

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

In The Matters of	)	
	)	
Telecommunications Relay Services	)	CG Docket No. 03-123
and Speech-to-Speech Services for	)	
Individuals with Hearing and Speech Disabilities	)	
	)	
E911 Requirements for IP-Enabled Service	)	WC Docket No. 05-196
Providers	)	

**MINIMUM STANDARDS WAIVER REPORT**

Sorenson Communications, Inc. (“Sorenson”) submits this report in response to the Federal Communication Commission’s (“FCC’s” or “Commission’s”) directive that providers of Video Relay Service (“VRS”) and IP Relay Service (“IP Relay”) provide detail on their progress toward meeting certain minimum standards.<sup>1</sup> VRS and IP Relay are subject to many minimum standards applicable to all forms of Telecommunications Relay Service (“TRS”). The FCC has waived some of those standards as they apply to IP Relay and VRS, however, subject to the condition that providers submit annual reports discussing the status of their progress toward meeting the waived standards.<sup>2</sup> In particular, providers must submit reports describing progress related to the following waived minimum standards: (1) one-line Voice Carry Over (“VCO”), VCO-to-TTY, and VCO-to-VCO; (2) one-line Hearing Carry Over (“HCO”), HCO-to-TTY, and HCO-to-HCO; (3) call release; (4) pay-per-call (900) calls; (5) types of calls; (6) equal access to

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<sup>1</sup> See *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, Order, CG Docket No. 03-123, WC Docket No. 05-196, DA 11-1159 ¶ 1 (rel. June 30, 2011) (“*Waiver Order*”). The *Waiver Order* requires providers to submit their reports by April 16, 2012. See *id.*

<sup>2</sup> See *Waiver Order* ¶ 1.

interexchange carriers (“IXCs”); and (7) Speech-to-Speech (“STS”). Sorenson addresses each of these waived standards in turn.

### **I. One-line VCO, VCO-to-TTY, and VCO-to-VCO**

The FCC’s rules require providers of TRS to provide one-line VCO, VCO-to-TTY, and VCO-to-VCO.<sup>3</sup> The Commission waived this standard as it applies to VRS and IP Relay providers for one year, subject to the filing of this report.<sup>4</sup> (Sorenson provides two-line VCO service, as required by the FCC’s rules.)

Sorenson reports that this waiver remains necessary because providing VCO services via two separate lines (one for the IP transmission and one for the voice transmission) ensures higher-quality video transmission, which allows for an increase in the video quality that is necessary for sign-language communications. Excluding audio transmissions from the IP connection can result in the average consumer having as much as 25 percent more bandwidth available for the video connection, which is important for users with low-bandwidth Internet service. This differential can be instrumental in VCO communications because much of the equipment deployed throughout the marketplace was designed to support service even in low-bandwidth environments. Accordingly, Sorenson submits that the waiver remains necessary and should be extended.

### **II. One-line HCO, HCO-to-TTY, and HCO-to-HCO**

The FCC’s rules require providers of TRS to provide one-line HCO, HCO-to-TTY, and HCO-to-HCO.<sup>5</sup> The Commission waived this standard as it applies to VRS and IP Relay

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<sup>3</sup> See 47 C.F.R. § 64.604(a)(3)(v)(2); *Waiver Order* ¶ 8.

<sup>4</sup> See *Waiver Order* ¶ 9.

<sup>5</sup> See 47 C.F.R. § 64.604(a)(3)(v)(3); *Waiver Order* ¶ 10.

providers for one year, subject to the filing of this report.<sup>6</sup> (Sorenson provides two-line HCO service, as required by the FCC’s rules.)

This waiver remains necessary for the same reasons identified above with respect to VCO. Accordingly, Sorenson submits that the waiver should be extended.

### **III. Call Release**

The FCC’s rules require TRS providers to provide “call release” functionality, which allows a communications assistant to sign-off from a call between two TTY users after the call is connected, without disconnecting the call between the TTY users.<sup>7</sup> The FCC waived this standard as it applies to VRS and IP Relay for one year, subject to the filing of this report.<sup>8</sup>

This waiver remains appropriate because “call release” functionality is inapplicable in the VRS and IP Relay contexts. Both VRS and IP Relay depend on Internet connectivity and, as a result, VRS and IP Relay users can already communicate directly with other users via point-to-point calls. There is, therefore, no need for communications assistants to participate in calls between users, which eliminates the need for “call release” functionality. Requiring VRS and IP Relay providers to support the functionality would raise a host of technological challenges, including developing processes to “drop” communications assistants from Internet-based communications and ensuring that scarce bandwidth is available for the functionality (and therefore not available for others). For these reasons, Sorenson believes that a permanent waiver of this standard is appropriate for VRS and IP Relay.

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<sup>6</sup> See *Waiver Order* ¶ 11.

<sup>7</sup> See 47 C.F.R. § 64.604(a)(3)(vi)(1); *Waiver Order* ¶ 12.

<sup>8</sup> See *Waiver Order* ¶ 13.

#### **IV. Pay-Per-Call Calls**

The FCC's rules require TRS providers to be capable of handling "pay-per-call" calls, which are calls (like calls to numbers with a "900" prefix) for which the caller pays an extra charge beyond the basic cost of the call.<sup>9</sup> The FCC waived this standard as it applies to VRS and IP Relay providers for one year, subject to the filing of this report.<sup>10</sup>

The waiver remains necessary for both VRS and IP Relay calls because Sorenson lacks any means of either (1) verifying that a VRS caller's number is authorized to pay for 900 phone charges, or (2) billing a VRS caller for pay-per-call services. Indeed, considering that the TRS fund compensates VRS providers and IP Relay providers, Sorenson in most cases has no billing relationship with its customers at all. It is simply unequipped to adopt processes that would enable billing for pay-per-call calls. Beyond these practical impediments that apply to both VRS and IP Relay, Sorenson has particular concerns regarding pay-per-call calls in the video-based VRS context. VRS interpreters already are exposed to naked and abusive callers and/or obscene video images when interpreting standard VRS calls. These problems would be likely to increase if VRS users were able to make calls to 900 numbers. For these reasons, Sorenson believes that the waiver should be extended and, indeed, that a permanent waiver of this standard is appropriate, at least for VRS.

#### **V. Types of Calls**

The FCC's rules require TRS providers to handle all types of calls normally handled by common carriers, including operator-assisted calls and long-distance calls,<sup>11</sup> but the FCC waived the standard as it applies to VRS and IP Relay providers for one year, subject to the filing of this

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<sup>9</sup> See 47 C.F.R. § 64.604(a)(3)(iv); *Waiver Order* ¶ 14.

<sup>10</sup> See *Waiver Order* ¶ 15.

<sup>11</sup> See 47 C.F.R. § 64.604(a)(3).

report, and subject to the condition that providers allow the use of calling cards and/or provide free long-distance calls.<sup>12</sup>

Sorenson reports that it remains infeasible for VRS and IP Relay providers to handle operator-assisted calls or to bill for long-distance calls, for at least two fundamental reasons. First, Sorenson and, as Sorenson understands it, other VRS and IP Relay providers lack the necessary billing mechanisms to handle operator-assisted calls or to bill long-distance calls. As noted above, Sorenson typically has no billing relationship with its customers at all since the TRS fund compensates VRS providers and IP Relay providers. Second, Sorenson and, as Sorenson understands it, other VRS and IP Relay providers are unable to effectively determine whether a call is local or long-distance, due in part to the fact that VRS and IP Relay rely on IP-based technologies that create difficulties in assessing the actual location of the IP endpoint of the call. Moreover, a seemingly “local” call between a VRS user and a nearby neighbor might involve toll charges if the call center handling the call is located in another city or state. Similarly, a seemingly long-distance call might not involve toll charges if the hearing caller is located in the same local calling area as the call center handling the call. Accordingly, Sorenson submits that it is necessary for this waiver to remain in effect.

Sorenson currently pays for all long-distance charges for VRS and IP Relay calls the Commission has required as a condition of the waiver, thereby mitigating any impact on the user.

## **VI. Equal Access to IXCs**

The FCC’s rules require that TRS providers allow their end users to access the IXC of their choosing,<sup>13</sup> but the FCC has waived the standard indefinitely as it applies to IP Relay, and it has waived it for VRS providers for one year subject to submission of this report.<sup>14</sup>

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<sup>12</sup> See *Waiver Order* ¶¶ 16-17.

Sorenson submits that the waiver is still necessary for VRS providers and, indeed, that it should be extended indefinitely as it has been for IP Relay. Simply put, it is still infeasible for VRS providers to enable equal access to IXCs, and it will remain infeasible for the foreseeable future. Among other challenges, VRS providers lack a means of verifying whether any particular VRS user is authorized to pay for phone charges because—as noted above—Sorenson does not have billing relationships with VRS end users. Moreover, Sorenson does not have an established method through which VRS users could identify their chosen IXC to Sorenson and, even if it did, implementing those choices would require Sorenson to enter agreements with virtually every IXC so that it could connect outgoing calls from each Sorenson call center on a call-by-call basis. Finally, as applied to the VRS industry, this standard would be a solution in search of a problem; at present, VRS users would not obtain any significant value from selecting their own IXC since Sorenson currently pays for all long-distance charges for VRS calls. For these reasons, Sorenson believes the FCC should grant a permanent waiver of this standard as applied to VRS providers.

## **VII. Speech-to-Speech**

The FCC's rules require TRS providers to provide STS service,<sup>15</sup> but the FCC has waived the standard indefinitely as it applies to VRS, and it has waived it as applied to IP Relay for one year subject to submission of this report.<sup>16</sup>

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<sup>13</sup> See 47 C.F.R. § 64.604(b)(3).

<sup>14</sup> See *Waiver Order* ¶¶ 18-19.

<sup>15</sup> See *Telecommunications Relay Services for Individuals with Hearing and Speech Disabilities*, Report and Order and Further Notice of Proposed Rulemaking, 15 FCC Rcd. 5140, 5149 ¶ 15 (2000); cf. 47 C.F.R. § 64.603 (requiring common carriers to provide STS).

<sup>16</sup> See *Waiver Order* ¶¶ 20-21.

The waiver as applied to IP Relay remains necessary because Sorenson and, as Sorenson understands it, other IP Relay providers lack the resources and capabilities to provide reliable STS service. Moreover, STS via IP Relay would be possible only if the end user possesses a microphone, a computer with a sound card, and IP-telephony software. The quality of each of these pieces of equipment will vary from consumer to consumer, of course. This means that the quality of the consumer's equipment may result in unreliable STS communications. For these reasons, Sorenson submits that the waiver should be extended.

### **VIII. Conclusion**

For the foregoing reasons, the minimum standards waivers discussed above should be extended for another year and, as discussed above, in some cases the standards should be waived permanently.

Respectfully submitted,

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