

ANDREW O. ISAR

**MILLER
ISAR** INC.
REGULATORY CONSULTANTS

7901 SKANSIE AVENUE,
SUITE 240

Via Overnight Delivery and ECFS

GIG HARBOR, WA 98335
TELEPHONE: 253.851.6700
FACSIMILE: 253.851.6474
HTTP://WWW.MILLERISAR.COM

November 18, 2008

Ms. Marlene Dortch
Secretary
Federal Communications Commission
9300 E. Hampton Drive
Capitol Heights, MD 20743-3813

ATTN: Ms. Cathy Seidel, Chief, Consumer & Governmental Affairs Bureau, TRS Certification Program

RE: Application of Healinc Telecom, LLC, for Eligibility to be Compensation From the Interstate Telecommunications Relay Service Fund for the Provision of Internet Protocol Relay Services, Docket No. 03-123

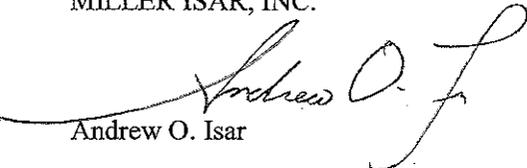
Dear Secretary Dortch:

Enclosed for filing with the Federal Communications Commission ("Commission") in the above-referenced proceeding, is the *Application of Healinc Telecom, LLC, for Eligibility to be Compensation From the Interstate Telecommunications Relay Service Fund for the Provision of Internet Protocol Relay Services*. By this Application, Healinc Telecom, LLC applies to the Commission for a finding that Healinc Telecom, LLC meets the requirements is for compensation eligibility from the federal Telecommunications Relay Service Fund for the provision of Internet Protocol Relay service, pursuant to Section 64.606(a)(3) of the Commission's rules.¹

Thank you for your attention to this matter. Questions may be directed to the undersigned.

Sincerely,

MILLER ISAR, INC.


Andrew O. Isar

Regulatory Consultants to
Healinc Telecom, LLC

Enclosure

cc: Thomas Chandler, Chief, Disability Rights Office (via electronic delivery)
Greg Hlibok, Disability Rights Office (via electronic delivery)
Susan Kimmel, Disability Rights Office (via electronic delivery)

¹ 47 C.F.R. §64.606(a)3(3).

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

In the Matter of)	
)	
Application of Healinc Telecom, LLC for)	
Eligibility to be Compensated From the Interstate)	CG Docket No. 03-123
Telecommunications Relay Service Fund)	
For the Provision of Internet Protocol Relay)	
Services)	

**HEALINC TELECOM, LLC
IP CERTIFICATION APPLICATION**

**ANDREW O. ISAR
Miller Isar, Inc.
7901 Skansie Avenue, Suite 240
Gig Harbor, WA 98335**

**Regulatory Consultant to
Healinc Telecom, LLC**

November 18, 2008

TABLE OF CONTENTS

I.	INTRODUCTION.....	2
II.	BACKGROUND	4
III.	HEALINC TELECOM, LLC	8
VI.	HEALINC IS ELIGIBLE FOR COMPENSATION FROM THE FEDERAL TRS FUND FOR THE PROVISION OF IP RELAY SERVICES AS IT MEETS, AND WILL CONTINUE TO MEET, APPLICABLE MANDATORY MINIMUM STANDARDS FOR THE PROVISION OF IP RELAY SERVICES.....	9
A.	DOCUMENTATION FOR VRS PROVIDER PURSUANT TO 47 C.F.R. §64.606(A)(2).	10
1.	A DESCRIPTION OF THE FORMS OF TRS TO BE PROVIDED (I.E., VRS AND/OR IP RELAY), 47 C.F.R. §64.606(A)(2)(I).....	10
2.	A DESCRIPTION OF HOW THE PROVIDER WILL MEET ALL NON-WAIVED MANDATORY MINIMUM STANDARDS APPLICABLE TO EACH FORM OF TRS OFFERED, 47 C.F.R. §64.606(A)(2)(II).....	13
3.	A DESCRIPTION OF THE PROVIDER'S PROCEDURES FOR ENSURING COMPLIANCE WITH ALL APPLICABLE TRS RULES, 47 C.F.R. §64.606(A)(2)(III).	41
4.	A DESCRIPTION OF THE PROVIDER'S COMPLAINT PROCEDURES, 47 C.F.R. §64.606(A)(2)(IV).	41
5.	A NARRATIVE DESCRIBING ANY AREAS IN WHICH THE PROVIDER'S SERVICE WILL DIFFER FROM THE APPLICABLE MANDATORY MINIMUM STANDARDS, 47 C.F.R. §64.606(A)(2)(V).	41
6.	A NARRATIVE ESTABLISHING THAT SERVICES THAT DIFFER FROM THE MANDATORY MINIMUM STANDARDS DO NOT VIOLATE APPLICABLE MANDATORY MINIMUM STANDARDS, 47 C.F.R. §64.605(A)(2)(VI).	42
7.	DEMONSTRATION OF STATUS AS A COMMON CARRIER, 47 C.F.R. §64.605(A)(2)(VII).	42

VI.	HEALINC IS ELIGIBLE FOR COMPENSATION FROM THE FEDERAL TRS FUND FOR THE PROVISION OF IP RELAY SERVICES AS IT MEETS, AND WILL CONTINUE TO MEET, APPLICABLE MANDATORY MINIMUM STANDARDS FOR THE PROVISION OF IP RELAY SERVICES, (CONTINUED).	
	A.	DOCUMENTATION FOR VRS PROVIDER PURSUANT TO 47 C.F.R. §64.606(A)(2), (CONTINUED).
	8.	A STATEMENT THAT THE PROVIDER WILL FILE ANNUAL COMPLIANCE REPORTS DEMONSTRATING CONTINUED COMPLIANCE WITH THESE RULES, 47 C.F.R. §64.605(A)(2)(VIII). 42
	9.	SPECIFIC COMPLIANCE WITH SECTIONS 64.604(C)(5) AND 64.606(F)(2) OF THE COMMISSION'S RULES.43
		COMPLIANCE WITH 47 C.F.R. §64.604(C)(5). 43
		COMPLIANCE WITH 47 C.F.R. §64.606(F)(2)..... 45
V.	HEALINC COMPLIES WITH APPLICABLE PROVISIONS OF SALIENT FCC ORDERS AND NEWLY PROMULGATED REGULATIONS PERTAINING TO VRS AND IP RELAY.....	46
	A.	SALIENT COMMISSION DECISIONS AND NEWLY PROMULGATED RULES IP RELAY. 46
	B.	TRS MMS WAVERS FOR VRS AND IP RELAY. 52
VI.	THE GRANTING OF THE INSTANT PETITION IS IN THE PUBLIC INTEREST	56
VII.	CONCLUSION	57

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**HEALINC TELECOM, LLC
IP CERTIFICATION APPLICATION**

Healinc Telecom, LLC (“Applicant” or “Healinc”), pursuant to section 64.606(a)(2) of the Federal Communications Commission’s (“Commission”) rules,¹ requirements for VRS and Internet Protocol (“IP”) Relay Provider certification for compensation from the federal Telecommunications Relay Service (“TRS”) Fund, respectfully applies to the Commission for a finding that Healinc is eligible for compensation from the federal TRS Fund applicable to the provision of Internet Protocol Relay (“IP Relay”) services. By the instant Application, Healinc demonstrate that it meets, or has the capability to meet, and exceed the Commission’s Mandatory Minimum Standards (“MMS”) for the provision of IP Relay services, as set forth in sections 64.604, 64.605, 64.606, 64.611 and 52.34 of the Commission’s rules as amended, that it meets or is working to meet currently waived Mandatory Minimum Standards for the provision of VRS and IP Relay services, that it is complying with recent Commission orders governing access to emergency 911 and ten digit number dialing capabilities governing

¹ 47 C.F.R. §64.606(a)(2).

the provision of VRS and IP-Relay, and should be certified as eligible for compensation from federal TRS Fund now for the provision of IP Relay. In support of its Application, Healinc states as follows.

I. INTRODUCTION

By the instant Application, Healinc seeks Commission certification that the Company currently complies with, and has demonstrated compliance with applicable Commission operational, technical, and functional Mandatory Minimum Standards governing the provision of IP Relay to all subscribers and users, as set forth in section 64.604(a) and (b) and applicable provisions of section 64.605, 64.606, and now sections 64.611, and 53.34 of Commission regulations. Healinc seeks Commission certification of compliance for purposes of being deemed eligible to draw upon federal TRS program Fund now for the provision of IP Relay services, pursuant to section 64.604(c)(5)(ii), Cost Recovery, of Commission rules and other applicable regulation.

Healinc is currently a provider of advanced IP-based video relay services (“VRS”). On June 9, 2006, the Commission granted Healinc’s application for authority to receive compensation from the federal TRS Fund for the provision of VRS.² Healinc was one of the first competitive VRS providers to be deemed eligible for compensation from the federal TRS fund by the Commission, following adoption of the Commission’s *Certification Report and Order*.³

² *Certification Report and Order* at ¶21, citing to *In the Matter of Healinc Telecom, LLC for Video Relay Service and IP Certification of Eligibility for Compensation from the Interstate TRS Fund*, CH Docket No. 03-123 (2006). Healinc withdrew its request for IP certification prior to FCC grant of certification.

³ *In the Matter of Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, CG Docket No. 03-123, *Report and Order and Order on*

Healinc is representative of a new breed of competitive IP-based relay services providers envisioned by the Commission:

... this *Order* will enhance competition in the provision of VRS and IP Relay by permitting new entities to offer service, thereby giving consumers greater choice. In addition, we anticipate that new providers will bring innovation to the provision of VRS and IP Relay, both with new equipment and new service features. Finally, and more broadly, because VRS requires broadband Internet service, new VRS providers may stimulate greater broadband deployment.⁴

Now, in its second successful year following VRS certification, Healinc continues to innovate, expand its offerings, and enhance its level of service to all users and subscribers, consistent with the Commission's pro-competitive policies, and in compliance with the Commission's MMS for VRS, as recently documented to the Commission.⁵ Healinc has also made significant progress in compliance with the Commission's waived MMS for VRS providers, as also recently documented to the Commission.⁶ Further, the Company is diligently complying with the Commission's recently promulgated rules governing the provision of 911 access and assignment of ten digit numbers to users, discussed *infra*.

The Company now documents its compliance with MMS, waived MMS, and recently promulgated emergency 911 and ten digit number assignment rules for the

Reconsideration, FCC 05-203 (adopted December 8, 2005, released December 12, 2005) [*"Certification Report and Order"*].

⁴ See *2004 TRS Report & Order*, 19 FCC Rcd at 12568, para. 243 (as the Commission "embarks on a broader initiative to stimulate the deployment of broadband services, ... VRS can improve existing services for persons with disabilities and can be a demand driver for broadband connections").

⁵ See, e.g. Healinc Telecom, LLC *Annual Compliance Report*, Docket No. 03-123 (June 6, 2008).

⁶ See, e.g. Healinc Telecom, Inc. 2008 Annual Mandatory Minimum Standards Waiver Report, CG Docket No. 03-123 (May 21, 2008).

provision of IP Relay, as a natural extension of the high-quality VRS services the Company already provides.

Approval of the instant Application and certification of Healinc for TRS Fund eligibility, now for the provision of IP Relay services, furthers the objectives of section 225 of the Telecommunications Act of 1996, and the Commission's expressed goals of enhancing competition and innovation in the provision of relay services to the Public.⁷ Approval of the instant Application will further contribute to stimulation of broadband deployment,⁸ as broadband connectivity is an integral component of Healinc's IP-based services, consistent with Commission intent.

II. BACKGROUND

Title IV of the Americans with Disabilities Act of 1990⁹ was designed to further promote universal service objectives set out in the Communications Act of 1934, as amended (the "Act"), by providing to individuals with hearing or speech disabilities telephone services that are "functionally equivalent" to those available to individuals without such disabilities.¹⁰ Congress recognized that persons with hearing and speech

⁷ See, e.g., *Certification Report and Order* at para.21; 47 U.S.C. 225.

⁸ See, e.g., *Certification Report and Order* at para. 21, and footnote 81.

⁹ Pub. L. No. 101-336, § 401, 104 Stat. 327, 336-69 (1990), adding Section 225 to the Communications Act of 1934 (Communications Act), as amended, 47 U.S.C. § 225; implementing regulations at 47 C.F.R. § 64.601 *et seq.* In Title IV, Congress announced that "[i]n order to carry out the purposes established under section 1 [of the Communications Act of 1934], to make available to all individuals in the United States a rapid, efficient nationwide communication service, and to increase the utility of the telephone system of the Nation, the Commission shall ensure that interstate and intrastate telecommunications relay services are available, to the extent possible and in the most efficient manner, to hearing-impaired and speech-impaired individuals in the United States." 47 U.S.C. § 225(b)(1).

¹⁰ See, e.g., See H.R. Rep. No. 485, Pt. 2, 101st Cong., 2d Sess. at 129-130 (1990) (House Report) (Section 225 "imposes on all common carriers providing interstate or intrastate telephone service[] an obligation to provide to hearing and speech-disabled individuals telecommunications services that enable them to communicate with hearing individuals. These services must be functionally equivalent to telephone service provided to hearing individuals."); 47 U.S.C. § 225(a)(3).

disabilities have long experienced barriers to their ability to access, utilize, and benefit from telecommunications services.¹¹ Attendant federal regulations implementing the provisions of Title IV and section 225 of the Act have been codified in Part 64, Subpart F, Telecommunications Relay Services and Related Customer Premises Equipment for Persons With Disabilities as subsequently amended.¹²

Of particular relevance to the instant Application, section 64.604 of the FCC's rules establishes *inter alia* Mandatory Minimum operational, technical, and functional Standards for the provision of TRS, VRS, and IP Relay services. Amended section 64.606 further allows TRS/VRS providers to recoup service costs from the federal TRS Fund when successfully demonstrating compliance with those standards.

Federal TRS/VRS regulation has evolved and adapted to new technology and changes in an increasingly competitive industry. In March 2000, the FCC tentatively concluded that VRS is a form of TRS.¹³ The FCC found that TRS encompasses VRS, and that VRS would make relay services functionally equivalent to conventional telephone service for individuals whose first language is American Sign Language.¹⁴ The FCC did not at that time mandate the provision of VRS, given its technological

¹¹ See, e.g., House Report at 129.

¹² 47 C.F.R. §64.601 *et. seq.*

¹³ *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, CC Docket No. 98-67, Report and Order and Further Notice of Proposed Rulemaking, 15 FCC Rcd 5140 (March 6, 2000).

¹⁴ *Id.* 15 FCC Rcd at 5152-5153, para. 23.

nascence.¹⁵ Yet the FCC encouraged the use and development of VRS and established that all VRS calls would be eligible for cost recovery from the TRS Fund.¹⁶

The Commission's mid-2005 TRS *Report and Order*¹⁷ underscored the importance of VRS as a significant advancement toward achieving "functional equivalency."

The advent of VRS as a form of TRS has been one of the most important developments in the short history of TRS. VRS allows a deaf person whose primary language is ASL to communicate in ASL with the CA, who is a qualified interpreter, through a video link; the CA, in turn, places an outbound telephone call to a hearing person. During the call, the CA communicates in ASL with the deaf person and by voice with the hearing person. As a result, the conversation between the two end users, deaf and hearing, flows in near real time and in a faster and more articulate manner than with a TTY or text-based TRS call. As a result, VRS calls reflect a degree of "functional equivalency" unimaginable in a solely text-based TRS world. The use of VRS reflects this reality: in April 2005 the monthly minutes of use were approximately 1.8 million, a ten-fold increase in the past two years, and more than the number of interstate traditional TRS minutes.¹⁸

To promote "functional equivalency," Congress further sought to ensure that attendant FCC TRS regulation would in no way stifle technological advancement.

Pursuant to section 225(d)(2) of the Act,

The Commission shall ensure that regulations prescribed to implement this section encourage, consistent with section 157(a) of this title, the use of existing technology and do not discourage or impair the development of improved technology.

¹⁵ *Id.*, 15 FCC Rcd at 5152, para. 22.

¹⁶ *Id.*, 15 FCC Rcd at 5152-5154, paras. 23-27.

¹⁷ *In the Matter of Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, Report and Order, CG Docket No. 03-123, CC Docket No. 98-67, FCC 05-140 (July 19, 2005).

¹⁸ *Report and Order* at 3. See TRS Fund Performance Status Report as of May 31, 2005, www.neca.org (under Resources, then TRS Fund).

In 2005, Commissioner Michael J. Copps addressed the critical importance of technologic advancement in communications for those with speech and hearing disabilities, noting that

Americans with disabilities spend much of their time fighting for the opportunities for advancement that others of us just take for granted.... Advances in technology have already made a huge difference for many people with visual, auditory, and ambulatory challenges, and technology can do far more.¹⁹

The desirability of technologically advanced VRS by the Deaf Community is well documented. In its 2004 Report to Congress, *Availability of Advanced Telecommunications Capability in the United States*, the FCC addressed the growing importance of VRS and IP relay as tools for the hearing and speech impaired,

Broadband-based Internet services have also become a critical communications tool for the deaf and hard-of-hearing, through the use of Internet Protocol Relay (IP Relay) and Video Relay Service (VRS), two forms of telecommunications relay services (TRS) that rely on the Internet. This report shows that there has been more than a 640 percent increase in IP Relay usage and more than a 2,000 percent increase in VRS in the past two years.²⁰

Until recently, the Deaf and hard of hearing could avail themselves of a limited number of TRS/VRS and IP Relay alternatives to communicate. Such alternatives historically relied on bulky specialized communications equipment that limited user mobility and potentially restricts accessibility to alternative TRS/VRS applications.

¹⁹ Remarks of FCC Commissioner Michael J. Copps, Cellular Telecommunications and Internet Association Wireless Accessibility Workshop, New Orleans, LA March 14, 2005.

²⁰ *Availability of Advanced Telecommunications Capability in the United State*, (FCC Fourth Report to Congress (September 9, 2004) (http://www.neca.org/wawatch/wwwpdf/091004_1.pdf)) at 9. The FCC's *Fourth Report to Congress* notes specifically that in June 2002, consumers used 35,443 VRS minutes. In May 2004, consumers used 733,040 VRS minutes; a more than 2,000 percent increase in VRS in the past two years (*Fourth Report to Congress* at 37).

These solutions have in some respects not yet fully reached the technological “functional equivalency” standard contemplated by Congress and the FCC, to enable speech and hearing impaired individuals to communicate with the facility, flexibility, and mobility which non-disabled individuals often take for granted.

The entry of new competitors has contributed not only to the proliferation of competitive alternatives, but to the introduction of new technology and innovation that have greatly enhanced the provision of relay services, approximating the “functional equivalency” standard. Healinc has drawn upon its IP-based VRS experience to develop a technologically-advanced IP Relay service offering that provides users with an additional communications medium that approximates the ease of communications media available to the general public. Healinc now requests that the Commission find that the Company meets the eligibility criteria set forth in Sections 64.604, 64.605, 64.606, 64.611 and 52.34 of the Commission’s rules for the provision of compensable IP Relay services. In support of its request, Healinc states as follows.

III. HEALINC TELECOM, LLC

Applicant’s name, address and telephone number are as follows:

Healinc Telecom, LLC
450 Seventh Avenue, Suite 3303
New York, N.Y. 10123
Telephone (Relay): 212.563.5000
Telephone: 212.714-2940

Correspondence regarding the instant Petition should be addressed to Applicant's regulatory consultant,

Andrew O. Isar
Miller Isar, Inc.
7901 Skansie Avenue, Suite 240 (until December 15, 2008)
4423 Pt. Fosdick Dr. NW, Ste. 306 (beginning December 15, 2008)
Gig Harbor, WA 98335
Telephone: 253.851.6700
E-Mail: aisar@millerisar.com

An overview of Healinc's senior management team is attached hereto at **Exhibit A**.

IV. HEALINC IS ELIGIBLE FOR COMPENSATION FROM THE FEDERAL TRS FUND FOR THE PROVISION OF IP RELAY SERVICES AS IT MEETS, AND WILL CONTINUE TO MEET, APPLICABLE MANDATORY MINIMUM STANDARDS FOR THE PROVISION OF IP RELAY SERVICES.

The Commission's *Report and Order* created for the first time an opportunity for federal certification of VRS and IP Relay provider compliance with the mandatory minimum standards for purposes of drawing from the federal TRS fund. The Commission's *Report and Order* specifically allowed common carriers seeking to offer VRS or IP Relay, such as Healinc, and who were not otherwise able to seek certification through a state program, to qualify for compensation from the Interstate TRS Fund through a Commission certification process.²¹ This Commission certification process, now codified at section 64.606(a)(2)²² of the Commission's rules, establishes the basis for Commission certification that that the VRS and IP Relay providers meet the Commission's MMS for the provision of VRS and IP relay services, and are therefore eligible for compensation from the federal TRS Fund.

²¹ *Report and Order* at para.19.

²² Formerly 47 C.F.R. §64.605(a)(2).

The following demonstrates to the Commission that Healinc currently meets or exceeds all non-waived operational, technical, and functional MMS for the provision of IP Relay, that the Company has adopted adequate procedures and remedies for ensuring ongoing compliance with the Commission's MMS, including availability of informational materials regarding complaint procedures sufficient for users to know the proper procedures for filing complaints; that the Company acknowledges its obligations to meet and exceed currently waived MMS applicable to VRS and now IP Relay, and that its service offerings will remain in compliance with applicable MMS and related Commission orders governing those standards.

A. Documentation for VRS Provider Pursuant to 47 C.F.R. §64.606(a)(2).

Section 64.606(a)(2) of the Commission's rules establish the requisite documentation to be submitted by a VRS and IP Relay provider seeking Commission certification independent from any certified state program. Healinc has expended considerable effort and resources in meeting the Commission's mandatory minimum standards and currently waived MMS for VRS providers, and now for IP Relay, as documented below.

1. A description of the forms of TRS to be provided (*i.e.*, VRS and/or IP Relay), 47 C.F.R. §64.605(a)(2)(i).

Applicant proposes to provide IP Relay services to the public, as an extension of its VRS. Applicant's IP Relay service will be supported by a technologically-advanced, software-based, IP Relay "Text Relay" application developed by URrelay, Inc.²³ through

²³ See http://www.urrelay.com/text_relay.html.

a licensing agreement with NexTalk, Inc., and its NexTalk® Direct™ product.²⁴ Through URrelay, Inc.'s platform, Applicant will provide its own IP Relay service with virtually immediate interpreter access, and a multitude of service and operational features and reporting capabilities.²⁵

IP Relay users will be provided with Healinc-branded "Text Relay" software "client," which can be easily downloaded by the user.²⁶ Users will simply enter the called party's number and any special directives to the Communications Assistant ("CA"). Users will also be able to select interpreters by individual, gender, or specialized skill set, consistent with the CA selection capabilities currently available through Healinc's VRS. Upon selecting the "connect" feature, the caller is almost instantaneously connected to the selected available interpreter, who completes the call.

Applicant's IP Relay platform will provide extensive management oversight capabilities; automated reporting capabilities that will further meet Commission TRS Fund administrator reporting obligations, and tools that support CA productivity enhancements and retention. Among the more salient features of Healinc's IP Relay platform:

- **Healinc's IP Relay platform is software-based.** As a software-based application, Healinc's IP Relay service is available to any caller having a computer and Internet connection. The software is constantly updated, scalable to

²⁴ See <http://www.nextalk.com/>; http://www.nextalk.com/products/nextalk_direct.php. Healinc is pursuing a unified IP Relay and VRS platform offering with NexTalk that will enable callers to utilize the same software functionality to place calls using IP Relay, VRS, and new video phone VRS media.

²⁵ URrelay, Inc.'s platform and NexTalk "client" will be deployed by Healinc as a unified IP Relay and VRS platform to replace Healinc's existing VRS platforms.

²⁶ See http://www.urrelay.com/text_relay.html.

meet growing demand, and is capable of recording and processing data for call management and TRS Fund reporting requirements. Users will be able to access Applicant's IP relay through a custom software client or through existing legacy or a variety of devices currently used by consumers including existing videophones that consumers use with a standard television set.²⁷

- **Virtually Instant CA Access.** Healinc's IP Relay software enables virtually instant access to available CAs. Healinc plans to offer unified IP Relay and VRS through its IP Relay platform to enable access to Healinc's experienced CAs for IP Relay calls or VRS calls, further maximizing user call options and preferred CA availability.
- **Enhanced Security.** All IP Relay communications are encrypted by the platform software to ensure the strictest of communications between callers and CAs.
- **Unlimited Access and Interoperability.** No limitations are imposed on users' usage or access to alternative providers. Healinc does not block access to other providers, and its services are fully interoperable with other equipment.
- **Call Tracking and Other Data Collection.** A variety of call and usage data are captured and can be organized and made available in real time, historical, and custom formatted management and TRS Fund management reports via Applicant's VRS platform. The flexibility of the platform's call detail accounting and data retrieval capability has enabled Healinc to structure detailed conversation minute, call detail, and *ad hoc* reports that will be used to provide annual and periodic reporting to the Commission and National Exchange Carriers Association, the TRS Fund Administrator.

Healinc's comprehensive IP platform, functions and features, offer several advantages over other applications that simplify communications for disabled users.

²⁷ Minimum system requirement specifications are Windows-based personal computer using Windows 2000 or higher operating system; Minimum ten megabyte hard drive to store the VRS application software; Stable, high-speed Internet connection with a minimum 256 kilobits per second or higher modem; and standard telephone instrument with an assigned ten-digit telephone number that the URrelay VRS application can dial. See, <http://www.urrelay.com/vrs.html>.

2. **A description of how the provider will meet all non-waived mandatory minimum standards applicable to each form of TRS offered), 47 C.F.R. §64.605(a)(2)(ii).**

Section 64.604(a) of the FCC's rules, as amended, establishes Mandatory Minimum operational, technical, and functional Standards governing the provision of TRS/VRS and IP Relay. Pursuant to section 64.606(c)(5)(ii), a TRS/VRS and IP Relay provider may draw upon federal TRS program funding to recoup its costs of providing TRS/VRS and IP Relay, when demonstrating that the provider fully complies with the MMS contained in federal regulation.²⁸ As set forth below, Healinc maintains that it meets or exceeds federal MMS applicable to the provision of IP Relay, consistent with its provision of VRS, as recently demonstrated to the Commission,²⁹ and merits Commission certification of compliance for purposes of recouping costs from federal TRS program funds, now for the provision of IP Relay services.

Operational Standards

1. **Communications Assistant (“CA”) – Training (47 C.F.R. §64.604(a)(1)).**

Standard (i): “TRS providers are responsible for requiring that all CAs be sufficiently trained to effectively meet the specialized communications needs of individuals with hearing and speech disabilities.”

Healinc Compliance: Qualified CAs are essential to the successful provision of Applicant's VRS, its ability to meet its clients' specialized and varied communications

²⁸ 47 C.F.R. §64.604(c)(5)(ii) Cost recovery.

²⁹ See, e.g. *Application of Healinc Telecom, LLC, for Certification of Eligibility for Compensation From the Interstate TRS Fund for Video Relay Services and IP Relay*, Docket No. 03-123, *2008 Annual Report Mandatory Minimum Standards Compliance* (June 6, 2008). Healinc reiterates its MMS compliance as originally presented in the Company's 2006 application for TRS Fund eligibility for VRS and updated from the Company's 2008 (MMS) *Annual Report*.

needs, and as the company's "face" to the public. To qualify for employment, CAs must first meet Applicant's minimum qualifications for employment, and demonstrate complete understanding of Applicant's operating standards, before the CA can begin interpreting.

Healinc promotes Registry of Interpreters for the Deaf (RID), SCS, CI or CT, or National Association of the Deaf certification. Certified CAs are given priority for employment or engagement. CA candidates are screened for typing ability, American Sign Language ("ASL") skills and skill certification, and then judged for attitude and orientation.

As part of the initial qualifying process, a team of CAs and supervisory management performs candidate screening. Each candidate CA's stated qualifications are reviewed and tested, and the individual's orientation to the position is judged. Screening also includes in depth ASL performance evaluation as well as a comprehensive analysis of ASL to voice skills that is critical to conveying the deaf user's message accurately. Candidates are then tested in mock calls to determine operating capabilities. If the candidate passes initial testing and is recommended for employment, security/references are verified. Only then do candidates qualify for employment at a relay center.³⁰

Each newly hired CA undergoes an initial orientation with presentations from senior management regarding company mission, objectives, obligations, and compliance. New hires receive detailed orientation from experienced CAs, and are provided reference materials, including a listing of compliance requirements and metrics. Newly hired CAs

³⁰ Contract CA's must also qualify to meet minimum employment standards, even if engaged under contract.

receive training on each type of call that may be received, and are given an opportunity to engage in mock practice calls to gain confidence in equipment usage and procedures. The new hire is then monitored closely, until standards of performance are exceeded. Ongoing monitoring of performance is maintained with identified areas for improvement given a training plan.

Each CA is evaluated periodically by a supervisor, to ensure that the CA maintains proficiency and meets operational standards. Those CAs who are found substandard are required to engage in remedial training subject to more frequent evaluation, and ultimately dismissal if performance fails to meet minimum standards. CAs are encouraged to engage in continuing education.

Standard (ii): “CAs must have competent skills in typing, grammar, spelling, interpretation of typewritten ASL, and familiarity with hearing and speech disability cultures, languages and etiquette. CAs must possess clear and articulate voice communications.”

Healinc Compliance: CA professional accreditation is a priority for employment, as noted *supra*. A CA’s typing, grammar, and spelling skills, as well as the CA’s ability to interpret ASL, and familiarity with Deaf culture, languages and etiquette, and ability to communicate articulately, are judged as part of the initial screening process, and ongoing post-hire evaluations. Only candidates who qualify based on the determination of the initial CA screening team are considered for employment or engagement. Although many new hires or contractors will have practical interpreting experience, the CA screening team will also consider educational experience and teacher evaluations for candidates who recently graduated from accredited colleges or training courses.

Standard (iii): “CAs must provide a typing speed of a minimum of 60 words per minute. Technological aids may be used to reach the required typing speed. Providers must give oral-to-type tests of CA speed.”

Healinc Compliance: Typing skill becomes critical in the provision of IP Relay. While all CAs are expected to meet this standard, only those CAs with exceptional typing proficiency will be assigned to respond to IP Relay calls.

Standard (iv): “TRS providers are responsible for requiring that VRS CAs are qualified interpreters. A “qualified interpreter” is able to interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary.”

Healinc Compliance: Employee candidates must maintain, or be demonstrated to be working toward professional accreditation through the Registry of Interpreters for the Deaf (RID), SCS, National Interpreter Certificate, CI or CT, or National Association of the Deaf, have demonstrated practical experience as an ASL interpreter and/or be a graduate of an accredited institution’s ASL interpreter program. These minimum requirements, coupled with the extensive screening, ensure that employed CAs are effective in understanding and meeting the communications needs of Applicant’s clients.

Standard (v): “CAs answering and placing a TTY-based TRS or VRS call must stay with the call for a minimum of ten minutes. CAs answering and placing an STS call must stay with the call for a minimum of fifteen minutes.”³¹

Healinc Compliance: Applicant has adopted this standard to the extent applicable to IP Relay calls and includes the requirement in training and in performance evaluations. Healinc considers the standard in planning for interpreter staffing requirements. As a general matter, CAs are instructed to remain on each call until the call is terminated, even

³¹ STS calling requirements are waived indefinitely. *2004 TRS Report and Order*, para 138 and 139.

if the call extends beyond the CA's shift, unless a change in CAs is expressly authorized by the subscriber.

Standard (vi): "TRS providers must make best efforts to accommodate a TRS user's requested CA gender when a call is initiated and, if a transfer occurs, at the time the call is transferred to another CA."

Healinc Compliance: The ability to select a CA by gender, skill set, or simply because of familiarity to the calling through an established relationship, is an inherent function of Healinc's URrelay platform. CA gender and language capabilities appear on the subscriber's computer screen, enabling the subscriber to see available interpreters, and select an interpreter at the click of a button, as demonstrated at **Exhibit B**.

Standard (vii): "TRS shall transmit conversations between TTY and voice callers in real time."

Healinc Compliance: Real time transmission is an inherent component of Healinc's IP Relay. Conversations will be transmitted in real time, consistent with CA VRS interpretation today.

2. Communications Assistant– Confidentiality and conversation content. (47 C.F.R. §64.604(a)(2)).

Standard (i): "Except as authorized by section 605 of the Communications Act, 47 U.S.C. 605, CAs are prohibited from disclosing the content of any relayed conversation regardless of content, and with a limited exception for STS CAs, from keeping records of the content of any conversation beyond the duration of a call, even if to do so would be inconsistent with state or local law. STS CAs may retain information from a particular call in order to facilitate the completion of consecutive calls, at the request of the user. The caller may request the STS CA to retain such information, or the CA may ask the caller if he wants the CA to repeat the same information during subsequent calls. The CA may retain the information only for as long as it takes to complete the subsequent calls."

Healinc Compliance: Healinc continues to maintain strict privacy standards regarding communications content and subscriber data adopted from the MMS, and remains in compliance with this confidentiality standard. All CAs must comply with Healinc's confidentiality policy. CA's found to have violated this policy are subject to immediate disciplinary action, up to and including termination following a full investigation. CAs retain access to call data and the identity of the caller (collectively "call set up data") only so long as the caller is connected to the CA. Following disconnection of a call, the CA does not maintain any ability to review or retain call set up data. Call detail is stored in a separate server and is not accessible to any CA. Only supervisory staff may monitor a calls for quality assurance and training, and then, only with the express approval of the caller. CAs receive calls in work areas that are physically isolated and preclude inadvertent call viewing by other individuals. CA's work from secured premises. CAs utilize hands-free headsets which preclude others from hearing call content. Healinc has posted information regarding protection of confidential customer proprietary network information and other customer information on its web site.³²

Standard (ii): "CAs are prohibited from intentionally altering a relayed conversation and, to the extent that it is not inconsistent with federal, state or local law regarding use of telephone company facilities for illegal purposes, must relay all conversation verbatim unless the relay user specifically requests summarization, or if the user requests interpretation of an ASL call. An STS³³ CA may facilitate the call of an STS user with a speech disability so long as the CA does not interfere with the independence of the user, the user maintains control of the conversation, and the user does not object. Appropriate measures must be taken by relay providers to ensure that confidentiality of VRS users is maintained."

³² See, <http://www.lifelinksvrs.com/privacy.html> .

³³ Speech-to-Speech.

Healinc Compliance: CAs are bound to this standard through compliance with national interpreter association codes of ethics, adopted and enforced by Healinc. Consistent with Healinc’s policies regarding call content security, prohibitions against altering or summarizing a relayed conversation without the expressed direction of the subscriber are incorporated into Healinc’s training program and compliance. CA’s found to have violated such prohibition may be subject to immediate termination of employment, following investigation.

3. Types of Calls (47 C.F.R. §64.604(a)(3)).

Standard (i): “Consistent with the obligations of telecommunications carrier operators, CAs are prohibited from refusing single or sequential calls or limiting the length of calls utilizing relay services.”

Healinc Compliance: This standard is incorporated into Healinc’s training program and compliance checklist provided to all CAs, and is verified through Healinc’s Quality Assurance. CAs are trained, and acknowledge that they may never refuse to interpret a call, or limit the number or length of calls. Any confirmed intentional premature call termination is subject to disciplinary action, up to and including termination.

Standard (ii): “Relay services shall be capable of handling any type of call normally provided by telecommunications carriers unless the Commission determines that it is not technologically feasible to do so. Relay service providers have the burden of proving the infeasibility of handling any type of call.”³⁴

Healinc Compliance: Applicant’s URrelay platform is designed to process IP Relay calls, although VRS, TTY and other non-VRS calls are also supported. Healinc does not bill subscribers or called parties for calls, alternative-billing calls such as person-to-person, reverse bill, or third-party billed typically placed as operator-assisted calls are not supported and inapplicable. Additional discussion appears under waived MMS compliance section, *infra*.

Standard (iii): “Relay service providers are permitted to decline to complete a call because credit authorization is denied.”

Healinc Compliance: This standard is inapplicable as Healinc does not charge users for any call, and therefore does not conduct credit authorizations or checks, as part of its

³⁴ Types of Calls requirements are waived through January 1, 2009. *2004 TRS Report and Order*, para 113 through 115. “We agree with the parties that it remains technologically infeasible for VRS providers to offer operator assisted calls and to bill for certain types of long distance calls because one leg of the VRS call is transmitted over the Internet.³⁴ We therefore grant VRS providers a waiver of this TRS requirement until January 1, 2008, conditioned on the filing of an annual report with the Commission as indicated above. We will also continue to require VRS providers to allow calls to be placed using calling cards and/or to provide free long distance calls during the waiver period.” “The waivers of certain TRS mandatory minimum standards for VRS and IP Relay will expire on January 1, 2009, except the waiver of the speed dialing requirement for VRS, which will expire on April 30, 2008.” *See, e.g. Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, CG Docket No. 03-123, Order, DA 07-5098 (Dec. 26, 2007) [“*Extension Order*”]; *See also Telecommunications Relay Services and Speech-to-Speech Services for Individuals With Hearing and Speech Disabilities*, CG Docket 03–123, DA 07–098; DA 08–45; *In the Matter of Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities E911 Requirements for IP-Enabled Service Providers*, CG Docket 03–123 and WC Docket No. 05-196, *Report and Order*, FCC 08-78 (March 19, 2008)

obligations to retain the Equal Access to Interexchange Carrier waivers for VRS providers.³⁵

Standard (iv): “Relay services shall be capable of handling pay-per-call calls.”³⁶

Healinc Compliance: Healinc avers compliance to the extent ultimately required by the Commission. Additional discussion appears under waived MMS compliance section, *infra*.

Standard (v): “TRS providers are required to provide the following types of TRS calls: (1) Text-to-voice and voice-to-text; (2) VCO, two-line VCO, VCO-to-TTY, and VCO-to-VCO; (3) HCO, two-line HCO, HCO-to-TTY, HCO-to-HCO.”³⁷

Healinc Compliance: Healinc has the capability of supporting all types of calls, although the focus remains on the provision of VRS and for purposes of the instant Application, on IP Relay. Healinc’s VRS has the capability of supporting Voice Carry Over (VCO), allowing a user to speak directly to the person he or she is calling and receiving responses through the CA and vice-versa. Healinc has the capability to support VCO-VCO calls, VCO-HCO calls, VCO-TTY, and Two-Line VCO calls. Healinc’s VRS is also capable of supporting Hearing Carry Over (HCO) that allows an individual to listen to the called party and respond in text to be voiced by the CA and vice-versa. HCO users are able to

³⁵ 47 C.F.R. § 64.604(b)(3).

³⁶ Pay-per-call Service requirements are waived for IP Relay and VRS providers through January 1, 2009. *2004 TRS Report and Order*, para 130 through 132. “We agree with the parties that VRS providers do not have the technology to complete pay-per-call (900 number) calls, and therefore we waive this TRS requirement until January 1, 2008. We believe that technology will be developed to allow VRS providers to handle these types of calls, and will require VRS providers to submit a report annually to the Commission as indicated above and detailing advancements that may enable VRS providers to comply with this requirement.” Amended by *Extension Order*.

³⁷ Types of Calls requirements are waived for IP Relay and VRS providers through January 1, 2009. *2004 TRS Report and Order*, paras. 134, 135. “This waiver is conditioned on the annual submission of a report to the Commission [FCC] as detailed above.” Amended by *Extension Order*.

hear the call set-up, ringing, and the called party answering the telephone. Healinc supports HCO-HCO calls, HCO-VCO calls, HCO-TTY calls, and Two-Line HCO calls. These capabilities are tangentially related to the instant request for IP Relay eligibility certification. Additional discussion appears under waived MMS compliance section, *infra*.

Standard (vi): “TRS providers are required to provide the following features: (1) Call release functionality; (2) speed dialing functionality; and (3) three-way calling functionality.”

Healinc Compliance: Both callers and CAs will have the ability to release calls immediately when terminated through the IP Relay software application for users, and through the IP Relay platform available to CAs. The application software inherently allows for speed dialing once the called number is input into the calling screen. Healinc CAs have the ability to initiate three-way calls through the URrelay, Inc. platform, for VRS calls, a capability that will be available for IP Relay calls as well.

Standard (vii): “Voice mail and interactive menus. CAs must alert the TRS user to the presence of a recorded message and interactive menu through a hot key on the CA's terminal. The hot key will send text from the CA to the consumer's TTY indicating that a recording or interactive menu has been encountered. Relay providers shall electronically capture recorded messages and retain them for the length of the call. Relay providers may not impose any charges for additional calls, which must be made by the relay user in order to complete calls involving recorded or interactive messages.”

Healinc Compliance: Applicant will record voice mail messages for subscribers who currently use voice mail devices, as requested by the subscriber. Applicant is working with URrelay to establish a process for recording video mail and informing subscribers of new messages, which can be accessed directly by the subscriber. This function will be technologically possible following full deployment of ten digit dialing later this year.

Subscribers may also request that the CA assist in recording a video or voice mail message when the subscriber encounters a busy or do-not-answer call.

Standard (viii): “TRS providers shall provide, as TRS features, answering machine and voice mail retrieval.”

Healing Compliance: As noted *supra*, voice mail will be made available to requesting subscribers.

4. Handling of emergency calls. (47 C.F.R. §64.604(a)(4)) and amended Section 64.605.

Standard: “(4) Emergency call handling requirements for TTY-based TRS providers. TTY-based TRS providers must use a system for incoming emergency calls that, at a minimum, automatically and immediately transfers the caller to an appropriate Public Safety Answering Point (PSAP). An appropriate PSAP is either a PSAP that the caller would have reached if he had dialed 911 directly, or a PSAP that is capable of enabling the dispatch of emergency services to the caller in an expeditious manner.”³⁸

“Our rules require TRS providers to automatically and immediately transfer emergency calls to an appropriate public safety answering point (PSAP).³⁹ The *VRS Waiver Order* granted VRS providers a two-year waiver of this requirement, but also required VRS providers to clearly explain on their website and in any VRS promotional materials “the shortcomings and potential dangers of using VRS to place an emergency call using 911.”⁴⁰ ⁴¹ “In the *Interim Emergency Call Handling Order*, the Commission terminated the temporary waivers of the emergency call handling rule, effective May 21, 2008, for VRS, IP Relay, and IP CTS in light of the “present imperative to provide Internet-based TRS users a reliable means of

³⁸ See *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*, 23 FCC Rcd 5255 (Mar. 19, 2008) (“*Interim Emergency Call Handling Order*”), [FCC 08-78], amended *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, *Order*, FCC 08-210, (rel. September 19, 2008), Appendix B.

³⁹ See 47 C.F.R. § 64.604(a)(4); see also *Second Improved TRS Order & NPRM* at ¶¶ 37-42.

⁴⁰ *VRS Waiver Order* at ¶ 14.

⁴¹ 2004 *TRS Report and Order*, ¶ 116, footnotes from original.

accessing emergency services.”⁴² The Commission required Internet-based TRS providers to “accept and handle emergency calls” and to access, either directly or via a third party, a commercially available database that will allow the provider to determine an appropriate PSAP, designated statewide default answering point, or appropriate local emergency authority that corresponds to the caller’s location, and to relay the call to that entity. Further, the Commission promulgated the following Standards under Section 64.605, as amended by the Commission’s June 2008 *Report and Order and Further Notice of Proposed Rulemaking*.^{43 44}

Healinc Compliance: Applicant does not propose to provide TTY-based TRS services. The provisions of Section 64.604(a)(4), as amended, governing TTY-based TRS services are inapplicable for purposes of the instant Application, accordingly.⁴⁵ As Applicant proposes to provide IP Relay, Applicant’s compliance focuses on the amended provisions of Section 64.605(b) governing emergency call handling requirements for VRS providers, and related requirements for Internet-based TRS Registration in newly promulgated Sections 64.611⁴⁶ and 52.34⁴⁷ applicable to Internet-Based TRS providers adopted under the *Interim Emergency Call Handling Order and Report and Order and Further Notice of Proposed Rulemaking*, addressed further below. Applicant’s URrelay, Inc. platform

⁴² *Interim Emergency Call Handling Order*, para. 16.

⁴³ See *id.*; 47 C.F.R. § 64.605 (setting forth additional operational standards applicable to Internet-based TRS).

⁴⁴ See, e.g. *In the Matter of 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 and WC Docket No. 05-196, *Report and Order and Further Notice of Proposed Rulemaking*, FCC 08-151 (Rel. June 24, 2008)[“*Report and Order and Further Notice of Proposed Rulemaking*”].

⁴⁵ “We note that, as amended by the *Interim Emergency Call Handling Order*, section 64.604(a)(4) now applies exclusively to TTY-based TRS providers. The emergency call handling requirements applicable to Internet-based TRS providers are now set forth in section 64.605 of the Commission’s rules. See *Interim Emergency Call Handling Order*, 23 FCC Rcd at 5275–76, Appendix B.” *Report and Order and Further Notice of Proposed Rulemaking* footnote 36.

⁴⁶ 47 C.F.R. §64.611.

⁴⁷ 47 C.F.R. §52.34.

has been designed to comply with amended section 64.605 for emergency call handling, and is currently compliant, as demonstrated at **Exhibit C**. The platform has the capability to determine callers' physical location through access to the Neustar Registered Location database,⁴⁸ and route emergency 911 calls to the Public Safety Answering Point responsible for serving each caller, through arrangements with other carriers, including incumbent local exchange carriers. Applicant will receive ten digit North American Number Plan telephone number assignments for subscribers through its arrangement with URrelay, Inc. as a numbering partner, pursuant to new Section 64.611, promulgated under the Commission's June 24, 2008 *Report and Order and Further Notice of Proposed Rulemaking* governing assignment of uniform, conventional ten-digit telephone numbers by all Internet based telecommunications relay service providers.

Further, Applicant avers to prominently inform subscribers of the process for placing emergency VRS 911 calls through promotional materials, Healinc's website, and when users access Healinc's VRS and IP Relay platform via the Internet.

With respect to the specific requirements set forth in amended Section 64.605, Applicant provides the following statement of compliance.

§64.605 Emergency Calling Requirements

(b) E911 Service for VRS and IP Relay

(1) Scope. The following requirements are only applicable to providers of VRS or IP Relay. Further, the following requirements apply only to 911 calls placed by users whose Registered Location is in a geographic area served by a Wireline E911 Network.

(2) E911 Service. As of December 31, 2008:

⁴⁸ The terms Registered Location database and TRS Numbering Directory are used synonymously herein.

(i) VRS or IP Relay providers must, as a condition of providing service to a user, provide that user with E911 service as described in this section;

(ii) VRS or IP Relay providers must transmit all 911 calls, as well as ANI, the caller's Registered Location, the name of the VRS or IP Relay provider, and the CA's identification number for each call, to the PSAP, designated statewide default answering point, or appropriate local emergency authority that serves the caller's Registered Location and that has been designated for telecommunications carriers pursuant to §64.3001 of this chapter, provided that "all 911 calls" is defined as "any communication initiated by a VRS or IP Relay user dialing 911";

Healinc Compliance: Healinc will access Neustar, Inc.'s, Registered Location numbering assignment administrator's database and populate user data with assigned ten digit numbers that reflect the user's physical location for use in proper routing of emergency calls to the local public safety access point emergency authority that corresponds to the caller's location, and to relay the call to that entity. Applicant has registered with Neustar, Inc. for access to the numbering database. Evidence of Healinc's Neustar, Inc. Registered Location database registration is attached hereto at **Exhibit D**.

Applicant has already begun the process for maintaining the caller's registered location by informing users of the requirements and requesting users to subscribe to Healinc's service. Registered location information is being requested as part of the registration process. Nevertheless, in an abundance of caution, CAs will be directed to confirm the registered location on each 911 emergency call before directing the call to the appropriate PSAP through the URrelay platform as a matter of policy.

Applicant's platform will automatically transmit both the caller's name and Registered Location to the PSAP. The Platform will also identify Applicant as the VRS

provider and the CA's identification and call back numbers with the data transmitted to the PSAP.

(iii) All 911 calls must be routed through the use of ANI and, if necessary, pseudo-ANI, via the dedicated Wireline E911 Network; and

Healinc Compliance: Applicant's URrelay platform will transmit automatic number identification ("ANI") based on the assigned ten-digit number established in the Registered Location database for Applicant's subscribers. ANI data will be transmitted to the serving PSAP through URrelay's dedicated 911 routing facilities and URrelay's arrangements with interconnecting carriers.

(iv) The Registered Location, the name of the VRS or IP Relay provider, and the CA's identification number must be available to the appropriate PSAP, designated statewide default answering point, or appropriate local emergency authority from or through the appropriate automatic location information (ALI) database.

Healinc Compliance: Applicant's VRS and IP Relay platform is configured to automatically identify Applicant and the CA's identification number to the PSAP, in conjunction with ANI information obtained through Neustar's Registered Location database.

(3) Service Level Obligation. Notwithstanding the provisions in paragraph (b)(2) of this section, if a PSAP, designated statewide default answering point, or appropriate local emergency authority is not capable of receiving and processing either ANI or location information, a VRS or IP Relay provider need not provide such ANI or location information; however, nothing in this paragraph affects the obligation under paragraph (c) of this section of a VRS or IP Relay provider to transmit via the Wireline E911 Network all 911 calls to the PSAP, designated statewide default answering point, or appropriate local emergency authority that serves the caller's Registered Location and that has been designated for telecommunications carriers pursuant to §64.3001 of this chapter.

Healinc Compliance: Applicant so acknowledges.

(4) Registered Location Requirement. As of December 31, 2008, VRS and IP Relay providers must:

(i) Obtain from each Registered Internet-based TRS User, prior to the initiation of service, the physical location at which the service will first be utilized; and

(ii) If the VRS or IP Relay is capable of being used from more than one location, provide their Registered Internet-based TRS Users one or more methods of updating their Registered Location, including at least one option that requires use only of the CPE necessary to access the VRS or IP Relay. Any method utilized must allow a Registered Internet-based TRS User to update the Registered Location at will and in a timely manner.

Healinc Compliance: In order for subscribers to select Applicant as a preferred provider and access Applicant's Platform, subscribers will be required to register with Healinc. Through this registration process, subscribers will be asked to provide necessary contact information, including physical location, needed to populate the Registered Location database. Subscribers will be able to register and update information over a secure Internet web site, via email, or by contacting Applicant's customer service in writing or telephonically, with proper verification of identity. Further, Applicant's operating procedures dictate that CAs verify Registered Location information on all emergency calls. Applicant will provide users with specific information on the use of customer

proprietary network information to be collected and in its use specifically for complying with 911 access requirements.

(c) Deliver to the PSAP, designated statewide default answering point, or appropriate local emergency authority, at the outset of the outbound leg of an emergency call, at a minimum, the name of the relay user and location of the emergency, as well as the name of the relay provider, the CA's callback number, and the CA's identification number, thereby enabling the PSAP, designated statewide default answering point, or appropriate local emergency authority to re-establish contact with the CA in the event the call is disconnected; and

(d) In the event one or both legs of an emergency call are disconnected (*i.e.*, either the call between the TRS user and the CA, or the outbound voice telephone call between the CA and the PSAP, designated statewide default answering point, or appropriate local emergency authority), immediately re-establish contact with the TRS user and/or the appropriate PSAP, designated statewide default answering point, or appropriate local emergency authority and resume handling the call, when feasible;

Healinc Compliance: Although all required information will be transmitted under Applicant's URrelay platform, Applicant's standard operating procedure directs CAs to obtain PSAP contact information immediately, and establish the CA's identity to ensure that in the event that the call is disconnected, the call can immediately be reestablished.

(e) Ensure that information obtained as a result of this section is limited to that needed to facilitate 911 services, is made available only to emergency call handlers and emergency response or law enforcement personnel, and is used for the sole purpose of ascertaining a customer's location in an emergency situation or for other emergency or law enforcement purposes.

Healinc Compliance: Applicant avers to strictly protect the confidentiality of all customer proprietary information pursuant to the requirements set forth in this section, Section 64.604(a)(2)(i), and to be voluntarily bound by the provisions of the

Commission's Customer Proprietary Network Information rules, at Section 64.2001 *et seq.*⁴⁹

5. STS Called Numbers (47 C.F.R. §64.604(a)(5)).

Standard: “Relay providers must offer STS users the option to maintain at the relay center a list of names and telephone numbers which the STS user calls. When the STS user requests one of these names, the CA must repeat the name and state the telephone number to the STS user. This information must be transferred to any new STS provider.”⁵⁰

Healine Compliance: Applicant's VRS system has the ability to process STS calls, but does not currently have the capability of maintaining a list of names and telephone numbers which STS users might call. Applicant's URrelay platform does enable subscribers to maintain a list of frequently contacted individuals and telephone numbers which enable the subscriber to initiate a call to the individual by clicking the option on the screen, either directly, as demonstrated in **Exhibit B**. The subscriber's personal list maintained through the platform's user software obviates the need for maintaining a separate listing at the relay center, and creates an additional level of security for the user.

Technical Standards

1. ASCII and Baudot. (47 C.F.R. §64.604(b)(1)).

Standard: “TRS shall be capable of communicating with ASCII and Baudot format, at any speed generally in use.”

Healine Compliance: Applicant's platform supports text messaging, and may be accessible through other forms of conventional text/data transmissions including ASCII

⁴⁹ 47 C.F.R. §64.2001 *et seq.*

⁵⁰ STS calling requirements are waived indefinitely. *2004 TRS Report and Order*, paras. 138 and 139.

and Baudot format, generated through most TRS equipment.⁵¹ As a practical matter, Applicant's IP Relay offering would obviate the need for conventional texting, which relies on ASCII or Baudot coding formats.

2. **Speed of Answer. (47 C.F.R. §64.604(b)(2)).**⁵²

Standard (i): "TRS providers shall ensure adequate TRS facility staffing to provide callers with efficient access under projected calling volumes, so that the probability of a busy response due to CA unavailability shall be functionally equivalent to what a voice caller would experience in attempting to reach a party through the voice telephone network."

Healinc Compliance: Healinc now has more than two years of experience in VRS call processing and corresponding staffing requirements, enabling Applicant to maintain appropriate staffing at levels that well exceed the minimum call answer times. Healinc further engages in call level monitoring to determine staffing adjustments by time of day, in accordance with actual calling volumes. The relay center supervisor constantly monitors available interpreters both directly and through real time call management reports. Further, supervisors have the ability to contact all available CAs and bring them online within minutes, if unusually high call volumes are experienced. This flexibility ensures that Healinc maintains sufficient staffing to exceed service quality standards, even under exceptional instances of heavy call volumes.

⁵¹ See *i.e.* Exhibit K.

⁵² Speed of Answer calling requirement waiver for VRS providers expired on April 30, 2008. *Extension Order.*

Standard (ii): “TRS facilities shall, except during network failure, answer 85% of all calls within 10 seconds by any method which results in the caller's call immediately being placed, not put in a queue or on hold. The ten seconds begins at the time the call is delivered to the TRS facility's network. A TRS facility shall ensure that adequate network facilities shall be used in conjunction with TRS so that under projected calling volume the probability of a busy response due to loop trunk congestion shall be functionally equivalent to what a voice caller would experience in attempting to reach a party through the voice telephone network.

- (A) The call is considered delivered when the TRS facility's equipment accepts the call from the local exchange carrier (LEC) and the public switched network actually delivers the call to the TRS facility.**
- (B) Abandoned calls shall be included in the speed-of-answer calculation.**
- (C) A TRS provider's compliance with this rule shall be measured on a daily basis.**
- (D) The system shall be designed to a P.01 standard.**
- (E) A LEC shall provide the call attempt rates and the rates of calls blocked between the LEC and the TRS facility to relay administrators and TRS providers upon request.”**

Healinc Compliance: Applicant’s VRS subscribers are able to reach interpreters within eight (8) seconds from the time a call is connected to Applicant’s IP-Relay platform. Answer times for Applicant’s IP Relay will be virtually identical to that of Applicant’s VRS, as the pool of CAs will be available for processing IP Relay calls. The ability to actively monitor call volumes and assign CAs to support Applicant’s VRS service in real time noted *supra*, ensures that the minimum service quality standards are met and exceeded on an ongoing basis as projected call volumes are expected to increase. Broadband facility capacity is constantly monitored by Healinc’s technical staff to gauge usage and anticipate the need to augment facilities. Healinc already submits, and avers to continuing to timely submit annual MMS compliance reports to the Commission,

which summarize speed of answer data for the preceding twelve-month period, as set forth in the *2004 TRS Report and Order*, as amended.

Standard (iii) “Speed of answer requirements for VRS providers are phased-in as follows: by January 1, 2006, VRS providers must answer 80% of all calls within 180 seconds, measured on a monthly basis; by July 1, 2006, VRS providers must answer 80% of all calls within 150 seconds, measured on a monthly basis; and by January 1, 2007, VRS providers must answer 80% of all calls within 120 seconds, measured on a monthly basis. Abandoned calls shall be included in the VRS speed of answer calculation.”

Healinc Compliance: Applicant has, since its inception, well exceeded the speed of answer requirements. Healinc’s legacy VRS platforms, and now its unified VRS and IP platform, have been designed to enable virtual immediate call answering. Users will continue to be able to identify those CAs that are available and connect to available CAs directly. Applicant has instituted daily, weekly, and monthly call data review to verify ongoing compliance, and will make such data available to the Commission and Fund Administrator upon request.

3. Equal access to interexchange carriers. (47 C.F.R. §64.604(b)(3)).

Standard: “TRS users shall have access to their chosen interexchange carrier through the TRS, and to all other operator services, to the same extent that such access is provided to voice users.”⁵³

⁵³ On December 31, 2001, the FCC granted a temporary waiver of the requirement for VRS providers in response to a request by Hamilton Telephone Company. “Accordingly, we grant Hamilton’s request for a temporary waiver of the requirement to offer operator assisted calls and billing for certain types of long distance calls. VRS providers must, however, allow VRS calls to be placed using calling cards and/or provide free long distance calls during the wavier period.” The waiver period remains in effect. *See e.g. In the matter of Telecommunications Relay Services And Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, CC Docket No. 98-67, Order, DA 01-3029 (December 31, 2001) at para. 10 Extended indefinitely for IP Relay providers and until January 1, 2008 for VRS providers by the *2004 TRS Report and Order* at para 124 through 129. “Until such time, however, we will require VRS providers to provide free long distance service to their VRS customers. We also condition this waiver on VRS providers submitting an annual report to the Commission [FCC] ...” para. 127.

Healinc Compliance: Applicant's VRS and IP Relay are a supplement to, but do not replace existing subscriber interexchange services. Subscribers retain access to their presubscribed interexchange (and local) carriers. To the extent that users will now rely exclusively on Healinc as their primary service provider, subscribers will not, as a practical matter, require access to a wireline interexchange or local exchange carrier. Healinc will continue to provide local, domestic intrastate, interstate and international long distance services, as required by the Commission, at no cost callers. Nevertheless, Healinc retains the technical capability to route interexchange calls to the subscriber's interexchange carrier of choice and place calling card calls to carriers using the subscriber's calling card, in the unlikely event requested by callers.

4. TRS facilities. (47 C.F.R. §64.604(b)(4)).

Standard (i): "TRS shall operate every day, 24 hours a day. Relay services that are not mandated by this Commission need not to be provided every day, 24 hours a day."⁵⁴

Healinc Compliance: Applicant's relay center will continue to operate 24 hours per day, 7 days per week, and be supplemented by remote call centers throughout the U.S.

Standard (ii): "TRS shall have redundancy features functionally equivalent to the equipment in normal central offices, including uninterruptible power for emergency use."

⁵⁴ Amended by the FCC's *Report and Order* in CG Docket No. 03-123 and CC Docket No. 98-67, as discussed below. The *2004 TRS Report and Order* notes that pursuant to 47 C.F.R. §64.604(b)(4), "Relay services that are not mandated by this Commission are not required to be provided every day, 24 hours a day." The FCC goes on to state that "VRS is not a mandatory TRS service" and therefore not subject to perpetual staffing requirements.

Healinc Compliance: Healinc maintains uninterruptible power supplies (“UPS”), for 24 hours after a power failure at each relay center and remote call centers. During a power outage, the UPS will provide a seamless power transition. Emergency power back up is available at the Company’s central relay Data Center where Applicant’s VRS/IP Relay platform resides, for use in the event of a catastrophic emergency. Emergency power is maintained to all CA equipment, servers, and facilities that support the relay Data Center, accordingly. Call and other support data are backed up no less than daily and copies are backed up off site, to ensure that data cannot be lost. In exceptional cases of extreme service affecting outages, Healinc also has the capability to route VRS and now IP Relay calls to other call centers that are prepared to support users. Healinc’s central relay Data Center is housed in a commercial building that meets applicable codes for fire suppression.

5. Technology. (47 C.F.R. §64.604(b)(5)).

Standard: “No regulation set forth in this subpart is intended to discourage or impair the development of improved technology that fosters the availability of telecommunications to person with disabilities. TRS facilities are permitted to use SS7 technology or any other type of similar technology to enhance the functional equivalency and quality of TRS. TRS facilities that utilize SS7 technology shall be subject to the Calling Party Telephone Number rules set forth at 47 CFR 64.1600 *et seq.*”

Healinc Compliance: Applicant’s unified URrelay, Inc. VRS and IP Relay platform is represents one of the most technologically advanced solutions available today, drawing on the power of computer processing, Internet Protocol-based transmission, wireless technology, the Internet, and relay center call distribution and management technology, to provide reliable VRS and IP Relay communications for the speech and hearing impaired.

6. **Caller ID.** (47 C.F.R. §64.604(b)(6)).

Standard: “When a TRS facility is able to transmit any calling party identifying information to the public network, the TRS facility must pass through, to the called party, at least one of the following: the number of the TRS facility, 711, or the 10-digit number of the calling party.”

Healinc Compliance: As discussed *supra.*, Applicant’s new VRS and IP Relay platform passes through the number of the center from which the CA is placing the call and will be passing through the user’s assigned ten digit telephone number, when assigned and operational.

Functional Standards

1. **Consumer Complaint Logs.** (47 C.F.R. §64.604(c)(1)).

Standard (i): “States and interstate providers must maintain a log of consumer complaints including all complaints about TRS in the state, whether filed with the TRS provider or the State, and must retain the log until the next application for certification is granted. The log shall include, at a minimum, the date the complaint was filed, the nature of the complaint, the date of resolution, and an explanation of the resolution.”

Healinc Compliance: Applicant currently maintains, and annually submits, a complaint log to the Commission associated with its VRS service.⁵⁵ This complaint log will be expanded to include complaints received regarding Applicant’s IP Relay services. Users have, and will continue to have, the ability to initiate complaints to a CA or CA supervisor, via electronic mail to the Company’s customer service address, and via the Company’s web site, www.lifelinksvrs.com. Complaints are logged into Applicant’s complaint tracking system. The CA who received the complaint, or an assigned CA in

⁵⁵ See, e.g. Healinc Telecom, LLC Annual Consumer Complaint Log Submission, Docket No. 03-123 (June 25, 2008), submitted via ECFS.

instances where complaints are not directed to an individual CA, will assign a complaint tracking number, will investigate the issue, and will respond to the complainant in no more than 48 hours. The response is recorded in the complaint log. A supervisor will monitor complaint status and will ensure that action is taken within the specified period.

If the complaint entails a technical issue, then a trouble ticket is prepared, and the trouble investigated and resolved by a technician. The technician is responsible for responding to the assigned CA who then communicates with the complainant, and the result is documented.

Standard (ii): “Beginning July 1, 2002, states and TRS providers shall submit summaries of logs indicating the number of complaints received for the 12-month period ending May 31 to the Commission by July 1 of each year. Summaries of logs submitted to the Commission on July 1, 2001 shall indicate the number of complaints received from the date of OMB approval through May 31, 2001.

Healinc Compliance: Healinc avers that it will continue to submit complaint logs to the FCC and Commission annually and upon request.

2. Contact Persons. (47 C.F.R. §64.604(c)(2)).

“Contact persons. Beginning on June 30, 2000, State TRS Programs, interstate TRS providers, and TRS providers that have state contracts must submit to the Commission a contact person and/or office for TRS consumer information and complaints about a certified State TRS Program's provision of intrastate TRS, or, as appropriate, about the TRS provider's service. This submission must include, at a minimum, the following:”

Standard(i): “The name and address of the office that receives complaints, grievances, inquiries, and suggestions.”

Healinc Compliance: The senior individual responsible to receive complaints, grievances, inquiries, and suggestions for Healinc is:

Mr. David Rhodes
Healinc Telecom, LLC
450 Seventh Avenue, Suite 3303
New York, N.Y. 10123
Telephone: 212.714.2939
E-Mail: drhodes@lifelinks.net

All CAs are immediately responsible for receipt of complaints they receive, pursuing timely resolution, responding to the complainant, and for documentation, subject to supervisory review. Applicant avers to timely inform the Commission any changes in contact information for the senior individual responsible for complaints.

Standard(ii): “Voice and TTY telephone numbers, fax number, e-mail address, and web address;”

HEALINC Compliance: Healinc maintains multiple contact points based on the caller’s preference for communicating with the Company:

Voice telephone: 212.714.2940 or 1-VRS-744-6111 (1.877.744.6111)
TTY Telephone: 801.775.0654 or 212.714.9TTY (9889)
Spanish Speaking Callers: 1-VRS-SIGN-526 (1.877.744.6526)
Fax number: 360.326.1769
Deaf callers to video phone: 360.750.7412
Hearing Callers to video phone: 877.774.6111 Callers then give the interpreter the IP address 173.8.92.30
E-Mail Address: techsupport@lifelinks.net
Web Address: <http://www.lifelinksvrs.com>
Video Phone Access: LLVRS.tv
Text Pager: llvrstechsupport

Standard(iii): “The physical address to which correspondence should be sent.”

Healinc Compliance: Correspondence should be sent to:

Wesley Waite, Sr.
Chief Operating Officer
Healinc Telecom, LLC
450 Seventh Avenue, Suite 3303
New York, NY 10123

Commission inquiries or correspondence regarding the instant application should be addressed to Applicant’s regulatory consultants:

Andrew O. Isar
Miller Isar, Inc.
7901 Skansie Avenue, Suite 240 (until December 15, 2008)
4423 Pt. Fosdick Dr. NW, Ste. 306 (beginning December 15, 2008)
Gig Harbor, WA 98335
Telephone: 253.851.6700
E-Mail Address: aisar [at] millerisar [dot] com

3. Public Access to Information. (47 C.F.R. §64.604(c)(2)).

Standard: “Public access to information. Carriers, through publication in their directories, periodic billing inserts, placement of TRS instructions in telephone directories, through directory assistance services, and incorporation of TTY numbers in telephone directories, shall assure that callers in their service areas are aware of the availability and use of all forms of TRS. Efforts to educate the public about TRS should extend to all segments of the public, including individuals who are hard of hearing, speech disabled, and senior citizens as well as members of the general population. In addition, each common carrier providing telephone voice transmission services shall conduct, not later than October 1, 2001, ongoing education and outreach programs that publicize the availability of 711 access to TRS in a manner reasonably designed to reach the largest number of consumers possible.”

Healinc Compliance: Applicant will pursue its outreach program entailing active marketing and targeted educational services targeted to the Deaf community:

Advertising. Healinc’s outreach program strategy will continue to rely upon a combination of press releases, co-marketing with Deaf organizations via the Internet, as

well as general and targeted advertising. The Company will engage in direct marketing to the Deaf Community, and through continued advertising in Deaf Community expositions, seminars, and trade conferences, and through sponsorship opportunities. Healinc will also advertise indirectly through the production of self-help video programs developed for the Deaf Community.

Partnerships and Affiliations. Applicant will also broaden partnerships and affiliations with state and national organizations devoted to serving the Deaf Community to make information concerning the Company's VRS services widely available. Additionally, Healinc will consider longer-term sponsorship opportunities to broaden company name and service recognition in the State. Further, Healinc will pursue contact with State relay program organizations to the extent that involvement in such groups is welcomed, and will evaluate active participation in educational institutions, which maintain – or are interested in developing – educational programs designed to expand the pool of certified CAs.

4. Rates. (47 C.F.R. §64.604(c)(4)).

Standard: “TRS users shall pay rates no greater than the rates paid for functionally equivalent voice communication services with respect to such factors as the duration of the call, the time of day, and the distance from the point of origination to the point of termination.”

Healinc Compliance: Inapplicable. Applicant's subscribers will not be charged for IP Relay calls.

3. A description of the provider's procedures for ensuring compliance with all applicable TRS rules, 47 C.F.R. §64.605(a)(2)(iii).

Applicant has for a period of more than two years complied with the Commission's MMS, has complied with or is nearing compliance with waived-MMS, and has timely filed all required reports with the Commission for its VRS services. Compliance for purposes of IP Relay is simply an extension of Healinc's current compliance program. Compliance remains an integral part of Healinc's daily operations.

4. A description of the provider's complaint procedures, 47 C.F.R. §64.605(a)(2)(iv).

As discussed *supra.*, Healinc has implemented a complaint procedure for the timely resolution of user complaints including complaint processing procedures for CA's and related training, documentation procedures consistent with FCC Complaint Log reporting requirements, and escalation procedures. Healinc maintains a link to its web site, which takes users to a complaint information screen that will provide information on how to make a complaint, as well as enable the user to make a complaint, whether telephonically, via text messaging, or via email, CAs and Healinc's customer service group.

5. A narrative describing any areas in which the provider's service will differ from the applicable mandatory minimum standards, 47 C.F.R. §64.605(a)(2)(v).

Healinc has undertaken an exhaustive review of its IP Relay compliance with the Commission's MMS, as documented herein. Healinc maintains that its VRS and now IP Relay service, now and in the future, will comply with, and will not differ or deviate from, applicable Commission's mandatory minimum standards for the provision of these services.

6. **A narrative establishing that services that differ from the mandatory minimum standards do not violate applicable mandatory minimum standards, 47 C.F.R. §64.605(a)(2)(vi).**

Inapplicable. Applicant's services will in all respects comply with, and in no way violate, applicable MMS.

7. **Demonstration of status as a common carrier, 47 C.F.R. §64.605(a)(2)(vii).**

Healinc maintains status as a common carrier⁵⁶ for purposes of TRS Fund eligibility as an interexchange carrier demonstrated through its Certificate of Public Convenience and Necessity to provide resold interexchange telecommunications services as a common carrier in New York.⁵⁷

8. **A statement that the provider will file annual compliance reports demonstrating continued compliance with these rules, 47 C.F.R. §64.605(a)(2)(viii).**

Applicant avers that it will file annual compliance reports demonstrating continued compliance with Commission regulations for the provision of VRS under its proposed ongoing compliance process and/or other documentation as may be required by the Commission, including, but not limited to annual financial reporting and projections, annual MMS waiver and non-waived compliance reports, complaint logs, and any such *ad hoc* report as may be requested by the Commission or TRS Fund Administrator, on behalf of the Commission. A Healinc senior executive retains regulatory compliance responsibilities, including timely reporting and liaison with the Commission on all regulatory matters.

⁵⁶ 47 U.S.C. §153(10).

⁵⁷ Healinc was granted a Certificate of Public Convenience and Necessity to provide all forms of telecommunications services within the State of New York on November 17, 2004 in Case 04-C-1451.

9. Specific Compliance with Sections 64.604(c)(5) and 64.606(f)(2) of the Commission's rules.

Applicant is aware that the Commission has in the past, requested additional information regarding planned compliance with sections 64.604(c)(5)⁵⁸ and 64.606(f)(2)⁵⁹ of the Commission's rules as they apply to the provision of compensable VRS and IP Relay services. As set forth below, Healinc acknowledges its obligations under sections 64.604(c)(5) and 64.605(f)(2) of the Commission's rules, and demonstrates that it will comply with the applicable provisions of both regulations with respect to its provision of VRS.

Compliance with 47 C.F.R. §64.604(c)(5).

Section 64.604(c)(5) of the Commission's rules, Jurisdictional Separation of Costs, *inter alia* establishes the basis for jurisdictional separations procedures and standards pursuant to section 410 of the Communications Act of 1934, as amended.⁶⁰ The Commission has expressed particular interest in compliance with section 64.604(c)(5)(C), Data Collection from TRS Providers. Applicant's technology partners have extensive experience in developing systems and procedures for reporting usage data to the federal TRS Fund Administrator as does Applicant's management team. Further, Applicant's new VRS and IP Relay platform has the capabilities to create management reports that will simplify compliance and facilitate reporting. Such experience and

⁵⁸ 47 C.F.R. §64.604(c)(5).

⁵⁹ 47 C.F.R. §64.605(f)(2).

⁶⁰ 47 U.S.C. §410.

reporting capabilities will enable Healinc to comply with its ongoing reporting requirements.

According to Subsection C,

(C) Data collection from TRS Providers. TRS providers shall provide the administrator with true and adequate data necessary to determine TRS fund revenue requirements and payments. TRS providers shall provide the administrator with the following: total TRS minutes of use, total interstate TRS minutes of use, total TRS operating expenses and total TRS investment in general accordance with part 32 of the Communications Act, and other historical or projected information reasonably requested by the administrator for purposes of computing payments and revenue requirements. The administrator and the Commission shall have the authority to examine, verify and audit data received from TRS providers as necessary to assure the accuracy and integrity of fund payments.

URrelay's unified VRS and IP Relay platform software enables creation of call tracking, usage, and cost data already in use for purposes of reporting such data to NECA, pursuant to the requirements of section 64.604(c)(5)(C). These reporting capabilities are based on the Urrelay platform's generation of call detail record data, shown at **Exhibit E**, and supplemented by Healinc's established procedures will ensure ongoing compliance, now for IP Service. Further, as Healinc has been engaged in compliance VRS reporting for nearly two years, it has a clear understanding of NECA's policies and procedures applicable to VRS and IP Relay data reporting, which will support accurate reporting. Healinc is prepared to assume full VRS usage and cost reporting obligations at the time its certification is granted.

Compliance with 47 C.F.R. §64.606(f)(2).

Section 64.606(f)(2) of the Commission's rules, Notification of Substantive Changes, obligates VRS providers to inform the Commission of "substantive changes in their [relay] programs, services, and features within 60 days of when such changes occur, and must certify that the interstate [relay] provider continues to meet federal minimum standards after implementing the substantive change." Applicant readily acknowledges its responsibility to inform the Commission of substantive changes in the provision of its VRS and ongoing certification of compliance with federal minimum standards after implementing the substantive change. Healinc avers that it will comply with these responsibilities as set forth in the Commission's rules and any applicable underlying policies.

As a certified VRS provider, Healinc recognizes that the entirety of its operations is subject to appropriate Commission oversight. Because of the dynamic nature of any enterprise, Healinc respects its obligation to keep the Commission timely informed of any changes to the Company's services and the effect that such changes may have on ongoing compliance with other MMS. Healinc avers that it will immediately inform the Commission of any substantive change in service features and operations, of the impact of those changes, and certify ongoing compliance with the MMS, in what ever form or process as the Commission may establish or operations pursuant to section 64.606(f)(2). Further, Healinc will maintain frequent informal contact with the Commission as a courtesy to inform the Commission of Company operations and plans.

V. HEALINC COMPLIES WITH APPLICABLE PROVISIONS OF SALIENT FCC ORDERS AND NEWLY PROMULGATED REGULATIONS PERTAINING TO VRS AND IP RELAY.

In addition to the foregoing, Healinc avers compliance with salient FCC decisions and new regulations regarding the provision of VRS an IP Relay services:

A. Salient Commission Decisions and Newly Promulgated Rules

1. Financial Incentives Declaratory Ruling. On January 26, 2005, the FCC's Consumer & Governmental Affairs Bureau issued a *Financial Incentives Declaratory Ruling*.⁶¹ The Ruling concluded that "any program that offers any kind of financial incentive or reward for a consumer to place a TRS call, including minimum usage arrangements or programs (whether or not tied to the acceptance of equipment), violates Section 225 of the Communications Act." According to the Ruling,

in view of the intent and nature of Section 225, and the obligation placed on entities providing voice telephone services to also offer TRS as an accommodation to persons who, because of a disability, cannot meaningfully use the voice telephone system, we interpret Section 225 and the implementing regulations to prohibit a TRS provider's use of any kind of financial incentives or rewards, including arrangements tying the receipt of equipment to minimum TRS usage, directed at a consumer's use of their TRS service.

On July 28, 2005, in a related Order, the FCC concluded that "any TRS provider offering to TRS consumers financial incentives relating to free or discount long distance

⁶¹ *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, CC Docket No. 98-67, CG Docket No. 03-123, Declaratory Ruling, 20 FCC Rcd 1466, at 1467-1468, para. 4 (Jan. 26, 2005) (*Financial Incentives Declaratory Ruling*) as clarified further in the FCC's July 28, 2005 *Order* in this proceeding. "We find that offering free or discount long distance service (subject to the exceptions noted below) to TRS consumers as an incentive to use a particular TRS provider's relay service, or as an incentive for a consumer to make more or longer TRS calls, constitutes an impermissible financial incentive in violation of the *Financial Incentives Declaratory Ruling*."

service, as set forth above, SHALL BE ineligible for compensation from the Interstate TRS Fund.”⁶²

HEALINC Compliance: Applicant proposes to offer IP Relay exclusively as a tool for the public. Applicant does not, and avers not to offer, an inducement of any kind to promote usage for subscribers, increase, or otherwise inflate conversation minutes, subject to the Commission’s and/or Fund administrator’s ongoing verification. Applicant’s advertising and outreach will be limited solely to advise prospective subscribers of the availability of Applicant’s VRS and IP Relay as an alternative option.

2. Spanish Language Translation Capabilities. Spanish language translation capabilities were waived indefinitely for VRS providers pursuant to the *2004 TRS Report and Order*.⁶³ On July 19, 2005, the FCC, in an Order on Reconsideration in response to a Texas Public Utilities Commission petition for reconsideration of the *2004 TRS Report and Order* concluded that “non-shared language Spanish translation [VRS] – relay service in which the CA translates what is signed in ASL into spoken Spanish, and *vice versa* – is a form of TRS compensable from the Interstate TRS Fund. Therefore, although we do not mandate this service, providers offering ASL-to-Spanish VRS may be compensated from the Interstate TRS Fund.”⁶⁴

⁶² *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, CC Docket No. 98-67, CG Docket No. 03-123, Order, FCC 05-2066 (July 28, 2005), at 4. Emphasis in original.

⁶³ *2004 TRS Report and Order*, para 138 and 139

⁶⁴ *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, CC Docket No. 98-67, CG Docket No. 03-123, Order on Reconsideration, FCC 05-139 (July 19, 2005).

Although as noted, a requirement for ASL translation into Spanish is waived for VRS providers by the FCC, the FCC's Order on Reconsideration underscores the expressed desirability for ASL translation into languages other than English. Translation of ASL into spoken languages other than English is increasingly becoming a key component to TRS/VRS. Anticipating increased demand for VRS language translation services, Applicant plans to engage multi-lingual CAs, particularly including those who speak Spanish. Each CA's specialized language capabilities appear on the page made available to subscribers, at the time the subscriber is given the option to select an interpreter.

3. Internet-Based TRS Registration and Obligations regarding local number porting to and from interconnected VoIP or Internet-based TRS providers.

The Commission's June 24, 2008 *Report and Order and Further Notice of Proposed Rulemaking* also promulgated two additional regulations associated with emergency call handling procedures established under amended Section 64.605; 1) an Internet-based TRS registration in new Section 64.611;⁶⁵ and 2) an obligation for local number portability in new Section 52.34.^{66 67} As discussed *supra* and below, Applicant complies with, or is prepared to comply with, both new obligations.

§ 64.611 Internet-Based TRS Registration

(a) Default Provider Registration. Every provider of VRS or IP Relay must, no later than December 31, 2008, provide users with the capability to register with that VRS

⁶⁵ 47 C.F.R. §64.611.

⁶⁶ 47 C.F.R. §52.34.

⁶⁷ The *Report and Order and Further Notice of Proposed Rulemaking* also promulgated new Section 64.613, Numbering Directory for Registered Internet-based TRS Users, 47 C.F.R. §64.614, applicable to establishment of the TRS Numbering Directory, now administered by Neustar, Inc.

or IP Relay provider as a “default provider.” Upon a user’s registration, the VRS or IP Relay provider shall:

(1) Either:

(i) Facilitate the user’s valid number portability request as set forth in 47 C.F.R. § 52.34; or

(ii) If the user does not wish to port a number, assign that user a geographically appropriate North American Numbering Plan telephone number; and

(2) Route and deliver all of that user’s inbound and outbound calls unless the user chooses to place a call with, or receives a call from, an alternate provider.

Healinc Compliance: Applicant has developed the equivalent of a “letter of agency” establishing Applicant as the user’s default provider, when the user elects Applicant as the default provider. If the user has been assigned a ten-digit number from a former default provider, Applicant will coordinate with the former provider to obtain transfer of the assigned number and amend the Registered Location/TRS Number Directory, consistent with the Commission’s number portability requirements pursuant to Section 52.34. Alternatively, Applicant will obtain a new telephone number from its numbering partner, URrelay, Inc. which will be assigned to the user and incorporated into the TRS Number Directory. Once the number has been implemented, Applicant will serve as the user’s default provider and provide the user’s in bound and outbound calling.

(b) *Mandatory Registration of New Users.* As of December 31, 2008, VRS and IP Relay providers must, prior to the initiation of service for an individual that has not previously utilized VRS or IP Relay, register that new user as described in paragraph (a) of this section.

Healinc Compliance: Applicant will register all new users in accordance with section 64.611(a).

(c) *Obligations of Default Providers and Former Default Providers.*

(1) Default providers must:

- (i) Obtain current routing information, including IP addresses or domain names and user names, from their Registered Internet-based TRS Users;**
- (ii) Provision such information to the TRS Numbering Directory; and**
- (iii) Maintain such information in their internal databases and in the TRS Numbering Directory.**

Healine Compliance: Applicant avers compliance through its internal procedures in conjunction with its numbering partner and VRS/IP Relay Platform provider, URrelay, Inc.

(2) Internet-based TRS providers (and, to the extent necessary, their Numbering Partners) must:

- (i) Take such steps as are necessary to cease acquiring routing information from any VRS or IP Relay user that ports his or her number to another VRS or IP Relay provider or otherwise selects a new default provider; and**
- (ii) Communicate among themselves as necessary to ensure that:**
 - (A) Only the default provider provisions routing information to the central database; and**
 - (B) VRS and IP Relay providers other than the default provider are aware that they must query the TRS Numbering Directory in order to obtain accurate routing information for a particular user of VRS or IP Relay.**

Healine Compliance: Applicant avers compliance through its internal procedures in conjunction with its numbering partner and VRS Platform provider, URrelay, Inc

(d) *Proxy Numbers.* After December 31, 2008, a VRS or IP Relay provider:

- (1) May not assign or issue a proxy or alias for a NANP telephone number to any user; and**

(2) Must cease to use any proxy or alias for a NANP telephone number assigned or issued to any Registered Internet-based TRS User.

Healinc Compliance: Applicant avers not to assign proxy or alias numbers to any user.

(e) *Customer Premises Equipment (CPE).*

(1) Every VRS or IP Relay provider must ensure that all CPE they have issued, leased, or otherwise provided to VRS or IP Relay users delivers routing information or other information only to the user's default provider, except as is necessary to complete or receive "dial around" calls on a case-by-case basis.

(2) All CPE issued, leased, or otherwise provided to VRS or IP Relay users by Internet-based TRS providers must be capable of facilitating the requirements of this section.

Healinc Compliance: Applicant will not issue CPE.

(f) *User Notification.* Every VRS or IP Relay provider must include an advisory on its website and in any promotional materials addressing numbering or E911 services for VRS or IP Relay.

(1) At a minimum, the advisory must address the following issues: (i) the process by which VRS or IP Relay users may obtain ten-digit telephone numbers, including a brief summary of the numbering assignment and administration processes; (ii) the portability of ten-digit telephone numbers assigned to VRS or IP Relay users; (iii) the process by which persons using VRS or IP Relay may submit, update, and confirm receipt by the provider of their Registered Location information; and (iv) an explanation emphasizing the importance of maintaining accurate, up-to-date Registered Location information with the user's default provider in the event that the individual places an emergency call via VRS or IP Relay.

(2) VRS and IP Relay providers must obtain and keep a record of affirmative acknowledgement by every Registered Internet-based TRS User of having received and understood the advisory described in this subsection.

Healinc Compliance: Healinc has linked the Commission's advisory on its web site, www.lifelinksvrs.com to comply with subsection f(1), and is preparing its own advisories. Applicant's advisory will also be provided to new subscribers at the time of

subscription. Applicant will maintain a permanent hard copy record of all new subscriptions and number assignments obtained via the Internet, via email, or via letter or telephonic subscriptions.

§ 52.34 Obligations regarding local number porting to and from interconnected VoIP or Internet-based TRS providers.

(a) An interconnected VoIP or VRS or IP Relay provider must facilitate an end-user customer's or a Registered Internet-based TRS User's valid number portability request, as it is defined in this subpart, either to or from a telecommunications carrier or an interconnected VoIP or VRS or IP Relay provider. "Facilitate" is defined as the interconnected VoIP or VRS or IP Relay provider's affirmative legal obligation to take all steps necessary to initiate or allow a port-in or port-out itself or through the telecommunications carriers, if any, that it relies on to obtain numbering resources, subject to a valid port request, without unreasonable delay or unreasonable procedures that have the effect of delaying or denying porting of the NANP-based telephone number.

(b) An interconnected VoIP or VRS or IP Relay provider may not enter into any agreement that would prohibit an end-user customer or a Registered Internet-based TRS User from porting between interconnected VoIP or VRS or IP Relay providers, or to or from a telecommunications carrier.

Healine Compliance: Applicant avers to compliance as evidenced by the attached advisory, subject to subsequent Commission verification.

B. TRS MMS Waivers for VRS and IP Relay

The Commission, in its *Report and Order, Order on Reconsideration, and Further Notice of Proposed Rulemaking* in CH Docket No. 03-123 *et al.* as amended,⁶⁸ extended waivers of certain telecommunications relay service ("TRS")⁶⁹ mandatory

⁶⁸ *In the Matter of Telecommunications Relay Services and Speech-to-Speech Services for Individuals With Hearing and Speech Disabilities*, CC Docket Nos. 90-571 and 98-67, CH Docket No. 03-123, FCC Rcd. at 12520-12521, para. 111 *et seq.* ["2004 TRS Report and Order"]. Cited throughout the instant Application.

⁶⁹ *See*, 47 C.F.R. §64.604.

minimum standards for the provision of VRS. Specifically, the *2004 TRS Report and Order* extend waivers of the TRS mandatory minimum standards to VRS applicable for: (1) types of calls that must be handled; (2) emergency call handling; (3) speed of answer; (4) equal access to interexchange carriers; and (5) pay-per-call services. Further, the *2004 TRS Report and Order* extended waivers for Voice Initiated Calls and HCO; VCO-to-TTY; HCO-to-TTY; VCO-to-VCO; HCO-to-HCO; Call Release; 3-way Calling; and Speed Dialing.⁷⁰

As discussed below, Applicant already complies with – or is diligently working to meet - the Commission’s *2004 TRS Report and Order* current waiver extension conditions, as amended.⁷¹

1. *Types of Calls.* Commission rules require TRS providers to handle any type of call normally handled by common carriers.⁷² In the *VRS Waiver Order*,⁷³

⁷⁰ 2004 TRS Report and Order at ¶112 and Appendix E, as amended; One-line voice carry over (VCO); VCO-to-teletypewriter (TTY); VCO-to-VCO; one-line hearing carry over (HCO); HCO-to-TTY; HCO-to-HCO; call release; speech-to-speech (STS); pay-per-call (900) calls; types of calls; equal access to interexchange carriers; and speed dialing extended for one year (four months in the case of speed dialing for VRS), “because the record demonstrates that it is technologically infeasible for VRS and IP Relay providers to offer these services at this time.” “The Bureau allowed the waivers of three-way calling for VRS and IP Relay to expire on January 1, 2008. The waivers of certain TRS mandatory minimum standards for VRS and IP Relay will expire on January 1, 2009, except the waiver of the speed dialing requirement for VRS, which will expire on April 30, 2008.” *See, e.g. Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, CG Docket No. 03-123, Order, DA 07-5098 (Dec. 26, 2007); *See also Telecommunications Relay Services and Speech-to-Speech Services for Individuals With Hearing and Speech Disabilities*, CG Docket 03-123, DA 07-098; DA 08-45; *In the Matter of Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities E911 Requirements for IP-Enabled Service Providers*, CG Docket 03-123 and WC Docket No. 05-196, *Report and Order*, FCC 08-78 (March 19, 2008)[“*Interim Emergency Call Handling Order*”].

⁷¹ *See also*, Healinc Telecom, Inc. 2008 Annual Mandatory Minimum Standards Waiver Report, CH Docket No. 03-123 (May 21, 2008).

⁷² *See* 47 C.F.R. § 64.604(a)(3).

⁷³ *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, Order, CC Docket No. 98-67, DA 01-3029, 17 FCC Rcd 157 (Dec. 31, 2001) (“*VRS Waiver Order*”)[footnote supplied].

the Commission granted VRS providers a two-year waiver of the requirement to offer operator assisted calls and to bill certain types of long distance calls to the end user.⁷⁴ The Commission conditioned this waiver on VRS providers allowing “VRS calls to be place[d] using calling cards and/or provid[ing] free long distance calls during the waiver period.”^{75 76}

Healinc Compliance: Applicant’s URrelay, Inc. VRS and IP Relay platform already enables compliance with the *Types of Calls* requirement. Since its inception, Healinc has maintained the capability of providing any type of call function otherwise available from common carriers including, but not limited to, operator assisted calls and the ability to support pay-per call services. Healinc has established procedures that enable use of operator assisted calling through the caller’s preferred carrier or Healinc’s default presubscribed carrier’s operator services, and the ability to pass along caller credit card information for purposes of billing pay-per-call calls, as discussed *infra*. Healinc has not billed callers for long distance services, consistent with Equal Access VRS waiver obligations, and will continue to provide such calling capabilities at no charge. In 2007, Healinc received zero operator assisted and pay-per-call calls.

2. ***Speed of Answer.*** Our rules mandate that 85 percent of relay calls must be answered within 10 seconds “by any method which results in the caller’s call immediately being placed, not put in a queue or on hold.”⁷⁷ Because this rule is based on projected call volumes and such projections are difficult to make for a new service, the *VRS Waiver Order* waived this TRS mandatory minimum standard for VRS providers.⁷⁸ The Commission’s aim was to encourage more entrants into the VRS market and help provide more time for technology to

⁷⁴ *VRS Waiver Order* at ¶ 10.

⁷⁵ *Id.*

⁷⁶ 2004 TRS Report and Order, ¶ 113, footnotes from original.

⁷⁷ See 47 C.F.R. § 64.604(b)(2). This rule is often referred to as the 85/10 rule.

⁷⁸ *VRS Waiver Order* at ¶ 16.

develop.⁷⁹ The Commission also reasoned that because demand for VRS was undetermined, the 85/10 rule might keep potential VRS providers out of the market, thereby hindering the development and growth of VRS.^{80 81}

Healinc Compliance: Applicant already meets this standard. Please refer to response to Speed of Answer. (47 C.F.R. §64.604(b)(2)), Standard (ii), page 33, *supra*.

3. *Equal Access to Interexchange Carriers.* Our rules require that TRS users have access to their chosen interexchange carrier through TRS to the same extent that such access is provided to voice users.⁸² In the *VRS Waiver Order*, the Commission granted VRS providers a two-year waiver of this TRS mandatory minimum standard, recognizing that the systems necessary to hand off a video teleconferencing call to a carrier preferred by the end user do not yet exist.^{83 84}

Healinc Compliance: Applicant already meets this standard. Please refer to response to Speed of Answer. (47 C.F.R. §64.604(b)(3)). page 33 *supra*.

4. *Pay-Per-Call Services – 900 number calls.* Our rules require TRS providers to be capable of handling pay-per-call calls (*i.e.*, 900 number calls).⁸⁵ The *VRS Waiver Order* granted VRS providers a two-year waiver of this TRS requirement, noting that demand for pay-per-call VRS was expected to be low and the cost of compliance was high.^{86 87}

Healinc Compliance: Applicant avers to already having the capability to process such calls, (47 C.F.R. §64.604(a)(3)) Standard (iv) page 21 *supra*.

⁷⁹ *Id.*

⁸⁰ *Id.*

⁸¹ 2004 TRS Report and Order, ¶ 119, footnotes from original.

⁸² See 47 C.F.R. § 64.604(b)(3); see also *Second Improved TRS Order & NPRM* at ¶¶ 54-61.

⁸³ *VRS Waiver Order* at ¶¶ 17-18.

⁸⁴ 2004 TRS Report and Order at ¶ 124, footnotes from original.

⁸⁵ See 47 C.F.R. § 64.604(c)(6).

⁸⁶ *VRS Waiver Order* at ¶¶ 19-20.

⁸⁷ 2004 TRS Report and Order, ¶ 130, footnotes from original.

VI. THE GRANTING OF THE INSTANT PETITION IS IN THE PUBLIC INTEREST

Although certification of compliance with federal mandatory minimum standards pursuant to sections 64.604 and 64.606 is fact-based and does not impose a public interest standard test, Applicant maintains that the granting of the instant Petition is in the public interest and will benefit the public throughout the U.S.

A. Healinc's IP Relay Service Will Introduce A Technologically-Advanced VRS Option To the Public That Brings Deaf and Disabled Users a Step Closer to "Functionally Equivalent" Communications.

Applicant's deployment of an IP Relay, made possible through the grant of the instant Petition, will enable users to gain additional flexibility in communications and expand the communications options available to all users. As the VRS/IP Relay software is accessible from any computer having a wireline or wireless broadband connection, users gain mobility and enhanced ease in connection. Users will not require specialized equipment, but will be able to expand the utility of their computers for sight-based, interactive communications from a home, office, or remote location. These capabilities bring the speech and hearing disabled a major step closer to the "functionally equivalent" communications they deserve, and that Congress and the FCC have established as a matter of public policy.

B. The Granting of the Instant Application Will Promote Innovation and Improved Service by All Providers

The granting of the instant Application and Healinc's provision of IP Relay services in addition to its VRS services will provide the public, and Deaf users in particular, with an added choice of service providers for a several different services. This

new alternative will create competitive pressure on existing providers to innovate, incorporate new advanced technology approaches, and improve service offerings and capabilities, to the ultimate benefit of consumers.

C. The Granting of the Instant Application Will Enhance Access to Information Through Applicant's Outreach Efforts

Healinc will continue to engage in an extensive outreach program, which will include information regarding VRS accessibility and moreover, a host of information that will benefit the speech and hearing impaired community, as discussed above. Healinc commits to expand its outreach program and increase the accessibility of information and program content geared to enhancing the lives of the Deaf Community.

D. Healinc Will Contribute to the Expansion of the Pool of Certified CAs.

Healinc will continue to contribute resources to accredited educational institutions that maintain certified CA training programs, will create job opportunities for graduates, and will assist educational institutions with job placement, as desired by the institution.

VII. CONCLUSION

The Commission's *Report and Order* establishes a process whereby a VRS - and IP relay - provider may seek Commission certification of compliance with applicable minimum mandatory standards. Such Commission certification now enables companies like Healinc, to draw from the federal TRS fund for the provision of compensable VRS, and IP Relay when not otherwise associated with a state program, when demonstrating compliance with the MMS.

Healinc has invested considerable resources and effort in developing desirable full-featured VRS and IP Relay services for the Deaf community, consistent with Congress' and the Commission's established policy of promoting "functionally equivalency" in telecommunications services between the deaf and hard-of-hearing and others. Healinc's ability to make its services generally available to the Deaf Community has been predicated on its ability draw from the federal fund to recoup the costs associated with the provision of these services.

Healinc has demonstrated ongoing compliance with the Commission's MMS, currently waived MMS, and now new Commission regulations, for the provision of VRS. Healinc remains active in consumer outreach efforts, and maintains a fully staffed customer service center and complaint logging capabilities, consistent with existing complaint logging requirements. Compliance with existing and future requirements, now for the provision of IP Relay services, is simply an extension of Healinc's current capabilities and compliance.

Finally, Healinc has demonstrated that its services do not differ, or in any way violate, the Commission's applicable mandatory minimum standards.

In light of the foregoing, Healinc respectfully requests that the Commission certify Healinc as a provider eligible for compensation from the federal TRS fund, now for the provision of IP relay services.

Healinc further avers to comply with such additional requirements as may from time to time be imposed by the Commission with respect to IP Relay services services,

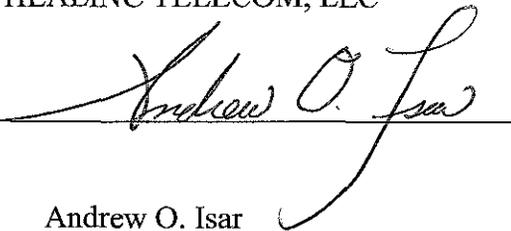
including such reports or response to *ad hoc* information requests, on-site visits, inspection of books, materials, and operations. Healinc acknowledges Commission certification of compliance is not static, but entails ongoing verification. Healinc will at all times cooperate with the Commission and assist the Commission in verification of compliance, response to complaints and inquiries, and in any such requirement or request as may be made by the Commission to Healinc.

WHEREFORE, Healinc Telecom, LLC hereby respectfully requests that the Commission certify Healinc as compliant with Mandatory Minimum Standards and other requirements for the provision of IP Relay and therefore eligible to be compensated from the federal TRS Fund for the provision of IP Relay services.

Respectfully submitted, this 18th day of November, 2008.

For HEALINC TELECOM, LLC

By: _____


Andrew O. Isar
Miller Isar, Inc.
7901 Skansie Avenue, Suite 240
Gig Harbor, WA 98335
Telephone: 253.851.6700

Regulatory Consultants to
Healinc Telecom, LLC

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

In the Matter of)
)
Application of Healinc Telecom, LLC for)
Eligibility to be Compensated From the Interstate) CG Docket No. 03-123
Telecommunications Relay Service Fund)
For the Provision of Internet Protocol Relay)
Services)

LISTING OF EXHIBITS

- A Senior Management Experience, Representative Communications Assistant
Curriculum Vitae
- B User IP Relay Call Screen
- C URrelay, Inc. 911 Call Processing
- D Neustar, Inc. Registered Location Database Access Registration
- E VRS/IP Relay Platform Call Detail Record Format

Exhibit A

Senior Management Experience **Representative Communications Assistant *Curriculum Vitae***

Dr. Stanley F. Schoen, Chief Executive Officer

Dr. Schoen is the founder and Chief Executive Officer of Healinc. He received his M.B.A. in Healthcare Administration from the City University of New York, Baruch College and his M.D. degree from New York University Medical School. He has over 30 years experience in the healthcare industry. He has published articles in various medical journals and has lectured on trauma, burns, and cancer surgery. As a result of a lifetime of relationships after practicing medicine for twenty years, Dr. Schoen brings unique access to hospitals as well as an in-depth understanding of the patients needs. His understanding of the healthcare marketplace as well his knowledge of healthcare corporate workings have facilitated the unique combination of strategic partnerships which characterize and are the strength of Healinc. As the chief of surgery at three hospitals, before he stopped practicing, he obtained managerial, hospital purchasing, as well as interpersonal experience, which has served to facilitate Healinc' sensitivity to patient's interactive needs. Dr. Schoen has been instrumental in expanding Healinc's service to the Deaf Community.

Wes Waite, Sr., Chief Operations Officer

Mr. Waite joined LifeLinks Video Interpreting Services in 2008 as the Chief Operating Office. The company was formed in 2004 by Dr. Stanley Schoen who quickly built the company around a core of top tier interpreters making LifeLinks one of the most sought after companies in its field. Headquartered in New York, the company has offices in Indianapolis, Phoenix, and Florida.

V & D Communications: After starting the company in 1999 and leading its growth and development as President, Mr. Waite, acquired Aelix, through V & D Communications, from its parent company in September 2006. With renewed focus on customer centric products and services he is expanding the scope of the company to bring it more in line with customer needs. Mr. Waite brings with him more than 30 years of experience in executive corporate management, operations and communications.

Prior to his tenure with Aelix Mr. Waite held the title of Vice President of Operations for Southern European Communications Corporation. Previously, he was Vice President of Operations for MilleCom, Inc., a multinational telecommunications company, and oversaw the development and implementation of telephone infrastructures, functionality and operations. Earlier, from 1995 to 1998, Mr. Waite was COO of Nusantara Communications, and was responsible for the development of the Advanced Telephone System and the operational development of Nusantara's manufacturing facility in Indonesia and their marketing efforts in Poland.

Exhibit A

Senior Management Experience Representative Communications Assistant *Curriculum Vitae*

Wes Waite, Sr., Chief Operations Officer, Continued

Prior to that, from 1989 to 1995, Mr. Waite was Director of Field Operations for McCaw Cellular Communications where he was a part of the national deployment of the first Cellular Digital Packet Data (CDPD) network and he led the UPS Cellular Circuit Switched Data national network deployment. Prior to 1989, he held various technical and operational roles within New York Telephone and NYNEX Corporation, culminating his tenure there as its Director of New Station Technology.

Eliane R. Uscher, M.B.A., Dipl.Int.

Eliane R. Uscher, serves as a consultant to, Healinc. She earned advanced business degree in Zurich, Switzerland and has studied at the University of Geneva and the Polytechnic of London. Eliane Uscher is a multilingual interpreter in four languages and has broad business experience. Through her interpreting skills, she has obtained extensive business contacts. Eliane Uscher has also managed a healthcare business for 20 years. At present, she owns Uscher Management, a medical practice management business.

Exhibit B

User IP Relay Call Screen

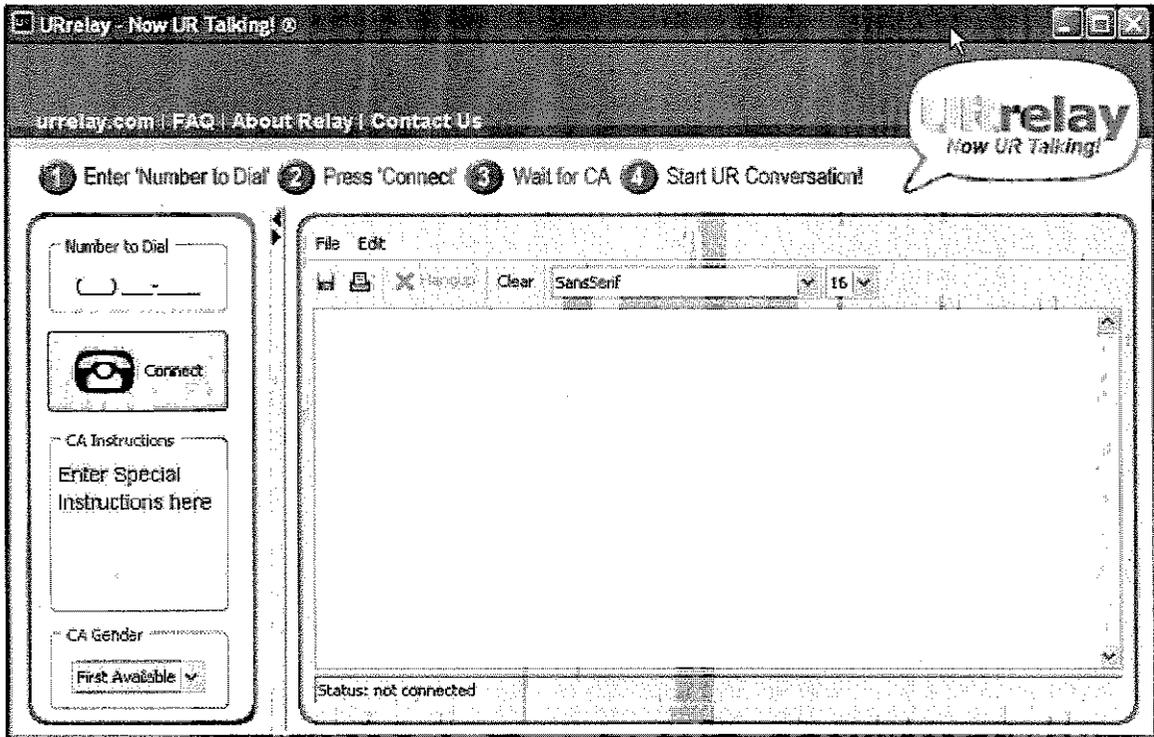


Exhibit C

URrelay, Inc. 911 Call Processing (U.S. Originated 911 Calling Only)

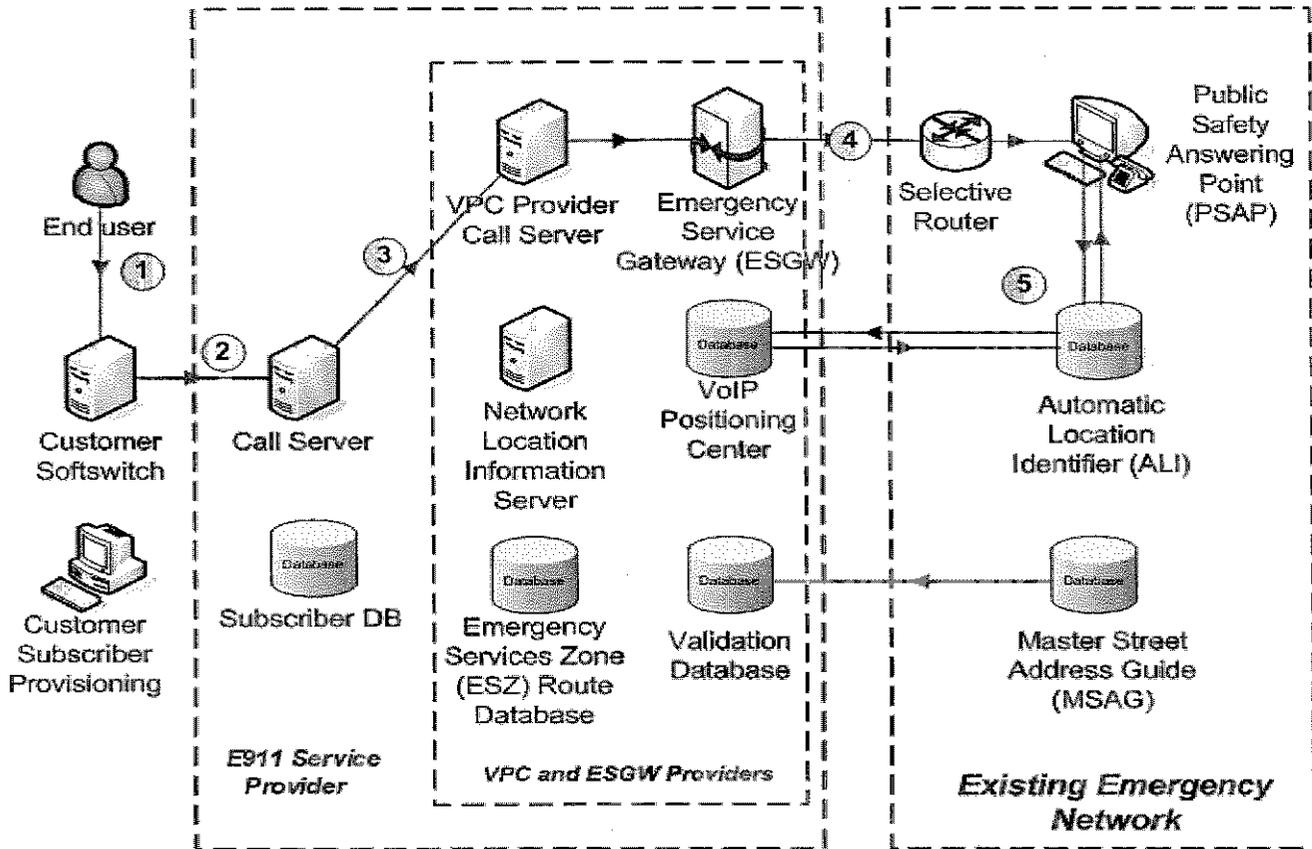


Exhibit D

Neustar, Inc. Registered Location Database Access Registration
(Attached)



October 6, 2008

Hello Wesley,

Welcome to iTRS. You are receiving this email because you recently submitted a registration form for access to the iTRS platform and are now ready to set up your connectivity. I am a representative from the iTRS Customer Connectivity Services group and we will be your primary contact during the provisioning process.

I have attached the iTRS Profile form to be completed and submitted to iTRS@NeuStar.biz. We will review the completed form and work with you on any missing information or discrepancies. Once the form has been accepted you will receive an email confirmation with the next steps. If you have any questions in the meantime or need any assistance with completing the form please contact us at 571-434-5125 or iTRS@NeuStar.biz we are available Monday-Friday from 8:00 am - 5:00 pm Eastern Time.

Thank you,
Amanda Jensen
iTRS Customer Connectivity Services
NeuStar Inc.
(571)434-5125
Fax (703) 738-7518
iTRS@Neustar.biz



October 27, 2008

Below you will find your PIN code to access the iTRS test environment Web GUI at <https://itrs-trial.neustar.biz/itrs/>. You will need to enter this PIN code followed by the 6-digit number displayed on the SecurID token as your GUI password.

PIN: XXXXXXXXXX
Username: wes@lifelinks.net

Your SecurID token was sent separately via express mail delivery. If you do not receive your token shipment within the next 2 business days, please let us know.

Please feel free to contact us for any problems that may arise. Our contact information is listed below. We look forward to assist you in any way we can.

Thank you,
Amanda Jensen
Lead Project Manager
iTRS Customer Connectivity Services
NeuStar Inc.
(571)434-5125
Fax (703) 738-7518
iTRS@Neustar.biz

Exhibit E

VRS/IP Relay Platform Call Detail Record Format
(Attached)

Exhibit E

VRS/IP Relay Platform Call Detail Record Format

Column	A	B	C	D	E
Field Name	id	t_connected	t_queued	t_processed	t_answered
Data	534053	2008-07-01 09:47:11	2008-07-01 09:47:11	2008-07-01 09:47:11	2008-07-01 09:47:11
Data	534054	2008-07-01 09:46:35	2008-07-01 09:46:35	2008-07-01 09:46:35	2008-07-01 09:46:35
Data	534055	2008-07-01 09:38:28	2008-07-01 09:38:28	2008-07-01 09:38:28	2008-07-01 09:38:28
Data	534056	2008-07-01 10:48:10	2008-07-01 10:48:10	2008-07-01 10:48:10	2008-07-01 10:48:08
Column	F	G	H	I	J
Field Name	t_dialed_out	t_relay_start	t_relay_end	t_session_end	ca_id
Data	2008-07-01 09:47:42	2008-07-01 09:47:42	2008-07-01 09:47:42	2008-07-01 09:47:42	1234
Data	2008-07-01 09:46:49	2008-07-01 09:47:02	2008-07-01 09:47:51	2008-07-01 09:47:52	1234
Data	2008-07-01 09:47:12	2008-07-01 09:47:37	2008-07-01 09:47:51	2008-07-01 09:47:53	1234
Data	2008-07-01 10:48:33	2008-07-01 10:48:37	2008-07-01 10:49:20	2008-07-01 10:49:20	1234
Column	K	L	M	N	O
Field Name	ca_pos	unique_id	cc_id	cli_type	abandon
Data	2222	2XX.1XX.3XX.2XX;121492	XXX	EN H3	0
Data	2222	2XX.1XX.3XX.2XX;121492	XXX	EN H3	0
Data	2222	2XX.1XX.3XX.2XX;121492	XXX	EN H3	0
Data	2222	2XX.1XX.3XX.2XX;121492	XXX	EN H3	0
Column	P	Q	R	S	T
Field Name	term_num	orig_ip	bdr_link_key	rejected	vco_num
Data	(123) 456-7890	12.24.2.X		0	
Data	(123) 456-7891	12.24.2.X		0	
Data	(123) 456-7892	12.24.2.X		0	
Data	(123) 456-7893	12.24.2.X		0	
Column	U	V			
Field Name	username	e911			
Data				0	
Data				0	
Data				0	
Data				0	