

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities)	CG Docket No. 03-123
)	
E911 Requirements for IP-Enabled Service Providers)	WC Docket No. 05-196
)	
Petition for Clarification on Default Provider Obligations In Ten-Digit Numbering Order)	

OPPOSITION OF SORENSON COMMUNICATIONS, INC.

Pursuant to Section 1.45(b) of the Commission’s rules,¹ Sorenson Communications, Inc. (“Sorenson”) hereby submits its Opposition to the Petition for Clarification on Default Provider Obligations in Ten-Digit Numbering Order filed by CSDVRS, LLC (“CSDVRS”).² For the reasons explained below, the Federal Communications Commission (“FCC” or “Commission”) should deny the CSDVRS Petition.

I. INTRODUCTION

The FCC’s *Numbering Order* in the above-captioned proceedings adopted a ten-digit telephone numbering system for Internet-based Telecommunications Relay Service

¹ 47 C.F.R. § 1.45(b).

² Petition for Clarification on Default Provider Obligations in Ten-Digit Numbering Order of CSDVRS, LLC, CG Docket No. 03-123 & WC Docket No. 05-196 (Aug. 15, 2008) (“CSDVRS Petition” or “Petition”).

("TRS") and established a requirement for users to register with a default provider.³ The default provider requirement was adopted:

(1) to allow the Internet-based TRS provider to take steps to associate the Internet-based TRS user's telephone number with their IP address to allow for the routing and completion of calls; (2) to facilitate the provision of 911 service; and (3) to facilitate the implementation of appropriate network security measures.⁴

CSDVRS states that it is concerned that the reasoning and practical implications behind the default provider rule potentially conflict with the FCC's 2006 *Interoperability Ruling*.⁵ In its Petition, CSDVRS asks the Commission to clarify that "each and every VRS provider has an obligation to ensure that it is as easy for a VRS user to place an outbound call to competing providers as it is to place a call to the user's default provider."⁶ CSDVRS also asks the FCC to clarify that nothing in the *Numbering Order* "empowers any VRS provider to make it any more difficult to make a dial around call than it has been to make such a call to date."⁷ For the reasons discussed below, the CSDVRS Petition should be denied.

³ *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities; E911 Requirements for IP-Enabled Service Providers*, CG Docket No. 03-123 & WC Docket No. 05-196, Report and Order and Further Notice of Proposed Rulemaking, FCC 08-151, ¶¶ 1, 42 (rel. June 24, 2008) ("*Numbering Order*").

⁴ *Numbering Order* ¶ 42.

⁵ *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, Declaratory Ruling and Further Notice of Proposed Rulemaking, 21 FCC Rcd 5442 (2006) ("*Interoperability Ruling*").

⁶ CSDVRS Petition at 7.

⁷ *Id.* at 3.

II. DISCUSSION

The Petition states that the new default provider regime may give the impression to VRS providers that it would be acceptable to make dial-around difficult.⁸ This claim is unfounded. The *Numbering Order* premised the default provider selection requirement as being “in keeping with the *Interoperability Declaratory Ruling and FNPRM*” and explicitly clarified that “nothing in this *Order* detracts from a TRS provider’s interoperability obligations.”⁹ Nor could the default provider registration requirement reasonably be read to undermine or alter the Commission’s holding in the *Interoperability Ruling* that “all VRS consumers must be able to place a VRS call through any of the VRS providers’ service, and all VRS providers must be able to receive calls from, and make calls to, any VRS consumer.”¹⁰ There is no reasonable basis to doubt the continued validity of the requirements set forth in the FCC’s *Interoperability Ruling*, and there is no need for the clarification that CSDVRS requests. Indeed, were a VRS provider to implement the default provider registration rules in a way that undermined the FCC’s VRS interoperability requirements, the FCC has already indicated it has the authority to enforce those requirements.¹¹

Today, in contrast to the situation with respect to voice services, a VRS user must decide which provider to use and then manually select that provider – via a speed dial list or by dialing the provider – for each and every VRS call. The new default provider system will simplify this process by eliminating both the initial decision and the

⁸ *Id.* at 2.

⁹ *Numbering Order* ¶ 43 & n.120.

¹⁰ *Interoperability Order* ¶ 29.

¹¹ *Id.*

subsequent manual step for the vast majority of calls, which will be automatically routed through the user's default provider. The new numbering regime will necessarily change the manner in which the end user experiences interoperability: although the freedom of choice will remain, the interoperability mechanisms currently in place (*i.e.*, the manual selection of provider before each and every call) will necessarily evolve with the addition of the default provider registration rule. CSDVRS itself acknowledges this fact, noting that "dialing around [under the new numbering regime] may take one or two additional steps" compared to a non-dial-around call.¹²

CSDVRS also asks the FCC to ensure that default providers do not "create barriers that would impede or discourage a user from making a dial around call, such as pop-up screens or warning messages, or degradation of the TRS call, video quality or video interpreter capabilities."¹³ The *Interoperability Ruling* bars providers from taking steps that "restrict a consumer's unfettered access to other providers' service," including "the practice of providing degraded service quality to consumers using VRS equipment or service with another provider's service."¹⁴ Maintaining this broad standard – rather than endeavoring to micromanage the methods of ensuring interoperability – will best serve the public interest by continuing to allow for technological and regulatory evolution. The Commission should decline CSDVRS's invitation to establish a lengthy and complex set of situation-specific rules that would effectively freeze TRS technology and innovation, to the detriment of users. CSDVRS's proposal would undermine the progress toward functional equivalency that will be achieved by implementation of the

¹² CSDVRS Petition at 3.

¹³ *Id.*

¹⁴ *Interoperability Ruling* ¶ 34.

FCC's uniform numbering system, including selection of a default provider in order to simplify and streamline dialing and routing of calls, a benefit long enjoyed by hearing users. If CSDVRS wishes to re-visit the FCC's *Interoperability Ruling* and amend the requirements adopted therein, CSDVRS should file a Petition for Rulemaking so as to afford the Commission an opportunity to issue a comprehensive Notice of Proposed Rulemaking and all interested parties a full opportunity to comment on the various relevant issues.

III. CONCLUSION

The *Numbering Order* makes it clear that VRS providers will remain subject to interoperability obligations under a default provider regime. There is no need to impose more specific interoperability requirements, in the guise of clarifying the new numbering rules. For the foregoing reasons, the Commission should deny CSDVRS's Petition for Clarification.

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Certificate of Service

I hereby certify that on this 25th day of August, 2008, I caused a true and correct copy of the foregoing Opposition of Sorenson Communications, Inc. to be mailed by first class U.S. mail, postage prepaid, to:

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