

**Before the
Federal Communications Commission
WASHINGTON, D.C.**

January 11, 2012
Via Electronic Filing
Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street SW
Washington, D.C. 20554

RE: Structure and Practices of the Video Relay Service Program, CG Docket No. 10-51, FCC 11-184 NPRM Comment

We represent a group of over 200 individuals who work in, and rely on the VRS industry for our everyday communication needs. Our group consists of deaf, interpreters, and hearing individuals. Over the past 3 weeks, we have conducted an ongoing virtual discussion to come to a consensus as to what needs to be done in order to maintain the VRS programs viability. This proposal is the result of our consensus.

We all agree that the VRS industry has morphed in many ways since its inception. Some of these changes have brought about much needed enhancements to the industry, while some have hurt the industry and those who rely on VRS for their livelihood. It is a unique industry that draws comparison to no other industry in the world. It creates a relationship between government, businesses, consumers, and a highly specialized work force unlike any other. Comparing it to other industries, or attempting to duplicate methods of operation in other industries, will only serve to hinder the vitality of the VRS industry.

This comment will put forth a proposed method of altering the VRS industry which attempts to mitigate the issue of fraud, waste, and abuse while taking into consideration all the all parties involved: the US Government, VRS providers, deaf consumers, hearing consumers, and professional ASL interpreters. The information utilized to comprise this solution comes from a combined 48,000 hours of experience working in the VRS industry in a variety of capacities, as well as interviews conducted with hundreds of VRS users who utilize VRS to communicate on a daily basis. This solution takes into consideration every comment, report, notice of ex parte, application, request, letter, reply, petition, appeal, and NPRM ever filed in the 03-123 and 10-51 proceedings since their inception. This proposed solution also takes into consideration the history of VRS, it's effects on the deaf population, as well as the reliance upon technology and government funding for its sustenance.

It is apparent through the recent FNPRM adopted Dec. 15th, 2011 that drastic changes are being suggested for the VRS industry. Indeed, drastic changes may need to occur to bring into line the goals of all involved in the industry. The FCC has the role of regulating the industry to prevent waste, fraud, and abuse, and to ensure that appropriate services are available to deaf consumers who rely heavily on the VRS industry to attain functional equivalency in their daily lives. VRS providers have a monetary incentive through the TRS fund to provide reliable VRS services to consumers. ASL interpreters rely on the VRS industry for their own personal livelihood and provide a service invaluable to the companies and consumers for whom they provide their services. Daily, hundreds of thousands of deaf individuals rely on each of these parties to ensure communication is wrought effectively. Invaluable information is

disclosed, that alters the course of deaf individuals' lives, if not relayed properly. Each of these groups of individuals have seemingly conflicting and different motives to ensure the VRS industry remains robust and sustainable. However, we believe each parties' interests can be mitigated through the use of **TECHNOLOGY**.

Arguably the most recent change to the VRS industry that radically affected every party involved in the VRS industry on a large scale was the adopting of a telephone numbering system and E-911 requirements for providers of internet-based telecommunications relay services in 2008.

For each VRS provider, the altering of then current technology and the addition of new technology involved in bringing to fruition such a service was extensive. It required that the Commission take steps to ensure the change was indeed feasible. Through a series of orders between 2001 and 2007, the Commission examined the emergency call handling requirement as applied to Internet-based relay services and, in particular, considered the technological challenges associated with determining the geographic location of TRS calls that originate over the Internet. It also required extensive education and training to an interpreter work-force. The effect upon VRS consumers was also drastic and far-reaching, as they could now be able to reach and be reached by both hearing users of the traditional telephone network and other Internet-based TRS users by doing something most Americans took for granted – dialing a ten-digit phone number. In addition, TRS had not typically provided the same access to emergency services as compared to traditional telephone services. The advent of these 2 features drastically changed the use, function, and operation of VRS for all parties involved.

This transition was made carefully and utilized **TECHNOLOGY** to mitigate the goals of all parties involved, including VRS providers and the Commission. In order to make these changes possible, the Commission required the administration of a central database. The Commission contracted with Neustar to create and maintain the database. The database maps 10 digit U.S. telephone numbers to IP addresses or Instant Message screen names using the industry standard ENUM protocol. Neustar provides access to the database to certified Video Relay Service and IP Relay providers through an API (Application Programming Interface) which VRS providers can then connect to their own ACD (Automatic Call Distributor) and reporting system. This simple utilization of technology allows VRS providers to maintain their own business protocols, while still connecting to a centrally managed database that is used by the entire VRS industry, and is monitored by the Commission via the contractual relationship established with Neustar. In addition, the Commission utilizes a similar model by contracting with a 3rd party company to manage the TRS fund (Rolka Loube Saltzer Associates, LLC).

We propose a similar solution to mitigate the current issues of waste, fraud, and abuse and to repair the problems with the current VRS model. We believe further extending the reach of government into private companies business practices is not helpful to the VRS industry. At the same time, we recognize the Commission has an obligation to ensure funds are used appropriately and that fraud, waste, and abuse is eliminated from the VRS program. Our proposed solution would also allow for the advancing of VRS technology, and creation of jobs for innovators and entrepreneurs who have unique ways to serve the deaf population, while allowing the Commission to ensure all calls and VRS traffic are indeed reimbursable by the TRS fund.

OUR PROPOSAL IS THIS: *The Commission should contract with a company who specializes in ACDs (Automatic Call Distributors) to maintain a centralized VRS ACD, just as the Commission currently contracts with Neustar to maintain the iTRS database. All VRS calls from every provider would be routed through this centralized ACD. This model would facilitate the current per-minute model to be utilized in a much more efficient manner.* This would enable the Commission to regulate the ACD to ensure fraud, waste, and abuse is minimized and eradicated. Reports could be easily generated and monitored for abnormal call behavior. However, VRS providers could connect their end-user devices and video calling software to the centralized ACD through the use of an API (Application Programming Interface).. VRS companies could become much more robust and lean, without the need of utilizing servers and extensive ACD and reporting systems on the VRS provider end. The certification process could become much more efficient and allow for a drastic reduction in the necessary paperwork, capital, investment, and legal documentation necessary for a VRS provider to become certified. The Commission's work load of regulating multiple facets in the VRS industry could be drastically reduced by dealing with only one company who maintains the national VRS ACD. Similar models are currently used in other countries such as France and Sweden. VRS companies who develop creative ways allowing end users to connect to the VRS system would be rewarded based on their ingenuity. For example, small white label companies were first to allow deaf consumers to use Apple's Facetime and Google's Gtalk video chat for VRS. This would allow for VRS companies who have developed ways to serve specialized populations in the market to flourish, while virtually making it impossible to commit waste, fraud, and abuse. Through the use of a centralized ACD, innovations in the VRS market would increase while simultaneously allowing the Commission to have greater insight and control over the industry. Although we see the rationale behind the Commission's current proposal, we do not support a per-user model. A per-minute model would become much more efficient and manageable if the Commission maintained a centralized ACD through which all VRS calls would be routed.

Again, we reiterate that **TECHNOLOGY** is the key to solving the problems and difficulties facing the VRS industry, not excessive overbearing government regulation, and not the minimizing of consumer choice by the elimination of multiple VRS providers. We believe this solution falls in line with the current trend in technology of opening more APIs thereby allowing for more equal access to services for more individuals. We also believe this proposed solution falls more in line with previous decisions made by the Commission when issues regarding changes to the VRS industry were encountered. The Commission already uses a model similar to the one being proposed to manage the iTRS database AND to manage the TRS fund. Waste, fraud, and abuse would essentially be eliminated. Ingenuity and innovations in VRS would flourish. The Commission's work load of regulating the industry would be streamlined and efficient. We ascertain that a national ACD managed by the Commission is the solution to allowing the VRS industry to continue as a vibrant, sustainable service. We believe this would allow the Commission to conduct proper oversight of the industry. We also believe this would allow for changes in the certification process to occur, making it easier for deaf-owned and other innovative VRS companies to become certified. We believe that providing APIs to all certified providers would allow VRS companies to provide new and innovative solutions for VRS users to access VRS services. By routing all certified providers' VRS traffic through a centralized ACD, essentially all waste, fraud, and abuse would be easily detected and eliminated. We believe that this centralized ACD would allow for the VRS industry to continue to use the current per-minute model in a much more efficient and streamlined

fashion.

We vehemently urge the Commission to take this proposal into serious consideration and map out a plan to implement it within the next 12 months.