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

In the Matter of	)	
	)	
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

PETITION FOR CLARIFICATION AND DECLARATORY RULING

Sorenson Communications, Inc. ("Sorenson") hereby submits this Petition for Clarification and Declaratory Ruling clarifying that only one Video Relay Service ("VRS") provider may assign telephone numbers to any particular Internet-based Telecommunications Relay Service ("iTRS") device and affirming that only one VRS provider may assign telephone numbers associated with a single IP address. These rulings will advance public safety, avoid customer confusion and are consistent with the Commission's Orders.

I. ONLY ONE VRS PROVIDER SHOULD BE PERMITTED TO ASSIGN TELEPHONE NUMBERS TO ANY PARTICULAR iTRS DEVICE

Although the Commission decided not to limit the quantity of telephone numbers that users may obtain from iTRS providers,[1] the FCC required that all numbers associated with a particular Uniform Resource Identifier ("URI") be provided by a single iTRS

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[1] *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities; E911 Requirements for IP-Enabled Service Providers*, Second Report and Order and Order on Reconsideration, 24 FCC Rcd 791, 46 Comm. Reg. 1135, ¶ 42 (2008) (FCC 08-275) ("*Numbering Second Report & Order*").

provider.[2] This requirement was aimed, at least in part, at promoting public safety by ensuring that the correct location information would be conveyed to a Public Safety Answering Point ("PSAP") in the event of an emergency.[3] The clear implication of this requirement is that only one provider – the default provider – may assign numbers to a particular device for a particular iTRS service.[4] As the Commission explained, making a single provider responsible for all numbers associated with a given URI promotes public safety by "reduc[ing] the likelihood of conflicting Registered Location information for the same URI."[5]

Nonetheless, some providers – and some users – have taken the view that the rules permit multiple providers to assign different telephone numbers to a single videophone. Sorenson thus seeks clarification that the Commission's rules allow only one VRS provider to assign telephone numbers to any particular device. This is the only

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2 *Numbering Second Report & Order* ¶ 44. The FCC mandated that telephone numbers assigned for use with VRS must have "an associated URI containing an IP address and device-specific protocol information." *Numbering Second Report & Order* ¶ 6. These URIs are provisioned to a centralized numbering database, which is then used to map each iTRS user's telephone number to his or her device. *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities; E911 Requirements for IP-Enabled Service Providers*, Report and Order and Further Notice of Proposed Rulemaking, 23 FCC Rcd 11591, ¶ 50 (2008) ("*Internet-based TRS Numbering Order*").

3 The Commission requires that iTRS providers obtain geographic location information from each of their registered users so that emergency calls can be routed to the appropriate PSAP directly and automatically. *Internet-based TRS Numbering Order* ¶¶ 79-80.

4 A user's "default provider" is "[t]he Internet-based provider with which an Internet-based TRS user has registered . . . all inbound and outbound calls will, by default, be routed through the default provider." *Internet-based TRS Numbering Order* ¶ 43. A default provider, therefore, is similar to a hearing user's local exchange carrier, or a primary interexchange carrier ("PIC"). A VRS user may "dial around" to access other providers but, by definition, he or she can have only one *default* provider.

5 *Numbering Second Report & Order* ¶ 44.

result that can be squared with public safety objectives and the Commission's statement that multiple telephone numbers associated with a single URI must be provided "by a single Internet-based TRS provider."[6]

A single device can have only one URI (*i.e.*, one IP address and one set of device-specific protocol information).[7] Therefore, it would appear impossible for multiple providers to assign numbers to a single device without violating the Commission's rules. Moreover, allowing more than one provider to assign numbers to a given device would endanger public safety by complicating the handling of emergency calls and the management of Registered Location information.[8] Accordingly, the Commission should clarify that only one VRS provider may assign telephone numbers to any given device.[9]

II. ONLY ONE VRS PROVIDER SHOULD BE PERMITTED TO ASSIGN TELEPHONE NUMBERS ASSOCIATED WITH A SINGLE IP ADDRESS

A. The Commission Should Clarify that Only One VRS Provider Is Permitted to Assign Telephone Numbers to Devices Using the Same Protocol and the Same IP Address

The fact that the Commission's requirements governing numbering assignments are worded in terms of URIs instead of IP addresses has had significant negative

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6 *Id.*

7 *See id.* ¶ 6.

8 *See, e.g.*, *id.* ¶ 44.

9 The FCC should also clarify that non-default providers may not circumvent this requirement by connecting to the user without querying the iTRS numbering database currently administered by NeuStar. Specifically, non-default providers should not be permitted to ring a device unless the caller has dialed – or otherwise requested to be connected to – a number assigned to the device by the user's default provider. This clarification would have no effect on interoperability or on users' ability to make and receive dial-around calls. It would, however, promote public safety. *See* discussion *infra* at 7-8.

consequences.[10] Some providers have acted in the apparent belief that users may register with multiple default VRS providers, each of which assigns numbers associated with a single IP address.[11] These arrangements create several problems. As an initial matter, arrangements in which multiple providers assign numbers to a single URI violate the Commission's Orders. The FCC's *Numbering Second Report and Order* states that a URI for VRS should consist of an IP address and device-specific protocol information.[12] Thus, multiple devices using the same protocol at the same IP address will have identical URIs.[13] Secondly, such arrangements can harm consumers.[14] For example, when two or more VRS providers assign numbers to multiple devices with the same URI (*i.e.*, at the same IP address), only one device will "ring." This may confuse consumers and exacerbate dangerous situations when calls expected on one videophone "ring" on a

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10 *See Internet-based TRS Numbering Order* ¶¶ 50-51. Sorenson supports the Commission's determination that the central numbering database should be provisioned with URIs, but this determination was based on call set-up and call routing considerations, not on a desire to allow users to select multiple "default" providers for a particular location. *See, e.g., Internet-based TRS Numbering Order* ¶¶ 52-53. In fact, the FCC made the decision to provision the numbering database with URIs before it even decided whether to allow users to obtain more than one telephone number. *Compare Internet-based TRS Numbering Order* ¶¶ 50-54 *with id.* ¶ 110 (requesting comment on whether iTRS users should be allowed to obtain multiple numbers.).

11 For purposes of this filing, "IP address" refers only to a public IP address assigned to the user by an Internet service provider, and does not include private IP addresses within a home network.

12 *Numbering Second Report and Order* ¶ 6. *But see* 47 C.F.R. § 64.613(a)(2) (stating that URIs used for VRS "shall contain the user's Internet Protocol (IP) address").

13 In order to ensure interoperability, all CPE provided by VRS providers must be H.323 compatible. Thus, all VRS CPE at a single IP address will likely have the same protocol information and, therefore, the same URI, as the FCC has defined that term.

14 If multiple VRS providers using the same protocols assign telephone numbers to a single geographic location served by a single IP address, all the numbers will be associated with the same URI and there will be no way for the central numbering database to distinguish which telephone number is associated with which device (or VRS provider).

videophone in another part of the house. A user may not be able to communicate with emergency personnel in a crisis, for instance, if a callback from the PSAP "rings" on a videophone located in another room.

To avoid these confusing and potentially dangerous situations for users of videophones, the Commission should clarify that, where multiple numbers are assigned to devices using the same protocol at the same IP address, all of the telephone numbers must be assigned by the same VRS provider.

B. The Commission Should Prohibit Multiple VRS Providers from Assigning Telephone Numbers to a Single IP Address, Regardless of the Protocol Used

Multiple providers should not be permitted to assign telephone numbers to devices at a single IP address, even if the customer premises equipment ("CPE") involved uses different protocols. Sorenson has received numerous complaints from users concerned that other providers have been disabling functionalities on Sorenson videophones. These problems are caused by multiple providers seeking to become default providers to a particular household by assigning telephone numbers to the same IP address.

When a new provider begins serving a home where the user already has selected a default provider, the new (secondary) provider must either adjust the existing router to modify the assignment of default ports or replace the original router altogether. Users may not initially realize the consequences of these changes and discover only later that, as a result of the secondary provider's modifications, the user is no longer able to access many of the functionalities of the original videophone supplied by the default provider. The tampering with, or replacement of, existing CPE causes VRS users inconvenience

and frustration because their videophones do not work as they had intended.[15] The actions of the secondary VRS provider also spur costly service calls for the default provider whose devices and routers were tampered with or replaced. These disruptions also create disincentives for VRS providers to be prompt in satisfying consumers' requests for a videophone, because the slower-to-respond second VRS provider has the opportunity to modify the first provider's videophone. VRS users should not be subjected unknowingly to debilitating equipment tampering by providers who, when installing additional devices, attempt to switch a household's choice of default providers.

The simplest way to avoid this confusion and disruption would be for the Commission to permit only one default provider per geographic location. As noted above, the notion of having multiple default VRS providers at a single location is oxymoronic. By definition, users should have a single default VRS provider that is responsible for providing 911 access and for routing all inbound and outbound calls to or from a particular location. This solution would be consistent with the FCC's *Numbering Second Report and Order*, which appears to contemplate that VRS users will obtain all their numbers for a single device, or a single location, from a single VRS provider.[16]

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[15] This interference with existing equipment undermines consumer choice by effectively replacing the consumer's default provider without the consumer's consent. The result is the same as if the user were "slammed" by the new provider. The FCC, therefore, should consider addressing this behavior in the rules it is promulgating to extend slamming protection to iTRS users. *See Numbering Second Report and Order* ¶ 71 (anticipating that the FCC will adopt rules more specifically addressing iTRS slamming prohibitions in a future order).

[16] *See, e.g., Numbering Second Report and Order* ¶ 42 ("[A] VRS user may obtain different numbers for VRS devices at different locations, such as home and office."); *id.* ¶¶ 42-43 (noting that an iTRS provider may provision a user with multiple numbers for the same service). Nowhere in its Order or rules does the FCC indicate that a user may obtain numbers from multiple default providers at a single location. Indeed, allowing

Pursuant to the Commission's interoperability rulings, consumers would still be able to "dial around" to use the services of any VRS provider without obtaining a separate local telephone number from each provider.[17] Users would also retain the option of changing their primary or default provider at any time and porting their number or numbers to a new VRS provider.

If the Commission permits users to obtain telephone numbers from, and use the devices of, multiple providers in a single location, it should clarify that each provider's number must be associated with a separate IP address.[18] Having a single provider for each IP address would mitigate the risks associated with 911 calls from locations where multiple providers have assigned numbers to a single IP address. Public safety concerns dictate that each telephone number must be associated with a single default provider that is responsible for ensuring that the network address information for the user's device is properly updated in the central database and for receiving updates from the user regarding his or her Registered Location. The Commission's public safety goal of avoiding conflicting Registered Location information would be undermined if multiple providers were permitted to assign telephone numbers to the same IP address.[19]

Requiring that all telephone numbers associated with a single IP address be provisioned by a single VRS provider would help avoid dangerous confusion during

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such a practice would be inconsistent with the goal of ensuring that default providers are held accountable for E911.

[17] This is analogous to hearing users choosing a single PIC for their home, but retaining the freedom to dial around to an alternative interexchange carrier on a call-by-call basis.

[18] Users who wish to use multiple providers at a single location could acquire additional IP addresses.

[19] *Numbering Second Report and Order* ¶ 44.

emergency calls. A one-provider-per-IP-address policy would also help protect consumers from disruptions to service and uncertainties about the source of technical problems with equipment. If each provider retains responsibility for maintaining its own equipment, there would be no reason for one provider to touch CPE installed by another provider. One benefit would be fewer service calls to one provider to repair technical problems caused by other providers' technicians.

The single-provider-per-IP-address approach is consistent with the Commission's statement that users may obtain multiple telephone numbers and may even obtain numbers for different devices on the same premises, such as multiple VRS devices in the home.[20] It is also consistent with the Commission's policies permitting consumers to use the services of a second VRS provider by "dialing around" their default providers or changing default providers.

For these reasons, the Commission should issue a declaratory ruling clarifying that, for reasons of public safety and consumer protection, only one VRS provider can assign numbers for any given IP address. The Commission also should protect consumers by issuing a declaratory ruling specifically prohibiting VRS providers from modifying, compromising, altering, destroying, or otherwise tampering with the existing equipment of another VRS provider when installing, repairing, or modifying its own CPE at a customer location. This prohibition would serve the public interest by advancing public safety, reducing finger-pointing disputes over service disruptions for consumers, and avoiding unnecessary service calls and repair costs.

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[20] *Id.* ¶ 43.

III. CONCLUSION

For the foregoing reasons, Sorenson respectfully requests clarification that only one provider may assign telephone numbers to any particular iTRS device for a particular service, and a declaratory ruling affirming that only one VRS provider may assign telephone numbers associated with a single IP address. In addition, the Commission should consider permitting only one default provider per geographic location. This solution would be the simplest way to avoid the problems caused by multiple default providers, and would be consistent with the Commission's existing orders on numbering.

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