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March 14, 2011

Paul de Sa, Chief
Office of Strategic Planning & Policy Analysis
Gregory Hlibok, Chief
Disability Rights Office
Federal Communications Commission
445 12th Street SW
Washington, D.C. 20554

RE: Follow up to CSDVRS Notice of Ex Parte: CG Docket No. 10-51

Dear Mr. de Sa and Mr. Hlibok:

CSDVRS, LLC (“CSDVRS”) submits this letter as a follow up to its February 18, 2011 ex parte filing about its Secure Virtual Call Center (“SVCC”), which enables CSDVRS to be a good “conservator” of a shallow pool of interpreters. As the Commission deliberates virtual interpreting programs following its May NPRM,¹ CSDVRS appreciates the opportunity to highlight the benefits of the program and the unquestionable adverse impact to deaf and hard of hearing people, their families and colleagues if such a program was not allowed to continue.

The ability to employ a limited number of interpreters at fully secure and compliant virtual call centers allows CSDVRS to keep up with the continuing demand for video interpreting while well supporting the availability of in-person interpreting for deaf and hard of hearing people in jobs, educational institutions, health care facilities, places of civic access and recreation, and all other walks of life. The supply of in-person interpreters, never large to begin with, has been absolutely slammed by the migration of interpreters to the more predictable, stable, and sometimes higher paid work at call centers. As a result, we have experienced a significant shortage of in-person interpreters. A survey of interpreter consumers by the federally funded National Consortium of Interpreter Education Centers (NCIEC) reflected that 44% of their respondents indicated that they wanted but could not obtain an interpreter 1-3 times a

¹ *In the Matter of Structure and Practices of the Video Relay Service Program*, Declaratory Ruling, Order, and Notice of Proposed Rule Making, CG Docket No. 10-51 (rel. May 27, 2010).

month.² Respondents reported difficulty in obtaining interpreters in a variety of settings with the most difficult being “Health,” identified by 48% of respondents, and “Work/job,” identified by 42% of respondents.³ 45% of the respondents indicated a view that VRS has made it more difficult for them to obtain in-person interpreters to fulfill their needs.⁴ NCIEC also conducted an Interpreting Practitioner Needs Assessment Report and concluded that, among other things, in the next ten years far greater numbers of interpreters will be retiring than new replacements entering the profession, exacerbating the interpreter shortage.⁵

We agree with consumer organizations that “allowing CAs the flexibility to work from home serves the public interest by enabling CAs to live in communities that may not be near a VRS call center, which would make the CAs available to serve as community interpreters in communities that might not otherwise have enough interpreting work to support them.”⁶ We concur with the Registry of the Interpreters for the Deaf (RID) that by “enabling CAs to work from home under strict guidelines and protocols, the pool of qualified interpreters expands greatly to meet the growing demand for VRS,” and that “[t]his capability is especially important for qualified interpreters living in rural communities.”⁷ It is CSDVRS’ experience that the interpreter pool is expanded by the use of SVCC in the sense that an interpreter who serves a local community is able to continue work in that particular community, and maintain a living wage by also working from a SVCC. Our SVCC model ameliorates the need for interpreters to seek relocation near a call center, which typically is set in an area of high residential density. About 90% of our SVCC video interpreters do not live near one of our existing call centers and approximately 50 % of our SVCC video interpreters live in areas of low population density.

At the same time, it is the experience of consumers in urban areas that call centers have had a large footprint in their communities and an adverse impact on their ability to obtain in-person interpreting services. We must recognize this worsening reality, commit to identifying solutions and make policy decisions which support, not compromise, the overall opportunities of deaf and hard of hearing people.

² National Consortium of Interpreter Education Centers, Phase I Deaf Consumer Needs Assessment Final Report, at page 12 (September 2008).

³ *Id.*, at page 16.

⁴ *Id.*, at page 14.

⁵ National Consortium of Interpreter Education Centers, Interpreting Practitioner Needs Assessment Report, at page 30 (September 26, 2007).

⁶ *In the Matter of Structure and Practices of the Video Relay Service Program*, Comments in Response to Notice of Proposed Rulemaking, 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; and American Association of the Deaf-Blind, CG Docket No. 10-51 (September 7, 2010).

⁷ *In the Matter of Structure and Practices of the Video Relay Service Program*, Comments in Response to Notice of Proposed Rulemaking, Registry of the Interpreters for the Deaf (RID), CG Docket No. 10-51 (September 7, 2010).

CSDVRS notes Sorenson's restated opposition to video interpreters working outside call centers.⁸ Sorenson's position has been devoid of any references to the experiences or views of the deaf, hard of hearing and interpreter communities and therefore must be construed as purely driven by its particular interests in the benefits to its large scale business with no accounting of the risks posed to consumers or interpreters. CSDVRS is a fraction of the size of Sorenson, not only in the number of call centers that are operational, but also in the number of sign language interpreters employed. A highly secure and fully compliant virtual call center such as the SVCC is an effective alternate solution, that when managed correctly by the provider, provides a consistent call experience for the consumer, allows the smaller provider to maintain quick answer times even if a segment of the interpreters are prevented from traveling to a traditional call center due to weather emergencies or power outages, and helps maintain the availability of in-person interpreting. With Sorenson's volume and size, it is expected that Sorenson would be oblivious to the challenges of keeping a smaller provider running efficiently and therefore that they would not support an effective solution for the smaller provider.

The SVCC program at CSDVRS fully addresses the concerns Sorenson raise about virtual call centers. Consumer privacy is the number one requisite for any call center, be it a location which consists of a single interpreter or a call center with multiple seats. Each SVCC site is set up the same way any of the traditional call centers are, with controlled access to the call floor, locked and isolated from outside noises and distractions. Additionally, each site is set up with remote cameras that pan / tilt / zoom to view the entire work area to ensure the integrity and privacy of the work area. The program mirrors a traditional call center in that there is a full time supervisor monitoring the site and available for the video interpreter, and the video interpreter is required to maintain communication with the supervisor and colleagues at all times during their shift. Access to emergency services is paramount to the success of any provider. The fact that Sorenson assigns two interpreters to each and every 911 call, is no more than the support system set up for the SVCC agent. In seconds, an SVCC agent can be backed up and supported any time, day or night. Calls on the CSDVRS platform are fully transferrable should a situation warrant additional support.

CSDVRS strongly believes that its SVCC program preserves and protects the integrity of the TRS Fund. First and foremost, at CSDVRS there is no key stroke, button push, link clicked which is not recorded automatically by the platform. The platform used by the SVCC agent is the very same platform and set up of the traditional call centers. The VI has no ability to enter or edit any detail that is collected for billing purposes. CSDVRS recommends a limited cap on the size of virtual video interpreting programs to ensure that providers who wish to deploy such a program are themselves certified, have automated call distribution and call detail records systems in place and have an already established network of traditional call centers. This limit recommendation from CSDVRS comes from the belief that the SVCC call center should be a

⁸ *In the Matter of Structure and Practices of the Video Relay Service Program*, Response to CSDVRS Notice of Ex Parte, Sorenson Communications, , CG Docket No. 10-51 (March 4, 2011).

supplement to a traditional call center base. This SVCC program has allowed for immediate support in terms of stations for short peaks in call volume, thereby creating longer term efficiency for the Fund. It would not make economic sense, for example, to build out a new call center for a one hour period on the first Monday of the month. In the long run, this program benefits the Fund with efficient growth periods of a provider. In addition, the reported fraud of other providers which has been the subject of criminal indictments and FCC enforcement activity took place in the traditionally supervised call centers, where teams of people were involved in the fraudulent behavior.

The SVCC program at CSDVRS has truly been a benefit for the interpreters we employ, the community we serve, our own company and the VRS industry as a whole. It is a model which provides relay consumers with a highly secure and fully compliant service offering that kept interpreters in the communities they lived in. The benefits of this program far outweigh the risks when the right process and systems are put into place by a VRS provider.

Sincerely,

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Aaron Wegehaupt, Vice President of Operations

Jeff Rosen, General Counsel