

ASL Services Holdings, LLC

3700 Commerce Blvd Kissimmee, FL 34741

Via ECFS and Overnight Delivery

September 6, 2011

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
9300 East Hampton Drive
Capitol Heights, MD 20743-3813

RE: In the Matter of Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities, CG Docket No. 10-51

Dear Secretary Dortch:

ASL Services Holdings, LLC (“ASL”), pursuant to Section 64.606(a)(2) of the Commission’s rules, as amended,¹ submits the attached confidential version of the *Internet-based TRS Certification Application Of ASL Services Holdings, LLC* (“Application”), in the above-referenced matter. By its Application, ASL conclusively demonstrates that it meets – or exceeds – the entirety of the Commission’s Mandatory Minimum Standards, waived Mandatory Minimum Standards, and Commission Orders and policies governing the provision of federal Telecommunications Relay Service Fund-compensable video relay services and IP-Relay services, as amended. A significant number of the Spanish minority Deaf population in the United States rely on ASL’s continued VRS as a communications lifeline due to ASL’s unique trilingual skill set. ASL respectfully requests that its Application be granted on or before October 1, 2011 to ensure a seamless continuation of ASL’s services to the public, accordingly. A redacted Public copy has been filed via the Commission’s Electronic Comment Filing System.

In the interest of time, and in consideration of ASL’s desire to serve its subscribers without interruption, ASL further requests that should the Commission deem Section 64.606 of the Commission’s rules, as amended, to not be effective upon receipt of the instant Application, that the Commission hold ASL’s Application in abeyance until the amended provisions in Section 64.606 are deemed effective.

¹ 47 C.F.R. §64.606(a)(2).

Ms. Marlene H. Dortch
September 6, 2011
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Request for Confidential Treatment. Pursuant to Section 0.459 of the Commission's rules,² ASL states that Exhibits A, B, C, E, and F (collectively, "Confidential Documents") to the Company's Application are confidential, and respectfully requests that these documents be protected, accordingly. These Confidential Documents constitute "trade secrets" as set forth in Section 0.457 of the Commission's rules,³ in that the documents contain sensitive proprietary information including, but not limited to, highly confidential leases and technology descriptions. These documents reveal sensitive company operations and scope that would be useful to competitors. Further, these documents contain highly confidential information not intended for public consumption. ASL would not otherwise make these documents publically available under any circumstance. Release of these data to the public could cause ASL irreparable and inestimable harm.

Please acknowledge receipt of this filing by date stamping and returning the additional copy of this transmittal letter in the self-addressed, postage-paid envelope enclosed for this purpose. Thank you for your attention to this matter. Questions may be directed to the undersigned.

Sincerely,

ASL Services Holdings, LLC


Angela Roth
President and Chief Executive Officer

Enclosures

cc: Ms. Karen Peltz Strauss (via electronic delivery, Karen.Strauss@fcc.gov)
Mr. Mark Stone (via electronic delivery, Mark.Stone@fcc.gov)
Mr. Greg Hlibok (via electronic delivery, Gregory.Hlibok@fcc.gov)

² 47 C.F.R §0.459.

³ 47 C.F.R. §0.457.

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the matter of)
)
Telecommunications Relay Services and)
Speech-to-Speech Services for)
Individuals with Hearing and) CG Docket No. 10-51
Speech Disabilities)
)

**Internet-based TRS Certification Application
Of ASL Services Holdings, LLC**

Angela Roth
President and Chief Executive Officer
ASL Services Holdings, LLC
3700 Commerce Blvd., Suite 216
Kissimmee, Florida 34741
Telephone: (407) 518-7900 ext. 201

September 6, 2011

SUMMARY

Pursuant to, to Section 64.606(a)(2) of the Commission's rules,¹ as amended, ASL Services Holdings, LLC ("ASL," "Company," or "Applicant"), hereby submits its Application to the Federal Communications Commission ("FCC" or "Commission") for certification that ASL is eligible to receive reimbursement directly from the federal Telecommunications Relay Service ("TRS") Fund ("Fund") as a provider of Internet-based Video Relay Service ("VRS"). ASL is a woman and minority-owned Florida limited liability company with permanent headquarters located at 3700 Commerce Blvd., Suite 216, Kissimmee, Florida 34741, and additional corporate offices and relay service call centers located in Florida and Puerto Rico. By its Application, supporting documentation, and officer certifications and verifications made under penalty of perjury, ASL maintains that it meets or exceeds the Mandatory Minimum Standards, pursuant to Section 64.604 of the Commission's rules,² for the provision of Fund compensable VRS, complies with other applicable Commission regulations, Commission orders, and policies, and warrants a Commission grant of certification to provide compensable VRS to the Public as a Fund eligible provider. ASL seeks certification on or before October 1, 2011 to provide seamless VRS to its subscribers and the Public.

¹ 47 C.F.R. §64.606(a)(2).

² 47 C.F.R. §64.604.

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**Before the
Federal Communications Commission
Washington, DC 20554**

In the matter of)	
)	
Telecommunications Relay Services and)	
Speech-to-Speech Services for)	
Individuals with Hearing and)	CG Docket No. 03- 123
Speech Disabilities)	
)	

To: Chief, Consumer and Governmental Affairs Bureau, TRS Certification Program,
Washington, DC 20554

**Internet-based TRS Certification Application
Of ASL Services Holdings, LLC**

ASL Services Holdings, LLC (“ASL,” “Company,” or “Applicant”), pursuant to, to Section 64.606(a)(2) of the Commission’s rules, as amended,³ hereby submits its Application to the Federal Communications Commission ("FCC" or "Commission") for certification that ASL is eligible to receive reimbursement directly from the federal Telecommunications Relay Service ("TRS") Fund (“Fund”) as a provider of Internet-based Video Relay Service ("VRS").⁴

ASL is a woman and minority-owned Florida limited liability company with its permanent headquarters located at 3700 Commerce Blvd., Suite 216, Kissimmee, Florida 34741, with additional corporate offices and relay service call centers located in Florida and Puerto Rico. ASL has provided VRS services since 2008 through a partnership agreements with other

³ 47 C.F.R. §64.606(a)(2).

⁴ See 47 C.F.R, § 64.606; *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, CG Docket No. 03-123, Report and Order and Order on Reconsideration. 20 FCC Rcd. 20577 (December 12, 2005).

Fund eligible certified VRS providers. By the instant Application, ASL seeks Commission certification to provide Fund-compensable VRS to the Public as a Fund eligible VRS. A majority of ASL's VRS is provided to underserved Spanish language VRS users whose options for professional, native Spanish language VRS are exceptionally limited. ASL also serves a host of English speaking VRS users directly and under contract with other Fund eligible VRS providers.

By its Application, ASL demonstrates that it meets or exceeds the entirety of the Commission's Mandatory Minimum Standards ("MMS") for VRS pursuant to Sections 64.604,⁵ as amended,⁶ other applicable Commission regulations principally including Sections 64.605,⁷ and 64.606,⁸ as amended,⁹ of the Commission's rules, applicable Commission orders, and waived MMS for the provision of Fund-compensable VRS and respectfully requests that it be certified as a Fund eligible VRS provider. In support of its Application, ASL states as follows.

I. INTRODUCTION

ASL is a privately-held woman and minority-owned Florida limited liability company with significant experience providing Internet-based VRS services to the Public. ASL employs trilingual (English, Spanish¹⁰ and American Sign Language) interpreters with strong ties to the

⁵ 47 C.F.R. §64.604.

⁶ *Structure and Practices of the Video Relay Service Program*, Report and Order and Further Notice of Proposed Rulemaking, 26 FCC Rcd 5545 (2011) (*VRS Practices R&O*).

⁷ 47 C.F.R. §64.605.

⁸ 47 C.F.R. §64.606.

⁹ *Structure and Practices of the Video Relay Service Program*, Second Report and Order, 76 FCC Rcd 47469 (2011)(*VRS Practices Second R&O*).

¹⁰ ASL utilizes its own "GraciasVRS" subbrand for Spanish language VRS.

Deaf and Hard-of-Hearing community.¹¹ ASL has both the ability and the resources to provide high-quality VRS that benefits thousands of persons with speech or hearing impairments, including underserved Spanish-language users. ASL also offers non-Fund compensable Video Relay Interpreting (“VRI”) through a separate division.

Headquartered in Kissimmee, Florida, ASL, was founded in 1998 and is owned by Angela Roth. Ms. Roth has more than 30 years of personal and corporate experience in the Sign Language industry. Ms. Roth’s experience includes providing interpreter services and more recently, trilingual (English, Spanish and American Sign Language) VRS to the Deaf and Hard of Hearing community.

ASL currently provides VRI and VRS throughout the United States and Puerto Rico. Among ASL’s contracted Sign Language interpreter service customers are numerous commercial enterprises and institutions, including Apple, ESPN, American Library Association, Walt Disney World, Disneyland, Avon, Orlando Regional Healthcare Systems, Steiner Education, Photoshop, and numerous other government and educational institutions.

ASL's facilities currently consist of three call centers. One call center is located in Kissimmee, Florida and two call centers are located in Puerto Rico; in Hatillo and Mayaguez. ASL' management team has 80 years of combined Sign Language interpretation experience and 17 years of combined VRS experience. All ASL Communications Assistants (“CA’s”) are either Nationally Certified by the Registry of Interpreters for the Deaf (“RID”), have Quality Assurance Screening from the Florida Registry of Interpreters for the Deaf (“FRID”), and/or have completed - and remain subject to - ASL’s rigorous internal testing standards.

¹¹ Additional corporate information is attached at Exhibit H

In its *Order on Reconsideration*¹² the Commission found

that it is *essential* that members of the large Spanish-speaking population in this country who are deaf, hard of hearing, or have a hearing disability, and for whom ASL is their primary language, have the means to communicate via the telephone system with persons without such disabilities who speak Spanish, in keeping with the goal of universal service.

Due principally to the Commission's finding that ASL to Spanish interpretation is compensable from the Fund, beginning in 2006, ASL's trilingual interpretation services were sought by several established Fund eligible certificated VRS providers to supplement their VRS offerings. ASL has since provided trilingual VRS to numerous Fund eligible certificated providers under contract.

ASL now submits its Application to demonstrate that it complies with the entirety of the Commission's requirements for provision of Fund compensable VRS and should be granted certification as a Fund eligible provider. On May 24, 2011, ASL¹³ submitted an *Application for VRS Certification* to the Commission under then-applicable Commission regulations. Following release of the Commission's *VRS Practices Second R&O*, ASL now submits this Application pursuant to the Commission's amended certification rules in Section 64.606. This Application incorporates in pertinent part discussion from its initial May application in so far as the then current regulations have not since been amended and the Company's compliance also remains unchanged, as well as a demonstration that ASL meets the amended standards and certification requirements since adopted by the Commission.

¹² *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, CC Docket Nos. 98-67, and 03-123, *Order on Reconsideration*, FCC 05-139, para. 19, emphasis supplied (July 19, 2005). (“*Order on Reconsideration*”)

¹³ Then known as “ASL Holdings, LLC.”

In addition to demonstrating its strict compliance with applicable regulations, ASL further maintains that the public interest is served by granting ASL's Application. ASL offers quality trilingual VRS with a focus on technology and customer ease of use, making ASL a meaningful VRS provider, while according the Public with greater choice in providers. Certification of ASL as a VRS provider eligible for direct compensation from the Fund is both consistent with the Commission's rules and in the public interest.

As described below, ASL demonstrates that it meets or exceeds all of the MMS, as amended, waived MMS, and applicable Commission orders for certification as a Fund eligible VRS provider and respectfully requests that the Commission grant the requested certification to become effective on or before October 1, 2011.

II. NARRATIVE AND DOCUMENTATION DEMONSTRATING COMPLIANCE WITH THE INTERNET-BASED TRS PROVIDER AND TRS PROGRAM CERTIFICATION REQUIREMENTS (47 C.F.R. §64.606(a)(2); §64.606(a)(1) is inapplicable)

A. A description of the forms of Internet-based TRS to be provided (*i.e.*, VRS, IP Relay, and/or IP captioned telephone relay service) (47 C.F.R. §64.606(a)(2)(i))

ASL seeks certification as a Fund eligible provider of Internet-based video relay services to the Public. ASL does not intend to provide Fund-compensable telecommunications relay services, Internet Protocol ("IP") Relay Services, or IP Captioned Telephone Services ("IP CTS"). ASL operates twenty-four hours a day, seven days a week, and three hundred sixty-five days per year. ASL's Internet-based VRS is available to any Deaf or Hard-of-Hearing caller with a high-speed Internet connection and a videophone device or a personal computer with webcam. ASL provides a free software download available at its website for use via personal computer. VRS calls may be initiated by the Deaf or Hard-of-Hearing subscribers after downloading the

software and completing an initial registration process. Hearing persons may initiate a call to a Hard-of-Hearing person or Deaf person by calling ASL's toll free number. The hearing person is connected to a CA, who will place the outbound leg of the call to the Deaf/Hard-of-Hearing person's videophone or personal computer.

B. A detailed description of how the applicant will meet all non-waived mandatory minimum standards applicable to each form of TRS offered, including documentary and other evidence, and in the case of VRS, such documentary and other evidence shall demonstrate that the applicant leases, licenses or has acquired its own facilities and operates such facilities associated with TRS call centers and employs communications assistants, on a full or part-time basis, to staff such call centers at the date of the application. Such evidence shall include, but not be limited to: (A) In the case of VRS applicants or providers, (47 C.F.R. §64.606(a)(2)(ii)(A))¹⁴

1. Operating five or fewer call centers within the United States, a copy of each deed or lease for each call center operated by the applicant within the United States (47 C.F.R. §64.606(a)(2)(ii)(A)(1));

A copy of each lease for each of the three (3) call centers operated by ASL is attached as confidential **Exhibit A**.

2. Operating more than five call centers within the United States, a copy of each deed or lease for a representative sampling (taking into account size (by number of communications assistants) and location) of five call centers operated by the applicant within the United States, together with a list of all other call centers that they operate that includes the information required under §64.604(c)(5)(iii)(N)(2)¹⁵ (47 C.F.R. §64.606(a)(2)(ii)(A)(2));;

Inapplicable. ASL currently maintains three call centers, as noted.

¹⁴ Applicant's compliance with the Mandatory Minimum Standards pursuant to 47 C.F.R. §64.606(a)(2)(ii) is set forth in Section III, *infra*.

¹⁵ "Call center reports. VRS providers shall file a written report with the Commission and the TRS Fund administrator, on April 1 and October 1 of each year for each call center that handles VRS calls that the provider owns or controls, including centers located outside of the United States, that includes: (a) the complete street address of the center; (b) the number of individual CAs and CA managers; and (c) the name and contact information (phone number and email address) of the manager(s) at the center. VRS providers shall also file written notification with the Commission and the TRS Fund administrator of any change in a center's location, including the opening, closing, or relocation of any center, at least 30 days prior to any such change."

3. **Operating call centers outside of the United States, a copy of each deed or lease for each call center operated by the applicant outside of the United States (47 C.F.R. §64.606(a)(2)(ii)(A)(3));**

Inapplicable. ASL's call centers are located in the U.S. and the Commonwealth of Puerto Rico, an unincorporated territory of the United States.

4. **A description of the technology and equipment used to support their call center functions – including, but not limited to, automatic call distribution, routing, call setup, mapping, call features, billing for compensation from the TRS Fund, and registration -- and for each core call center function, a statement whether such technology and equipment is owned, leased or licensed (and from whom if leased or licensed) (47 C.F.R. §64.606(a)(2)(ii)(A)(4)); and**

ASL has deployed a [REDACTED] platform ("VRS platform") to provide VRS. The MMX platform is one of the most technologically-advanced platforms available for VRS usage. As discussed further below, the VRS platform provides full automated processing, data collection, and is fully integrated with emergency 911 access. A detailed description of the technology and equipment used to support their call center functions – including, but not limited to, automatic call distribution, routing, call setup, mapping, call features, billing for compensation from the TRS Fund, and registration is attached as confidential **Exhibit B**.

5. **Proofs of purchase, leases or license agreements for all technology and equipment used to support their call center functions, including a complete copy of any lease or license agreement for automatic call distribution. (47 C.F.R. §64.606(a)(2)(ii)(A)(5));**

Proofs of purchase, leases or license agreements for all technology and equipment used to support their call center functions, including a complete copy of any lease or license agreement for automatic call distribution is attached as confidential **Exhibit C**.

- C. **For all applicants, a list of individuals or entities that hold at least a 10 percent equity interest in the applicant, have the power to vote 10 percent or more of the**

securities of the applicant, or exercise de jure or de facto control over the applicant, a description of the applicant's organizational structure, and the names of its executives, officers, members of its board of directors, general partners (in the case of a partnership), and managing members (in the case of a limited liability company) (47 C.F.R. §64.606(a)(2)(ii)(B));

ASL is owned by [REDACTED]. These individuals constitute the Company's executive team, LLC managing members, and officers and serve as the Company's *de facto* Board of Directors.

- D. For all applicants, a list of the number of applicant's full-time and part-time employees involved in TRS operations, including and divided by the following positions: executives and officers; video phone installers (in the case of VRS), communications assistants, and persons involved in marketing and sponsorship activities (47 C.F.R. §64.606(a)(2)(ii)(C));**

ASL currently employs

[REDACTED]

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- E. For all applicants, copies of employment agreements for all of the provider's employees directly involved in TRS operations, executives, and communications assistants, and a list of names of employees directly involved in TRS operations, need not be submitted with the application, but must be retained by the applicant for five years from the date of application, and submitted to the Commission upon request (47 C.F.R. §64.606(a)(2)(ii)(D));**

¹⁶ Administrative staff includes staff interpreters employed solely to perform non-Fund compensable community Interpreting work. They are not trained in VRS and operate entirely independently of ASL's VRS operations.

ASL currently affirmatively acknowledges its obligation to maintain, and maintains, copies of employment agreements for all of employees directly involved in TRS operations including executives, and communications assistants, and a list of names of employees directly involved in TRS operations. ASL also maintains copies of employment agreements for employees not directly involved in TRS operations. Further, ASL avers to retain copies of all employment agreements for a minimum period of five years from the date of its Application and is prepared to provide copies of employment agreements and a list of all employees to the Commission upon request.

F. For all applicants, a list of all sponsorship arrangements relating to Internet-based TRS, including any associated written agreements (47 C.F.R. §64.606(a)(2)(ii)(E)):

ASL Compliance: ASL's sponsorship of events is based targeted in accordance with the Company's budget. Sponsorships are *ad hoc* in nature and do not entail ongoing relationships subject to agreements. There are no current agreements in place for any sponsorship arrangements. Should ASL subsequently enter into such arrangements, ASL will advise the Commission of these arrangements and provide written agreements.

G. A description of the provider's complaint procedures. (47 C.F.R. §64.606(a)(2)(iii) and 64.606(b)(2)(ii)):

ASL Compliance: ASL provides for acceptance and resolution of consumer complaints through several media. Subscribers may submit a complaint directly to the CA processing the call. A

customer may also submit a complaint via videophone,¹⁷ telephone,¹⁸ or by e-mail.¹⁹ The complaint is then forwarded to ASL's Customer Care department for resolution. All complaints are logged. The information documented in the complaint log includes the date/time of the call, the CA's name and identification number, the caller's name, videophone number or e-mail address, and an explanation of the complaint and its resolution. ASL's Customer Care team is trilingual so that English and Spanish speaking clients can be helped whenever they call.

Upon receiving a complaint, ASL's Customer Care team contacts the customer in an attempt to resolve the complaint. If the customer is satisfied with Customer Care's response, then the complaint log is documented noting that the problem has been resolved. If the customer is not satisfied, then the complaint is escalated to the Workforce Manager, then to the Director of Operations and then ultimately to ASL's President until the complaint is resolved. If a complaint concerns a specific CA, then the call center supervisor reviews and determines if corrective action or disciplinary measures involving the CA is appropriate. Complainants will also be informed, as part of the response to any complaint, that they may contact a designated higher level company official or the FCC if they are dissatisfied with the response.

Many inquiries - particularly technical questions - that might otherwise result in a consumer complaint can be resolved by provision of timely information. ASL provides a variety of on-line support resources, including a comprehensive "frequently asked questions" page, to provide consumers with immediate guidance on many questions or problems. ASL anticipates having all website information and FAQs available on its website in video form.

The Public is informed of escalation procedures located via ASL's website and by CAs during a call who are trained to transfer complainants to a manager for escalation or transfer the call to Customer Care representative who will log a complaint and assume responsibility for resolution if an immediate resolution is not possible.

¹⁷ Using a videophone, customers may submit complaints by contacting help@graciasvrs.tv or ayuda@graciasvrs.tv.

¹⁸ To submit a complaint by hearing telephone, a customer may call 1-877-472-2420.

¹⁹ To submit a complaint via e-mail, a customer may contact help@graciasvrs.com or ayuda@graciasvrs.com.

H. A statement that the provider will file annual compliance reports demonstrating continued compliance with these rules. (47 C.F.R. §64.606(a)(2)(iv)):

ASL Compliance: ASL avers that it will file annual compliance reports demonstrating continued compliance with Commission rules. A statement of compliance is attached as **Exhibit**

D.

I. Assessment of Internet-Based Provider Certification Application (47 C.F.R. §64.606(a)(3))

ASL Compliance: Applicant affirmatively acknowledges that pursuant to Section 64.606(a)(3),²⁰

In order to assess the merits of a certification application submitted by an Internet-based TRS provider, the Commission may conduct one or more on-site visits of the applicant's premises, to which the applicant must consent.

With the submission of the instant Application, ASL is prepared to welcome the Commission to its premises at any time and have all such documentation as the Commission may request to demonstrate the representations made herein, and its compliance with the Commission's MMS and additional requirements.

J. Substantive Changes (47 C.F.R. §64.606(f)(2))²¹

ASL affirmatively acknowledges its obligation as a certificated VRS provider, and avers compliance to

²⁰ 47 C.F.R. §64.606(a)(3).

²¹ Sections 64.606(b), Requirements for state certification, 64.606(c), State certification period, 64.606(d), Method of funding, and 64.606(e), Suspension or revocation of state certification, are either inapplicable or require no response or acknowledgement. Section 64.606(f)(1) governing state notifications is inapplicable

notify the Commission of substantive changes in [its] TRS programs, services, and features within 60 days of when such changes occur, and must certify that the interstate TRS provider continues to meet federal minimum standards after implementing the substantive change. Substantive changes shall include, but not be limited to: The use of new equipment or technologies to facilitate the manner in which relay services are provided; Providing services from a new facility not previously identified to the Commission or the Fund administrator; and Discontinuation of service from any facility.

K. Annual Reporting (47 C.F.R. §64.606(g))

ASL affirmatively acknowledges its obligation as a certificated VRS provider to, and will,

[f]ile with the Commission, on an annual basis, a report demonstrating that they are in compliance with §64.604. Such reports must update the information required in paragraph [47 C.F.R. §64.606] (a)(2) and include updated documentation and a summary of the updates, or certify that there are no changes to the information and documentation submitted with the application for certification, application for renewal of certification, or the most recent annual report, as applicable.

ASL's officer certification of compliance under penalty of perjury is attached as **Exhibit**

D.

L. Unauthorized Service Interruptions (47 C.F.R. §64.606(h))

Applicant affirmatively acknowledges its obligation as a certificated VRS provider to, and will, "provide Internet-based TRS without unauthorized voluntary service interruptions." In the event that ASL must interrupt service for a period of 30 minutes or more in duration, the Company will submit a written request to the Commission's Consumer and Governmental Affairs Bureau ("CGB") at least 60 days prior to any planned service interruption with detailed information required pursuant to subsections 64.606(h)(2)(i), (ii), and (iii). Further, in the event

of unforeseen service interruptions due to circumstances beyond its control, or if a voluntary service interruption is less than 30 minutes in duration, ASL will submit a written notification to CGB within two business days of the commencement of the service interruption with an explanation of when and how ASL has restored service or its plan to do so imminently.

In the event ASL has not restored service at the time such report is filed, the Company will submit a second report within two business days of the restoration of service with an explanation of when and how it has restored service. ASL will also provide notification of service outages covered by this paragraph to consumers on an accessible website, and that notification of service status must be updated in a timely manner. ASL affirmatively acknowledges that if it fails to obtain prior Commission authorization for a voluntary service interruption, fails to provide written notification after a voluntary service interruption of less than 30 minutes in duration, or fails to provide written notification after the commencement of an unforeseen service interruption due to circumstances beyond its control in accordance, the Company may be subject to revocation of certification, suspension of payment from the TRS Fund, or other enforcement action by the Commission, as appropriate. ASL has implemented these requirements into its policies and training program.

III. MANDATORY MINIMUM STANDARDS COMPLIANCE (47 C.F.R. §64.606(a)(2)(ii))

Sections 64.604(a), (b), and (c) of the FCC's rules, as amended, establish operational, technical, and functional MMS respectively, governing the provision of VRS. As set forth below, ASL maintains that it meets or exceeds the entirety of the Commission's MMS for the

provision of Fund compensable relay services and merits Commission certification to draw compensation from the federal TRS Fund as a Fund eligible provider.

A. Operational Standards

1. Communications Assistant (“CA”) – Training (47 C.F.R. §64.604(a)(1)).²²

Standard (i): “TRS providers are responsible for requiring that all CAs be sufficiently trained to effectively meet the specialized communications needs of individuals with hearing and speech disabilities.”

Standard (ii): “CAs must have competent skills in typing, grammar, spelling, interpretation of type written ASL, and familiarity with hearing and speech disability cultures, languages and etiquette. CAs must possess clear and articulate voice communications.”

Standard (iii): “CAs must provide a typing speed of a minimum of 60 words per minute. Technological aids may be used to reach the required typing speed. Providers must give oral-to-type tests of CA speed.”

Standard (iv): “TRS providers are responsible for requiring that VRS CAs are qualified interpreters. A “qualified interpreter” is able to interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary.”

Standard (v): “CAs answering and placing a TTY-based TRS or VRS call must stay with the call for a minimum of ten minutes. CAs answering and placing an STS call must stay with the call for a minimum of fifteen minutes.”²³

Standard (vi): “TRS providers must make best efforts to accommodate a TRS user's requested CA gender when a call is initiated and, if a transfer occurs, at the time the call is transferred to another CA.”

Standard (vii) TRS shall transmit conversations between TTY and voice callers in real time.²⁴

²² Standard vii governing TTY services has been intentionally deleted from the list as effectively inapplicable.

²³Speech-to-Speech. (“ STS”) calling requirements has been waived indefinitely. *2004 TRS Report and Order*, para 138 and 139.

²⁴ ASL has not received any TTY calls since receiving certification.

ASL Compliance: ASL believes that the competency of its CAs is paramount to the provision of exceptional VRS to the Deaf and Hard of Hearing. ASL is committed to rigorous proficiency standards for CAs that meet or exceed the MMS. Highly skilled and trained CAs are critical to the provision of VRS. ASL employs an intensive screening process to select only well-qualified CAs and provide ongoing training to ensure CA skills are kept well-honed. ASL's CAs are certified by either the RID or the FRID or, in the case of Spanish translators, are subject to internal screening and testing standards developed by ASL.

As there currently are no nationally recognized trilingual testing standards or certifications applicable to Spanish to American Sign Language translation, ASL utilizes its own internal screening standards (developed by its founder, Angela Roth) to ensure proficiency of Spanish speaking and signing CAs. These screening standards were developed by Ms. Roth, based on her more than years of experience in the Sign Language industry.²⁵

In addition to having RID Certification or FRID state level Qualification and being continuously evaluated under ASL's internal testing standards, all CAs are initially and continually evaluated for the appropriate attitude and demeanor needed to help the speech or hearing impaired. Each potential CA is given a personality test during their initial pre-hire evaluation. Moreover, ASL seeks experienced interpreters to work as CAs. An ideal ASL candidate has prior extensive one-on-one interaction with the Deaf and Hard-of-Hearing

²⁵ Ms. Roth has served 2 terms as the Board Chair of National Registry of Interpreters Certification and has served as the National Hispanic Team Leader and consultant for the 5-year long Federal National Multicultural Interpreting Project. Ms. Roth has also served on the Florida Licensure task force. Her experiences, particularly her involvement in developing certification standards, make her uniquely qualified to develop a screening standard by which to evaluate the skills and proficiency of CAs delivering American Sign Language/Spanish VRS services.

community. Once hired, all CAs are subject to periodic evaluations and quality assurance reviews by both deaf supervisors and hearing supervisors. The supervisors evaluate the CA's sign production and voicing skills and offer feedback and suggestions for improvement. Personality screening is also performed on supervisors to better understand and match management styles needed to maintain a productive work environment, thus enhancing CA interaction with Deaf and Hard-of-Hearing clients. ASL also frequently requests customer feedback regarding the CAs' demeanor and skill.

These measures are intended to ensure that all CAs are capable of meeting specialized communication needs of Deaf and Hard-of-Hearing individuals by interpreting effectively, accurately and impartially, both receptively and expressively using any required specialized vocabulary.²⁶ Consistent with the Commission's MMS, all CAs utilized by ASL have competent grammar and spelling, have a strong, native, understanding of the cultures, languages and etiquette of individuals who are Deaf, Hard-of-Hearing or have speech disabilities, and possess clear and articulate voice communication.²⁷ They must also be sensitive to customer needs and be able to work well under pressure. The failure to meet these skill levels will result in an interpreter being deemed unqualified for ASL.

Once hired, but before being assigned calls, newly hired CAs are trained on subjects including basic information about ASL including, its origins, a VRS timeline - history of VRS - and description, and the basics of the technology involved. After receiving the classroom

²⁶ 47 C.F.R. §64.604(a)(1)(iv).

²⁷ 47 C.F.R. §64.604(a)(1)(ii).