks immediately. Providers should be required to publish their directories for use exclusively by other providers for routing of calls.**

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Establish Certification Standards

- **Meaningful standards should exist for relay certification**
  - Significant capital and expertise required
    - Advanced communication technology, extensive call center operations and a balanced Interpreter policy
  - Without meaningful standards opens the door for:
    - Inconsistent service quality for users
    - Derogatory public perception and acceptance due to fraud
    - Inflationary market as new entries overbid for limited interpreter pool
    - No realization of market economies with unlimited providers
    - Lack of community interpreting services for the deaf & hard of hearing
    - Providers unfamiliar with and uncommitted to the deaf and hard of hearing communities
- **Require sufficient financial resources, operational experience, and a solution for providing additional interpreter capacity**

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FCC Should Continue Efforts

- **FCC should continue raising the bar – help the relay industry provide functionally equivalent services, operate competitively and in the most professional manner**
  - Require providers to open closed networks
  - Require real 10-digit numbers, which are fully portable and allow anyone to call anyone else on any network
  - Require automatic E911 routing
  - Establish meaningful certification standards
  - Prohibit interpreter non-competes
  - Require all providers to present a fraud mitigation plan

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Q & A