FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of	)	
Structure and Practices of the Video Relay Service Program	)	CG Docket No. 10-51
Application for Internet-Based TRS Certification	)	

TO: Chief, Consumer and Governmental Affairs Bureau
Internet-Based TRS Certification Program

APPLICATION OF AEQUUS TECHNOLOGIES CORPORATION FOR CERTIFICATION AS AN INTERNET-BASED TRS PROVIDER

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APPLICATION OF AEQUUS TECHNOLOGIES CORPORATION FOR CERTIFICATION AS AN INTERNET-BASED TRS PROVIDER

Aequus Technologies Corporation ("Aequus") hereby submits its application to the Federal Communications Commission ("Commission") for certification as an Internet-based telecommunications relay service ("TRS") provider eligible to receive cost reimbursement from the Interstate Telecommunications Relay Service Fund ("TRS Fund") pursuant to the Commission's rules.[1]

As evidenced in this application, Aequus demonstrates that it has and continues to meet or exceed the Commission's non-waived mandatory minimum standards ("MMS") and that it possesses the management experience, technical capabilities and human resources for the provision of high quality Internet-based TRS – specifically, IP Relay – services that benefit the public interest.

I. INTRODUCTION

Aequus Technologies Corporation ("Aequus"), a Delaware corporation, is a privately held company founded in 2001 that remains committed to removing barriers and enabling access for individuals with disabilities. Aequus is the holder of the company's stock and capitalization; its sole operating entity since 2006 has been Snap Telecommunications, Inc. ("Snap!VRS"), which recently received Commission certification for the continued provision of video relay ("VRS") services. Aequus and UR Acquisition Corporation ("Aequus IP Relay"), a Delaware corporation and wholly owned

[1] 47 C.F.R. §64.606.

subsidiary of Aequus, are in the process of acquiring substantially all of the assets of URrelay, Inc. ("URrelay"), an Indiana corporation. At some point shortly after the transaction's closing on or about February 15, 2012, the name Aequus IP Relay may be changed to reflect a new, branded identity that will be focused wholly on provision of IP Relay services.

IP Relay Background

Aequus seeks to diversify its relay service offerings through the acquisition of URrelay, Inc. ("URrelay"), a privately held corporation founded in 2006 with significant experience in the area of telecommunications and relay services. The principals of the company include Tom Dafnos, its current General Manager, Bill McClelland and Benjamin Dudley, the creators and developers of Internet-based relay services. Mr. McClelland became the head of the MCI relay division in 1997 and rebuilt its Telerelay Services in preparation for Year 2000. It was during this time that Mr. McClelland first conceived of the notion of Internet relay. From the inception of this original idea in late 1999 that relay could be independent of PSTN lines and TTY machines, Mr. McClelland developed and tested the technology and introduced IP Relay at Deaf Expo in 2000. He testified before the Commission on Internet-based text relay and video relay, and added to the effort that saw the eventual approval of these communication mediums as TRS Fund reimbursable forms of communication. Ben Dudley joined MCI in 2002 and was the software architect that enabled subsequent relay innovations and ideas to be put into production and use.

The collaboration between Mr. McClelland, Mr. Dudley and a third key employee, Chris Heidelbauer, a network and AIM bot specialist, produced many other firsts and innovations including Wireless relay in 2003, One Number (the first telephone number for a hearing person to call a deaf or hard of hearing person directly) in 2004, in addition to text relay through instant messaging (AOL and Yahoo) also on Sidekick and Blackberry devices. Mr. McClelland, Mr. Dudley and Mr. Heidelbauer form the nucleus of the relay group at URrelay. Together, they have 32 years of unmatched experience and accomplishments in relay and 78 years combined in telecommunications and software development,

including numerous patents and patents pending specifically in relay technology. Equally as important, Mr. McClelland created the first fraud controls in relay by developing IP based blocking for calls originating outside the United States. URrelay has added other fraud controls that block and shut down fraudulent operations both outside and inside the United States (including "zombie computers") that would abuse the relay system to harm American consumers and waste TRS Fund resources.

More recent URrelay technological advances beyond existing IP Relay offerings include video relay through iChat, FaceTime, and Google Talk. URrelay has the only proprietary automatic call distribution ("ACD") and relay platform that has been built exclusively for a variety of relay applications, unique in the industry. URrelay has provided a variety of services to several certified relay providers, which include technology/ACD platform, consoles, Internet-based telecommunications relay service ("iTRS") integration, Internet text relay processing and video relay processing.

As a reconfigured entity through Aequus IP Relay, URrelay seeks to offer IP Relay services.

[redacted]

The history, innovation, and resources of URrelay have changed the world of communications for deaf and hard of hearing consumers and will remain aligned with the Commission's mandates and objectives during and after its acquisition by Aequus and Aequus IP Relay. Henceforth for the purposes of this application, Aequus IP Relay shall reference the IP Relay capabilities and experience of URrelay.

Aequus Commitment

Through this acquisition, Aequus IP Relay remains committed to the delivery of IP Relay services through its rebranded subsidiary with focus on high quality certified professional interpreters, robust technological infrastructure, regulatory integrity and customer service excellence. Aequus IP Relay is also committed to provision of services with attention to the Commission's focus on elimination of

fraud, waste and abuse. Of key importance to Aequus IP Relay, as it always has been for Aequus and Snap!VRS, will be its consistent vigilance in compliance with the Commission's rules and TRS Fund administrator requirements, genuine respect for the Commission's obligation to efficiently manage the TRS Fund with attention to elimination of waste, fraud and abuse, and record of engaging in proactive dialogue with the Commission and the TRS Fund administrator on pertinent issues as these arise.

This application demonstrates the eligibility and fitness of Aequus IP Relay for certification by the Commission as an Internet-based TRS provider eligible to receive cost reimbursement from the TRS Fund. The requisite Aequus IP Relay information detail and documentation is provided herein for each of the specific areas that the Commission requires of all applicants seeking Internet-based TRS certification.

II. COMPLIANCE WITH INTERNET-BASED TRS PROVIDER AND TRS PROGRAM CERTIFICATION REQUIREMENTS

A. A description of the forms of Internet-based TRS to be provided

Internet-based TRS is defined as "a telecommunications relay service ("TRS") in which an individual with a hearing or a speech disability connects to a TRS communications assistant using an Internet Protocol-enabled device via the Internet, rather than the public switched telephone network ("PSTN"). Internet-based TRS does not include the use of a text telephone ("TTY") over an interconnected voice over Internet Protocol service ("VOIP")." [2]

Internet Protocol Relay Service ("IP Relay") is defined as "a telecommunications relay service ("TRS") that permits an individual with a hearing or a speech disability to communicate in text using an Internet Protocol-enabled device via the Internet, rather than using a text telephone (TTY) and the public switched telephone network." [3]

[2] 47 C.F.R. §64.601(a)(11).
[3] 47 C.F.R. §64.601(a)(13).

In accordance with the above definitions, Aequus IP Relay submits this application for Commission certification as an Internet-based IP Relay provider eligible to receive cost reimbursement from the Interstate TRS Fund.[4]

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.

A full description of how Aequus IP Relay meets or exceeds all non-waived mandatory minimum standards are provided hereunder, and in greater detail within **Section III**, below.[5]

Aequus IP Relay has retained the services of experienced regulatory and compliance consultants to ensure ongoing adherence to Commission rules, including but not limited to reporting, operational, functional and technical requirements (see declaration statement of Aequus, attached as **Exhibit A**).

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.

Aequus IP Relay has a single call center within the United States, located at 3117 1st Avenue, SE, Cedar Rapids, Iowa 52402.[6] A copy of lease documentation for this call center is attached as **Exhibit B**, including photographs of the interior and exterior of the call center.

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).

Inapplicable.[7]

[4] 47 C.F.R. §64.606(a)(2)(i).
[5] 47 C.F.R. §64.604, §64.605, §64.611 and §64.613.
[6] 47 C.F.R. §64.606(a)(2)(ii)(A)(1).
[7] 47 C.F.R. §64.606(a)(2)(ii)(A)(2).

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.

Inapplicable.[8]

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).

This section has several sub-sections, each of which describes technology and equipment used to support call center functions, as follows:[9]

Call Center

The Aequus IP Relay call center in [redacted] is staffed largely by communications agents ("CAs"), with the addition of customer service, quality assurance and technical support personnel. Currently the call center has [redacted] CA workstations dedicated to IP Relay with room to grow to a total of [redacted] workstations. This fully compliant, [redacted] facility also houses a centralized data center and administrative offices, and is operational on a 24/7 year-round basis. It was designed specifically for the unique needs and requirements associated with provision of state-of-the-art IP Relay services.

Aequus IP Relay services delivery is supported by a technologically advanced, software based, proprietary and proven relay platform using IP over broadband networks. This platform supports multiple call types, customer premises equipment and software-based applications, detailed further herein.

All components of the Aequus IP Relay platform were developed from scratch – that is, all software and communications networks were designed, engineered, built and enhanced by URrelay personnel. These capabilities are based on years of solid knowledge and practical experience gained from creating communications systems for the U.S. Army and call centers for MCI Telerelay Services. The call center is designed so that no unauthorized personnel can gain access to the calling floor. To gain access,

[8] 47 C.F.R. §64.606(a)(2)(ii)(A)(3).
[9] 47 C.F.R. §64.606(a)(2)(ii)(A)(4).

one must first enter the building through a secure electronic locking system and then pass a checkpoint within the administrative area before reaching a second locking system. Once inside the call center space, one must pass a checkpoint within the supervisory area before being allowed to see or stand near CA workstations where live communications would be visible and heard. [redacted]

Aequus IP Relay owns all equipment associated with the centralized data center and interconnected hardware and software [redacted] including Communication Assistant ("CA") workstations and other workstations used by customer service and technical support personnel, CA managers and supervisors and non-call center personnel involved with TRS operations.

Network, Provisioning and Related Agreements

As illustrated in the network diagram attached as confidential **Exhibit C**, the Aequus IP Relay call center with its core data center is outfitted with the requisite technologies, hardware, networks and partners for the successful provision of IP Relay services. [redacted]

Automatic Call Distribution

As alluded to above, the automatic call distribution ("ACD") system for provision of Aequus IP Relay services involves a robust, custom designed and developed [redacted] system. This proprietary and fully compliant system is the only such type specifically designed for IP Relay purposes, providing an exceptionally stable system that is measured as five 9s (99.999%) in uptime. [redacted] This platform is fully owned by Aequus IP Relay, and not leased or licensed from any certified provider or third party provider. The ACD is physically located at the [redacted] call center and it is managed and operated by Aequus IP Relay information technology personnel.

The ACD platform, with its IP Relay and video relay capabilities, has since 2006 supported the technological needs of various certified providers. [redacted]

The state of the art Aequus IP Relay platform is the only one of its kind, capable of servicing the vast array of deaf and hard of hearing needs ranging from IP Relay to video relay usage. This application for Commission certification focuses solely on the IP Relay aspects of the platform, which can be accessed seamlessly via a variety of custom and commercially available applications. [redacted]

[redacted].

Call Routing, Mapping and Features

For all IP Relay calls, several automated ACD processes take place before these are routed to the first available Communications Agent ("CA"). All calls originating outside the United States are immediately terminated. For all other calls, IP addresses are first checked against [redacted] a commercial geo-location database licensed by Aequus IP Relay. Second, IP addresses and user screen names associated with these calls are checked against the [redacted] fraud block table. This table contains over [redacted] that have been disconnected in the past for suspected fraud attempts. After passing these checkpoints, IP addresses and/or user screen names are checked against the Aequus IP Relay database of registered users – if not found, then this information would be checked against the national iTRS database. If locally registered, the caller's name and location information are included in the call set up information sent to the first available CA for call processing. If not locally registered, but found to be in the national iTRS database, the first available CA will receive an indication on his or her monitor that the caller is not locally registered. Finally, for those calls not listed either database, these would be routed to customer service to assist individual calls with ten-digit number registration, unless a particular call is of an emergency nature and therefore handled as an unregistered 911 call. Registered customers are able to establish preferences in their call setup profile, which includes the following: [redacted]. The ACD, after the IP address, screen name and iTRS checks, then determines preferences or special skills if any that are needed for IP Relay call processing. [redacted] preferences are the two most used call setup requests, but others are easily incorporated such as call preferences that are of a medical or legal nature. Once the ACD has all of the information for the IP Relay call, it matches

registered customer preferences to the appropriate CA [redacted]

The Aequus IP Relay ACD, with its flexible inbound routing architecture, has standard as well as customized call handling features, as follows:

- Call routing and queuing,
- Interactive voice and text response
- Skills-based routing, as explained above
- Geo-location-based routing
- Priority queuing for emergency calls
- Real time status on communications agents ("CAs") online
- Calls in queue
- Average speed of answer ("ASA") from the last 15 minutes to the last 30 days
- Calls abandoned
- Call duration, hold time, service level and performance
- Call monitoring and intervention
- Call reporting

The Aequus IP Relay ACD is supported by a comprehensive method for monitoring and predicting call volumes so that its call center is fully and appropriately staffed at all times and is able to satisfy Commission mandatory minimum standards for speed of answer ("SOA") and related requirements.

The management portion of the Aequus IP Relay ACD includes components for provisioning, billing and diagnostics. In addition, call handling features of IP Relay workstations include:

- CA login, including to multiple queues

- Call hold
- Call type reports
- CA call transfer

Individual workstations also transmit technical statistics for each call and store this information on the ACD in a secure manner; such statistics are utilized for billing processes and any needed infrastructure enhancements.

Emergency Call Processes

In accordance with 47 C.F.R. §64.605 as amended, incoming Aequus IP Relay emergency callers are automatically routed through the ACD to a designated high-priority queue, so that the first available CA takes the call. All CAs are trained on emergency call processes – specifically, they are alerted to incoming E911 calls by a special audio tone in addition to a flashing red "E911 Call!" text alert on their workstation monitor.

Upon connection, the CA immediately verifies the caller's name and registered information – that is, the CA confirms the caller's automatic number identification ("ANI") and automatic location identification ("ALI") that appears on their monitor as registered Aequus IP Relay customers. If ANI/ALI information does not automatically appear on the CA's monitor, the CA obtains such information manually. The CA promptly connects the call by pressing a 911 hot key that automatically routes the call through the selective router system to the nearest PSAP (designated statewide answering point or appropriate local emergency authority) based on the ALI information or to the national PSAP if the location is different than the registered location. Once connected to the PSAP, the CA verbally transmits his or her CA identification number, relay provider's name, relay user's name, and location of the emergency along with the relay user's call back number. If the selective router system fails, Aequus IP Relay maintains a backup national database of all PSAPs provided by the National Emergency Number Association (NENA).

Should any in-progress emergency calls become disconnected, Aequus IP Relay ensures automatic priority queuing of all call backs to the relay user's ten-digit number for a period of 60 minutes following the relay user's initial emergency call.

Aequus IP Relay has two independent network connections to [redacted]. Emergency call processes in flowchart format are attached as confidential **Exhibit D**.

Given the mobile nature of Aequus IP Relay customers and the ability for them to use any Internet-connected computer, Aequus IP Relay therefore provides registered users with one or more methods of updating their Registered Location. These options include either contacting the Aequus IP Relay customer service department via their registered login or accessing their customer account through the Aequus IP Relay website. Use of either of these two methods enables customers to update their Registered Location at will and in a timely manner.

Billing Processes

The Aequus IP Relay billing system is unique in the same way its ACD is unique, it was designed and developed specifically for relay purposes. More to the point, the billing system was written so the time points within individual billing records and the types of information stored in each record matches and exceeds the Commission billing record requirements. The Aequus IP Relay ACD automatically records the time points when the call first arrives into the ACD, then records the time point when the call is accepted in the queue (calls of international origination or of suspected fraudulent nature are automatically blocked). The next time point is when the call is sent to the first available CA. These time

points are also sent automatically to the CA workstation, which automatically records the following time point and call information:

- [redacted]
- [redacted]
- [redacted]
- [redacted]
- [redacted]

Additionally, Aequus IP Relay billing records also include recordation of critical items for each call record, as follows:

- [redacted]
- [redacted]
- [redacted]
- [redacted]
- [redacted]
- [redacted]
- [redacted]
- [redacted]
- [redacted]
- [redacted]
- [redacted]
- [redacted]

At the completion of each call, the CA workstation automatically sends a Billing Detail Record (BDR), which is stored on the BDR database within the Master Database Server. As a backup process, if the CA workstation should ever fail to connect to the Master Database, the CA workstation will automatically store the BDR on its local hard drive. Automated processes retrieve locally stored BDRs on

a daily basis and move these to the Master Database. All BDRs recorded at CA workstations and written to the Master Database cannot be removed or altered.

After the close of each month, an automated process is run to select that month's billable call records from the Master Database. [redacted] Fund-eligible billable data is totaled and reported to the Chief Operations Officer for clearance and submittal in accordance RLSA instructions. Fields and filters related to billing processes are attached in chart format as confidential **Exhibit E**.

Registration Processes

Aequus IP Relay handles default provider registration and mandatory registration of new users for ten-digit numbers ("TDNs") in accordance with Commission rules.[10] Aequus IP Relay has a service agreement with [redacted] for the provisioning of geographically appropriate telephone numbers from the North American Numbering Plan ("NANP").[11]

Deaf and hard of hearing applicants wishing to use Aequus IP Relay as their default provider are required to provide contact specifics, including physical address, to populate the Registered Location database. This can be done through several methods, via web-based registration, customer service contact or directly with the CA – the applicant either sets or receives a username and password for his or her web-based customer account. Once initial information is collected, the Aequus IP relay registration system accomplishes two things: [redacted]

[10] 47 C.F.R. §64.611.
[11] 47 C.F.R. §64.613(a).

[redacted] Once both steps are completed, the applicant is verified.

Aequus IP Relay then retains applicant records in its local database, provisions the new TDN and the applicant's routing information to the iTRS database, and notifies the customer of their new TDN. Aequus IP Relay also advises customers on collection of customer proprietary network information in accordance with Commission rules as well as the importance of and how to make timely updates to their registered location for emergency purposes.[12]

Porting Processes

New customers who wish to port their existing ten-digit numbers ("TDNs") to Aequus IP Relay as their default provider must complete and sign an Aequus IP Relay standard Letter of Agency ("LOA") form, which authorizes [redacted] to complete their TDN porting process.[13]

Existing Aequus IP Relay customers who wish to port their existing TDN away to another TRS provider must likewise fill out and sign a standard LOA form with that provider, which authorizes their numbering partner to complete the TDN transfer process.

5. 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)

Preferential shareholders of Aequus Technologies Corporation, the parent company of Snap Telecommunications Inc. and Aequus IP Relay who hold at least 10% equity interest are: [redacted]

[12] 47 C.F.R. §64.605(4).
[13] 47 C.F.R. §52.34.

The functional organization structure of Aequus IP Relay is delineated in the attached confidential **Exhibit F**.

7. 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.

Aequus IP Relay has a total of employees involved in TRS operations, of which are CAs [15]

[14] 47 C.F.R. §64.606(a)(2)(ii)(B).
[15] 47 C.F.R. §64.606(a)(2)(ii)(C).

Aequus IP Relay employees involved in TRS operations by category are listed as follows:

8. 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.

Aequus IP Relay acknowledges its obligation to maintain, and does in fact maintain, copies of employment agreements for all employees directly involved in TRS operations, executives, and communications assistants, as well as a list of names of employees directly involved in TRS operations. [16]

[16] 47 C.F.R. §64.606(a)(2)(ii)(D).

Aequus IP Relay also maintains copies of employment agreements for employees not directly involved in TRS operations. Further, Aequus IP Relay acknowledges its obligation 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 during on-site Commission visits, upon request.

9. For all applicants, a list of all sponsorship arrangements relating to Internet-based TRS, including any associated written agreements.

Aequus IP Relay does not have any current or pending sponsorship arrangements relating to Internet-based TRS.[17] [redacted]

10. A description of the provider's complaint procedures

Aequus IP Relay ensures compliance with Commission mandated complaint procedures and remedies and non-waived mandatory minimum standards, and ensures that IP Relay users have access to informational materials on its complaint procedures, as described herein.[18] This includes timely response to informal and formal complaints that are filed with the Commission.

Aequus IP Relay acknowledges its obligation with respect to filing of annual complaint log summary reports demonstrating compliance with the Commission's rules, detailing the nature and the resolution of each complaint.[19] The 2011 annual complaint log summary report that URrelay filed through Communication Access Center with the Commission is attached as confidential **Exhibit H**.

Aequus IP Relay acknowledges its obligation to provide up-to-date information on the Commission's TRS Providers webpage (www.fcc.gov/encyclopedia/trs-providers) designating contact specifics for the appropriate individual responsible for handling of IP Relay complaints, grievances, inquiries and suggestions, including the business mailing address, as follows:

[17] 47 C.F.R. §64.606(a)(2)(ii)(E).
[18] 47 C.F.R. §64.606(a)(2)(iii)
[19] 47 C.F.R. §64.606(a)(2)(iii).

[redacted]

11. A statement that the provider will file annual compliance reports demonstrating continued compliance with these rules.

Aequus IP Relay acknowledges its obligation with respect to the filing of annual compliance reports and declaration statements to demonstrate its ongoing compliance with Commission rules governing the provision of TRS [20, 21] Aequus IP Relay further acknowledges that such reports shall provide updated documentation and a summary of 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.

12. Assessment of Internet-based Provider Certification Application

Aequus IP Relay welcomes on-site visits to its premises by Commission representatives to assess the merits of its application for Commission certification renewal.[22] Aequus IP Relay acknowledges its obligation to provide documentation that demonstrates the truth of the representations made herein, including evidence of compliance with Commission requirements.

13. Substantive Changes

Aequus IP Relay acknowledges its obligation to notify the Commission of substantive changes in its programs, services and features within 60 days of when such changes occur, with certification of compliance with federal minimum standards after implementation of the substantive change.[23] Specifically, substantive changes include, but are not limited to: 1) the use of new equipment or

[20] 47 C.F.R. §64.606(a)(2)(iv).
[21] 47 C.F.R. §64.606(a)(2)(v).
[22] 47 C.F.R. §64.606(a)(3).
[23] 47 C.F.R. §64.606(f)(2).

technologies to facilitate the manner in which relay services are provided, 2) provision of services from a new facility not previously identified to the Commission or the Fund administrator, and 3) discontinuation of service from any facility.

14. Annual Reports

Aequus IP Relay acknowledges its obligation to file annual reports demonstrating compliance with Commission-established mandatory minimum standards.[24] Further, Aequus IP Relay acknowledges that such reports shall update information as required by 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, if applicable.[25]

Such annual reports shall include a declaration by the chief executive officer, chief financial officer, or other senior executive of an Internet-based TRS provider under this section with first hand knowledge of the accuracy and completeness of the information provided (see Declaration attached as **Exhibit A**).[26]

15. Unauthorized Service Interruptions

Aequus IP Relay acknowledges its obligation to provide Internet-based TRS without unauthorized voluntary service interruptions.[27] In the event of a service interruption for a period of 30 minutes or more in duration, Aequus IP Relay shall submit a written request to the Consumer and Governmental Affairs Bureau ("CGB") at least 60 days prior to any planned service interruption with detailed information as follows: (i) its justification for such interruption; (ii) its plan to notify customers about the impending interruption; and (iii) its plans for resuming service so as to minimize the impact of

[24] 47 C.F.R. §64.606(g).
[25] 47 C.F.R. §64.606(g)(1).
[26] 47 C.F.R. §64.606(g)(2).
[27] 47 C.F.R. §64.606(h)(1).

such disruption on consumers through a smooth transition of temporary service to another provider, and restoration of its service after the completion of such interruption.[28]

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, Aequus IP Relay will send notification in writing to the CGB within two business days of the commencement of the service interruption with an explanation of when and how Aequus IP Relay has restored service or plans to do so imminently. In the event Aequus IP Relay is not able to restore service at the time that notification is filed, Aequus IP Relay shall submit a second report within two business days of the restoration of service with an explanation of when and how service was restored.

Aequus IP Relay acknowledges its obligation to notify its customers of service outages via an accessible website, and that such notifications must be updated in a timely manner. [29]

III. COMPLIANCE WITH MANDATORY MINIMUM STANDARDS

As set forth in 47 C.F.R. §64.604(a), (b) and (c), as amended, the Commission has established operational, technical, and functional mandatory minimum standards governing the provision of Internet-based relay services. Specifics as to how Aequus IP Relay meets or exceeds these standards are described herein.[30]

A. Operational Standards

1. Communications Assistants ("CAs")

a. 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.[31]

b. CAs must have competent skills in typing, grammar, spelling, interpretation of typewritten ASL, and familiarity with hearing and speech disability cultures, languages and etiquette. CAs must possess clear and articulate voice communications.[32]

[28] 47 C.F.R. §64.606(h)(2)
[29] 47 C.F.R. §64.606(h)(3).
[30] 47 C.F.R. §64.604(a).
[31] 47 C.F.R. §64.604(a)(1)(i).
[32] 47 C.F.R. §64.604(a)(1)(ii).

c. 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.[33]

Aequus IP Relay believes that the exceptional skills and professionalism of its Communication Assistants ("CAs") in combination with optimized staffing and strong service levels are critical for overall success. Historically, Aequus IP Relay has experienced low CA turnover, which has led to consistently high levels of transcribing quality, resulting in a loyal and satisfied customer base. [redacted]

Aequus IP Relay maintains extremely high standards for new CA hires. When considering a new CA applicant, the primary concern of Aequus IP Relay is that the applicant possesses the abilities to not only carry out, but to exceed, the requirements set forth by the Commission. Aequus IP Relay reviews candidate credentials, professional experience, availability and a host of additional criteria critical to the hiring process – which is divided into several parts in order to assure complete vetting of each candidate by managerial personnel.

[redacted]

- [redacted]
- [redacted]
- [redacted]
- [redacted]
- [redacted]

[33] 47 C.F.R. §64.604(a)(1)(iii).

[redacted]

New CA hires undergo a rigorous training program. Highlights of CA training components include: [redacted].

[redacted]

[redacted]

CAs are evaluated semiannually by supervisors to ensure that they maintain proficiency requirements and meet operational standards. Those CAs who are found to be substandard are required to engage in remedial training and are subject to more frequent evaluation checkpoints, followed by termination if performance fails to meet Aequus IP Relay standards and expectations.

CAs are evaluated based on standards for confidential communication, in line with the NAD-RID Code of Professional Conduct ("CPC") and Commission mandatory minimum requirements. Accordingly, Aequus IP Relay expects CAs to adhere to confidentiality standards at all times. While ethical practices are always observed, confidentiality is of utmost importance in adherence to Commission rules and regulations. No information regarding consumers or conversation content is shared or discussed.

An experienced management team leads Aequus IP Relay operations with a focus on quality of service. Only highly qualified personnel are hired as CA supervisors and managers. [redacted]

e. 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.

Aequus IP Relay CAs normally stay with calls for at a minimum of 15 minutes prior to transferring to a different CA, although general practice is for CAs to remain on each call until the call is terminated, even if the call extends beyond the CA's shift. Expectations for staying on a call are included in CA training policies and procedures. Aequus IP Relay has incorporated these standards in planning for CA staffing requirements, as a function of IP Relay users served.

f. 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.

Although IP Relay users may not reserve or request a specific CA, IP Relay users may, under this rule, request a specific CA gender.[34] Aequus IP Relay makes every effort to accommodate such requests whenever these occur on the spot [redacted]. Also,

[34] 47 C.F.R. §64.604(a)(1)(vi)

[redacted].

g. TRS CAs shall transmit conversations between TTY and voice callers in real time.

This rule is applicable to traditional forms of TRS involving the use of TTYs.[35] Even so, Aequus IP Relay adheres to this in spirit – all IP Relay calls are conducted in real time by trained CAs and monitored for compliance. Such calls also provide for greater functional equivalency than those that involve the use of TTYs.

2. Confidentiality and Conversation Content

a. Confidentiality

Confidentiality of callers' identity and call content is of paramount importance to Aequus IP Relay, which has adopted strict privacy standards with respect to communications content as well as consumer data. Subject to Commission rules and applicable provisions of federal, state and local law, all Aequus IP Relay calls are treated with the utmost confidentiality.[36] No written, electronic or any other documentation regarding call content are retained beyond the duration of non-emergency calls.

Aequus IP Relay requires its CAs to sign a confidentiality pledge outlining the confidentiality requirements they must adhere to at all times, including but not limited to the fact that they cannot disclose the content of any conversation at any time. Any and all CA breaches of confidentiality (and call content) policies are subject to a full investigation and disciplinary action as may be warranted, up to and including termination of employment.

[redacted]

[35] 47 C.F.R. §64.604(a)(1)(vii).
[36] 47 C.F.R. §64.604(a)(2)(i).

The monitoring of actual Aequus IP Relay calls by anyone other than CA supervisory personnel is strictly prohibited and even managers monitor solely for the purposes of CA quality assurance.

. Supervisory personnel are always on alert to immediately and thoroughly investigate any allegations of confidentiality breaches.

a. Conversation Content

Aequus IP Relay CAs are prohibited from intentionally altering a relayed conversation. CAs are expected to convey all IP Relay conversations verbatim in the spirit conveyed by call participants. CAs provide, when necessary and to the best of their abilities, inflection and other verbal cues to the parties on the call. CAs also keep IP Relay users informed about the status of the call, including but not limited to such information as dialing, ringing, busy, disconnected, on hold, gender of the person speaking or discernible background noise. CAs are expected to remain on the line until both parties have terminated the call. If a call originator lingers and for some reason does not disconnect for 30 seconds beyond completion of the call (for example, if the call originator forgets to hang up), CAs will first query, and then, if no response, disconnect the call.

3. Types of Calls

a. Consistent with the obligations of telecommunications carrier operators, CAs are prohibited from refusing single or sequential calls limiting the length of calls utilizing relay services.

Aequus IP Relay CAs are thoroughly trained not to refuse single or sequential calls or to limit the length of IP Relay calls.[37] Operationally, the inherent nature of Aequus IP Relay services preclude any CA who is on duty from refusing any call routed to that CA's workstation, and violation of this and any confirmed intentional premature call termination is subject to disciplinary action, including termination.

b. Relay services shall be capable of handling any type of call normally provided by telecommunications carriers unless the Commission determines that it is not technologically feasible to do so. Relay service providers have the burden of proving the infeasibility of handling any type of call.

Aequus IP Relay routinely handles, in compliance with Commission rules, all IP Relay call types other than those waived by the Commission due to infeasibility.[38] Aequus IP Relay acknowledges that it has the burden of proving the infeasibility of handling any specific type of call through its annual reports on progress toward meeting waived requirements.

c. Relay services are permitted to decline to complete a call because credit card authorization is denied.

The Commission has waived this requirement for VRS and IP Relay providers until July 1, 2012 as long as Aequus IP Relay and other providers continue to allow IP Relay calls to be placed using calling cards and/or provide free long distance calls.[39, 40]

[37] 47 C.F.R. §64.604(a)(3)(i).
[38] 47 C.F.R. §64.604(a)(3)(ii).
[39] 47 C.F.R. §64.604(a)(3)(iii).
[40] Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities, CG Docket No. 03-123, E911 Requirements for IP-Enabled Service Providers, WC Docket No. 05-196, Order (2011 TRS Waiver Order), ¶ 16-17 (Released June 30, 2011).

d. Relay services shall be capable of handling pay-per-call (900) calls.

The Commission has waived the pay-per-call calls requirement for VRS and IP Relay providers until July 1, 2012, given that providers' annual waiver reports reflected the inability to develop a billing mechanism that would accurately process charges associated with handling of pay-per-call calls.[41, 42]

While Aequus IP Relay does not handle pay-per-call (900) calls, its platform is capable of transmitting the caller's automatic number identification ("ANI") and allows for call completion using the caller's credit card.

e. TRS providers are required to provide the following types of TRS calls: (1) Text-to-voice and voice-to-text; (2) VCO, two-line VCO, VCO-to-TTY, and VCO-to-VCO; (3) HCO, two-line HCO, HCO-to-TTY, HCO-to-HCO.

The Commission waived the one-line VCO, VCO-to-TTY, and VCO-to-VCO requirement for VRS and IP Relay providers until July 1, 2012, noting that the most recent annual waiver reports filed by providers reflect that although the quality of the voice component of the Internet continues to improve, VRS and IP Relay providers cannot adequately provide these services because the technology is not universally available that would enable providers to simultaneously process voice and data information on the same Internet connection in order to provide reliable one-line VCO service. Further, the Commission waived the one-line HCO, HCO-to-TTY, and HCO-to-HCO requirement until July 1, 2012, noting that the most recent annual waiver reports, VRS and IP Relay providers cannot provide these services because of the same technological shortcomings that are present with VCO functions.[43, 44]

Aequus IP Relay routinely provides two-line VCO as well as two-line HCO for IP Relay users. Given that Aequus IP Relay has been a long time innovator of technology and continually works toward higher levels of functional equivalency, it has a particular interest in this rule. [redacted]

[41] 47 C.F.R. §64.604(a)(3)(iv).
[42] 2011 TRS Waiver Order, ¶¶ 14-15.
[43] 47 C.F.R. §64.604(a)(3)(v).
[44] 2011 TRS Waiver Order, ¶¶ 9-11.

[redacted]

f. TRS providers are required to provide the following features: (1) call release functionality; (2) speed dialing functionality; and (3) three-way calling functionality.

The Commission waived the call release functionality requirement for VRS and IP Relay providers until July 1, 2012, given that the most recent providers' annual waiver reports reflect that the Internet leg of the call (via video or text) cannot support this functionality.[45]

Aequus IP Relay routinely provides speed-dialing functionality for registered IP Relay customers, as well as three-way calling functionality.[46]

g. Voice mail and interactive menus. CAs must alert the TRS user to the presence of a recorded message and interactive menu through a hot key on the CA's terminal.

Aequus IP Relay as standard practice immediately alert IP Relay users as to the presence of recorded messages and interactive menus through a hot key on the CA's terminal, keeping users informed of auditory prompts and messages, interpreting verbatim each step in the process and ensuring the engagement of IP Relay users throughout.[47] If either of these recordings or menus time out, CAs work with and support IP Relay users to ensure that their desired intent is completed, whether this involves retrieval of information or leaving a message. Aequus IP Relay CAs may also receive preliminary direction about prompts and actions to take from IP Relay users who are familiar with the automated menus of the number they are calling.

h. TRS providers shall provide, as TRS features, answering machine and voice mail retrieval.

Aequus IP Relay CAs routinely assist IP Relay users wishing to access messages left on their answering machines and/or voice mail systems.[48]

[45] 2011 TRS Waiver Order, ¶ 12.
[46] 47 C.F.R. §64.604(a)(3)(vi).
[47] 47 C.F.R. §64.604(a)(3)(vii).
[48] 47 C.F.R. §64.604(a)(3)(viii).

4. Emergency Call Handling Requirements

This Commission rule applies specifically to TTY-based TRS providers.[49] Aequus IP Relay fully complies with similar rules in place for Internet-based TRS providers, detailed in this application (see pages 42-43 within the "Additional Compliance Requirements" section).

5. STS Called Numbers

The Commission has waived the STS Called Numbers requirement indefinitely for VRS and IP Relay providers, because of technical difficulties with respect to voice-initiated calls and the Internet. [50, 51]

[redacted].

6. Visual Privacy Screens/Idle Calls

This Commission rule applies specifically to the VRS environment and is inapplicable for IP Relay services.[52]

7. International Calls

Aequus IP Relay does not process international IP Relay calls, since the TRS Fund does not reimburse IP Relay providers for costs associated with handling of international calls. [53]

[49] 47 C.F.R. §64.604(a)(4).
[50] 47 C.F.R. §64.604(a)(5).
[51] 2011 TRS Waiver Order, ¶¶ 20-21.
[52] 47 C.F.R. §64.604(a)(6).
[53] 47 C.F.R. §64.604(a)(7).

B. Technical Standards

1. ASCII and Baudot

ASCII and Baudot technical standards contained in this rule are waived for Internet-based TRS providers.[54]

2. Speed of Answer

Aequus IP Relay acknowledges its obligation to equip and staff its facilities and resources to provide callers with effective speed of answer ("SOA") access, in compliance with Commission rules,[55] which is to answer and place 85% of all calls within 10 seconds, measured on a daily basis and including abandoned calls in the SOA calculation.

Aequus IP Relay makes use of [redacted] and historic call traffic data to accurately calculate the number of CAs needed to maintain a minimum P.01 voice grade of service equivalency and meet Commission standards with respect to SOA, based on anticipated call volumes by time of day.[56] This [redacted] has been tested and has been demonstrated as effective in ensuring optimal CA staffing levels. Aequus IP Relay further engages in active traffic monitoring to determine staffing adjustments by time of day based on actual calling volumes by time. Ongoing traffic monitoring is used to refine this algorithm.

Aequus IP Relay has a dedicated, full-time traffic manager who makes projections for optimal CA staffing needs. The relay center supervisor also monitors available CAs both directly and through real time platform call management software. If call volumes appear particularly high, the supervisor is able to contact "on-call" CAs and other fully qualified call center staff. This flexibility ensures that Aequus IP Relay maintains sufficient staffing that exceeds service quality standards, even under exceptional instances of heavy call volumes.

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[54] 47 C.F.R. §64.604(b)(1).
[55] 47 C.F.R. §64.604(b)(2).
[56] [redacted]

[redacted]

Aequus IP Relay data for calendar year 2011 demonstrated that [redacted] of calls were within the SOA requirement, with [redacted] for the previous year. These percentages include abandoned calls as "failed to answer within 10 seconds" as required by the Commission.

3. Equal Access to Interexchange Carriers

The Commission has waived the requirement for equal access to interexchange carriers indefinitely for IP Relay providers.[57, 58]

4. TRS Facilities

a. 24/7 Operation

Aequus IP Relay ensures, through optimal commitment of its human, facilities and technological resources, that its call center is staffed and operational on a 24/7 year-round basis.[59] Specifically, the Aequus IP Relay call center is well equipped for concurrent processing of incoming IP Relay and voice calls in full compliance with the Commission's mandatory speed of answer ("SOA") requirements.

b. Redundant Facilities

Aequus IP Relay ensures, through optimal commitment of facilities and technological resources, equipment and network redundancy on a 24/7 year-round basis.[60] This has been described in within the section on core call functions (technology/equipment), starting on page eight.

[57] 47 C.F.R. §64.604(b)(3).
[58] 2011 TRS Waiver Order, ¶¶ 18-19
[59] 47 C.F.R. §64.604(b)(4)(i).
[60] 47 C.F.R. §64.604(b)(4)(i).

5. Technology

While the Aequus IP Relay platform does not use SS7 technology, it does make use of other messaging protocols to facilitate call routing, including automatically transmitted user preferences and special instructions. [61]

6. Caller ID

Aequus IP Relay ensures that the ten-digit number of the calling party ("Caller ID") is transmitted to the party being called.[62]

C. Functional Standards

1. Consumer Complaint Logs

Aequus IP Relay is committed to maintenance of consumer complaint records, whether filed with Aequus IP Relay or directly with the Commission. These records include the date the complaint was filed, the nature of the complaint, the date of resolution, and an explanation of the resolution, consistent with Commission requirements.[63]

Aequus IP Relay is also committed to submission of annual complaint log summary reports indicating the number of complaints received for the 12-month period ending May 31 to the Commission by July 1 of each year. The 2011 annual complaint log summary report that URrelay filed through Communication Access Center with the Commission is attached as **Exhibit H**.

2. Contact Persons

Aequus IP Relay is committed to provision of information on the Commission's TRS Providers webpage (www.fcc.gov/encyclopedia/trs-providers) designating contact specifics for the appropriate individual responsible for handling of IP Relay complaints, grievances, inquiries and suggestions, including the business mailing address, as follows:

[61] 47 C.F.R. §64.604(b)(5).
[62] 47 C.F.R. §64.604(b)(6).
[63] 47 C.F.R. §64.604(c)(1).

[redacted]

3. Public Access to Information

Aequus IP Relay is committed to carrying out an IP Relay outreach program that involves active marketing and educational services targeted to deaf and hard of hearing users.[64] This includes educating the public about IP Relay, including the use of its website, social media strategies and various online resources. The experience of Aequus IP Relay has shown that a varied approach to outreach and marketing works best, and such activities include, but are not limited to: event participation (including exhibits), community presentations, meetings with user groups, distribution of informational pamphlets, personal contact and other similar activities.

Aequus IP Relay also encourages its employees to remain active in the deaf community through event participation, interface with community service organizations and by serving as ambassadors on behalf of the company.

Aequus IP Relay users always have advisory input regarding quality of service. Also, service evaluations do not come only from those who are directly or indirectly involved call center operations but also from a wide range of relay stakeholders and community members.

4. Rates

Costs associated with provision of IP Relay are currently reimbursed entirely through the Interstate TRS Fund and therefore Aequus IP Relay is committed to provision of IP Relay services at no cost to its customers.[65]

[64] 47 C.F.R. §64.604(c)(3).
[65] 47 C.F.R. §64.604(c)(4).

5. Jurisdictional Separation of Costs

a. Data Collection and Audits

1) True and Adequate Data

Aequus IP Relay acknowledges its obligation to provide the Interstate TRS Fund administrator with true and adequate data, and other data as may be requested to determine TRS Fund revenue requirements and payments in accordance with Commission requirements and any additional requirements adopted by the TRS Fund administrator.[66, 67]

2) Call Data

Aequus IP Relay acknowledges its obligation to provide monthly IP Relay reports based on the following call data to the TRS Fund administrator for reimbursement consideration: [68] While submission of detailed call data records is currently required only for VRS providers, Aequus IP Relay is prepared to furnish such either upon the request of the TRS Fund Administrator or the Commission, or as may be required in reporting format by the Commission in the future.

- Call record identification sequence;
- CA identification number;
- Session start and end times noted at minimum to the nearest second;
- Conversation start and end times noted at minimum to the nearest second;
- Incoming telephone number and IP address (if call originates with an IP-based device) at the time of the call;
- Outbound telephone number (if call terminates to a telephone) and IP address (if call terminates to an IP-based device) at the time of the call;
- Total conversation minutes;
- Total session minutes;

[66] 47 C.F.R. §64.604(c)(5)(iii)(C).
[67] 47 C.F.R. §64.604(c)(5)(iii)(C)*(1)*.
[68] 47 C.F.R. §64.604(c)(5)(iii)(C)*(2)*.

- The call center (by assigned identification number) that handled the call; and
- The URL address through which the call is handled.

3) Additional Call Data

Aequus IP Relay acknowledges its obligation to provide speed of answer ("SOA)" data,[69] in addition to monthly reports based on the call data listed above. Aequus IP Relay compliance with SOA requirements is detailed on pages 34 and 35.

4) Automated Records

Aequus IP Relay acknowledges its obligation to submit monthly reports and SOA compliance data using an automated record keeping system that captures the call data listed above, using the required standardized electronic format provided by the TRS Fund administrator.[70]

5) Certification

Aequus IP Relay acknowledges its obligation with respect to certification by its chief executive officer, chief financial officer or other senior executive who has firsthand knowledge of the accuracy and completeness of the information provided, with its requests for Fund compensation, when submitting each request for compensation from the TRS Fund, as follows:

"I swear under penalty of perjury that I am (name and title), an officer of the above-named reporting entity and that I have examined the foregoing reports and that all requested information has been provided and all statements of fact, as well as all cost and demand data contained in this Relay Services Data Request, are true and accurate; and the TRS calls for which compensation is sought were handled in compliance with Section 255 of the Communications Act and the Commission's rules and orders, and are not the result of impermissible financial incentives or payments to generate calls." [71]

[69] 47 C.F.R. §64.604(c)(5)(iii)(C)*(3)*.
[70] 47 C.F.R. §64.604(c)(5)(iii)(C)*(4)*.
[71] 47 C.F.R. §64.604(c)(5)(iii)(C)*(5)*.

6) Audits

Aequus IP Relay acknowledges its obligation to fully cooperate with audits conducted annually or at times determined appropriate by the Commission, the TRS Fund administrator, or other entity approved by the Commission for this purpose, to examine and verify TRS provider data as necessary to assure the accuracy and integrity of TRS Fund payments.[72]

Aequus IP Relay acknowledges its obligation to retain required call data, detail records, and other records that support its submissions for payment from the TRS Fund, and records used to substantiate the cost and expense data submitted in the annual relay service data request form. Further, Aequus IP Relay acknowledges its obligation to retain such records in electronic format for retrieval ease, for the required minimum of five years' duration.[73]

b. Payments to TRS Providers

Aequus IP Relay acknowledges its obligation to full compliance with requirements of this section including submission of call data reports using the form provided by the TRS Fund administrator.[74] Further, Aequus IP Relay acknowledges that the Commission and the TRS Fund administrator each have the authority to audit providers and have access to all data records that are collected.

c. Eligibility for Payment - TRS Fund

Aequus IP Relay, through this application, seeks Commission certification as an IP Relay provider eligible for compensation from the TRS Fund. Accordingly, Aequus IP Relay acknowledges its obligation to full compliance with Commission rules on eligibility requirements for participation in the TRS Fund.[75]

[72] 47 C.F.R. §64.604(c)(5)(iii)(C)*(6)*.
[73] 47 C.F.R. §64.604(c)(5)(iii)(C)*(7)*.
[74] 47 C.F.R. §64.604(c)(5)(iii)(E).
[75] 47 C.F.R. §64.604(c)(5)(iii)(F).

d. Eligibility Notification

Aequus IP Relay acknowledges its obligation, once granted Commission certification as an IP Relay provider, to notify the TRS Fund administrator of its intent to participate in the TRS Fund thirty (30) days prior to submission of call data reports for TRS Fund compensation.[76]

e. Information Filed with Administrator

Aequus IP Relay acknowledges its obligation to full compliance with the requirements of this section, also pursuant to 47 C.F.R. §64.604(c)(5)(iii)(C)*(5)* "Certification", covered above.[77]

f. Enforcement Provisions

Aequus IP Relay acknowledges that, once granted Commission certification as an IP Relay provider, it would be subject to the enforcement provisions specified in the Communications Act, the Americans with Disabilities Act, and the Commission's rules.[78]

g. Suspending/Withholding of Payment

Aequus IP Relay acknowledges its obligation to full compliance with Commission rules and orders governing procedures for the suspension/withholding of compensation for TRS minutes.[79]

h. Whistleblower Protections

Aequus IP Relay acknowledges its obligation to full compliance with Commission rules and orders governing whistleblower protections and has corporate compliance policies and procedures in place for such, including the posting of notices on whistleblower protections at each of its call centers.[80]

The Aequus IP Relay whistleblower policy is attached as confidential **Exhibit G**.

[76] 47 C.F.R. §64.604(c)(5)(iii)(G).
[77] 47 C.F.R. §64.604(c)(5)(iii)(I).
[78] 47 C.F.R. §64.604(c)(5)(iii)(K).
[79] 47 C.F.R. §64.604(c)(5)(iii)(L).
[80] 47 C.F.R. §64.604(c)(5)(iii)(M).

6. Complaints

As stated elsewhere in this application, Aequus IP Relay responds in a timely manner to all IP Relay user complaints as well as informal, formal and amended complaints served by the Commission, in accordance with Commission requirements. [81]

7. Treatment of TRS Consumer Information

Aequus IP Relay collects customer information only as necessary to relay calls, in full compliance with Commission rules and to justify monthly reimbursement from the TRS Fund for the provision of relay services.[82] [redacted]. Further, Aequus IP Relay adheres to Commission rules regarding protection of the privacy and security of Customer Proprietary Network Information ("CPNI").

Aequus IP Relay also ensures that information associated with customers' ten-digit numbers remain secure when customers initiate porting actions with another TRS provider by having no direct involvement in or the ability to control and/or prevent telephone numbers from being ported away. The new TRS default provider will typically require porting customers to complete a Letter of Authorization ("LOA") (provided to the customer by the new default provider) which then authorizes the initiation of the porting process by allowing the new default provider to act on behalf of the customer to complete the port. The LOA includes private customer information such as name, address, telephone number and the customer's authorizing signature to claim the TDN. If issues arise, Aequus IP Relay will fully cooperate to assist in the resolution of the porting process.

Aequus IP Relay will fully cooperate also in those rare instances where there are legitimate reasons that confidential customer information might be required by federal, state or local law, or to cooperate with legitimate governmental investigations.

[81] 47 C.F.R. §64.604(c)(6).
[82] 47 C.F.R. §64.604(c)(7).

IV. ADDITIONAL COMPLIANCE REQUIREMENTS

The Commission has established additional mandatory minimum standards compliance requirements governing the provision of Internet-based relay services. Specifics as to how Aequus IP Relay meets or exceeds these requirements are described hereunder.

1. Emergency Calling Requirements

In accordance with Commission rules as amended,[83] incoming Aequus IP Relay emergency callers are automatically routed through the ACD to a designated high-priority queue, so that the first available CA takes the call. All CAs are trained on emergency call processes – specifically, they are alerted to incoming E911 calls by a special audio tone in addition to a flashing "E911 Call!!" red-colored text display on their workstation monitor.

Upon connection, the CA immediately verifies the caller's name and registered information – that is, the CA confirms the caller's automatic number identification ("ANI") and automatic location identification ("ALI") that appears on their monitor as registered Aequus IP Relay customers.[84] If ANI/ALI information does not automatically appear on the CA's monitor, the CA obtains such information manually. The CA promptly connects the call by pressing a 911 hot key that automatically routes the call through the selective router system to the nearest PSAP (designated statewide answering point or appropriate local emergency authority) based on the ALI information or to the national PSAP if the location is different than the registered location. Once connected to the PSAP, the CA verbally transmits their CA identification number, the name of the relay provider, the name of the relay user and location of the emergency along with the relay user's call back number. If the selective router system fails,

[redacted] Should any in-progress emergency calls become disconnected, Aequus IP

[83] 47 C.F.R. §64.605.
[84] 47 C.F.R. §64.605(b)(2).

Relay ensures automatic priority queuing of all call backs to the relay user's ten-digit number for a period of 60 minutes following the relay user's initial emergency call.[85]

Aequus IP Relay has two independent network connections to [redacted] Emergency call processes in flowchart format are attached as **Exhibit E**.

Given the mobile nature of Aequus IP Relay customers and the ability for them to use any Internet-connected computer, Aequus IP Relay therefore provides registered users with one or more methods of updating their Registered Location. These options include either contacting the Aequus IP Relay Customer Service department via their registered login or accessing their customer account through the Aequus IP Relay website. Use of one these two methods enable customers to update their Registered Location at will and in a timely manner.[86]

2. Internet-based TRS Registration Requirements

Aequus IP Relay has since December 31, 2008 complied with Internet-based TRS registration requirements[87] by providing IP Relay users with the capability to register with Aequus IP Relay as their "default provider." Specifically, upon a user's registration, Aequus IP Relay either facilitates the user's valid number portability request as set forth in 47 CFR §52.34; or, if the user does not wish to port a number, assign that user a geographically appropriate North American Numbering Plan ("NANP") telephone number; and route and deliver all of that user's inbound and outbound calls unless the user chooses to place a call with, or receives a call from, an alternate provider.

[85] 47 C.F.R. §64.605(a)((2)(iv).
[86] 47 C.F.R. §64.605(b)(4).
[87] 47 C.F.R. §64.611.

Aequus IP Relay, as the default provider for its registered IP Relay users, obtains current routing information including IP addresses, provisions such information to the iTRS database as explained earlier in this application, and maintains such information in its internal databases and the iTRS database.

Aequus IP Relay and its numbering partners take such steps as necessary to cease acquisition of routing information from any IP Relay user who ports his or her number away from Aequus IP Relay or otherwise selects a new default TRS provider.[88] Aequus IP Relay fully complies with Commission expectations that only the default provider shall provision information to the central iTRS database, and that TRS providers other than the default provider are expected to query the iTRS database to obtain accurate routing information for a particular user of TRS prior to placing an call. Aequus IP Relay also complies with Commission rules prohibiting the assignment or issuance of proxy or alias numbers for a NANP to any user, including cessation of usage of such.[89]

Aequus IP Relay does not assign or issue toll free numbers, or customer premises equipment ("CPE") to IP Relay users.[90, 91]

Aequus IP Relay includes an advisory on its website and in promotional materials access to E911 services via IP Relay.[92] Such advisories address the process by which IP Relay users may obtain TDNs including a brief summary of the numbering assignment and administration processes described herein, numbering portability, and the process by which and importance of maintaining accurate and up-to-date registered location information with the user's default provider in the event of emergencies. Aequus IP Relay also obtains and keeps a record of affirmative acknowledgment by every registered Internet-based IP Relay customer as having received and understood the advisory mentioned above.

[88] 47 C.F.R. §64.611(c)(2).
[89] 47 C.F.R. §64.611(d).
[90] 47 C.F.R. §64.611(e).
[91] 47 C.F.R. §64.611(f).
[92] 47 C.F.R. §64.611(g).

V. PUBLIC INTEREST SHOWING

Granting of certification to Aequus IP Relay as an eligible Internet-based TRS provider would bring important public interest benefits to deaf and hard of hearing consumers and the public throughout the nation. Aequus IP Relay takes very seriously the Commission's efforts to reform the TRS program, ensure that it is efficiently managed with focus on elimination of waste, fraud and abuse. Aequus IP Relay has and continues to support these efforts through operational, technological and functional safeguards that are in full compliance with Commission rules and orders.

Aequus IP Relay seeks to serve the public interest by furthering the civil rights of deaf and hard of hearing individuals to accessible and innovative telecommunications services that are functionally equivalent to what is experienced by the general public, stimulating broadband deployment, access and usage through incorporation of advanced IP Relay technologies and enhanced service offerings, and ensuring high quality services through its pool of skilled IP Relay communications agents.

[redacted]

Aequus IP Relay conceived of, created and deployed the first platform built exclusively for Internet-based TRS purposes. This proprietary platform has evolved over the years in line with technological advances, particularly greater reliance on cellular services and increased demand for broadband services. Aequus IP Relay has also maintained a continuous presence with respect to Internet-

based TRS through licensure of its proprietary relay platform to other IP Relay providers as well as video relay services ("VRS") providers.

Aequus IP Relay, through the provision of IP Relay services and licensure of its state-of-the-art relay platform, remains committed to the furtherance of functional equivalency by deaf and hard of hearing individuals, amid rapid changes within the landscape of telecommunications.

VI. CONCLUSION

Aequus IP Relay is a trusted provider of high quality IP Relay services with focus on regulatory integrity, employment of skilled IP relay communications agents, reliance on a robust, proprietary technological infrastructure and attention to customer service excellence.

By this application, Aequus Technologies Corporation demonstrates that it meets or exceeds the Commission's non-waived operational, technical and functional requirements for provision of IP Relay services and respectfully requests that the Commission approve and grant its application for certification of Aequus IP Relay as an Internet-based TRS provider eligible for reimbursement from the iTRS Fund.

Should the Commission require any additional information, kindly contact the undersigned.

Respectfully submitted,

/s/
Nancy J. Bloch
Chief Regulatory Liaison and Advisor
Snap Telecommunications, Inc.
On behalf of Aequus Technologies Corporation
2 Blue Hill Plaza, 3rd Floor
Pearl River, NY 10965
(443) 438-1321 V/VP
nbloch@snapvrs.com

APPENDIX

Exhibit A Declaration of Corporate Officer

Exhibit B Deed or Lease for Each Call Center

Exhibit C Network Diagram

Exhibit D Emergency Processes Chart

Exhibit E Billing Processes Chart

Exhibit F Functional Organization Charts

Exhibit G Whistleblower Policy

Exhibit H Complaint Log Report

Exhibit I Call Center Report

APPENDIX

Exhibit A

Declaration of Corporate Officer

Declaration of President and Chief Executive Officer

Aequus Technologies Corporation

I swear under penalty of perjury that I am Thomas W. Kielty, President and Chief Executive Officer of Aequus Technologies Corporation, an officer of the above-named applicant, and that I have examined the foregoing submissions, and that all information required under the Commission's rules and orders has been provided, and all statements of fact, as well as all documentation contained in this submission, are true, accurate, and complete.

Thomas W. Kielty
President and Chief Executive Officer
Aequus Technologies Corporation
Two Blue Hill Plaza, Third Floor
P.O. Box 1626
Pearl River, New York 10965

February 3, 2012

APPENDIX

Exhibit B

Deed or Lease for Each Call Center

Cedar Rapids, Iowa

Aequus IP Relay Call Center Lease

REDACTED

Aequus IP Relay Call Center Lease

REDACTED

Aequus IP Relay Call Center Lease

REDACTED

Aequus IP Relay Call Center Lease

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Aequus IP Relay Call Center Photographs

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Aequus IP Relay Call Center Photographs

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Aequus IP Relay Call Center Photographs

REDACTED

APPENDIX

Exhibit C

Network Diagram

Aequus IP Relay Network Diagram

REDACTED

APPENDIX

Exhibit D

Emergency Processes Chart

Aequus IP Relay Emergency Processes Chart

REDACTED

APPENDIX

Exhibit E

Billing Processes Chart

Aequus IP Relay Billing Fields and Filters

REDACTED

APPENDIX

Exhibit F

Functional Organization Charts

Aequus IP Relay Functional Organization Chart (Main)

REDACTED

Aequus IP Relay Functional Organization Chart (Detail A)

REDACTED

Aequus IP Relay Functional Organization Chart (Detail B)

REDACTED

APPENDIX

Exhibit G

Whistleblower Policy

Aequus IP Relay

Employee Protections (Whistleblower) Policy

If any employee reasonably believes that a policy, practice or activity of Aequus IP Relay is in violation of federal or state law, especially as it relates to combating waste, fraud and abuse in relay services, he or she would either write a complaint to, request a meeting with the company compliance officer, or share his or her concerns directly with the Federal Communication Commission's Office of Inspector General or Enforcement Bureau. Further, if the employee comes into contact with former employees, the employee is encouraged to share the company whistleblower protections policy with them.

Aequus IP Relay is committed to protection from reprisals should any employee who, in good faith, makes a complaint against some practice or any other individual or entity with whom the company has a business relationship.

It is the intent of Aequus IP Relay to adhere to all applicable laws and regulations and the company very much appreciates the full support of each employee in helping to achieve legal compliance.

APPENDIX

Exhibit H

Complaint Log Report

Aequus IP Relay Complaint Log Report

CS Reports for 2010-07-01 to 2011-06-30.			
Case Number:	2498	Inbound VP Name:	
Agent:	2518	Inbound IP Number:	
Start Time:	7/5/2010 10:30	Duration:	7m
Category:	complaint	Summary:	Customer said CA hung up on them after they said "no other calls, I need to redial and read the options to me again" According to the customer they said they typed it too late, that the CA had already hung up on them. Also another CA kept interrupting while she tried to read the options again. There were instructions stating she was deaf/blind, which the customer thinks means the CA should then assume that they should not interrupt them ever and let them finish whatever they need to read. Also, a third agent did not make clear that the customer would be talking to a supervisor because she typed "CS supervisor" instead of just supervisor.
Other:			
Client Type:	NTS_nextalk.net	Resolution:	Let the customer know the information would be looked into. Asked the customer if they needed to place another call and transferred them out to CA.
Client Version:			
Contact Method:	email	Contact Info:	
Case Number:	2527	Inbound VP Name:	
Agent:	2509	Inbound IP Number:	
Start Time:	7/29/2010 22:04	Duration:	
Category:	complaint	Summary:	Customer was upset that during one of his calls, a CA did not put their CA ID at the beginning of the call. They were also upset that the CA did not voice the empty spaces between each 4 digit portion of his credit card number. They were also insistent that if another CA did not identify themselves at the start of the call, we would lose our business and they would report us to the FCC.
Other:			

Aequus IP Relay Complaint Log Report

Page 2

Client Type:		Resolution:	I said I would follow up with the CAs working to ensure that they know to identify themselves at the beginning of each call, and explained that I was not aware of a way for the CAs to voice an empty space between numbers. I also said I would make a note of his feelings regarding our identification and his statements regarding our business.
Client Version:			
Contact Method:	email	Contact Info:	
Case Number:	2541	Inbound VP Name:	
Agent:	2518	Inbound IP Number:	
Start Time:	8/9/2010 22:52	Duration:	10m
Category:	complaint	Summary:	Customer said there were "no CA's nbr posted" during their call. They also stated that "the previous call and terminated unexpectedly due to rude to customers" Customer said that if there were no ca nbrs posted, "this will count from now and will will be report and forwarded to urrelay or nextalk and better business bureau - which can stop you using the services".
Other:			
Client Type:	NTS_Nextalk.net	Resolution:	Let them know I would pass this information on to customer service and training dept.
Client Version:			
Contact Method:	email	Contact Info:	
Case Number:	2627	Inbound VP Name:	
Agent:	2523	Inbound IP Number:	
Start Time:	10/22/2010 9:19	Duration:	6 mins

Aequus IP Relay Complaint Log Report

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CS Reports for 2010-07-01 to 2011-06-30.			
Case Number:	2498	Inbound VP Name:	
Agent:	2518	Inbound IP Number:	
Start Time:	7/5/2010 10:30	Duration:	7m
Category:	complaint	Summary:	Customer said CA hung up on them after they said "no other calls, I need to redial and read the options to me again" According to the customer they said they typed it too late, that the CA had already hung up on them. Also another CA kept interrupting while she tried to read the options again. There were instructions stating she was deaf/blind, which the customer thinks means the CA should then assume that they should not interrupt them ever and let them finish whatever they need to read. Also, a third agent did not make clear that the customer would be talking to a supervisor because she typed "CS supervisor" instead of just supervisor.
Other:			
Client Type:	NTS_nextalk.net	Resolution:	Let the customer know the information would be looked into. Asked the customer if they needed to place another call and transferred them out to CA.
Client Version:			
Contact Method:	email	Contact Info:	
Case Number:	2527	Inbound VP Name:	
Agent:	2509	Inbound IP Number:	
Start Time:	7/29/2010 22:04	Duration:	
Category:	complaint	Summary:	Customer was upset that during one of his calls, a CA did not put their CA ID at the beginning of the call. They were also upset that the CA did not voice the empty spaces between each 4 digit portion of his credit card number. They were also insistent that if another CA did not identify themselves at the start of the call, we would lose our business and they would report us to the FCC.
Other:			

Aequus IP Relay Complaint Log Report

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CS Reports for 2010-07-01 to 2011-06-30.			
Case Number:	2498	Inbound VP Name:	
Agent:	2518	Inbound IP Number:	
Start Time:	7/5/2010 10:30	Duration:	7m
Category:	complaint	Summary:	Customer said CA hung up on them after they said "no other calls, I need to redial and read the options to me again" According to the customer they said they typed it too late, that the CA had already hung up on them. Also another CA kept interrupting while she tried to read the options again. There were instructions stating she was deaf/blind, which the customer thinks means the CA should then assume that they should not interrupt them ever and let them finish whatever they need to read. Also, a third agent did not make clear that the customer would be talking to a supervisor because she typed "CS supervisor" instead of just supervisor.
Other:			
Client Type:	NTS_nextalk.net	Resolution:	Let the customer know the information would be looked into. Asked the customer if they needed to place another call and transferred them out to CA.
Client Version:			
Contact Method:	email	Contact Info:	
Case Number:	2527	Inbound VP Name:	
Agent:	2509	Inbound IP Number:	
Start Time:	7/29/2010 22:04	Duration:	
Category:	complaint	Summary:	Customer was upset that during one of his calls, a CA did not put their CA ID at the beginning of the call. They were also upset that the CA did not voice the empty spaces between each 4 digit portion of his credit card number. They were also insistent that if another CA did not identify themselves at the start of the call, we would lose our business and they would report us to the FCC.
Other:			

Aequus IP Relay Complaint Log Report

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CS Reports for 2010-07-01 to 2011-06-30.			
Case Number:	2498	Inbound VP Name:	
Agent:	2518	Inbound IP Number:	
Start Time:	7/5/2010 10:30	Duration:	7m
Category:	complaint	Summary:	Customer said CA hung up on them after they said "no other calls, I need to redial and read the options to me again" According to the customer they said they typed it too late, that the CA had already hung up on them. Also another CA kept interrupting while she tried to read the options again. There were instructions stating she was deaf/blind, which the customer thinks means the CA should then assume that they should not interrupt them ever and let them finish whatever they need to read. Also, a third agent did not make clear that the customer would be talking to a supervisor because she typed "CS supervisor" instead of just supervisor.
Other:			
Client Type:	NTS_nextalk.net	Resolution:	Let the customer know the information would be looked into. Asked the customer if they needed to place another call and transferred them out to CA.
Client Version:			
Contact Method:	email	Contact Info:	
Case Number:	2527	Inbound VP Name:	
Agent:	2509	Inbound IP Number:	
Start Time:	7/29/2010 22:04	Duration:	
Category:	complaint	Summary:	Customer was upset that during one of his calls, a CA did not put their CA ID at the beginning of the call. They were also upset that the CA did not voice the empty spaces between each 4 digit portion of his credit card number. They were also insistent that if another CA did not identify themselves at the start of the call, we would lose our business and they would report us to the FCC.
Other:			

Aequus IP Relay Complaint Log Report

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CS Reports for 2010-07-01 to 2011-06-30.			
Case Number:	2498	Inbound VP Name:	
Agent:	2518	Inbound IP Number:	
Start Time:	7/5/2010 10:30	Duration:	7m
Category:	complaint	Summary:	Customer said CA hung up on them after they said "no other calls, I need to redial and read the options to me again" According to the customer they said they typed it too late, that the CA had already hung up on them. Also another CA kept interrupting while she tried to read the options again. There were instructions stating she was deaf/blind, which the customer thinks means the CA should then assume that they should not interrupt them ever and let them finish whatever they need to read. Also, a third agent did not make clear that the customer would be talking to a supervisor because she typed "CS supervisor" instead of just supervisor.
Other:			
Client Type:	NTS_nextalk.net	Resolution:	Let the customer know the information would be looked into. Asked the customer if they needed to place another call and transferred them out to CA.
Client Version:			
Contact Method:	email	Contact Info:	
Case Number:	2527	Inbound VP Name:	
Agent:	2509	Inbound IP Number:	
Start Time:	7/29/2010 22:04	Duration:	
Category:	complaint	Summary:	Customer was upset that during one of his calls, a CA did not put their CA ID at the beginning of the call. They were also upset that the CA did not voice the empty spaces between each 4 digit portion of his credit card number. They were also insistent that if another CA did not identify themselves at the start of the call, we would lose our business and they would report us to the FCC.
Other:			

APPENDIX

Exhibit I

Call Center Report

Aequus IP Relay Call Center Report

REDACTED