

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554

In the Matter of )  
 )  
Contributions to the Telecommunications ) CG Docket No. 11-47  
Relay Services Fund )

**REPLY COMMENTS OF CENTURYLINK**

CenturyLink submits these reply comments in response to the Commission's recent *Notice of Proposed Rulemaking* regarding expanding the base of contributors to the Telecommunications Relay Services Fund (TRS Fund) in accord with the requirements of Section 103(b) of the "Twenty-First Century Communications and Video Accessibility Act of 2010" (CVAA).<sup>1</sup> CenturyLink agrees with those commenters that have advocated that the Commission should ensure that all providers of VoIP services, including both interconnected and non-interconnected VoIP services, contribute into the TRS fund in accord with the CVAA requirements.

CenturyLink supports the Commission's proposal to adopt the CVAA's definition of "non-interconnected VoIP service" in its TRS rules and its proposal for having non-interconnected VoIP providers register and begin contributing into the TRS Fund in order to meet the CVAA's one-year deadline for having VoIP providers contribute into the fund. CenturyLink agrees with the Michigan Public Service Commission that "[i]n keeping with the CVAA's requirement that VoIP service providers contribute to and participate in the TRS Fund

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<sup>1</sup> *In the Matter of Contributions to the Telecommunications Relay Services Fund*, Notice of Proposed Rulemaking, CG Docket No. 11-47, FCC 11-38, rel. Mar. 3, 2011, erratum rel. Mar. 24, 2011; Twenty-First Century Communications and Video Accessibility Act of 2010, Pub. L. No. 111-260, 124 Stat. 2751 (2010) (CVAA).

in a manner which is consistent with and comparable to the obligations of other contributors,” the Commission should apply the interim safe harbor used for interconnected VoIP services to non-interconnected VoIP services.<sup>2</sup> As a general matter, CenturyLink agrees that non-interconnected VoIP providers should use FCC Form 499-A in the same manner as interconnected VoIP providers to report their non-interconnected VoIP revenues, but at this time only for the purposes of contributing into the TRS Fund as required by Congress under the CVAA.

Simply extending the Commission’s current TRS Fund contribution mechanism to non-interconnected VoIP providers, however, is insufficient to ensure all competing providers contribute to the Fund. The current mechanism is based on end-user revenues, and some non-interconnected VoIP service providers may offer their services to end-users for free, earning their revenue in other ways. CenturyLink agrees with Verizon that providers who offer non-interconnected VoIP services with no charge to the end user for usage or subscription should still contribute into the TRS Fund. As Verizon explained, these providers nevertheless are generating substantial revenues in offering their non-interconnected VoIP services.<sup>3</sup> The fact that the Commission’s current TRS Fund contribution mechanism was designed before the development of these providers’ new business models does not mean that these providers should be exempt from also contributing to support the TRS Fund. CenturyLink agrees with Verizon that, as an alternative to an assessment based on end-user revenues, a flat fee per customer would be an appropriate contribution mechanism for those providers that do not assess usage or subscription

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<sup>2</sup> Comments of the Michigan Public Service Commission, filed May 4, 2011, CG Docket No. 11-47 at 8.

<sup>3</sup> Comments of Verizon, filed May 4, 2011, CG Docket No. 11-47 at 2.

charges directly on their customers. Providers that charge their end users, however, should be assessed based on those revenues, otherwise consistent with current TRS Funding rules.

Respectfully submitted,

**CENTURYLINK**

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Its Attorney

May 19, 2011

CERTIFICATE OF SERVICE

I, Richard Grozier, do hereby certify that I have caused the foregoing **REPLY**  
**COMMENTS OF CENTURYLINK** to be: 1) filed via ECFS with the Office of the Secretary  
of the FCC in CG Docket No. 11-47; and 2) served via e-mail on the FCC's duplicating  
contractor, Best Copy & Printing, Inc. at [fcc@bcpiweb.com](mailto:fcc@bcpiweb.com).

/s/ Richard Grozier

May 19, 2011