

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

In the Matter of)	
)	
Telecommunications Relay Services)	
And Speech-to-Speech Services for)	
Individuals with Hearing and Speech)	CG Docket No. 03-123
Disabilities)	
)	
To: Acting Chief Consumer and)	
Governmental Affairs Bureau)	

WITHDRAWAL OF CONTINGENT REQUEST FOR TEMPORARY WAIVER

Purple Communications, Inc. (“Purple”) herewith withdraws its November 9, 2009, request for a temporary waiver of FCC Rule Section 64.604(b)(2)(ii)’s answer speed requirements for IP Text Relay and shows the following.¹

Purple requested a 30 day waiver of the IP text answer speed requirement, effective as of November 13, 2009. Due to relatively low IP Text Relay registration (then under 30 percent of users), Purple anticipated that come November 13, 2009, IP Text Relay providers, including Purple, would be required to register large numbers of currently unregistered users. Purple further anticipated that registering such a large number of users would be problematic despite various means Purple was putting into

¹ Purple also has pending a request for extension of the 10 digit number registration deadline for IP Text Relay. See Request for Extension of Mandatory Registration Date for IP Text Relay Service (October 27, 2009). In light of the passage of the November 12, 2009 mandatory registration deadline, that request should be dismissed as moot.

place to ease the process, e.g., use automated registration pages for IP Text Relay users which intercept non-registered calls and require registration prior to completing the call.

In addition, Purple pointed out that not all IP Text Relay applications are susceptible to automated registration, and instead require that the registrations be conducted manually. Specifically we cited that many IP text customers utilize their T-Mobile Sidekick[®] to place wireless calls, and that in early October, T-Mobile service began experiencing serious technical outages and difficulties causing service disruptions lasting several days with continuing problems.² Among those continuing problems were the inability for Sidekick customers to access and download any new applications from the Sidekick catalog, including a new application Purple had prepared that included an easy-to-use automated registration function.

Consequently, Purple expected that the increased setup time need for manual registrations would result in an usually large increase in session time, adversely impacting answer speed and driving it below normal limits. Even with maximum possible staffing, Purple expected that it will be unable to meet the answer speed requirement of FCC Rule Section 64.604(b)(2)(ii) for some period of time after November 12, 2009 due to the registration requirement. Accordingly, waiver of Rule Section 64.604(b)(2)(ii) was requested.

² See <http://online.wsj.com/article/SB10001424052748703790404574467431941990194.html>; <http://online.wsj.com/article/SB10001424052748703790404574469593997144948.html>; <http://blogs.wsj.com/digits/2009/10/12/behind-sidekicks-slow-recovery-after-server-slipup/>.

Purple is pleased to report that while there were disruptions associated with the registration deadline, that they were manageable, and that the process worked better than expected. Informal discussions with other Internet Text providers confirm their similar experience. In addition, the Sidekick issue, discussed above, has now been remedied. As a result, Purple no longer sees a need for a temporary waiver of the answer speed requirement. As such, Purple hereby withdraws its waiver request.

Respectfully submitted,

PURPLE COMMUNICATIONS, INC.

By: _____/s/_____

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