

**Before the
Federal Communications Commission
Washington, DC 20054**

In the Matter of)
)
)
Telecommunications Relay Services) CG Docket No. 03-123
And Speech-to-Speech Services for)
Individuals with Hearing and Speech)
Disabilities)

REPLY OF AT&T INC.

AT&T Inc. (“AT&T”), on behalf of its telephone companies, hereby files this reply to the comments filed in response to the Public Notice in the foregoing docket seeking to refresh the record on a Petition for Rulemaking to make Captioned Telephone Relay Service a mandatory form of telecommunications relay service.¹

In the Public Notice, the Commission solicited comments to refresh the record on whether the Commission should initiate a rulemaking to mandate traditional CTS. AT&T submits that the record has been refreshed and reiterates that the time is right for the Commission to initiate a rulemaking to consider whether to mandate CTS. In contrast, the Consumer Groups Supplemental Petition and two TRS providers filing in response to the Public Notice urged the Commission to forego a rulemaking and proceed with rules to mandate the provision of CTS as a form of TRS.² AT&T

¹ Public Notice, Consumer & Governmental Affairs Bureau Seeks to Refresh the Record on Petition to Mandate Captioned Telephone Relay Service (CTS), *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, CG Docket No. 03-123 (DA-09-1436, rel. June 26, 2009) (“Public Notice”).

² See Supplement to Petition to Mandate Captioned Telephone Relay Service, by Hearing Loss Association of America, Alexander Graham Bell Association for the Deaf and Hard of Hearing), the American Academy of Audiology, American Association of People with Disabilities, American Speech-Language-Hearing Association, Association of Late-Deafened Adults, Deaf and Hard of Hearing Consumer Advocacy Network, League for the Hard of Hearing, National Association of the Deaf, National Cued Speech Association, Telecommunications for the Deaf and Hard of Hearing, Inc., California Association of the Deaf, California Coalition of Agencies Serving the Deaf and Hard of Hearing, and Alliance for Public Technology (filed June 10, 2009) (“Supplement to Petition”); Comments of Sprint Nextel Corporation (filed July 27, 2009); Purple Communications, Inc. Comments on the Petition to Mandate Captioned telephone Service (filed July 27, 2009) (“Purple Comments”).

believes that this approach is unwise in light of the lack of a clear set of rules for the Commission to adopt.

AT&T supports the efforts of the consumer groups and commenters who desire to avoid unnecessary delay to mandating CTS and to ensuring that deaf and hard of hearing persons have access to a communications service that is most functionally equivalent to telephone service used by the hearing public. Yet, AT&T believes that a rulemaking is a necessary prerequisite to mandating CTS. A rulemaking will allow the Commission to fully consider the technical, operational and cost issues associated with mandating CTS, the majority of which were raised by the consumer groups and/or other commenters. The following issues, among others, need to be the subject of public discussion and Commission consideration:

- The ability of the states to raise end user surcharges to fund mandatory CTS;³
- The lack of an effective alternative to Ultratec to provision traditional CTS, and the concerns that arise from such a sole source provider, including pricing, competition, and disaster preparedness/redundancy;⁴
- The need for additional minimum standards applicable to traditional CTS and the appropriate minimum standards to adopt;⁵
- The appropriateness of restrictions and limitations on the use of CTS;⁶
- Requiring certifications of deaf and hard of hearing consumers prior to enrollment in CTS;
- How to make traditional CTS accessible to all eligible users from within and outside of their home state; and

³ See Comments of the California Public Utilities Commission and the People of the State of California (filed July 28, 2009) (“CPUC Comments”).

⁴ See CPUC Comments, pages 4-5; Purple Comments, pages 3-4.

⁵ See Supplement to Petition, pages 29-30; Purple Comments, page 3 (“Minimum standards should be looked at in its totality.”).

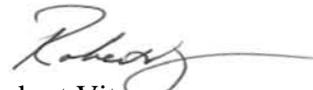
⁶ See Supplement to Petition, pages 15-26; CPUC Comments, pages 6-7; Comments of AT&T, page 3.

- How to most effectively promote outreach and education about CTS.⁷

These issues are not merely secondary issues that can be considered in subsequent rulings after the Commission mandates CTS and issues corresponding rules. They are central to the provision of a uniform form of nationwide CTS and to the rules that must be enacted to make implementation of such a service a reality. The direction that the Commission takes in ruling on these issues will determine the extent to which traditional CTS will realize its potential to be functionally equivalent to traditional telephone service.⁸

For the foregoing reasons, AT&T encourages the Commission to issue a rulemaking to consider this important issue.

Respectfully submitted,



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⁷ See Supplement to Petition, page 26.

⁸ To the extent that concerns exist about the delay in implementing a rulemaking, the Commission can set an expedited schedule in the rulemaking of 30 days for comments and 15 days for replies.