

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

In the Matter of)	
)	CG Docket No. 03-123
Telecommunications Relay Services and)	
Speech-to-Speech Services for Individuals with)	
Hearing and Speech Disabilities)	
)	
E911 Requirements for IP-Enabled Service)	WC Docket No. 05-196
Providers)	

PETITION FOR LIMITED WAIVER

Pursuant to Section 1.3 of the Commission’s rules,¹ Sorenson Communications, Inc. (“Sorenson”) hereby requests a limited waiver of the prohibition on the use of “proxy” or “alias” numbers recently adopted in the *Report and Order* in the above-captioned proceedings.² This waiver is necessary in order to minimize the disruption to users of video relay services (“VRS”) as they transition to North American Numbering Plan (“NANP”) numbers.

¹ 47 C.F.R. § 1.3

² *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities; E911 Requirements for IP-Enabled Service Providers*, Report and Order and Further Notice of Proposed Rulemaking, 23 FCC Rcd 11591 (2008) (“*Report and Order*”).

I. BACKGROUND

Today most users of Sorenson VRS have proxy numbers.³ They use these numbers to call each other directly, without the use of an interpreter (“point-to-point calls”). They also give these numbers, along with Sorenson’s toll-free number (866 FASTVRS), to schools, doctors’ offices, business contacts and other hearing individuals who may want to call them. Hearing callers can reach a Sorenson user by dialing the toll-free number for Sorenson VRS and giving the interpreter the user’s proxy number. Many of Sorenson’s users have told Sorenson that they would like to keep their proxy numbers even after they are assigned ten-digit NANP numbers. Pursuant to the FCC’s rules, however, after December 31, 2008, VRS providers may not assign or issue a proxy or alias for a NANP number to any user and “[m]ust cease to use any proxy or alias for a NANP telephone number assigned or issued to any Registered Internet-based TRS User.”⁴

Sorenson’s preference, as indicated in its Petition for Reconsideration, is to be able to continue to issue and use proxy numbers after December 31, 2008, as an optional convenience for its users who would like to retain those numbers.⁵ At a minimum, however,

³ As the Commission has explained, “[t]o simplify the process of contacting VRS users, some VRS providers have created their own database of ‘proxy’ or ‘alias’ numbers that link to the IP addresses of their customers.” *Report and Order* ¶ 5. A number of providers have used proxy numbers for these purposes, including Hamilton, CSDVRS, HOVRS and Sprint. See Hamilton Video Relay, “Making Calls: Hearing Callers,” available at: <http://www.hamiltonnationalrelay.com/video_relay/hearing_callers.html> (viewed Sept. 30, 2008); CSDVRS, “For Hearing Individuals,” available at: <<http://www.csdvrs.com/service/hearing.aspx>> (viewed Sept. 30, 2008); Hands On VRS, “FAQ,” available at: <<https://www.hovrs.com/cc/faq.aspx#53>> (viewed Sept. 30, 2008); Sprint Relay, “Support Section – VRS Questions & Answers,” available at: <<http://www.sprintvrs.com/service.htm>> (viewed Sept. 30, 2008).

⁴ 47 C.F.R. § 64.611(d).

⁵ See Petition for Reconsideration and Clarification of Sorenson Communications, Inc., CG Docket No. 03-123 & WC Docket No. 05-196, at 2-3 (Aug. 18, 2008).

in order to avoid significant user disruption, Sorenson must be able to continue to use proxy numbers in two ways. First, as the rules contemplate, Sorenson will need to use proxy numbers to route calls to users who do not yet have NANP telephone numbers. Second, Sorenson requests a waiver of the rules to permit its users with NANP numbers to receive calls dialed using their proxy numbers during a limited transition period. Callers will be informed that the user's number has been changed, and given the user's new NANP number.

II. DISCUSSION

Waiver of the Commission's rules is permitted upon a showing of "good cause."⁶ Specifically, the Commission may waive its rules where the particular facts would make strict compliance inconsistent with the public interest, taking into account, *inter alia*, considerations of "hardship, equity, or more effective implementation of overall policy on an individual basis."⁷ Waiver is particularly appropriate where "special circumstances warrant a deviation from the general rule and such deviation will serve the public interest."⁸

In the current situation, a waiver would serve the public interest by decreasing disruption to VRS users. Specifically, Sorenson seeks to minimize the disruption associated with the transition to NANP numbers by enabling its users to continue to receive calls dialed using proxy numbers for one year after the user receives a NANP number, and by delivering a message informing callers that the user's number has changed and providing the caller with

⁶ 47 C.F.R. § 1.3.

⁷ *Numbering Resource Optimization; Petition of California Public Utilities Commission for Waiver of the Federal Communications Commission's Contamination Threshold Rule*, Order, 18 FCC Rcd 16860, ¶ 9 (2003) (citing *WAIT Radio v. FCC*, 418 F.2d 1153, 1159 (D.C. Cir. 1969), *cert. denied*, 409 U.S. 1027 (1972) ("*WAIT Radio*"); *Northeast Cellular Tel. Co. v. FCC*, 897 F.2d 1164, 1166 (D.C. Cir. 1990)).

⁸ *Northeast Cellular Tel. Co. v. FCC*, 897 F.2d at 1166 (referencing *WAIT Radio*).

the new number. For users who receive numbers on or before December 31, 2008, the one-year period would end December 31, 2009.

The Commission's rules require providers to assign ten-digit geographic numbers linked to the NANP as of December 31, 2008. Sorenson is fully committed to assigning NANP numbers to as many VRS users as possible as quickly as possible. As the Commission has recognized, however, it will not be possible to accommodate every VRS user's request for a NANP number by December 31, 2008.⁹ The Commission's rules allow providers to continue using proxy numbers to serve users who have not yet registered with a default provider and therefore have not been assigned a NANP telephone number.¹⁰ Consistent with the Commission's rules, Sorenson plans to continue to use proxy numbers to route calls to users who have not yet obtained NANP numbers.

In addition, once a user has obtained a NANP number, Sorenson would like to continue to route calls made to the user's proxy number, for a limited period of time, while also providing a message informing the caller of the user's new NANP number. These efforts to minimize user disruption and provide a transition period from one numbering scheme to another are similar to the practices of telecommunications carriers. For example, hearing customers enjoy a permissive dialing period when a new area code is introduced in their area.¹¹ Mandatory dialing requiring use of the new ten-digit numbers begins only after

⁹ *Report & Order* ¶ 45.

¹⁰ 47 C.F.R. § 64.611(d)(2); *see also* Partial Opposition to Petition for Reconsideration of Communications Action Center, *et al.*, CG Docket No. 03-123 & WC Docket No. 05-196, at 7 (Sept. 15, 2008) (asking the FCC to "establish a date certain by which providers must cease to use such proxy or alias numbers").

¹¹ For example, the implementation of new Area Code 858 in Southern California in 1999 included a permissive dialing period during which callers could dial either the old 619 or new 858 area codes. "Permissive Dialing Begins June 12 for 858 Area Code," *available*

the expiration of a permissive dialing period during which callers are able to adjust to the new dialing scheme.¹² Similarly, callers dialing a hearing individual who has moved and obtained a new number or who lives in an area where a new area code has been introduced typically receive a recorded message informing them of the called party's new number.¹³ The same principle informs the post office's practice of forwarding first-class mail for twelve months after a permanent address change.¹⁴ All of these policies and practices reflect an appreciation for the fact that it takes time for people to provide updated contact information to everyone who may want to reach them at a new number or address.

A transition period is particularly appropriate in this case, because the transition to NANP numbers will be confusing, at least at the beginning.¹⁵ Sorenson requests that the Commission permit the use of proxy numbers for this limited purpose for one year after the user receives a NANP number from Sorenson. It is important that calls to VRS users are able to go through even when callers dial the old proxy numbers, as opposed to the new NANP numbers. It will take time for users to update all of their contacts with their new NANP telephone numbers. In the meantime, it would be highly unfortunate if a school tried to call a

at: <<http://www.areacode-info.com/headline/1999/ca990607.htm>> ("858 Area Code News Release").

¹² Historically, permissive dialing periods have lasted as long as two years. See Alliance for Telecommunications Industry Solutions, *NPA Code Relief Planning & Notification Guidelines*, ATIS-0300061, at 20 (June 6, 2008), available at: <<http://www.atis.org/INC/Docs/finaldocs/NPA-Relief-Guidelines-Final-Document-06-6-08.doc>>.

¹³ With the introduction of Area Code 858 in California in 1999, for example, callers received a recorded message that reminded them of the change from June 12, 1999 through March 11, 2000. 858 Area Code News Release, *supra* note 11.

¹⁴ See United States Postal Service, "Frequently Asked Questions," available at: <<http://www.usps.com/faqs/changeofaddress-faqs.htm>> (viewed Sept. 30, 2008).

¹⁵ Even parties that opposed Sorenson's Petition for Reconsideration recognized the importance of a transition period. See Opposition of Telecommunications for the Deaf and Hard of Hearing, Inc., *et al.*, CG Docket No. 03-123 & WC Docket No. 05-196, at 3.

parent with information about a child, or if a doctor's office called to give a patient test results, but the call could not be completed because the school or the doctor only had the user's old proxy number listed in their files. By granting Sorenson's waiver request, the Commission can ensure that VRS users receive these calls, while also providing an additional means for informing callers that the user's number has changed. Many VRS users have been using the same proxy number for years and will need time to inform all of their contacts – both deaf and hearing – of their new NANP numbers.

III. CONCLUSION

For all the reasons stated above, the Commission should grant Sorenson a limited waiver of 47 C.F.R. § 64.611(d) in order to allow Sorenson to use proxy numbers to route calls to its users with NANP numbers for one year after the user receives a NANP number, and inform callers of the user's new NANP number.¹⁶

Respectfully submitted,

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¹⁶ The requested waiver will not be necessary if Sorenson's pending Petition for Reconsideration and Clarification is granted before December 31, 2008.