

**Before the
Federal Communications Commission
Washington, DC 20554**

In the Matter of)	
)	
High-Cost Universal Service Support)	WC Docket No. 05-337
)	
Federal-State Joint Board on Universal Service)	CC Docket No. 96-45
)	
Lifeline and Link Up)	WC Docket No. 03-109
)	
Universal Service Contribution Methodology)	WC Docket No. 06-122
)	
Numbering Resource Optimization)	CC Docket No. 99-200
)	
Implementation of the Local Competition Provisions in the Telecommunications Act of 1996)	CC Docket No. 96-98
)	
Developing a Unified Intercarrier Compensation Regime)	CC Docket No. 01-92
)	
Intercarrier Compensation for ISP-Bound Traffic)	CC Docket No. 99-68
)	
IP-Enabled Services)	WC Docket No. 04-36

COMMENTS OF SORENSON COMMUNICATIONS, INC.

Sorenson Communications, Inc. (“Sorenson”) hereby submits these comments in support of the establishment of a Broadband Lifeline/Link Up Pilot Program (“Broadband Pilot Program”) that would be used to enhance access to broadband Internet access services for low-income Americans.¹ The provision of support for broadband

¹ See *High-Cost Universal Service Support; Federal-State Joint Board on Universal Service; Lifeline and Link Up; Universal Service Contribution Methodology; Numbering Resource Optimization; Implementation of the Local Competition Provisions in the Telecommunications Act of 1996; Developing a Unified Intercarrier Compensation Regime; Intercarrier Compensation for ISP-Bound Traffic; IP-Enabled Services*, CC Docket Nos. 96-45, 96-98, 99-68, 99-200, and 01-92; WC Docket Nos. 03-109, 04-36, 05-337, and 06-122, Order on Remand and Report and Order and Further Notice of Proposed Rulemaking, FCC 08-262 (rel. Nov. 5, 2008) (“FNPRM”).

Internet access services to low-income Americans who are deaf and hard-of-hearing will, among other things, assist in making Video Relay Services (“VRS”) available to all deaf and hard-of-hearing Americans.

The Federal Communications Commission (“FCC” or “Commission”) seeks comment on a plan to provide \$300 million per year for the next three years for a Broadband Pilot Program to support the provision of broadband Internet access service and the devices used to access that service to low-income consumers, with a goal of increasing broadband subscribership for low-income consumers to over 50 percent.² The Broadband Pilot Program would support 50 percent of the cost of broadband Internet access installation, including a broadband Internet access device, up to a total amount of \$100, and would double, up to an additional \$10, the household’s current monthly subsidy to offset the cost of broadband Internet access service.³

Sorenson supports the extension of Lifeline and Link Up to broadband services, because it believes such support will assist in fulfilling the Congressional mandate to make TRS available to all Americans. Sorenson is the country’s largest provider of VRS, a life-changing relay service that makes it possible for people who are deaf and hard-of-hearing and use American Sign Language (“ASL”) to communicate fluently with hearing people. Typically, a VRS call is initiated when a deaf person establishes a video link, via a broadband Internet connection, with a VRS interpreter.⁴ The interpreter, in turn, places an outbound telephone call over a regular voice line to a hearing person. During the call,

² *FNPRM* at Appendix A, ¶¶ 75, 77, 79; *id.* at Appendix C, ¶¶ 73, 75.

³ *FNPRM* at Appendix A, ¶¶ 81-82; *id.* at Appendix C, ¶¶ 77-78.

⁴ VRS calls also can be initiated by hearing individuals who call a VRS provider over the telephone. The VRS interpreter then establishes a video link to the deaf person.

the interpreter communicates in ASL with the deaf person and by voice with the hearing person. The conversation between the two parties flows with a rapidity, nuance, and fluency that rivals that of spoken English.

ASL users who communicate via VRS enjoy the greatest degree of functional equivalency available today – a fact the Commission has repeatedly emphasized.⁵ VRS is superior to text-based methods of communication for ASL users. The Commission has explained that:

VRS allows the deaf or hard of hearing caller to communicate in [ASL], in some cases a much faster and more natural form of communication for the deaf and hard of hearing than written English. The deaf and hard of hearing community highly values video communication because text messages, while convenient for simple messages, can restrict the emotional complexity and efficiency of conversations. In contrast to text messages, ASL places a full range of expression at their disposal.⁶

⁵ See, e.g., *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, Report and Order, 20 FCC Rcd 13165, ¶ 3 (2005) (“VRS calls reflect a degree of ‘functional equivalency’ unimaginable in a solely text-based TRS world.”); see also *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, Order, 21 FCC Rcd 6733, ¶ 4 (2006); *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, Declaratory Ruling and Further Notice of Proposed Rulemaking, 21 FCC Rcd 5442, ¶ 11 (2006); *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, Order on Reconsideration, 20 FCC Rcd 13140, ¶ 3 (2005).

⁶ *Section 68.4(a) of the Commission’s Rules Governing Hearing Aid-Compatible Telephones*, Report on the Status of Implementation of the Commission’s Hearing Aid Compatibility Requirements, 22 FCC Rcd 17709, ¶ 64 (2007); see also *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, Order on Reconsideration, 21 FCC Rcd 8050, ¶ 3 (2006) (explaining that, when using VRS, “the conversation between the two end users, deaf and hearing, flows in near real time and in a faster and more articulate manner than a TTY or text-based TRS call.”).

A Petition for Rulemaking recently filed by the Coalition of Organizations for Accessible Technology (“COAT”) echoes this sentiment, stating that “[f]or many ASL users . . . video communication is the *only* accessible means of communicating.”⁷ COAT asked the Commission to allow people who are deaf, hard-of-hearing, late-deafened, deaf-blind, or who have a speech disability, and who qualify for Lifeline and Link Up support, to apply that support toward the costs of broadband Internet service and customer premises equipment.⁸

VRS, like other relay services, is free to users. However, in order for an ASL user to utilize VRS, he or she must pay for a broadband Internet access connection with a transmission rate of at least 256 Kbps, both upstream and downstream. It therefore is particularly important to ensure that deaf and hard-of-hearing ASL users have access to broadband Internet access services, so that they can use VRS, the most functionally equivalent communications service for this group.

As the Commission has noted, many Americans lack high-speed Internet access service because it is not affordable – despite the widespread availability of high-speed Internet access service, only 25 percent of households with annual incomes under \$20,000 have broadband service, in contrast to a broadband adoption rate of 85 percent for households with annual incomes in excess of \$100,000.⁹ A May 2006 Report from the General Accounting Office similarly found that households with incomes in the top

⁷ *Supporting Broadband Access for Users of Video and IP-Based Communications Who Are Deaf, Hard of Hearing, Late-Deafened, or Deaf-Blind, or Who Have a Speech Disability*, Petition for Rulemaking of the Coalition of Organizations for Accessible Technology, CC Docket No. 96-45, at 3 (Oct. 27, 2008, filed Oct. 28, 2008) (“COAT Petition”).

⁸ *COAT Petition* at 1, 20-21.

⁹ *See FNPRM* at Appendix A, ¶ 74; *id.* at Appendix C, ¶ 70.

quartile nationwide are nearly 40 percent more likely to purchase broadband Internet access service than households in the bottom quartile.¹⁰ A Yankee Research Group study released that same year states that 45.5 percent of persons lacking broadband Internet access service cited “too expensive” as the reason for not subscribing.¹¹ The empirical evidence therefore strongly suggests that lack of affordability is a deterrent to subscription to broadband Internet access service by households with lower incomes.

There also is evidence that persons who are deaf and hard-of-hearing are more likely than hearing persons to have lower household incomes. The COAT Petition indicates that people who are deaf or have severe difficulty hearing or speaking (whom the U.S. Census Bureau classifies as having a “severe disability”) are more likely than those without “severe disabilities” to live in poverty or have an annual household income below \$20,000.¹² Specifically, according to U.S. Census data, “over one-quarter (25.9%) of workers who are classified . . . as having a ‘severe disability’ report living in poverty, compared to roughly 8% of those without a disability.”¹³ In addition, persons with “severe disabilities” are three times more likely to earn a household income of less than

¹⁰ *Broadband Deployment is Extensive throughout the United States, But It Is Difficult to Assess the Extent of Deployment Gaps in Rural Areas*, Government Accountability Office, Report to Congressional Committees, at 28-31 (May 2006), available at: <<http://www.gao.gov/new.items/d06426.pdf>>.

¹¹ *Broadband Reality Check II: The Truth Behind America's Digital Decline*, Free Press, Consumers Union, and Consumer Federation of America, at 27 & n.39 (August 2006), available at: <<http://www.freepress.net/files/bbrc2-final.pdf>>.

¹² See *COAT Petition* at 10.

¹³ *COAT Petition* at 11 (citing Erika Steinmetz, *Current Population Reports in Americans With Disabilities: 2002, Household Economic Studies*, U.S. Census Bureau, Table 4 (issued May 2006)).

\$20,000 than individuals with no disability (37.8 percent and 12.3 percent, respectively).¹⁴

These income disparities appear to affect Internet use. The COAT Petition explains:

Low Internet use by people in the target population is largely a function of low-income levels and lack of affordability. Researchers have found that members of these communities are less likely to live in households with computers, less likely to use computers, and less likely to be online. Once the researchers control for socioeconomic backgrounds, however, these seeming distinctions disappear.¹⁵

Americans who are deaf or hard-of-hearing would benefit greatly from subscribing to broadband Internet access services because it would facilitate their ability to use functionally equivalent communications services, such as VRS. The evidence indicates, however, that they are more likely than hearing Americans to find broadband connections to be unaffordable.

Sorenson's mission is to make VRS available to all deaf and hard-of-hearing Americans who use ASL. In attempting to fulfill its mission, Sorenson has identified the lack of affordable broadband as a key barrier to the use of VRS. Sorenson believes the extension of Lifeline and Link Up support to broadband would be particularly helpful to candidates for VRS who currently cannot afford broadband connections. Sorenson supports the provision of universal service support for broadband Internet access to low-

¹⁴ See *COAT Petition* at 11.

¹⁵ *COAT Petition* at 14 (citing "The Disability Divide in Internet Access and Use," by Dobransky, K. & Hargittai, E. in *Information, Communication & Society*, 9, 3, 313-334 (2006)).

income Americans because it will, among other things, assist in fulfilling the Congressional mandate to make TRS available to all Americans.¹⁶

In conclusion, Sorenson urges the Commission to provide universal service support to qualifying low-income Americans in order to increase the affordability of and subscribership to broadband Internet access services.

Respectfully submitted,

/s/ Michael D. Maddix

Michael D. Maddix
Regulatory Affairs Manager

SORENSEN COMMUNICATIONS, INC.
4192 South Riverboat Road
Salt Lake City, Utah 84123
(801) 287-9400
mmaddix@sorenson.com

Dated: November 25, 2008

¹⁶ See 47 U.S.C. § 225(b)(1).

Certificate of Service

I hereby certify that on this 25th day of November, 2008, I caused true and correct copies of the foregoing Comments of Sorenson Communications, Inc. to be mailed by electronic mail addressed to:

Best Copy and Printing, Inc.
fcc@bcpiweb.com

Victoria Goldberg
Pricing Policy Division
Wireline Competition Bureau
Federal Communications Commission
Victoria.Goldberg@fcc.gov

Jennifer McKee
Telecommunications Access Policy Division
Wireline Competition Bureau
Federal Communications Commission
Jennifer.McKee@fcc.gov

and

cpdcopies@fcc.gov

/s/ Michael D. Maddix
Michael D. Maddix