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Before the
Federal Communications Commission
Washington, D.C. 20554

MAILED
AUG 10 2010
FCC Mail Room

In the Matter of)	
)	
Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities)	CG Docket No. <u>03-123</u>
)	
E911 Requirements for IP-Enabled Service Providers)	WC Docket No. 05-196
)	

ORDER

Adopted: August 4, 2010

Released: August 4, 2010

By the Chiefs, Consumer and Governmental Affairs Bureau and Wireline Competition Bureau:

1. In this Order, the Consumer and Governmental Affairs Bureau and the Wireline Competition Bureau (the Bureaus) grant a six-month extension of the waiver regarding treatment of toll free numbers in the Internet-based Telecommunications Relay Service (iTRS) numbering directory (iTRS Directory),¹ in response to the TDI Coalition's request for a further extension.² This waiver extension will ensure that calls to users of Video Relay Service (VRS) and Internet Protocol (IP) Relay continue to be routed without disruption while the Commission further considers issues regarding the use of toll free numbers for iTRS services.

2. By way of background, in the *Toll Free Waiver Order*, the Bureaus waived that portion of the *Toll Free Clarification Public Notice* that stated that toll free numbers and ten-digit geographic numbers should not be directed to the same URI in the iTRS Directory.³ The Bureaus determined that there was good cause to waive this requirement because iTRS users were experiencing dialing difficulties for point-to-point and certain dial-around calls.⁴ The Bureaus concluded that a waiver was necessary to avoid any possible service disruption while the Commission considered the range of toll free issues that

¹ *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, CG Docket No. 03-123, CC Docket No. 98-67; *E911 Requirements for IP-Enabled Service Providers*, WC Docket No. 05-196, Order, 24 Rcd 14342 (WCB/CGB 2009) (*Toll Free Waiver Order*). The Bureaus previously extended the waiver for an additional four months from April 4, 2010 until August 4, 2010. See *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, CG Docket No. 03-123, CC Docket No. 98-67; *E911 Requirements for IP-Enabled Service Providers*, WC Docket No. 05-196, Order, 25 FCC Rcd 3331 (WCB/CGB 2010).

² TDI Coalition Second Request to Extend Waiver, CG Docket No. 03-123, WC Docket No. 05-196, CG 10-51 at 1-2 (filed July 30, 2010) (requesting a one-year extension).

³ *Toll Free Waiver Order*, 24 FCC Rcd at 14342-43, paras. 1-2 (WCB/CGB 2009); see also *id.* at para. 3 (explaining the history of the Commission's iTRS ten-digit numbering system and steps taken to transition iTRS users away from the exclusive use of toll free numbers and directing iTRS users' toll free numbers to their ten-digit geographic numbers).

⁴ *Toll Free Waiver Order* at 14344-45, para. 5.

have evolved since the issuance of the *First Internet-based TRS Order* in 2008.⁵ The waiver was extended on April 2, 2010 and will expire on August 4, 2010.

3. We find there is good cause to extend this waiver once more to avoid any possible service disruption for iTRS users.⁶ We do not find, however, that a year-long extension, as requested by the TDI Coalition, is in the public interest, and so we grant a six-month extension. An extension of six months will allow us to continue to consider the legal, policy and operational issues involved with the current use of toll free numbers for iTRS, as well as possible steps to ensure seamless access to iTRS for deaf and hard-of-hearing consumers. We note that the Commission recently issued a broad Notice of Inquiry into issues involving VRS.⁷ Accordingly, we extend the waiver regarding treatment of toll free numbers in the iTRS Directory for an additional six months.

4. Accordingly, IT IS ORDERED, pursuant to the authority contained in sections 1, 4(i), 4(j), 225, and 251(e), of the Communications Act of 1934, as amended, 47 U.S.C. §§ 151, 154(i), 154(j), 225, and 251(e), and sections 0.91, 0.141, 0.291, 0.361, and 1.3 of the Commission's rules, 47 C.F.R. §§ 0.91, 0.141, 0.291, 0.361, 1.3, that this Order is ADOPTED, and that the Commission's requirement that toll free numbers and ten-digit geographic numbers not be directed to the same URI in the iTRS Directory is waived until February 4, 2011.

5. IT IS FURTHER ORDERED that the Second Request to Extend Waiver filed by the TDI Coalition on July 30, 2010, is granted to the extent described herein, and is otherwise denied.

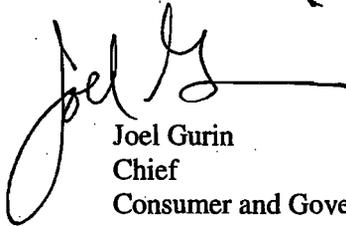
⁵ *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, CG Docket No. 03-123; *E911 Requirements for IP-Enabled Service Providers*, WC Docket No. 05-196, Report and Order and Further Notice of Proposed Rulemaking, 23 FCC Rcd 11591 (2008) (*First Internet-based TRS Order*); see also *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, CG Docket No. 03-123; *E911 Requirements for IP-Enabled Service Providers*, WC Docket No. 05-196, Second Report and Order and Order on Reconsideration, 24 FCC Rcd 791 (2008); *Clarification Regarding the Use of Toll Free Numbers for Internet-Based Telecommunications Relay Services*, CG Docket No. 03-123, CC Docket No. 98-67, WC Docket No. 05-196, Public Notice, 24 FCC Rcd 10626 (2009).

⁶ The Commission may waive its rules -- in whole or in part -- "for good cause shown." A waiver of our rules is appropriate if "special circumstances warrant a deviation from the general rule and such deviation will serve the public interest." See 47 C.F.R. § 1.3; see also *Northeast Cellular Telephone Co. v. FCC*, 897 F.2d 1164, 1166 (D.C. Cir. 1990).

⁷ *Structure and Practices of the Video Relay Service Program*, CG Docket No. 10-51, Notice of Inquiry, FCC 10-111, para. 1 (rel. June 28, 2010) (taking a fresh look at the Commission's VRS rules to ensure, "that this vital program is effective, efficient, and sustainable in the future.").

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FEDERAL COMMUNICATIONS COMMISSION



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