

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

In The Matters of)	
)	
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
)	
Internet-Based Telecommunications Relay Service Numbering)	WC Docket No. 10-191
)	

REPLY COMMENTS OF SORENSON COMMUNICATIONS, INC.

Sorenson Communications, Inc. (“Sorenson”) hereby replies to comments on the Commission’s Notice of Proposed Rulemaking (“NPRM”) regarding assignment of telephone numbers associated with Internet-based Telecommunications Relay Services (“iTRS”), specifically, Video Relay Service (“VRS”) and IP Relay.¹ Most significantly, Sorenson notes that other commenters—including consumer groups and another iTRS provider—concur that the proposed rules would be consumer-unfriendly. As Sorenson explained in its comments, the Commission’s proposed rules would require deaf and hard-of-hearing consumers to pay for a service that they currently receive free of charge, and they would expose those consumers to the complexities of configuring toll-free numbers to function properly. The consequences will be especially harsh for those consumers who have only geographically approximate local numbers,

¹ *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities; E911 Requirements for IP-Enabled Service Providers; Internet-Based Telecommunications Relay Services Numbering*, Notice of Proposed Rulemaking, CG Docket No. 03-123 and WC Docket Nos. 05-196 and 10-191, 25 FCC Rcd 13767 (2010) (“NPRM”).

and thus cannot receive local calls from people in their own neighborhoods without forcing their neighbors to incur toll charges. As a result, instead of promoting functional equivalence, the NPRM will degrade the service currently available to deaf and hard-of-hearing consumers, thereby widening the quality gap between iTRS and the service available to hearing consumers.

In these reply comments, Sorenson also responds to a number of comments that reflect apparent misunderstandings about VRS market conditions. Finally, these reply comments respond to technical proposals from other commenters.

Despite its concern with the NPRM's impact, Sorenson agrees with several of the NPRM's proposals, including barring automatic assignment of toll-free numbers, providing consumer outreach and education regarding any rule changes, assuring the accuracy of records in the iTRS database, and assuring that providers port toll-free numbers in response to valid requests.

I. COMMENTS CONFIRM THAT TRANSITIONING TO A SYSTEM THAT REQUIRES DEAF AND HARD-OF-HEARING TO PAY FOR INBOUND TOLL-FREE CALLS IS CONSUMER-UNFRIENDLY AND HARMS FUNCTIONAL EQUIVALENCE.

Commenters have echoed Sorenson's concerns that the NPRM's proposals will have negative consequences for consumers. For example, deaf and hard-of-hearing consumer groups commented that "it can not be overstated that a fast transition of consumers away from the toll free numbers they have been using would cause significant service interruptions, confusion, and frustration."² Furthermore, CSDVRS, recognizing that full-price payment for toll-free service will significantly burden deaf and hard-of-hearing consumers, proposed a \$9.95 cap for service.³

² Comments of 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 Hearing Loss Association of

II. IF THE COMMISSION REQUIRES CONSUMERS TO OBTAIN TOLL-FREE SERVICE DIRECTLY FROM A TOLL-FREE PROVIDER RATHER THAN FROM A VRS PROVIDER, IT SHOULD NOT PLACE ONEROUS DISCLOSURE OR EDUCATION REQUIREMENTS ON THE VRS PROVIDER, AND MUST IN ANY EVENT COMPENSATE VRS PROVIDERS FOR THOSE COSTS.

Sorenson agrees with commenters who have stressed the need for substantial consumer outreach and education regarding the proposed rule changes. However, as Sorenson notes in its comments, these education and outreach efforts should be included in the compensable cost data submitted to NECA.⁴ Furthermore, while Sorenson does not have strong opinions regarding the precise methods used to educate consumers, the Commission should not impose unduly burdensome, unnecessary, or overly detailed rules as proposed by some commenters. For example, the Consumer Groups propose that iTRS providers bear partial responsibility for educating consumers about the terms and conditions associated with their toll-free number.⁵ If, as the Commission proposes, VRS customers must obtain their toll-free service and numbers directly from a toll-free provider, then the VRS provider has been removed from that relationship (unless that VRS provider also becomes or is a toll-free provider). While Sorenson will certainly inform its customers how to obtain toll-free service and numbers, unless Sorenson is the toll-free

America at 5, CG Docket No. 03-123 and WC Docket Nos. 05-196 and 10-191 (filed Dec. 2, 2010) (“Consumer Groups”).

³ Comments of CSDVRS, LLC at 2, CG Docket No. 10-51 (filed Dec. 2, 2010) (“CSDVRS”). Although the comments propose a “minimum” price of \$9.95, it seems likely that CSDVRS meant “maximum,” as it is hard to see how a toll-free price floor would provide any consumer benefit. In any event, it is difficult to see how CSDVRS’s proposal would work as a practical matter, unless CSDVRS also means to suggest that toll-free providers should be compensated from the TRS Fund for any foregone revenue resulting from a cap on deaf and hard-of-hearing users’ toll-free bills. However, as toll-free costs are not currently paid from the TRS Fund, such a result would *increase* toll-free costs to the Fund.

⁴ Comments of Sorenson Communications, Inc. at 10, CG Docket No. 03-123 and WC Docket Nos. 05-196 and 10-191 (filed Dec. 2, 2010) (“Sorenson”).

⁵ Consumer Groups at 6-7.

consumer's chosen provider, Sorenson should not bear any responsibility for disclosing the terms and conditions associated with the service.

Furthermore, CSDVRS proposes a detailed set of disclosure requirements, including requirements for the means of delivery of the messages to consumers (*e.g.*, via website and U.S. Mail).⁶ While Sorenson has no objection to those means of delivery, the Commission's rules should avoid such detailed requirements. Rather, the rules, if any, should address the general information that needs to be disclosed, and providers, who are uniquely situated with respect to their customers, should be allowed discretion over details such as delivery methods.

III. SEVERAL COMMENTS REFLECT FUNDAMENTAL MISUNDERSTANDINGS ABOUT CURRENT MARKET CONDITIONS.

A. The Commission Currently Bars Automatic Assignment of Toll-Free Numbers to iTRS Consumers, a Directive Sorenson Has Consistently Obeyed.

Sorenson is concerned that several comments represent fundamental misunderstandings about current VRS market conditions. First, the Consumer Groups suggest that some iTRS providers have “pushed” toll-free numbers on consumers or assigned them automatically.⁷ Sorenson cannot speak for any other providers, but, as noted in its comments, Sorenson ceased the automatic assignment of toll-free numbers in response to the Commission's directive issued in August 2009.⁸ While Sorenson gives its customers the option of obtaining a toll-free number—and when geographically appropriate telephone numbers are unavailable, Sorenson recommends getting a toll-free number—in no way has Sorenson “pushed” toll-free numbers on its customers or assigned them automatically.

⁶ CSDVRS at 4.

⁷ Consumer Groups at 5-6.

⁸ Sorenson at 4-5.

B. *Any VRS Provider Providing A Toll-Free Number Must Permit Porting in Response to a Valid Request, as Sorenson Currently Does.*

Second, CSDVRS claims that the NPRM will “prevent certain providers from creating a closed network of videophones through the use of a proprietary toll free number database.”⁹ But this assumes a problem that does not actually exist. As noted in its comments, Sorenson both places its customers’ toll-free numbers in the iTRS database and ports toll-free numbers in response to valid requests.¹⁰ Sorenson will block a port request only in the case of a data mismatch that suggests unauthorized porting, which conforms to standard industry practice.¹¹ As a result, Sorenson cannot create either a “closed network of videophones” or a “proprietary toll free number database.”

C. *The Need for Access to Reliable Emergency Services Should not Prevent VRS Providers from Providing Toll-Free Numbers at the Request of a Customer.*

Finally, the Consumer Groups claim that the NPRM will “support 911 by requiring the migration of consumers away from toll-free numbers and towards geographically relevant telephone numbers.”¹² As Sorenson noted in its comments, however, the use of a toll-free number should not affect emergency service.¹³ Sorenson is not aware of any instance in which a VRS user’s use of a toll-free number resulted in any material delay in critical response time,

⁹ CSDVRS at 1-2.

¹⁰ Sorenson at 11. Furthermore, Jay Carpenter, in his comments, echoes Sorenson’s concern that existing rules may prohibit the number transfer obligation proposed in the NPRM. Mr. Carpenter notes that, on many occasions, there can be uncertainty over the true owner of a toll-free number. Comments of Jay Carpenter at 2-3, WC Docket No. 10-191 (filed Dec. 2, 2010). To the extent that the Commission’s proposed rules do in fact require a transfer of the number from one customer (*i.e.*, the VRS provider) to another (*i.e.*, the VRS user), existing rules may require either that the number be returned to the general pool, or at a minimum that other consumers have the opportunity to claim the number. *Id.* at 4. Accordingly, as Sorenson requested in its comments, the Commission should either make clear that current rules do not prohibit such transfers, or it should waive the application of the existing rules in this context. Sorenson at 9.

¹¹ See Sorenson at 9.

¹² Consumer Groups at 5.

¹³ Sorenson at 3, n. 3.

although Sorenson would encourage other parties to make further filings in the record if they have information demonstrating that toll-free numbers have resulted in harmful delays.

IV. NEUSTAR'S TECHNICAL PROPOSAL WILL REQUIRE PROVIDERS TO INCUR ADDITIONAL RECONFIGURATION COSTS THAT MUST BE COMPENSATED.

Neustar has filed comments detailing the approach it suggests for implementing the FCC's proposal. In particular, Neustar proposes mapping toll-free numbers to local numbers in the iTRS database.¹⁴ The Commission should be aware that this proposal will create administrative burdens for iTRS providers. To implement Neustar's solution, providers will need to reconfigure their backend systems to accommodate the need to query Neustar's database twice for each toll-free call. In addition, providers will need to re-map toll-free numbers in the iTRS database. When a user has both a toll-free and a local number, Sorenson currently maps each number to the same user profile in the iTRS database. To implement Neustar's proposal, however, Sorenson would need to re-provision its customer records so that toll-free numbers map to local numbers, as opposed to mapping toll-free numbers directly to each customer's user profile. These efforts will require iTRS providers to incur substantial costs, and those costs should be included among "compensable" cost data submitted to NECA.

V. CONCLUSION

For the reasons stated above, Sorenson reiterates its request for the Commission to reconsider the proposals contained in the NPRM. Although Sorenson will implement these proposed changes if the Commission mandates them, the Commission must recognize that its proposals are consumer unfriendly. Should the Commission decide to implement its proposed changes all the same, it should consider applying any new rules only on a prospective basis, and

¹⁴ See Comments of Neustar, Inc. at 2, WC Docket No. 10-191 (filed Dec. 2, 2010).

it should consider waiving them altogether for consumers whose iTRS providers lack access to geographically appropriate local numbers.

Respectfully submitted,

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