

2300 N STREET, NW  
SUITE 700  
WASHINGTON, DC 20037  
TEL 202.783.4141  
FAX 202.783.5851  
www.wbklaw.com

April 8, 2010

David A. O'Connor  
202-383-3429  
doconnor@wbklaw.com

VIA ELECTRONIC FILING (ECFS)

Marlene H. Dortch, Esq.  
Secretary  
Federal Communications Commission  
445 Twelfth Street, SW  
Washington, DC 20554

RE: **EX PARTE PRESENTATION**

*Telecommunications Relay Services and Speech-to-Speech Services for Individuals  
with Hearing and Speech Disabilities*

CG Docket No. 03-123

*Structure and Practices of the Video Relay Service Program*

CG Docket No. 10-51

Dear Ms. Dortch:

On April 7, 2010, Dixie Ziegler and Anne Girard of Hamilton Relay, Inc. ("Hamilton"), and the undersigned counsel for Hamilton met with Joel Gurin, Michael Jacobs and Gregory Hlibok of the Commission's Consumer & Governmental Affairs Bureau ("CGB") concerning issues raised in the above-captioned proceedings. Mark Stone and Karen Peltz Strauss of CGB attended portions of the meeting.

During the meeting, Hamilton indicated its support for the recent comments of Ultratec, Inc. ("Ultratec") concerning captioned telephone service ("CTS"), and in particular the responses that are specific to Hamilton's role in providing CTS.<sup>1</sup> In this regard, Hamilton will continue to work with the National Association of State Relay Administrators ("NASRA") and the Telecommunications Equipment Distribution Program Association ("TEDPA") to address any concerns. Hamilton also noted that its call center capabilities are being expanded to include CTS.

---

<sup>1</sup> Ultratec, Inc., *Responses of Ultratec, Inc. to Comments of NASRA and TEDPA Regarding Captioned Telephone Service*, CG Docket No. 03-123 (filed Mar. 24, 2010).

In addition, Hamilton noted that a petition had recently been filed by consumer groups asking the Commission to prohibit any state practice, such as California's, which requires Communications Assistants ("CAs") to notify all parties to a CTS call that the CA is on the line, a policy which raises serious privacy concerns for consumer groups.<sup>2</sup> While Hamilton takes no official position on this matter at this time (particularly given that the Commission has not yet sought comment on the consumer groups' proposal), Hamilton notes for the record that it is scheduled to commence CTS services in California as of June 2, 2010, and Hamilton urges the Commission to address the consumer groups' concerns as expeditiously as possible.

We also discussed various points made in Hamilton's March 29, 2010 Request for Clarification ("Request") of CGB's February 25, 2010 *Declaratory Ruling*.<sup>3</sup> In the Request, Hamilton highlighted the difficulties in applying the *Declaratory Ruling* to MARS-based services, and asked CGB to clarify that the principles enunciated in the *Declaratory Ruling* do not apply to relay services compensated under MARS rates.

Finally, Hamilton submitted that Internet Relay providers should continue to receive compensation from the Fund Administrator for employee calls and customer service calls. In this regard, Hamilton suggests that the Commission direct Internet Relay providers to report minutes of use for such calls separately. This would permit the Fund Administrator and the Commission to review those minutes and determine if application of the principles enunciated in the *Declaratory Ruling* is warranted with respect to Internet Relay providers.

This filing is made in accordance with Section 1.1206(b)(2) of the Commission's rules, 47 C.F.R. § 1.1206(b)(2). In the event that there are any questions concerning this matter, please contact the undersigned.

Respectfully submitted,

WILKINSON BARKER KNAUER, LLP

/s/ David A. O'Connor

David A. O'Connor

Counsel for Hamilton Relay, Inc.

cc (via e-mail): Participants

---

<sup>2</sup> Hearing Loss Association of America, Hearing Loss Association of California, California Coalition of Agencies Serving the Deaf and Hard of Hearing, Deaf and Hard of Hearing Consumer Advocacy Network, National Association of the Deaf, California Association of the Deaf, and Telecommunications for the Deaf and Hard of Hearing, Inc., *Petition for Clarification and Declaratory Ruling on Communications Assistant Transparency*, CG Docket No. 03-123 (filed Mar. 9, 2010).

<sup>3</sup> Hamilton Relay, Inc., *Request for Clarification*, CG Docket No. 10-51 (filed Mar. 29, 2010).