

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

In the Matters 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
	)	

To: Secretary, FCC  
For: The Commission

**COMMENTS OF HAMILTON RELAY, INC.  
IN OPPOSITION TO SORENSON PETITION  
FOR LIMITED WAIVER**

Hamilton Relay, Inc. (“Hamilton”), by its counsel, hereby submits these comments in opposition to the September 30, 2008 “Petition for Limited Waiver” (“Petition”) filed by Sorenson Communications, Inc. (“Sorenson”) in the above-captioned proceedings.<sup>1</sup> In the Petition, Sorenson seeks a one-year waiver of the Commission’s rule prohibiting the use of “proxy” or “alias” numbers after the implementation of 10-digit number for Internet-based relay services on December 31, 2008.<sup>2</sup> Sorenson suggests that such a waiver will “minimize the disruption to users of video relay services (‘VRS’) as they transition to North American Numbering Plan (‘NANP’) numbers.”<sup>3</sup>

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<sup>1</sup> Sorenson Communications, Inc., Petition for Limited Waiver, CG Docket No. 03-123, WC Docket No. 05-196 (filed Sept. 30, 2008) (“Petition”); *see also Pleading Cycle Established for Comments on Petition of Sorenson Communications, Inc. for Limited Waiver*, Public Notice, DA 08-2255 (rel. Oct. 8, 2008) (“Public Notice”).

<sup>2</sup> *See* 47 C.F.R. § 64.611(d).

<sup>3</sup> Petition at 1.

The Commission should deny the waiver request. A grant of the waiver request would place Sorenson's competitors at a significant competitive disadvantage because Sorenson proxy numbers (and therefore a majority of proxy numbers in service) may only be used within the closed Sorenson network, which may deter users from selecting other providers as their default provider. Such an outcome would be contrary to the intent of the Commission's June 24, 2008 *Order*.<sup>4</sup> Indeed, the Commission stated in the *Order* that "a person desiring to call an Internet-based relay user via the user's proxy number can only use the services of the VRS provider that generates the number, an outcome that is in tension with the Interoperability Declaratory Ruling and FNPRM."<sup>5</sup>

Moreover, as Hamilton and other commenters noted in the Partial Opposition to Sorenson's Petition for Reconsideration, the continued use of proxy numbers is contrary to the public interest.<sup>6</sup> Specifically, Hamilton joined others in noting the following:

"We think Sorenson itself summed up the issue quite well in its July 17,

2006, comments in this proceeding (at 2):

Any solution which does not use NANP numbers likely would deprive VRS and IP Relay users of many of the services and functionalities that hearing users take for granted.

Sorenson's comments continued (at 6):

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<sup>4</sup> FCC 08-151 (rel. June 24, 2008).

<sup>5</sup> *Id.* ¶ 5 (footnotes omitted). Sorenson notes in its Petition that Hamilton and other providers also use proxy numbers. Petition at 2 n.3. While Hamilton currently is routing calls to users' self-reported proxy numbers, Hamilton believes that the intent of the *Order* is to eliminate the use of proxy numbers and other non-NANP numbers as of December 31, 2008 or such other date that the Commission determines in this proceeding.

<sup>6</sup> Communications Access Center, CSDVRS, LLC, GoAmerica, Inc., Hamilton Relay, Inc., and Snap Telecommunications Inc., Partial Opposition to Petition for Reconsideration, CG Docket No. 03-123, WC Docket No. 05-196 (filed Sept. 15, 2008).

Proxy numbers have no advantages over traditional NANP numbers. Instead proxy numbers are, by definition, mere substitutes for the NANP numbers that the mainstream of society uses. [Footnote omitted].

We can think of no reason why consumers would be better off with proxy numbers than with 10-digit NANP numbers. Without 10-digit NANP numbers, users cannot receive point-to-point calls from other users who have chosen Sorenson's competitors as their default providers. Nor can consumers using proxy numbers receive PSAP callbacks through alternative VRS providers in the event of disconnection of a 9-1-1 call. Moreover, in an emergency – when seconds count – consumers who have proxy numbers may not be able readily to receive calls from hearing relatives and friends who are not part of this closed system. This can be dangerous for both the VRS user and the parties trying to reach that person. Use of proxy numbers would thus frustrate the very compelling public interest goals of this proceeding.

Furthermore, it is to no avail for Sorenson to suggest that proxy numbers would merely be an option available to consumers, along with 10-digit numbers. We foresee the likely result of such an option being that Sorenson would aggressively market its proxy numbers, rather than 10-digit NANP numbers, in an attempt to maintain the competitive benefits it has achieved through its closed directory system. Yet, many consumers who opt for such proxy numbers may not have a full understanding of the restrictions that are being placed on their incoming calls.

We likewise see issues with any suggestion that consumers be assigned both 10-digit NANP numbers and proxy numbers. First, maintaining two separate

sets of numbers would add unnecessarily to the cost of relay. Second, having two numbers is likely to generate considerable confusion both on the part of the user and on the part of persons who would call the user. Because both sets of numbers would use 10-digits – and therefore appear to have the same interoperable function, it is not likely that either VRS users or the parties who call them will understand the distinction between the two. This will become problematic when persons who try to call those users, unaware of the numbers’ limitations, attempt to use a provider other than Sorenson or a video device not managed by Sorenson, and find that they cannot complete their calls. Third, if users continue to use both Sorenson’s proxy numbers and real 10-digit numbers, it is unclear how the systems that process these numbers will know which is a real number versus a proxy number when there is a duplicate number in both systems. How the two systems would co-exist is not explained by Sorenson’s Petition.

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In addition, the FCC should establish a date certain by which providers must cease to use such proxy or alias numbers. By requiring that VRS or IP Relay providers cease using proxy numbers only for Internet-based TRS users who are registered, the FCC’s rules potentially open the door to allowing providers who use these numbers to continue doing so in place of registering their customers. In comments to this proceeding, Sorenson opposed any cut-off date by which providers could accept registered users. Yet, if there is no such date after which individuals must register, Sorenson may have an incentive to encourage its consumers never to register, so that they may keep their proxy

numbers. Without taking a position on a cut-off date for registration, the Joint Responders urge the FCC to establish a cut-off date for the use of proxy numbers.<sup>7</sup>

In sum, Hamilton opposes Sorenson's proposal to continue its closed system of proxy numbers. To the extent that the Commission deems a brief grace period necessary, it should be limited to no more than the grace period afforded users to register for 10-digit telephone numbers. That issue is the subject of a pending rulemaking in which some commenters have suggested a 30-90 day window for registration. To the extent that such a window is offered to users, a concurrently running window for providers to cease the use of proxy numbers may be a rational approach. However, the one year suggested by Sorenson is simply too long a grace period, and would be a discredit to users who have waited for so long to obtain a 10-digit telephone number.

Respectfully submitted,

HAMILTON RELAY, INC.

/s/ David A. O'Connor  
David A. O'Connor  
Wilkinson Barker Knauer, LLP  
2300 N Street, NW  
Suite 700  
Washington, DC 20037  
Tel: 202-383-3429  
Fax: 202-783-5851  
E-mail: doconnor@wbklaw.com  
*Counsel for Hamilton Relay, Inc.*

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*Submitted via ECFS*

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<sup>7</sup> *Id.* at 5-8.