

July 27, 2011

**VIA ELECTRONIC FILING**

Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12th Street, S.W.  
Washington, DC 20554

RE: Notice of *Ex Parte* Meeting  
Telecommunications Relay Services and Speech-to-Speech Services for Individuals with  
Hearing and Speech Disabilities; Structure and Practices of the Video Relay Services  
Program  
**CG Docket Nos. 03-123 and 10-51**

Dear Ms. Dortch:

On Monday, July 25, 2011, Claude Stout, Executive Director, Telecommunications for the Deaf and Hard of Hearing, Inc. ("TDI"); Tamar Finn, Counsel for TDI; and the undersigned met with Paul de Sa, Chief, Office of Strategic Planning and Policy Analysis; Nicholas Alexander, Associate Bureau Chief, Wireline Competition Bureau; Gregory Hlibok, Chief, Disability Rights Office to discuss a likely NPRM that follows up on a NOI issued last year.

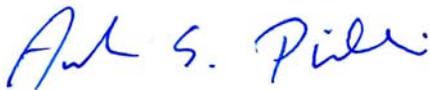
The participants discussed potential alternatives to the current per-minute rate of compensation, including how different compensation mechanisms provide different incentives to providers, different results for users, and how they impact FCC's ability to monitor and audit the program. One of the alternatives discussed was a per-user compensation mechanism under which each user would be limited to choosing one service provider that presumably would have incentives to meet all of the consumer's needs (fixed and mobile), in order to retain the customer. NAD and TDI commended the FCC's goal of increasing adoption by deaf and hard of hearing individuals who are not currently served by TRS, but expressed concerns that a per-user system would create incentives for providers to avoid high volume customers, that providers may game the system to reduce the number/length of calls from customers (i.e. longer answer times), and that consumers need the ability to change service providers if service quality diminishes.

The participants also discussed that such a system may have to establish additional minimum service standards. One instance that was discussed was that the FCC would need to monitor to ensure that VRS companies provide equal quality and services for all users, especially with users who make calls for business purposes as opposed to those who make calls for residential or personal purposes. The concern is that with a per-user mechanism, the VRS companies would avoid high volume business users and focus entirely on serving users who make short calls for residential or personal reasons.

NAD and TDI expressed very strong concerns that this proposed mechanism change would shift the issues and problems from those experienced by the general population as a whole to those affecting only the deaf and hard of hearing community despite being the constituency that is supposed to be protected by statute.

We made clear our concerns that a per-user system might become a cap, and thereby funding for VRS would not be increased according to real use and/or costs. Further, we have not seen any evidence that a new compensation system will reduce fraud nor that it would even be more effective in setting rates as the time consuming process of setting the per-minute rate every year would be replaced with a process of setting the per-user rate. We also expressed privacy and other concerns with respect to establishing a national registration system that has a list of virtually all the deaf and hard of hearing people who use sign language.

Respectfully submitted,

A handwritten signature in blue ink that reads "Andrew S. Phillips". The signature is written in a cursive style.

Andrew S. Phillips, Esq.  
Policy Attorney