

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

In the Matter of	)	
	)	
Structure and Practices of the Video Relay Service Program	)	CG Docket No. 10-51
	)	
Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities)	)	CG Docket No. 03-123
	)	

**ANNUAL COMPLIANCE REPORT**

Snap Telecommunications, Inc. (“Snap!VRS”) hereby submits its annual report regarding its continued compliance with the Commission's mandatory minimum standards applicable to video relay service (“VRS”) providers.

**I. INTRODUCTION AND SUMMARY**

In this report, Snap!VRS addresses and certifies its compliance with the Commission's applicable mandatory minimum standards for VRS providers. Snap!VRS takes its compliance obligations seriously and has committed substantial resources to ensure continued compliance with these minimum standards.

Snap!VRS was the first company to apply for certification as a VRS provider<sup>1</sup> under the Commission's new federal procedures.<sup>2</sup> Snap!VRS was also the first to be certified as a VRS provider under these new federal procedures.<sup>3</sup> In its certifying Order, the Commission required Snap!VRS (as it

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<sup>1</sup> See Application of Snap Telecommunications, Inc. for Certification as a Video Relay Services Provider, CG Docket No. 03-123 (filed Jan. 25, 2006) (“*Snap!VRS Certification Application*”). Currently Snap Telecommunications, Inc. offers only VRS under the Snap!VRS brand name. See <http://www.snapvrs.com>.

<sup>2</sup> See *in re Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, Report and Order and Order on Reconsideration, 20 FCC Rcd 20577 (2005).

<sup>3</sup> See *Notice of Certification of Snap Telecommunications, Inc. as a Provider of Video Relay Service (VRS) Eligible for Compensation from the Interstate Telecommunications Relay Service (TRS) Fund*, Public Notice, Erratum, CG Docket No. 03-123 (rel. May 9, 2006).

requires all providers under its VRS certification procedures) to file an annual report with the Commission evidencing that Snap!VRS is in compliance with 47 C.F.R. § 64.604.<sup>4</sup>

The instant report, which is filed pursuant to Commission requirements, accomplishes the following:

- (1) incorporates by reference: (a) Snap!VRS's *Certification Application* filed with the Commission on January 25, 2006, and *Application* for the renewal of Snap Telecommunications, Inc.'s certification as a VRS provider, filed with the Commission on February 7th, 2011<sup>5</sup>, which explained in detail how Snap!VRS would comply with each of the applicable TRS/VRS rules; and (b) the annual compliance reports Snap!VRS filed with the Commission in 2007, 2008, 2009 and 2010 ("*Previous Annual Compliance Reports*");<sup>6</sup>
- (2) certifies that the statements of compliance made in its *VRS Applications* and *Previous Annual Compliance Reports* are still true and accurate for Snap!VRS operations;
- (3) describes Snap!VRS's compliance with new VRS requirements issued by the Commission since the filing of the foregoing compliance documents; and any new VRS requirements.
- (4) attaches a declaration by Thomas W. Kielty, President and Chief Executive Officer of Snap Telecommunications, Inc., attesting to the truth and accuracy of the statements in this report.

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<sup>4</sup> See *Snap Certification Order* 0.10. See also 47 C.F.R. § 64.605(g) ("VRS and IP Relay providers certified under this section shall file with the Commission, on an annual basis, a report providing evidence that they are in compliance with § 64.604.").

<sup>5</sup> See *Application* for the renewal of Snap Telecommunications, Inc.'s certification as a VRS provider (filed February 7th, 2011).

<sup>6</sup> See *Snap Telecommunications, Inc.'s Annual Compliance Reports*, CG Docket No. 03-123 (filed May 8, 2007, May 8, 2008, May 8, 2009 and April 22, 2010).

With respect to the third item above, Snap!VRS:

- (1) provides detail on its compliance with the Commission's 10-Digit Numbering Rules;<sup>7</sup> and
- (2) provides detail on its compliance with the Commission's E911 requirements, including how it is in compliance with the E911 rules contained in the 10-Digit Numbering Orders.<sup>8</sup>

Finally, Snap!VRS reiterates its commitment to ensuring continued compliance with the applicable requirements of 47 C.F.R. § 64.604 going forward.

## **II. COMPLIANCE WITH THE COMMISSION'S MANDATORY MINIMUM STANDARDS FOR VRS PROVIDERS**

### **A. Snap!VRS Reiterates and Certifies its Prior Compliance Statements**

Snap!VRS's *Certification Application* explained in detail (particularly in Exhibit D) how Snap!VRS will comply with each of the mandatory minimum federal standards applicable to VRS providers. Snap!VRS has further explained how its operations are compliant with the mandatory minimum standards in its *Previous Annual Compliance Reports*.

In the years since its launch, Snap!VRS has delivered on its commitments to the Commission and relay consumers to provide competitive, high-quality, innovative and functionally equivalent VRS offerings to thousands of deaf, hard of hearing, and speech-impaired individuals, while at the same time maintaining a fully interoperable network and a speed-of-answer response time that is well below the required threshold. In February 2010, Snap!VRS updated its VRS Compliance Manual, which, among other things, lists applicable Commission regulations including relevant guidance from Commission Orders and provides a description of how Snap!VRS complies with each requirement. Snap!VRS has distributed its updated VRS Compliance Manual to its personnel throughout the company, and holds

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<sup>7</sup> See *In re Telecommunications Relay Services and Speech-to-Speech Services/or Individuals with Hearing and Speech Disabilities; E911 Requirements/or IP-Enabled Service Providers*, Report & Order & FNPRM, 223 FCC Rcd 11591 (2008) (“*First 10-Digit Numbering Order*”); see in *re Telecommunications Relay Services and Speech to-Speech Services for Individuals with Hearing and Speech Disabilities; E911 Requirements/or IP-Enabled Service Providers*, Second Report & Order & Order on Reconsideration, 24 FCC Rcd 791 (2008) (“*Second 10-Digit Numbering Order*”) (the two orders collectively, “*10-Digit Numbering Orders*”).

<sup>8</sup> See generally *10-Digit Numbering Orders*.

regular meetings with its personnel to review and update the information with any new Commission guidance. In addition, Snap!VRS's Chief Compliance Officer meets on a regular basis with various departments within the company to discuss their programs and operations from the standpoint of compliance.

Snap!VRS hereby incorporates by reference its *VRS Application, Application for Renewal* and *Previous Annual Compliance Reports*, and certifies that the statements of compliance made therein are still true and accurate for current Snap!VRS operations.

**B. Snap!VRS Compliance with Recent Commission Requirements for VRS Providers**

In its June 24, 2008 Order, the FCC adopted a system for assigning users of Internet-based TRS 10-digit telephone numbers linked to the North American Numbering Plan (“NANP”), and established a variety of new requirements related to emergency call handling.<sup>9</sup> On December 19, 2008, the FCC issued an Order providing further detail about the new numbering system and its requirements.<sup>10</sup> Snap!VRS describes below its compliance with these new rules.

**1. Default Provider Registration and Consumer Outreach for 10-Digit Numbers**

The 10-digit numbering rules require every VRS provider to afford its users “the capability to register with that [provider] as a ‘default provider’ and provide or port for that user a [geographically-appropriate] NANP telephone number.”<sup>11</sup>

Snap!VRS has registered and provided 10-digit numbers to thousands of relay customers, and maintains a 24-hour turnaround time (unless a customer's location takes longer to certify as E911 serviceable). The registration process, which was updated December 1, 2010, takes steps consistent with the 10-digit numbering rules to verify each user's address and to ensure that each user's address is E911 serviceable.<sup>12</sup> Snap!VRS also requires its registered users to self-certify via video phone, text chat or

<sup>9</sup> See generally *First 10-Digit Numbering Order*.

<sup>10</sup> See generally *Second 10-Digit Numbering Order*.

<sup>11</sup> See *First 10-Digit Numbering Order* at ¶ 42.

<sup>12</sup> See *Second 10-Digit Numbering Order* at ¶ 37.

email that they are deaf, hard of hearing, or speech impaired and therefore meet the requirements to receive a 10-digit number.<sup>13</sup> All applications are stored by Snap!VRS either electronically or in hard copy format. In addition, Snap!VRS has fulfilled its requirement to include an advisory on its website and in its promotional materials alerting customers to the ten digit numbering rules and providing detailed information. Specifically, Snap!VRS's website advisory (provided in both English text and ASL video), which is displayed prominently on the Snap!VRS's website, explains, among other things: (1) the process by which users may obtain 10-digit numbers; (2) the portability of 10- digit numbers; (3) the process by which users may submit and update their registered location information; and (4) the importance of maintaining accurate, up-to-date registered location information for E911 purposes.<sup>14</sup> Snap!VRS also obtains and keeps a record of an affirmative acknowledgment by every user assigned a 10-digit number confirming that the user has received and understood this advisory.

## 2. Geographically Appropriate Numbers and Porting Requests

The 10-digit numbering rules require that each VRS provider must, “[u]pon a user's registration” with that provider, either facilitate the user's request to port a number to the provider, or “[a]ssign that user a geographically appropriate North American Numbering Plan telephone number.”<sup>15</sup> However, in a Nov 5, 2009 Order, the FCC granted a temporary waiver of the requirement to assign a local geographical number to a user in cases where a provider cannot gain access to a number in the user's rate center.<sup>16</sup>

Because Snap!VRS, like most VRS providers, is not state-certified to have access to and supply NANP numbers, Snap!VRS must partner with a certified, competitive local exchange carrier (“CLEC”) to provide 10-digit numbers to its users. Snap!VRS has partnered with Level 3 Communications (“Level 3”), a CLEC with the largest footprint in the nation, to provide 10-digit numbers to its registered users.

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<sup>13</sup> See generally *Second 10-Digit Numbering Order*.

<sup>14</sup> See Snap!VRS 10-Digit Number webpage with links to registration process, FAQs, and porting <http://snapvrs.custhelp.com/app/answers/list/c/171> (last visited May 27, 2011); VRS, Calls to Emergency Service Providers (911/E911) at <http://www.snapvrs.com/legal/911/> (last visited May 30, 2011)

<sup>15</sup> See 47 C.F.R. § 64.611(a)(1); *First 10-Digit Numbering Order*; *Second 10-Digit Numbering Order*.

<sup>16</sup> See *In the Matter of Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities, E911 Requirements for IP-Enabled Service Providers, Order*, CG Docket. No. 03-123, 24 FCC Rcd 13645 (2009) (“*Geographic Number Clarification Order*”).

Although Level 3's footprint covers approximately 83% of the country, there are some VRS users who reside in locations that Level 3 does not serve, mostly rural areas with coverage only by small local phone companies. Therefore, Snap!VRS is currently unable to provide geographically appropriate numbers for these users. In order to partner with carriers whose footprint would reach closer to 100% of the population,<sup>17</sup> Snap!VRS, like other VRS providers would be required to enter into complex agreements with other CLECs, or with smaller LECs that operate in local rate centers around the country. Since Snap!VRS's business is very small relative to typical LEC customers, it is extremely difficult and costly for Snap!VRS to enter into multiple agreements with LECs which service different rate centers -- most of which charge fees in excess of \$10,000 a month -- only to receive a few 10-digit numbers per rate center.

Until an industry-wide solution is found, in locations where there is no Level 3 coverage, Snap!VRS does its best to provide users with the next closest geographically appropriate number, which includes continuously working to reach agreements with smaller, local LECs. Snap!VRS does not assign proxy numbers and toll-free numbers to users in instances where 10-digit numbers are unavailable in a user's rate center.

Consistent with 10-digit numbering rules, Snap!VRS has the ability to facilitate a user's valid port request to or from another VRS provider.<sup>18</sup> Snap!VRS works with Level 3 to complete the porting process for all porting requests. Snap!VRS has also included a detailed advisory regarding the porting process on its website,<sup>19</sup> and provides customers with a link to the Commission's Consumer Facts on Number Portability. Once a user ports a number from Snap!VRS, Snap!VRS ceases acquisition of routing information from that user.

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<sup>17</sup> Because certain states, like New Hampshire, make it extraordinarily difficult for local phone companies to provide 10-digit numbers to Snap!VRS and other VRS providers, neither Snap!VRS nor any other VRS provider will be able to supply geographically appropriate 10-digit numbers for all individuals as long as these difficulties remain.

<sup>18</sup> See First 10-Digit Numbering Order at ¶¶ 34-35.

<sup>19</sup> See Snap!VRS, Important Information Regarding your VRS and IP Relay 10-Digit Telephone Number, at [http://www.snapvrs.com/about\\_us/press/](http://www.snapvrs.com/about_us/press/) (last visited May 29, 2011).

### 3. Emergency Call Handling

To ensure that providers can relay accurate information to the appropriate PSAP during an emergency call, the 10-digit numbering rules require providers to:

- obtain physical location information from each of their registered users prior to initiating service and allow users to update their registered location, including at least one updating option that requires use only of the customer's CPE;<sup>20</sup>
- transmit all 911 calls, as well as a callback number, the name of the relay provider, the CA's identification number, and the caller's registered location for each call to the appropriate PSAP;<sup>21</sup> and
- prioritize emergency calls, as well as callbacks from disconnected PSAPs, and maintain adequate staffing so that CAs are not required to disconnect non-emergency calls in order to process emergency calls.<sup>22</sup>

Except for the ability to automatically pass a CA's identification number to the PSAP -- a requirement which the Commission clarified was waived for all providers as long as the nation's PSAPs are unable to receive and utilize CA ID information passed through the automatic location information ("ALI") database<sup>23</sup> -- Snap!VRS currently complies with the E911 rules for all of its registered users.

As discussed above, Snap!VRS obtains physical location information from each of its registered users during the registration process, and verifies that each user's location is E911 serviceable.<sup>24</sup>

<sup>20</sup> See *First 10-Digit Numbering Order* at ¶¶ 79-81.

<sup>21</sup> See *Id.* at ¶¶ 82-84.

<sup>22</sup> See *Id.* at ¶¶ 85-86; *Second 10-Digit Numbering Order* at ¶¶ 14-15.

<sup>23</sup> See *Geographic Number Clarification Order*.

<sup>24</sup> Snap!VRS is currently unable to facilitate 911 calls from individuals in Alaska and Hawaii because 911 Enable, Snap!VRS's 911 partner, does not have 911 coverage in these states. However, in the *Second 10-Digit Numbering Order*, the Commission clarified that the new emergency call handling rules "only apply to 911 calls placed by users whose registered location is in a geographic area served by a Wireline E911 Network and is available to the provider handling the call." *Second 10-Digit Numbering Order* at ¶ 26. Therefore, although 911 service in Alaska and Hawaii currently fits under the exception to the new 911 rules, Snap!VRS continues to work on a solution to this problem with 911 Enable. Moreover, if callers from Alaska or Hawaii use Snap!VRS to make a 911 call, Snap!VRS is able to manually process the calls and route them to the appropriate PSAP, consistent with the requirements in the *Interim Emergency Call Handling Order*. See *In re Telecommunications Relay Services and Speech-to-Speech Services/or Individuals with Hearing and Speech Disabilities*, CG Docket No. 03-123, Order, 23 FCC Red 5255 (2008) ("*Interim Emergency Call Handling Order*").

Snap!VRS allows users to update their registered location information through their Snap!VRS web-based accounts, by contacting Snap!VRS customer service representatives, or by calling Snap!VRS directly using their video phones.

If a registered Snap!VRS customer places a 9-1-1 call through Snap!VRS, the call automatically goes into a designated queue that prioritizes 9-1-1 calls over all others. Every Snap!VRS CA who is not already facilitating another relay call will hear the ring at their station and see a red "emergency" box appear on their screen; the first CA available will pick up that 9-1-1 call. Once the call is connected, Snap!VRS through its 911 partner "911 Enable" is able to automatically transfer the call and provide the callback number, the name of the relay provider, and the registered location information to the appropriate PSAP.

For emergency calls of nonregistered users or those dialing around their default provider, Snap!VRS continues to comply with the requirements in the Interim Emergency Call Handling Order by manually handling these calls and routing them to the appropriate PSAP.<sup>25</sup> Due to the current technical impossibility prohibiting providers from automatically transmitting the CA's identification number to the PSAP through the ALI database, until the situation is resolved, Snap!VRS will continue to transmit CA identification numbers verbally, which enables PSAPs to obtain the information they need in a timely fashion.

Although Snap!VRS utilizes 911 Enable to facilitate emergency calls and automatically pass the required information to the PSAP consistent with the 10-digit numbering rules,<sup>26</sup> if for any reason 911 Enable's system fails, Snap!VRS has also created a backup system that routes the emergency call to a

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<sup>25</sup> While Snap!VRS videophones are capable of automatically routing 911 calls placed by registered users through the use of ANI, a number of other providers' CPE are not currently able to pass ANI. Therefore, it will remain technologically impossible for Snap!VRS to automatically route 911 calls made from these devices until a solution is implemented, and so any 911 calls received by Snap!VRS from users of such devices are also processed manually, consistent with the Commission's existing 911 requirements. The Commission's *Second 10-Digit Numbering Order* addressed the issue of routing 911 calls to the administrative lines of PSAPs in situations where "a non-default provider is handling a 911 call but does not have access to the 911 caller's registered location or other relevant information," and concluded that the new rules "only apply to 911 calls placed by users whose registered location ... is available to the provider handling the call." *Second 10-Digit Numbering Order* at ¶ 26.

<sup>26</sup> See *First 10-Digit Numbering Order* at ¶ 83 (noting that VRS providers may fulfill their E911 obligations by "interconnecting indirectly through a third party such as a competitive LEC, interconnecting directly with the wireline E911 network, or through any other solution that allows [a VRS] provider to offer E911 service").

special help desk at 911 Enable to make a manual process feasible and to ensure that all relevant information is passed to the PSAP.

In the *Second 10-Digit Numbering Order*, the FCC noted that providers “must ensure ... that callbacks from the emergency services personnel to the consumer via the consumer's ten-digit number are answered by the provider before non-emergency calls.”<sup>27</sup> Snap!VRS has implemented technology which enables the recognition and prioritization of PSAP callbacks.

### III. CONCLUSION

Snap!VRS is firmly committed to remain in compliance with all applicable VRS mandatory minimum standards under 47 C.F.R. § 64.604 and to pursue an unwavering course of innovation and enhanced service offerings for the disability community.

Respectfully submitted,

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May 31, 2011

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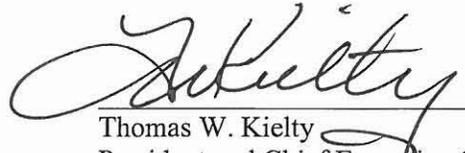
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<sup>27</sup> *Second 10-Digit Numbering Order* at ¶ 15.

**Declaration of Thomas W. Kielty**

I, Thomas W. Kielty, President and Chief Executive Officer of SNAP Telecommunications, Inc., with personal knowledge of the representations provided in the attached Annual Compliance Report ("Report") of Snap Telecommunications, Inc., and pursuant to 47 C.F.R. § 1.16, declare under penalty of perjury that the statements in this Report are true and correct.

  
Thomas W. Kielty  
President and Chief Executive Officer  
Snap Telecommunications, Inc.

May 31, 2011