



June 10, 2011

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

*Re: Ex parte meeting on CG Docket No. 11-47*

On June 8, 2011, I led a delegation of representatives from members of the Information Technology Industry Council (ITI) to the Commission offices to discuss issues of importance relative to the Commission's Notice of Proposed Rulemaking regarding implementation of Section 103(b) of the "Twenty-First Century Communications and Video Accessibility Act of 2010" ("CVAA") addressing questions regarding Voice over Internet Protocol ("VoIP") services and the Telecommunications Relay Services ("TRS") Fund.

The ITI delegation consisted of Ms. PJ Edington of IBM; Ms. Paula Boyd of Microsoft; Mr. Tom Wlodkowski of AOL; Mr. Andrew Kirkpatrick of Adobe Systems; Mr. Tony Jasionowski of Panasonic; Mr. Jim Morgan of Sony; Mr. Rob Carter of Wiltshire & Grannis LLP, representing Apple; and myself.

Representing the Commission were Ms. Rosaline Crawford, Mr. Eliot Greenwald and Ms. Karen Strauss of the Consumer and Governmental Affairs Bureau; and Ms. Jean Ann Collins, Ms. Chin Yoo, Ms. Vickie Robinson and Mr. Ernesto Beckford of the Wireline Competition Bureau. Mr. Jamal Vison, an intern at the Consumer and Governmental Affairs Bureau, also attended.

Consistent with ITI's filed comments,<sup>1</sup> the parties discussed a series of issues and concerns regarding the application of TRS obligations on VoIP. The ITI delegation urged the Commission to ensure that provider revenue subjected to the TRS fee should only include and be proportional to revenue directly collected from end users and attributable to the VoIP services

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<sup>1</sup> See Comments of the Information Technology Industry Council in response to the Federal Communications Commission Notice of Proposed Rulemaking on the Telecommunications Relay Service Fund, CG Docket No. 11-47 (<http://fjallfoss.fcc.gov/ecfs/comment/view.action?id=6016483343>), May 4, 2011.

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serviceable by TRS. We also urged the Commission to adopt a narrower definition for non-interconnected VoIP within the context of Section 715 that exempts certain classes of products from participation in the TRS fund, and that clearly limits the law's application to services for which the primary purpose is voice communication.

The discussion also included examples of scenarios where ITI believes that a TRS obligation should not be applicable, such as when an the discussion of scenarios, such when an organization's non-interconnected VoIP services that cannot be used to communicate outside of the organization, and when non-interconnected VoIP functionality is incidental and merely supplemental to primary services. We also discussed whether it would be appropriate to assess TRS obligations on manufacturers that merely provide the software to enable VoIP communications, but who do not provide the service itself.

Please direct any questions to the undersigned.

Respectfully,

Ken J. Salaets  
Director