

Before the  
**FEDERAL COMMUNICATIONS COMMISSION**  
Washington, DC 20554

In the Matter of )  
)  
**PURPLE COMMUNICATIONS, INC.** ) CGB Docket 03-123  
)  
For re-certification as an eligible )  
IP-Relay and Video Relay Services Provider )  
pursuant to FCC Rule Section 64.605(A)(2) to )  
receive reimbursement from the TRS Fund administered )  
by the National Exchange Carrier Association )

To: Chief, Consumer and Governmental Affairs Bureau  
IP-Relay and VRS Certification Application

**APPLICATION FOR RE-CERTIFICATION  
AS AN ELIGIBLE VRS AND IP RELAY PROVIDER**

Purple Communications, Inc., formerly known as GoAmerica, Inc. (referred to herein as the “Company”) submits this application for re-certification demonstrating the company is eligible to receive reimbursement from the Telecommunications Relay (“TRS”) Fund as a provider of IP-Relay and Video Relay Service (“VRS”). In support, the following is shown:

**1. Existing Certification and past filings**

On June 9, 2006, the Chief, Consumer and Governmental Affairs Bureau released a Public Notice of the grant of certification of GoAmerica, Inc. as a provider of Internet Protocol (IP Relay) and Video Relay Service (VRS).<sup>1</sup> GoAmerica has since merged with Hands On Video Relay Service<sup>2</sup> and been renamed Purple Communications.<sup>3 4</sup>

The Company hereby incorporates by reference its aforementioned filings along with the following filings:

1. GoAmerica application for certification. CG Docket 03-123 (March 16, 2006)
2. GoAmerica supplement to application for certification, CG Docket 03-123 (April 21, 2006)
3. Purple Annual Compliance Report CG Dockets 03-123 and 10-51 (January 24, 2011)
4. Purple Annual Report on Progress of Meeting Waived Requirements, CG Docket 10-51 (April 16, 2010).

<sup>1</sup> See Public Notice, DA 06-1244 (June 9, 2006).

<sup>2</sup> The Commission has been fully advised of the merger of GoAmerica and Hands On. See Letter from Dana Frix, Esquire, CG Docket 03-123 (February 22, 2008).

<sup>3</sup> See Letter from George L. Lyon, Jr. CG Docket 03-123 (February 12, 2009).

<sup>4</sup> This application for recertification of GoAmerica, granted on June 9, 2006 is separate from the Certification of Hands On Video Relay Services (HOVRS), granted on December 22, 2006, Public Notice DA 06-2578. HOVRS is a wholly-owned subsidiary (Frix, Feb. 22, 2008) that has since been renamed Purple Language Services, Inc.

## 2. Purple/GoAmerica – The Company background

The Company is a Delaware corporation with its headquarters at 595 Menlo Drive, Rocklin, CA, 95765-3708. Through its varied services the Company has been continuously serving deaf, hard of hearing and individuals with speech disabilities since 1982, and its innovations, including the first IP-Relay service, the first wireless relay service, the first mobile videophone and one of the nation's first interpreting agencies. These services have enabled millions of people to enrich their lives through better, richer communication. Today, the Company is one of the nation's leading providers of online and in-person communications services for people who are deaf, hard of hearing, deaf-blind, or speech-disabled. Purple's relay services are offered seven days a week, 365 days a year.

Members of the Company's leadership team have been appointed by Chairman Julius Genachowski to serve on various Commission Advisory Committees<sup>5</sup> as well as being elected by peers to representing the industry on key advisory committees.<sup>6</sup>

## 3. Purple's Relay Service and Certification Requirements

In accordance to 47 C.F.R. § 64.606 requirements, the Company offers the following documentation in narrative form for the following areas:

**i. A description of the forms of TRS to be provided ( i.e. , VRS and/or IP Relay);**

The Company has been providing VRS and IP Relay services via a combination of Internet Protocol and the public switched network ("PSTN") to allow deaf and hard of hearing individuals to place and receive telephone calls in a manner functionally equivalent to telephone service provided hearing persons.<sup>7</sup> Upon recertification, the Company will continue to provide those services.

Internet Protocol Text Relay (IP text relay) —IP text relay is a text-based form of relay service that uses the Internet, rather than traditional telephone lines, for the leg of the call between the person with a hearing or speech disability and the communications assistant. In all other respects, IP relay calls are handled in the same manner as text-to-voice traditional relay service calls. The user utilizes a computer or other web-enabled device to communicate with the communications assistant rather than a text-telephone device.

Video Relay Service (VRS) —Video relay service is an Internet-based form of relay service that enables persons whose primary language is American Sign Language ("ASL") to communicate with a communications assistant in ASL using video

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<sup>5</sup> This includes the recent appointment of Purple Vice President Mark Stern to the FCC Emergency Access Advisory Committee and Purple Vice President Kelby Brick as an alternate to the FCC Video Programming and Emergency Access Advisory Committee.

<sup>6</sup> This includes Purple Vice President Kelby Brick as a relay service provider representative on NECA's Interstate TRS Fund Advisory Committee. Kelby Brick currently serves as Chair of the Committee.

<sup>7</sup> See <http://www.fcc.gov/cgb/consumerfacts/trs.html> for a fuller description of the various forms of TRS available

conferencing equipment. The user accesses the communications assistant over an Internet-based device such as a webcam or videophone. The communications assistant receives the ASL communication, and then voices that communication to the hearing party, and vice versa. Video relay service allows conversations to flow in near real-time and in a faster and more natural manner than text-based relay service.

- ii. **A description of how the provider will meet all non-waived mandatory minimum standards applicable to each form of TRS offered;**
- iii. **A description of the provider's procedures for ensuring compliance with all applicable TRS rules;**
- iv. **A description of the provider's complaint procedures;**

On June 9, 2006, the Chief, Consumer and Governmental Affairs Bureau released a Public Notice of the grant of certification of GoAmerica, Inc. as a provider of Internet Protocol (IP Relay) and Video Relay Service (VRS). GoAmerica's application for certification (CG Docket 03-123, March 16, 2006) and its Supplement to application for certification (CG Docket 03-123, April 21, 2006) explained in detail how the Company would comply with each of the minimum mandatory standards applicable to relay providers and the Company's procedure for ensuring compliance with all applicable TRS rules. Purple has filed annual compliance reports including the most recent one in January 2011. Purple has also filed annual summaries of complaints including the most recent one in June 2010.

In preparation of this re-application, the Company has reviewed the above listed documents for their continued accuracy in describing the Company's compliance with applicable VRS mandatory minimum standards and all other applicable TRS rules. Based on this review, the Company incorporates by reference the factual statements contained in the above-mentioned documents and certifies that the compliance statements made in those documents remain true and accurate for the Company's current operations.

The Company has also implemented a robust Compliance Plan which includes the appointment of a compliance director, the establishment of a Regulatory Committee of its Board of Directors to ensure high-level management oversight of its compliance efforts, comprehensive annual training to all employees regarding FCC regulations, employee hotlines to alert the Company of potential misconduct, detailed compliance reviews of all programs involving the generation of new TRS business, certifications to the accuracy of its requests for reimbursement from the TRS Fund, review those submissions for anomalous calling patterns that could indicate misuse of TRS, and provisions to take immediate steps to correct any incorrect reimbursement requests.

The Company therefore affirms that it will, upon recertification, continue to meet all non-waived minimum standards applicable to each form of TRS offered and ensure continued company-wide compliance with all applicable TRS rules. The Company will continue to file an annual report on progress of meeting waived requirements and annual summaries of complaints received.<sup>8</sup>

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<sup>8</sup> The last annual report on progress of meeting waived requirements was filed April, 2010 in CG Docket 10-51.

- v. **A narrative describing any areas in which the provider's service will differ from the applicable mandatory minimum standards;**

As shown above, the Company meets all unwaived mandatory minimum standards.

- vi. **A narrative establishing that services that differ from the mandatory minimum standards do not violate applicable mandatory minimum standards;**

Because the Company meets all unwaived mandatory minimum standards, this section is inapplicable. As shown in previous filings, the Company prides itself on its track record of exceeding the mandatory minimum standard in various areas and will continue to seek ways to exceed the minimum standards in order to close the functional equivalency gap as required by the Americans with Disabilities Act.

- vii. **Demonstration of status as a common carrier.**

Appended hereto as an attachment is evidence of the Company's status as a Common Carrier. The Company provides common carrier services through its wholly owned subsidiary, GoAmerica Relay Services Corp.<sup>9</sup>

- viii. **A statement that the provider will file annual compliance reports demonstrating continued compliance with these rules.**

The Company will continue to file annual compliance reports demonstrating continued compliance with these rules.

#### **4. Conclusion**

The Company's role in the industry is important as a trusted provider of services to deaf consumers. The Company continues to innovate on behalf of its customers and is today the only provider of IP-Relay services with a dedicated software application for the T-Mobile Sidekick, the iPhone and iPad operating system and the Android operating system. Additionally, in VRS, the company is the second largest provider and continues to bring new services to its consumers including its recent announcements in support of consumers who use iPhone, Mac, and Android operating system devices, in addition to an array of convenience calling features created based on consumer feedback.

The Company will meet or exceed all non-waived operational, technical and functional minimum standards contained in the rules. The Company will also continue to ensure appropriate procedures and remedies for ensuring ongoing compliance with the Commission's

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<sup>9</sup> Tennessee Regulatory Authority ("TRA") order granting GoAmerica Relay Services Corp. a Certificate of Public Convenience and Necessity ("CPCN") to provide competing local telecommunications services.

rules.

The Company is a qualified VRS and IP Relay service provider. the Company therefore requests that the Commission grant it re-certification to provide VRS and IP Relay service. Should the Bureau require any additional information, kindly contact the undersigned.

Respectfully submitted,  
**Purple Communications, Inc.**

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**March 8, 2011.**