

Before the
Federal Communications Commission
Washington D.C. 20554

In the Matter of)
)
Telecommunications Services)
For Individuals with Hearing and Speech) CC Docket No. 03-123
Disabilities, and the Americans with) WC Docket No. 05-196
Disabilities Act)
_____)

REPLY COMMENTS OF CSDVRS, LLC

I. Introduction

On January 29, 2009, Telecommunications for the Deaf and Hard of Hearing, Inc. (TDI) together with five consumer organizations (TDI et. al.),¹ and GoAmerica, Inc. (GoAmerica),² each sought reconsideration of the Commission’s decision to permit only people with a hearing or speech disability to obtain ten-digit telephone numbers under the new numbering system for Internet-based relay users.³ CSDVRS agrees with TDI et. al. and GoAmerica that the provision of ten-digit telephone numbers to individuals who are hearing and who know sign language should be permitted so that conversations could

¹ Petition of TDI, Association of Late-Deafened Adults, Inc, National Association of the Deaf, Deaf and Hard of Hearing Consumer Advocacy Network, Hearing Loss Association of America, and American Association of the Deaf-Blind, Petition for Partial Reconsideration (filed January 29, 2009) (Petition of TDI et. al.).

² GoAmerica Petition for Partial Reconsideration and Limited Waiver (filed January 29, 2009).

³*Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, CG Docket No. 03-123, E911 Requirements for IP-Enabled Service Providers, WC Docket No. 05-196, Second Report and Order and Order on Reconsideration, FCC 08-275 (December 19, 2008) (*Second Numbering Order*) at ¶34.

take place directly between hearing individuals who sign and people who are deaf, hard of hearing or have a speech disability. The ability to communicate directly – videophone to videophone – is critical to achieving effective communication between parents and children and among friends and colleagues when one party to the conversation has hearing loss or a speech disability and the other does not. In these cases, it makes little sense to force such individuals to make their calls through a relay service. The direct communication that can be achieved through a point-to-point call can achieve greater telecommunications equality, improved caller independence and most importantly to the FCC, lower costs to the Interstate Relay Fund.

The FCC has already acknowledged the need to facilitate point-to-point calls wherever it can. Specifically, in its Second Numbering Order, the Commission explained that even though section 225 of the Communications Act refers to telecommunications relay services, “point-to-point services even more directly support the named purposes: they are more rapid in that they involve direct, rather than interpreted, communication; they are more efficient in that they do not trigger the costs involved with interpretation or unnecessary routing; and they increase the utility of the Nation’s telephone system in that they provide direct communication – including all visual cues that are so important to persons with hearing and speech disabilities.”⁴ The Commission also explained that the goals of Section 255 of the Communications Act, which requires providers to make their communications services accessible to people with disabilities, are also served by facilitating point-to-point video calls.⁵ Finally, the Commission noted that section 1 of

⁴ Second Numbering Order at ¶67.

⁵ *Id.*, citing 47 U.S.C. §255(b).

the Communications Act, which requires the FCC to make available “so far as possible, to *all* the people of the United States . . . a rapid, efficient, Nation-wide . . . wire and radio communications service,”⁶ would be furthered by “[f]acilitating direct communication – without an unnecessary third-party interpreter – between citizens with hearing or speech disabilities.”⁷

If the FCC does not reverse its prohibition against allowing relay providers to give out numbers to hearing people, there will be no way for such individuals to acquire these numbers for video communication over the Internet, and all of the objectives described above will be disregarded. CSDVRS agrees with TDI et. al. that the FCC should “consider the greater principles involved”⁸ to ensure communications services that are functionally equivalent to voice telephone services. Accordingly, the Commission should exercise its authority to allow relay providers to distribute numbers to hearing persons to facilitate their direct video communication with individuals who are deaf and hard of hearing or speech disabled.

Respectfully submitted,

Sean Belanger

Sean Belanger, CEO
CSDVRS, LLC
600 Cleveland Street
Suite 1000
Clearwater, FL 33755

By:

⁶ 47 U.S.C. §151 (emphasis added).

⁷ Second Numbering Order at ¶67.

⁸ Petition of TDI et. al. at 6.

Karen Peltz Strauss

Karen Peltz Strauss
KPS Consulting
3508 Albemarle Street, NW
Washington, D.C. 20008
kpsconsulting@starpower.net

William Banks

William Banks
CSDVRS, LLC
600 Cleveland Street
Suite 1000
Clearwater, FL 33755
wbanks@csdvrs.com

June 11, 2009