

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	)	CC Docket No. 96-98
1996	)	
	)	
Developing a Unified Intercarrier	)	CC Docket No. 01-92
Compensation Regime	)	
	)	CC Docket No. 99-68
Intercarrier Compensation for ISP-Bound	)	
Traffic	)	WC Docket No. 04-36

IP-Enabled Services

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**COMMENTS OF GOAMERICA, INC.**

GoAmerica, Inc. comments on the Order on Remand and Report and Order and Further Notice of Proposed Rulemaking (“FNPRM”) in this proceeding, FCC 08-262 (November 5, 2008). In these comments, GoAmerica discusses the Commission’s proposals for support of broadband access as they affect deaf and hard of hearing persons who rely on broadband for their telecommunications needs.

GoAmerica is the largest provider of Internet Protocol Telecommunications Relay Services (“IP Relay”) and the second largest provider of Video Relay Services (“VRS”), both forms of Telecommunications Relay Services (“TRS”) as authorized by Section 225 of the

Communications Act of 1934, as amended (“Act”), Section IV of the Americans With Disabilities Act (“ADA”). VRS works in the following manner to complete a telephone call for a deaf or hard of hearing person, or a person with a speech disability. The VRS user is connected to a video interpreter (“VI”) via an Internet video camera or videophone and a broadband connection such as a DSL line, cable modem, or ISDN line. The consumer signs to the VI, who in turn relays the conversation to the other party to the call and vice versa.

Estimates are that there are some 28 million deaf or hard of hearing persons in the United States. Many of these individuals historically have been limited from full participation in society because their deafness resulted in a general lack of access, including access to the telecommunications system. TRS was established to provide functional equivalency to those individuals in the use of telecommunications and thus remedy the lack of access in at least one area. It is estimated that from 500,000 to one million individuals could benefit from VRS. Actual penetration, however, is well below that range. Two reasons stand out about others for the low penetration level. First, many deaf and hard of hearing persons simply lack any access to broadband service. Second, the additional cost of broadband service adversely impacts this particular set of telecommunications consumers.

Because broadband access is essential to the provision of VRS, GoAmerica supports those proposals of the FNPRM to require Eligible Telecommunications Carriers (“ETC”) to commit to broadband deployment in their supported areas. This will have the salutary effect of helping to ensure broadband service to deaf and hard of hearing persons in rural and high cost service areas.

Likewise, GoAmerica supports proposals to include broadband service under the lifeline and linkup programs. To date, deaf and hard of hearing persons of limited means who rely on

VRS through broadband for their telecommunications needs have for all practical means been unfairly excluded from these programs. Including broadband service under these programs is another step toward functional equivalency. GoAmerica likewise supports the proposals to subsidize equipment for broadband users under this program. However, to make this program meaningful for deaf and hard of hearing persons using broadband, the Commission should clarify that equipment used for VRS, including videophones and Internet video cameras, should be eligible for the subsidy and that certified VRS providers should be eligible to distribute such equipment to qualifying deaf and hard of hearing persons and to apply for and receive the subsidy payments. Making VRS providers eligible to receive the subsidy is important because those providers are in the best position to deal with deaf and hard of hearing broadband consumers and to offer the most suitable equipment.

Currently some VRS providers do distribute equipment to consumers. However, the FCC has to date excluded the cost of such equipment as a compensable expense under the relay program. Thus, VRS providers must absorb the cost of such equipment under the limited provision available to them to receive a return on invested capital. This situation limits choices for consumers and favors the larger providers over the smaller providers who lack the resources to develop and distribute suitable video equipment to consumers. Including the cost of video broadband equipment under the lifeline/linkup programs and allowing certified VRS providers to receive reimbursement for distribution of that equipment will be a competitively neutral means of providing telecommunications service to deaf and hard of hearing persons which is functional equivalent to the service available to hearing persons.

Finally, GoAmerica urges the Commission to reject its tentative conclusion not to exempt from universal support charges numbers assigned to Internet based TRS users. Although we

acknowledge that there is currently an open proceeding which looks, inter alia, at what numbering costs Internet based TRS users should be required to absorb, at the very least, until that proceeding is finally resolved, there should be no universal support charges imposed on those numbers. The result of failing to exempt those numbers now is to impose such charges on Internet based TRS numbers and thus pre-judge that open proceeding.

Respectfully submitted,

**GOAMERICA, INC.**

By \_\_\_\_\_/s/\_\_\_\_\_  
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