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October 23, 2008

Via Electronic Filing

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

Re: *Ex Parte* Notice, CG Docket No. 03-123 & WC Docket No. 05-196

Dear Ms. Dortch:

On October 22, 2008, Jeff Rosen, General Counsel of Snap Telecommunications, Inc.; Dave Johnson, Vice President, Outreach, Sorenson Communications, Inc. ("Sorenson"); Mike Maddix, Regulatory Affairs Manager, Sorenson; and the undersigned, counsel for Sorenson, met separately with Nick Alexander, Legal Advisor to Commissioner McDowell; Amy Bender, Legal Advisor to Chairman Martin; Scott Bergmann, Senior Legal Advisor to Commissioner Adelstein; and Scott Deutchman, Legal Advisor to Commissioner Copps to discuss the above-referenced proceeding. During the meeting, the parties discussed the attached presentation on numbering policy and the expansion of VRS availability.

Pursuant to the Commission's rules, this letter is being submitted for inclusion in the public record of the above-referenced proceeding.

Sincerely,

/s/ Ruth Milkman
Ruth Milkman

Attachment

cc: Nick Alexander
Amy Bender
Scott Bergmann
Scott Deutchman

Numbering Policy and the Expansion of VRS Availability

October 22, 2008

Snap!VRS™
VIDEO RELAY SERVICES

sorenson communications™
Connecting You

VRS is Inaccessible Without Video Equipment

- Consumer access to VRS is severely restricted if video equipment is not widely available.
- The penetration rate of video equipment is low. While there is sketchy data about relay consumers, we can deduce that only a minority of deaf and hard-of-hearing ASL users now have access to videophones.
- The distribution of video equipment needs to continue to grow for those who are poor, elderly and in rural areas. Video equipment needs to be made available in workplaces, educational institutions, health care facilities and public places.

Videophone Distribution by VRS Providers is Still Necessary

- VRS providers are the primary source of interoperable videophones.
- Many people are on wait lists to receive videophones from VRS providers.
- State telecommunication equipment programs do not provide video equipment to deaf and hard-of-hearing residents.
- Maintaining incentives for VRS providers to distribute videophones to consumers is essential to the expansion of access to relay services.

Equipment and Numbering

- Every telephone number must be associated with a device.
- A number associated with a device may be ported to a new provider.
- Under FCC rules, once the number has been ported, the old provider must cease to acquire routing information (such as the IP address) from the device.

The Functionality of Video Equipment after the NANP Number is Ported

- Similar to equipment provided by VoIP and wireless companies, videophones may not work at all, or may have reduced functionality with a different default provider.
- The VP-100 and VP-200 are integrated with the Sorenson network; the Ojo is integrated with the Snap network
  - Many features (e.g., videomail notification; missed call lists) are housed in the network, not on the devices.
  - If the device stops communicating to the network, the features cannot be provided, as a technical matter.
  - Features resident on the device can continue to work (e.g., contrast, brightness, screen control).

Video Equipment Used with a Different Default Provider

- After porting, Sorenson devices will:
  - Send routing information to the new provider (industry standard required)
  - Enable outbound VRS calls through any provider
  - Enable emergency calls through any provider
  - Receive incoming VRS calls through any provider
- Even assuming porting all videophones could be made to work, it would require considerable time and significant outlays of investment (as well as intense cooperation) by VRS providers.
- Snap!VRS is currently the only certified relay provider that supports SIP calls.

VRS Providers Cannot Be Required to Support the Full Functionality of Video Equipment After A Number is Ported

- The significant investment of the VRS companies that provided the videophone would be wiped out if other VRS providers could grab their equipment for free.
- Many VRS providers could not afford to continue to support, maintain and repair video equipment of former customers, nor could they tolerate the liability risks if they were required to be responsible for the video equipment of former customers.
- Incentives for VRS providers to make available videophones, or to innovate new features designed to enhance functional equivalency would be greatly diminished or disappear entirely.
- Placing the burden on VRS providers would be entirely inconsistent with the FCC's treatment of VOIP and wireless equipment.

Consumer Outreach

- Snap! VRS has been communicating to stakeholders about the limitations of interoperable videophones used by customers who have ported their numbers to a different default provider; Sorenson will be doing the same.
- There is a need for extensive education so that consumers are aware of the capabilities of videophones once they have ported their numbers.

Fulfilling the Promise of Relay Services

- The FCC should maintain the current version of section 64.611 (c) and not revise it to require providers to manage devices after customers port a number to a different default provider.
- VRS providers need to focus on implementing the new numbering system without the disruption of an onerous requirement to manage their devices for another VRS provider.
- In addition to promoting the spirit of competition and innovation, it is critical that the FCC preserves incentives for VRS providers to distribute video equipment.