

Eliot J. Greenwald
Direct Phone: 202.373.6009
Direct Fax: 202.373.6001
eliot.greenwald@bingham.com
Our File No.: 4889010001

June 29, 2010

Via Electronic Filing

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

**Re: Notice of Ex Parte Meeting
Telecommunications Relay Services and Speech-to-Speech Services for
Individuals with Hearing and Speech Disabilities;
Structure and Practices of the Video Relay Services Program
CC Docket Nos. 03-123 and 10-51**

Dear Ms. Dortch:

On June 28, 2010, Claude L. Stout, Executive Director, Telecommunications for the Deaf and Hard of Hearing, Inc. (“TDI”); Shane H. Feldman, Chief Operating Officer, National Association of the Deaf (“NAD”); Rosaline Crawford, Director, Law and Advocacy Center, NAD; Elizabeth T. Spiers, Director of Information Services, American Association of the Deaf-Blind; Lise Hamlin, Director of Public Policy & State Development, Hearing Loss Association of America (“HLAA”); Cheryl Heppner, Vice Chair, Deaf and Hard of Hearing Consumer Advocacy Network (“DHHCAN”); Sheri A. Farinha, Vice Chair, California Coalition of Agencies Serving the Deaf & Hard of Hearing, Inc. (“CCASDHH”) (collectively, the “Consumer Groups”), and the undersigned counsel to TDI, met with Karen Peltz Strauss, Deputy Chief, Consumer & Government Affairs Bureau (“CGB”); Michael Jacobs, CGB; Cheryl King, Deputy Chief, Disability Rights Office (“DRO”); Susan Kimmel, Deputy Chief, DRO; Gregory Hlibok, DRO; Sherita Kennedy, DRO, Diane Mason, DRO and Andrew Mulitz, DRO.

We expressed our appreciation for the Notice of Inquiry released on June 28, 2010 in regard to Video Relay Service (“VRS”) rate methodology and reform and discussed the procedures going forward.

We expressed our concerns regarding the requirement of the California Public Utilities Commission (“PUC”) for an announcement prior to each Captioned Telephone Service (“CTS”) call in California saying “this call is being monitored for service quality” and how this announcement has resulted in refusal of people to participate in CTS calls. This was particularly troublesome because the mandated announcement has caused health care providers to believe that CTS calls would violate HIPAA requirements and caused

Boston
Hartford
Hong Kong
London
Los Angeles
New York
Orange County
San Francisco
Santa Monica
Silicon Valley
Tokyo
Washington

Bingham McCutchen LLP
2020 K Street NW
Washington, DC
20006-1806

T 202.373.6000
F 202.373.6001
bingham.com

A/73421502.2

Marlene H. Dortch, Secretary
June 29, 2010
Page 2

business people and people seeking services to believe that their calls would be monitored by third parties.

We discussed our support for the use of server based routing, which the Consumer Groups believe will facilitate point-to-point video calling and will promote competition in the VRS industry.

We discussed the need to have a summit to explore ways to meet the relay service needs of people who are deaf-blind, including but not limited to the possibility of communications facilitators to assist deaf-blind people with video communications. We also discussed the need for specific training for VRS interpreters and TRS communications assistants working with deaf-blind VRS and TRS users.

We discussed the need for captioned relay conference calls, noting that they were already offered in three states and by the Federal relay service, but were needed nationwide.

We also discussed the need for mandating captioned telephone service nationwide. Karen Strauss did not participate in this discussion.

We had a general discussion in regard to the status of NG911 and real time text technology. We expressed our appreciation for the discussion in the broadband report of these items as well as emergency alert communications for people with disabilities.

We discussed the need for Commission action on the petitions for reconsideration filed by the Consumer Groups and by GoAmerica, Inc. on January 29, 2009 requesting that an individual without a hearing or speech disability may obtain a ten-digit telephone number for a videophone for the purpose of having point-to-point video calls with people with a hearing or speech disability.

Marlene H. Dortch, Secretary
June 29, 2010
Page 3

Very truly yours,

/S/

Eliot J. Greenwald

Cc (by e-mail): Karen Peltz Strauss
Michael Jacobs
Cheryl King
Susan Kimmel
Gregory Hlibok
Sherita Kennedy
Diane Mason
Andrew Mulitz
Claude L. Stout
Shane H. Feldman
Rosaline Crawford
Elizabeth T. Spiers
Cheryl Heppner
Lise Hamlin
Sheri A. Farinha