VIA ELECTRONIC FILING

February 24, 2012

Marlene H. Dortch, Secretary

Federal Communications Commission

445 12th Street, S.W.

Washington, DC 20554

RE: FCC 11-184 NPRM Comment - Filed electronically via ECFS on Docket 10-51

Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities; Structure and Practices of the Video Relay Services Program

CG Docket Nos. 03-123 and 10-51

Dear Ms. Dortch:

As a video relay service (VRS) consumer, I applaud your continued efforts in seeking better structure and minimizing fraud within VRS. With that said, I have a few comments on the Federal Communications Commission (FCC) Further Notice of Proposed Rulemaking (FNPRM) released on December 15, 2011.

1) Broadband Affordability -

I commend FCC for acknowledging how critical VRS is for people who may be denied VRS as a result of their income statuses. As a VRS consumer and someone who has worked in the VRS field, I have met countless people who were denied VRS at home due to affordability. It's very important for anyone, regardless of income, to be able to use VRS for their telephony needs.

2) VRS ACCESS TECHNOLOGY STANDARDS -

I commend FCC for noticing that VRS access technology is not standardized. This brings up several issues.

A. Quality of connection

It's a known fact that various providers' videophones experience delays in connecting with videophones outside of their providers' scope. The quality of connection is also not good, including speed of connection, stability of connection, and longevity of connection.

I. *Speed of connection*: Currently, consumers may have to wait for 8-12 seconds before the connection is made to another videophone. This length of wait can lead to the loss of valuable time in leaving video messages due to video answering machines typically having a 30-second limit (for example, a consumer may end up only leaving 10 or 15 seconds of a video message due to the lag in connecting.)

II. *Stability of connection*: There are some stability issues between third-party videophones, where the video quality seems to degrade dramatically. Consumers have generally been unable to identify the cause of this video quality decline. Is it something to do with H.323, H.264, SIP, and/or other video streaming technology?

III. *Longevity of connection*: videophones often terminate connections with third-party videophones after a certain length of time. For example, when someone makes a point-to-point video call that lasts a long time, it is not unusual for the connection to be suddenly dropped after a long while. I often wonder if this has to do with providers' ulterior motives, where they want to minimize excessive use of point-to-point calls in order to encourage more billable calls?

B. Quality of video

A renowned tidbit is that each videophone product does not ensure optimal video quality with third-party videophone products. Let's use an analogy between video and audio telephony products. All audio-based telephony products share the same audio quality. The sounds on various telephones (mobile, landline, etc.) are true to each other regardless of product/make or where the sound originates. This is not the case for video-telephony. Why cannot we have the same functionally equivalent quality with video-based telephony products as we find with audio-based telephony products?

C. Proprietary

Often when VRS providers make their own videophones, the features are not interchangeable. For example, if I need to export my contact list from one videophone to another manufacturer's videophone, I have to transfer the contacts by hand. There is no way for me to export my contact list and download it to other products. With the Blackberry, iPhone, and other cellphones, I can electronically interchange my contact lists. I'd very much like to see videophones support this function.

D. "Hard Phones" vs. "Soft Phones"

I would like to see FCC ensure both venues, "hard phones" and "soft phones," are standardized. Both types provide video telephony functions. Also, when VRS providers supply their own soft phone platforms, the platforms are typically not compatible with other VRS platforms. It would be better if I could use my preferred provider's soft phone platform to connect with any VRS provider for my VRS needs.

E. Mainstream Technologies

I would like to see FCC ensure every videoconferencing and telephony technologies—such as Polycom, camfrog, iChat video, Skype, MSN, Yahoo, ICQ, and many others—be VRS-compatible. It's important for us to be able to connect with VRS providers for VRS telephony usage.

3) "Locked-In" -

I understand FCC's position in trying to minimize fraud, saving costs in switching providers, etc. However, I oppose this proposed ruling because it restricts my ability to

choose my preferred VRS provider. This is a blatant denial of functionally equivalent services for my telephony needs, and here's why:

A. Technological Features: Almost every VRS provider seems to have different technological features that benefit me in different ways. For example, ZVRS offers superior mobility solutions (using my iPhone to make VRS calls while traveling); Snap!VRS for its excellent speed in answering calls; using Convo Relay for innovative technology-based solutions, and many more.
B. Interpreting Quality: Almost every VRS provider has its own pool of interpreters I can customize my calls with. For example, I use Convo Relay for business-related calls, Snap!VRS for personal calls, ZVRS for quick and convenient calls, and Purple for calls where I need to ensure I will not know the interpreters.
C. Dial-around function: *Discussed below in Section 7*
D. Switching providers: It's my understanding, audio-based callers can make a specific command to switch providers from a landline provider for any reason. I'd like to have the same option for VRS.

4) "Off-the-shelf" Technology -

I commend FCC for recognizing the need of "off-the-shelf" technology rulings. This will help many consumers in choosing preferred videoconferencing and technologies to generate their telephony needs. There are so many technologies lying around everywhere that supports video telephony yet are not interoperable. If you could regulate interoperability standards among "off-the-shelf" technologies, you will see a sharp growth in VRS usage. For example, I would love very much to be able use Apple's

iChat technology for all of my VRS-related calls. Unfortunately, like I mentioned earlier, interpreting quality is the main reason I have a hard time in connecting to interpreters I prefer.

5) "Waste, Abuse, & Fraud" -

I commend FCC's aggressive approach in minimizing waste, abuse, and fraud within VRS. There are a few issues I'd like to address:

A) Central information gathering – It would be a sensible move if FCC had Rolka Loube Saltzer Associates (RSLA) or any other database firm come up with the most efficient numeric tracking system. For example, RSLA has all three numbers on record that tie to my account; RSLA could collaborate with the data and ensure my usage is legitimate. This way, RSLA would be able to identify my usage patterns, and provide funding to each provider with the number(s) assigned to my usage.

B) Certifying usages[1] – In the FNPRM, there's one line indicating a possibility for VRS provider having consumers certifying their usage monthly. I find this ill-advised given the lack of commitment on consumers' part. Consider these examples:

I. Redundant courses of action expected from consumers will lead to a lack of commitment in certifying their usage with VRS providers. This will cause VRS providers to lose revenue because their customers

[1] "We recognize that if we adopt a minimum usage requirement for VRS users, it will require VRS providers to continue tracking the monthly use of its service by users." - Part IV, Section C, paragraph 60.

simply won't sign the documents, especially if they can continue using VRS without having to do the paperwork. This may produce a backlash from providers, leading to badgering of consumers in order to receive reimbursements. It's something we do not want to see happen.

II. A large percentage of VRS consumers are not fluent in written English. They may be more resistant to signing documents they may not fully understand. This creates further efforts on VRS providers' parts to receive reimbursement.

6) "Per user" model -

This rate structure is alarming, and I oppose it for a number of reasons.

A) *Interpreting Quality*: this user model will produce a costly side effect in interpreting quality. Two possibilities exist:

I. *Cost in retaining qualified interpreters*: VRS providers will not be able to maintain the high quality of their interpreters. Instead, they probably will opt for low-cost interpreters to maintain other restrictions in providing VRS.

II. *Quality*: The interpreters are the only tools VRS providers and consumers rely on. If this 'per-user' model were adopted, I would lose the sense of guarantee in having my conversation translation done smoothly and accurately. It's bad enough now, and I have already seen a great reduction in VRS interpreting quality. I have often ended calls feeling unsure of whether my message was conveyed properly or not.

I also have been told that VRS interpreters often 'dumb-down' my word choices, making me seem unintelligent to hearing counterparts. This model will make it a lot worse. We need to make sure the quality of interpreting improves within all VRS providers, not the other way around.

B) *Quality of Product*: I often wonder how much this 'per-user' model could contribute to product development, product feature enhancements, and research & development? What are the chances of this model guaranteeing the growth of product quality among VRS providers? Unless someone at FCC comes up with alternate funding for this, I remain skeptical on this.

C) *"Engineered" consumer usage*: I am reluctant that this 'per-user' model will produce engineered call routing from each caller. I am a user who makes 50 to 150 minutes of VRS calls per week. With this volume, I probably am not an ideal consumer for VRS providers because I may "over-use" FCC's allocated funding for my VRS usage. VRS providers may end up eating the cost of my excessive usage. I understand all VRS providers are legally obligated to provide me the service, but they could come up with strategies to make my VRS experiences unpleasant. For example, they could identify incoming calls with my 10-digit number (TDN) and place me in a longer waiting queue without anyone knowing, and expedite other incoming TDNs with lower usage. This then could become a business strategy for providers to regulate their revenues and operational costs.

7) Dial-around -

I oppose FCC's proposal on abolishing the 'dial-around' function within VRS because interpreting quality differs from VRS provider to VRS provider. Not only that, but other factors include technological feasibility, interoperability, average of speed in answering, et cetera. I would like to continue using the dial-around function.

If FCC is trying to minimize waste, abuse, and fraud, they should come up with a better numeric tracking system that will effectively minimize waste, abuse, and fraud. Omitting the dial-around feature will not minimize waste, abuse, and fraud. Rather, it will diminish the functional equivalency in my VRS telephony usage.

8) "Per minute" model -

I believe this model is a great model if there are some tweaks to it.

A) This model will ensure that revenue is justified for operational costs of my VRS usage. It will make a great impact on VRS providers in servicing my VRS telephony usage.

B) Interpreting quality will improve under this model because consumers could address this concern on their own. VRS providers could provide in-house training and/or find better qualified interpreters.

C) This improves the check-and-balance system to ensure minimal waste, abuse, and fraud in VRS.

I thank the FCC in this important undertaking, reforming the VRS industry. Also, thank you for your time in reading this comment, and the opportunity to participate.

Sincerely,

Sean Gerlis

144 Sickletown Road

West Nyack, NY 10994

SeanGerlis@gmail.com