

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the Matter of)
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Internet-Based Telecommunications Relay Service) WC Docket No. 10-191
Numbering)
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REPLY COMMENTS

Hamilton Relay, Inc. (“Hamilton”), by its counsel, hereby submits these reply comments in support of the Petition for Reconsideration and Clarification (“Petition”) filed by Sorenson Communications, Inc. (“Sorenson”)¹ in response to the Commission’s *Report and Order*² in the above-referenced proceeding concerning toll-free numbers and Internet-based Telecommunications Relay Services (“iTRS”). Hamilton supports Sorenson’s view that there is no need for toll-free numbers to be mapped to the iTRS database, and that iTRS providers are not the appropriate entity to be tasked with responsibility for mapping toll-free numbers to local ten-digit numbers in the iTRS database. This is particularly the case for a provider such as Hamilton, which has not issued a toll-free number in years, and none of which remain in use.³

¹ Petition for Reconsideration and Clarification of Sorenson Communications, Inc., CG Docket No. 03-123, WC Docket No. 05-196, WC Docket No. 10-191 (filed Oct. 27, 2011). The Commission sought comment on the petition by Public Notice dated December 23, 2011. *See Petition for Reconsideration of Action in Rulemaking Proceeding*, Public Notice, Rep. No. 2939 (rel. Dec. 23, 2011); *see also* 77 Fed. Reg. 1039 (Jan. 9, 2012). No party filed comments in response to the Petition.

² *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, Report and Order, CG Docket No. 03-123, WC Docket No. 05-196, WC Docket No. 10-191 (rel. Aug. 4, 2011) (“*Order*”).

³ The iTRS database inadvertently contained approximately 136 Hamilton toll-free numbers as recently as December 2011. However, the database has since been corrected and now accurately reflects that Hamilton has no toll-free numbers assigned to it.

Hamilton believes it would be more appropriate to allow such providers to handle toll-free numbering inquiries on a case-by-case basis, consistent with Commission guidelines, given the relative infrequency of such inquiries. Finally, Hamilton believes that the Commission should sunset all providers' notification obligations regarding how to obtain and port toll-free numbers so that regulatory obligations do not extend beyond the one-year transition period established by the Commission.

I. TOLL-FREE NUMBERS SHOULD NOT BE MAPPED IN THE iTRS DATABASE

Sorenson recommends that the Commission consider alternatives to the toll-free number mapping regime adopted by the *Order*, and suggests that, "consistent with the Commission's desire to eliminate iTRS providers from any role in supplying toll free numbers," the Commission should sever any connection between the toll-free number and the iTRS database.⁴ Hamilton supports this alternative proposal because providers lack any connection to the toll-free numbers once they are released.

In addition, an iTRS user now has a ten-digit local number just as any hearing individual or small business user has. If that consumer or small businesses wishes to have a toll-free number, they can sign up with an interexchange carrier ("IXC") to deliver calls from a toll-free number to their ten-digit local number. iTRS users who wish to have a toll-free number may similarly sign up with an IXC, and calls dialed to the toll-free number will be routed to the ten-digit number, which, in turn, will be routed to the appropriate provider in the iTRS database. In fact, calls can and will be routed appropriately even where the iTRS database and the provider are unaware of the existence of a toll free number. Requiring mapping of toll-free numbers in the iTRS database therefore would be of no benefit, since the call would be routed the same regardless of any mapping requirement. Thus, the Commission can remove the mapping

⁴ Petition at 7.

requirement while still promoting its goal of “align[ing] the use of local and toll free numbers by iTRS users more closely with the way that hearing users use local and toll free numbers.”⁵

To the extent that the Commission nonetheless retains the mapping requirement, Hamilton agrees with Sorenson that iTRS providers should not be the responsible party for such mapping. As Sorenson notes, verification problems will inevitably arise if iTRS providers are responsible for mapping, because the providers are not in a position to confirm relevant information. Specifically, the providers did not issue the toll-free numbers that have been mapped to the database, and are thus unable to verify whether the information provided by the iTRS user is accurate.⁶ This creates, as Sorenson notes, a legitimate concern that such a loophole will incentivize fraud and number spoofing.⁷ In contrast to the Commission’s contention that the mapping requirement will “eliminate problems involving service disruption,”⁸ it may actually cause such disruptions. Quite simply, the iTRS provider will not possess, and will not be in a position to obtain, the information needed to verify and ensure the accuracy of toll-free numbers mapped in the iTRS database. Therefore, iTRS providers are not the appropriate party to map toll free numbers in the iTRS database.

II. DISCLOSURE AND NOTIFICATION OBLIGATIONS SHOULD BE MORE CIRCUMSCRIBED

Hamilton agrees with Sorenson that the Commission should revisit its overly broad consumer notification requirements. As an initial matter, Hamilton believes that iTRS providers such as Hamilton, which did not issue toll-free numbers to users at the time these regulations were adopted, should be under no obligation to provide consumers with information about porting their existing toll-free numbers. Given the relative unlikelihood that such providers will

⁵ *Order* ¶ 3.

⁶ *Petition* at 5.

⁷ *See id.* at 4-7.

⁸ *Order* ¶ 26.

be asked about toll-free numbers, such providers should be permitted to handle toll-free numbering inquiries on a case-by-case basis, and should be deemed in compliance if they provide the inquiring user with information consistent with the Commission's rules adopted in this proceeding. Hamilton agrees with Sorenson that the Commission should sunset its disclosure requirements in this proceeding, thus ensuring that these notifications requirements do not continue beyond the one-year transition period.⁹ After the transition period, all iTRS providers should be authorized to handle toll-free inquiries on a case-by-case basis, consistent with the proposed notification requirements for those providers which did not issue toll-free numbers to users at the time the regulations were adopted. This approach would allow all providers to remove customer notifications from websites and promotional materials at the end of the transition period.

Respectfully submitted,

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⁹ Petition at 13.