

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)	
)	
Telecommunications Relay Services and)	CG Docket No. 10-51
Speech-to-Speech Services for)	
Individuals with Hearing and Speech)	
Disabilities)	

Telecommunications for the Deaf and Hard of Hearing, Inc.;
Association of Late-Deafened Adults, Inc.;
National Association of the Deaf;
Deaf and Hard of Hearing Consumer Advocacy Network;
California Coalition of Agencies Serving the Deaf and Hard of Hearing;
American Association of the Deaf-Blind; and
Reply Comments in Support of Purple Communications, Inc.’s Petition

Telecommunications for the Deaf and Hard of Hearing, Inc. (“TDI”), through its undersigned counsel, Association of Late-Deafened Adults, Inc. (“ALDA”), National Association of the Deaf (“NAD”), Deaf and Hard of Hearing Consumer Advocacy Network (“DHHCAN”), California Coalition of Agencies Serving the Deaf and Hard of Hearing (“CCASDHH”), American Association of the Deaf-Blind (“AADB”), and Hearing Loss Association of America (“HLAA”) (collectively, the “Consumer Groups”) respectfully submit these reply comments in support of Purple Communications, Inc.’s (“Purple”) Petition for Clarification or Waiver (“Petition”).¹ The Consumer Groups take this opportunity to address the comments submitted by CSDVRS, LLC (“CSDVRS”), Snap Telecommunications, Inc. (“Snap”), Convo Communications, LLC (“Convo”), and resubmitted by Sorenson Communications, Inc. (“Sorenson”) on July 16, 2010 in this proceeding.

¹ See *Comments Sought on Purple Communications, Inc. Petition for Clarification or Waiver to Implement Call Forwarding Service for Internet-Based Telecommunications Rely Service Users*, CG Docket No. 10-51, Public Notice, DA 10-1253 (rel. July 2, 2010).

In its opening comments, the Consumer Groups explained that call forwarding is a service enjoyed by telephone service customers, and that the functional equivalency requirements of Section 225 of the Communications Act of 1934, as amended (the “Act”), require that the waiver requested by Purple be granted so that people who are deaf, hard of hearing and deaf-blind can enjoy call forwarding of point-to-point (“P2P”) video service.

Comments Filed by CSDVRS and Snap

Both CSDVRS and Snap request that the waiver requested by Purple to enable call forwarding be granted on an industry-wide basis so that all Video Relay Service (“VRS”) providers have the opportunity to take advantage of the waiver to enable call forwarding of P2P video calls. The Consumer Groups agree. Consumers should be able to have a choice of providers offering call forwarding of P2P video calls. Limiting grant of the waiver to one provider would limit competition and consumer choice. It is competition and choice that leads to service innovation and better quality service.

CSDVRS and Snap also request that the Commission protect consumer privacy by extending the Customer Proprietary Network Information (“CPNI”) rules to VRS and P2P. In their comments filed in CG Docket No. 03-123 and WC Docket No. 05-196 on August 8, 2008, the Consumer Groups supported the concept of extending the CPNI rules to VRS and P2P. Specifically, in response to a Further Notice of Proposed Rulemaking,² the Consumer Groups supported with some modifications the proposed CPNI rule revisions submitted by Sorenson on May 15, 2008.³ Although the Commission has not yet addressed the proposed CPNI rules, in the

² *In the Matter of Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities and E911 Requirements for IP-Enhanced Service Providers*, Report and Order, 23 FCC Rcd. 10663 (2008) (“*iTRS Numbering NPRM*”).

³ Comments of Consumer Groups at 24-33, August 8, 2008.

iTRS Numbering Second Report and Order,⁴ the Commission emphasized that “. . . the unauthorized disclosure of an Internet-based TRS user’s personal information [is] prohibited.”⁵

The Consumer Groups believe that the Commission’s admonition to providers in the *iTRS Second Report and Order* is sufficient to deter providers from unauthorized disclosure of customer proprietary information, even though the CPNI rules have not yet been formally extended to VRS. Therefore, the Commission need not wait until it formally extends the CPNI rules to VRS in order to grant an industry wide waiver that would improve functional equivalency as required by Section 225 of the Act by immediately facilitating call forwarding of P2P calls. Nevertheless, the Consumer Groups have consistently supported clear and precise rules, and urge the Commission to move forward with extending the CPNI rules to VRS as discussed by the Consumer Groups in their August 8, 2008 comments.

Comments Filed by Convo

Convo opposes the petition filed by Purple on the grounds that P2P call forwarding can be accomplished without the need for a waiver. However, Convo has not stated whether it has even tested its ideas and has not provided a convincing argument that its idea on how to accomplish call forwarding would actually work. Moreover, Convo’s suggestion that grant of the waiver would place some sort of burden on Convo and other providers appears to be the result of a misunderstanding on the part of Convo. Grant of the petition would not require any VRS provider to offer call forwarding. It would only make it possible for any VRS provider to offer call forwarding of P2P calls if the provider chose to do so. If the provider chose not to offer call forwarding of P2P calls, the Consumer Groups understand that there would be no need

⁴ *In the Matter of Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities and E911 Requirements for IP-Enhanced Service Providers*, Report and Order, 24 FCC Rcd. 791 (2008).

⁵ *Id.* at para. 71.

for the provider to make any changes to its VRS platform or how it is providing service. The Consumer Groups also understand that grant of the petition would not require any change to the iTRS database itself. The only changes needed would be accomplished by those providers that choose to take advantage of the waiver and offer call forwarding of P2P video calls.

Perhaps Convo is concerned that in the event the Commission grants the petition and some providers begin offering call forwarding of P2P video calls, then Convo would be forced to do the same for competitive reasons. But that is how a competitive market is supposed to work, and Consumers should not be denied a functionally equivalent service from any provider simply because one provider would prefer not to offer the service.

Comments Refiled by Sorenson

Sorenson refiled the Comments that it initially filed on June 14, 2010, arguing that the petition filed by Purple was procedurally defective. In their opening comments, the Consumer Groups addressed Sorenson's arguments, explaining that grant of the petition would not violate the Administrative Procedures Act. The Consumer Groups also explained that since grant of the petition would improve functional equivalency and make it possible for Consumers to enjoy call forwarding of P2P video calls, putting off consideration until an earlier petition filed by Purple on July 21, 2009 is addressed by the Commission would be a great disservice to people who are deaf, hard of hearing and deaf-blind. Rather, the Consumer Groups suggested that an interim waiver would allow for temporary relief while the Commission addresses the larger issues discussed in Purple's July 21, 2009 petition.

Conclusion

For reasons set forth above and in the opening comments of the Consumer Groups, the Commission should grant the petition filed by Purple by issuing an interim waiver.

Respectfully submitted,

/S/

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