



NASRA  
P.O. Box 2182  
St. Paul, MN 55102

March 16, 2011

Via Electronic Filing

Marlene H. Dortch, Secretary  
Federal Communication Commission  
445 Twelfth Street, S.W.  
Washington, D.C. 20554

Re: Ex Parte Notice: CG Docket 03-123

Dear Ms. Dortch:

The National Association for State Relay Administration (NASRA) respectfully requests that the FCC considers our concerns while contemplating whether or not to mandate Captioned Telephone Service.

On March 3, 2010, NASRA filed an ex parte on Captioned Telephone Service (CTS) outlining our concerns including, but not limited to, the proprietary nature of CTS provided over the public switched telephone network, the inability of the CTS resellers to make fundamental changes to the service, and the close proximity of the only two centers that process calls.

During the end of 2010 and the beginning of 2011, NASRA saw some of the issues and concerns we identified in our 2010 ex parte comments become a reality for thousands of CTS users. Due to four separate technical, staffing, or weather events in a two-month time span, CTS users **nationwide** could not make telephone calls in a functionally equivalent manner. NASRA asks that the FCC examine this issue with great scrutiny and consider; can the FCC mandate a system - where local outages and inclement weather can severely impact and disrupt a nationwide telephone service for persons who are Deaf and hard of hearing - as a functionally equivalent form of Telecommunications Relay Services (TRS)?

1. Both CTS call centers were affected during an Automatic Call Distribution problem on December 20, 2010.

- This technical issue impacted both the Madison and Milwaukee CTS centers and left callers with very long wait times; most CTS users simply hung up because they were tired of waiting, or because they thought their CapTel phone was not working properly. CTS service levels were impacted
  - The issue lasted from 3:15 p.m. – 8:05 p.m. and affected **a large number of CTS users nationwide.**
  - Consumers would not find this level of service acceptable in either the hearing telephony world or in the traditional TRS environment.
  - Having more than one technical platform operated by more than one provider would eliminate this type of problem.
  - Ultratec/CapTel stated in the past that they plan to put “seats” in the reseller’s centers in the future. While this may help in some instances of call volume spikes, it would not help with this type of technical problem. Only having separate and independently licensed provider centers would make a difference as with traditional TRS.
2. During the February 2, 2011, snowstorm in Wisconsin, where the only **two** Ultratec/CapTel call centers are located, employees could not get to work at either center.
- NASRA found that:
- Call answer times were extremely long. We received reports of wait times of over 5 minutes in many instances.
  - The majority of calls in queue were abandoned after many minutes of waiting.
  - There were many more abandoned calls than there were answered calls.
  - There were also long wait times to reach a CapTel Customer Service representative. When calling into Customer Service, consumers received a message that due to inclement weather, they may experience longer than average wait times. The message advised callers with Internet access to send an Email to Customer Service or to go to CapTel’s online live help (live chat).
    - The number of calls reaching Customer Service was extremely low because CapTel users had to wait for captions and then wait again for a Customer Service representative.
    - For the few customers who waited for captions and eventually were connected to CapTel Customer Service, we wonder how this message would have helped since, as we know, many seniors do not have Internet access and could not Email or use online live help to contact CapTel Customer Service. When state equipment programs help set up an Internet based CapTel phone, often the phone is attached to an Internet line for service but there is not necessarily a computer with Email and Internet access in the home.
  - To emphasize the magnitude of the problem, below is a representative report from one state of their CTS calls on February 2<sup>nd</sup>.
    - Inbound Calls = 1276
    - Answered Calls = 353
    - Abandoned Calls = 923
    - Percent of calls answered in 10 seconds = 3%

- We suggest that the FCC request this information, as well as the time calls waited in queue before abandoning call, on a nationwide basis, from Ultratec/CapTel, Inc.

3. Other issues are:

- Many CTS customers are in the most vulnerable segment of the population – senior citizens with no other mode of telephone communication.
- This is the only telephony or relay system that affects the entire country when there is a problem in one geographic area. This is not functionally equivalent and puts all users at risk.
- Users did not know why their captioned telephone phone was not working
  - CapTel 200 phones did not receive any message at all on the screen during service problems. These screen remained blank.
  - CapTel 800 phones showed “waiting for captions” for long periods of time until the phone was answered at CapTel and a captioner came on the call, or until the CTS user abandoned the call.
  - 2-Line CapTel phones were able to be connected to the voice user but there were no captions - causing a lot of confusion for both parties involved in the call.
- Many consumers were confused and thought their CapTel phones were broken. State equipment programs received numerous calls from CTS customers and their families regarding complaints of “broken” equipment. It never occurred to many users that the reason they they could not get captions was due to an issue at the CapTel center(s). Some of the confusion could have been easily mitigated if Ultratec had “pushed” a message to all CapTel equipment notifying the user of the issue affecting service.
- While the CapTel equipment can function as a VCO phone, most of the seniors who now use CapTel phones have no idea what VCO is and how to use it.
- Interoperability – **ALL** captioned telephone equipment for landline and IP based captioned telephone calls, regardless of provider, must be interoperable between providers of service. Interoperability should be required to the same extent as the FCC requires Video Relay Service (VRS) equipment to be able to be used to contact any VRS provider no matter which provider equipment is used.
- Outreach to consumers – There is very limited outreach to consumers regarding anything but sales of CapTel equipment by Ultratec/CapTel, Inc. or the resellers. Most outreach and education is left up to state programs.

In closing, NASRA would like to stress the importance of resolving these extremely important issues before the Captioned Telephone Service is mandated. A mandate of service prior to the resolution of these issues could result in more people becoming dependent on a system that is proven to be subject to massive system failure.

If you have any questions, do not hesitate to contact me at 410-767-5891 or Email - [Brenda.Kelly-Frey@doit.state.md.us](mailto:Brenda.Kelly-Frey@doit.state.md.us).

Sincerely,

Brenda Kelly-Frey  
NASRA FCC Liaison

Connie Phelps  
NASRA Chair