



**CSDVRS, LLC**  
600 Cleveland Street, Suite 1000 – Clearwater, Florida 33755  
Voice: 727-254-5600 Fax: 727-443-1537 Toll Free: 888-927-3877

**November 30, 2009**

***VIA ELECTRONIC FILING***

Thomas Chandler  
Federal Communications Commission  
445 12<sup>th</sup> Street SW  
Washington, D.C. 20554

**RE: Letter of June 24, 2009  
CG Docket 03-123**

Dear Mr. Chandler:

Attached hereto, please find a copy of the letter of June 24, 2009 from CSDVRS to the Commission concerning recapture of CSDVRS conversation minutes which were lost due to server issues. The letter is being submitted through ECFS in redacted form per the request of the Commission.

This letter is being filed for inclusion in the public record of the Commission's docket CG 03-123.

Sincerely Yours,



William Banks, General Counsel  
CSDVRS, LLC

Att: Copy – Letter of June 24, 2009 (redacted)

Cc: Gregory Hlibok



**CSDVRS, LLC**

**600 Cleveland Street, Suite 1000 – Clearwater, Florida 33755**  
**Voice: 727-254-5600 Fax: 727-443-1537 Toll Free: 888-927-3877**

June 24, 2009

**VIA EMAIL AND U.S. MAIL**

Thomas Chandler  
Federal Communications Commission  
Disability Rights Office  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

**RE: Compensation for Conversation Minutes (Lost Data)**

**CG Docket No. 03-123**

Dear Mr. Chandler:

Further to our correspondence of March 10, 2009, this letter is to update the Commission on the VRS call data that was lost during computer system upgrades, which prevented CSDVRS from completely billing the National Exchange Carriers Association (“NECA”) for its conversation minutes.

Per the request of Suzanne Tetrault in the Consumer & Governmental Affairs Bureau, CSDVRS hereby confirms that the software anomalies that caused the loss of minutes have been completely resolved. Furthermore, CSDVRS has taken delivery of and activated a software protocol which will allow it the ability to create the Call Detail Records (CDR) from another server. In the event an unanticipated system crash should occur in the future, CSDVRS now will be able to create accurate CDRs through the new redundant system.

The following encapsulates the total session minutes logged by CSDVRS from December 2008 through April 2009, for which conversation minutes were lost:

December 2008: [REDACTED] minutes  
January 2009: [REDACTED] minutes  
February 2009: [REDACTED] minutes

March 2009: [REDACTED] minutes

April 2009: [REDACTED] minutes

**TOTAL:** [REDACTED] minutes

As alliterated in our prior correspondence, CSDVRS respectfully requests that for the limited incomplete data, representing only 5-10% of the actual minutes serviced by CSDVRS, the Commission allow a temporary billing method to recapture conversation minutes that would otherwise be lost. CSDVRS again offers the following alternatives as possible fair and equitable means to address this matter:

- 1) Reimburse based on average monthly industry utilization rates;
- 2) Reimburse based on the utilization rates of the remaining 90-95% of the minutes billed to NECA by CSDVRS; or
- 3) Reimburse based on the average utilization of CSDVRS' 2008 minutes.<sup>1</sup>

CSDVRS also respectfully requests that data pertaining to conversation minutes contained in this letter be treated in a confidential manner, and not be made routinely available for public inspection as provided by 47 C.F.R. §0.457(d). These materials consist of "commercial or financial information . . . [which are] privileged" 47 C.F.R. §0.459(b)(3); see also 5 USC 552 (b)(4).

Thank you very much for your time and consideration, and we look forward to a prompt and equitable decision on this matter.

Sincerely Yours,

/s/

William Banks

General Counsel

cc: Suzanne Tetreault  
Gregory Hlibok

---

<sup>1</sup> CSDVRS would first report the session minutes and then apply one of these utilization rates to the session minutes in order to calculate the conversation minutes.