

**Before The
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C.**

In re)
)
Telecommunications Relay Services and)
Speech-to-Speech Services for Individuals) CG Docket No. 03-123
With Hearing and Speech Disabilities) CG Docket No. 10-51
Application for TRS Certification to)
Provide IP Captioned Telephone Service)

To: Chief, Consumer and Governmental Affairs Bureau,
Internet-based TRS Certification Application

**AMENDMENT TO APPLICATION OF MIRACOM USA, INC. FOR
CERTIFICATION
TO PROVIDE IP CAPTIONED TELEPHONE SERVICE**

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May 16, 2012

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Miracom USA, Inc. (“Miracom” or “Company”), by counsel and pursuant to the Commission’s January 11, 2008, declaratory ruling in this proceeding¹ and FCC Rule Sections 64.604, 64.605 and 64.606 (47 C.F.R. §§ 64.604, 64.605 and 64.606), respectfully submits this Amendment to its pending application for certification to provide Internet Protocol Captioned Telephone Service (“IP CTS”).

The instant amendment, certified by Miracom’s COO Chuck Owen, does the following:

1. This amendment clarifies that the InnoCaption application must be affirmatively turned on for a deaf or hard-of-hearing user to make a captioned call, and that the application defaults to no captions unless the user immediately commences an additional call. Specifically, there is a 10 second timer that is activated after each usage that causes the application to close and return the phone to the main menu after each use for outbound

¹ *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, CG Docket No. 03-123, Declaratory Ruling, 22 FCC Rcd 379 (Jan. 11, 2007) (“*IP CTS Ruling*”). See also *Public Notice*, CG Docket No. 03-123, DA 08-478, 23 FCC Rcd 2889 (Feb. 28, 2008) (“*Public Notice*”).

calling. The application is activated when opened by the user to make an outbound call then the app is turned off within 10 seconds after a call is made. For inbound calling, captioning is triggered by an incoming call made to the caption phone number supplied by Miracom. Once the incoming call ends the application is automatically turned off and returns to the main menu after 10 seconds. Thus, in the event a deaf or hard-of-hearing user lends his or her phone to another person who does not have a hearing loss, captions are not enabled.

2. This amendment clarifies that Miracom will require persons to register in order to use its service, that registrants must certify to a hearing loss as part of the registration process, and must provide to the Company's compliance department within 14 days of registration, proof of hearing loss in the form of a certification from a professional specializing in the treatment of hearing loss. If no certification is received within the 14-day period, captioning service will be blocked until such certification is received. A copy of Miracom's proposed Subscriber Registration and Certification Form is attached hereto as Exhibit 1.
3. This amendment clarifies that Miracom's service will provide captions of the other party's voice to hard-of-hearing communication users of at least 180 words per minute with 95 percent accuracy.
4. This amendment attaches copies of Service Level Agreements ("SLA") Miracom has executed with Captioning Service Providers to provide the captioning for its service as Exhibit 2. (These SLAs are redacted from the docket filed copies of this amendment given their proprietary nature.)

The Declaration under penalty of perjury of Miracom COO Chuck Owen is attached as Exhibit 3.

Respectfully submitted,

MIRACOM, INC.

By: _____ /s/
George L. Lyon, Jr.
Steven M. Chernoff
Its Counsel

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Exhibit 1

Subscriber Registration and Certification Form



Innovative Wireless Caption Solution for the deaf or hard of hearing user in need of mobility
EXCLUSIVELY made for the deaf and hard of hearing user ONLY!

FRAUD PREVENTION PROGRAM

Miracom USA is committed to ensuring the integrity of our system as well as protection of the TRS (telecommunications relay service) Fund. We have created the following procedures that MUST be followed to qualify for usage of the InnoCaption product. This product is part of a program that is funded by the TRS Fund established to provide functionally equivalent products/services to the deaf and hard of hearing community.

Please NOTE: Miracom's desire is to make the InnoCaption product available to all who qualify as a deaf or hard of hearing user. Our product will be available to everyone that provides proof of a hearing loss. We will provide 14 days of usage to confirm that this product will give you the mobility you desire and the phone captioning you need. It will also allow sufficient time to submit proof of a hearing loss so you have uninterrupted usage of the product. If we do not receive proof of a hearing loss within 14 days, we will be required to halt the service of this FREE captioning to your mobile phone until such time as certified proof has been received by our office.

Eligibility:

- 1) Hearing loss criterion needs to be greater than 40 dB PTA (pure tone average)
 - A. Degree of hearing loss is computed by using a three frequency average. The degree of loss in dB is taken at 500 Hz, 1,000 Hz and 2,000 Hz. The average of these three frequencies is called the Pure Tone Average and it represents the degree of hearing loss a person has expressed in dB.

Hearing Loss Table

PTA	Classification
0-20 dB	Normal
21-40 dB	Mild Loss
41-60 dB	Moderate Loss
61-70 dB	Moderately Severe
71-90 dB	Severe Loss
> 90 dB	Profound Loss

Proof of Eligibility Process:

- 1) Have a licensed hearing professional certify that there is a hearing loss greater than 40 dB PTA
- 2) Send a completed copy of the InnoCaption User Eligibility Form to Miracom USA, Inc via one of the following methods to the attention of our compliance department.
 - A. Scan then email the signed and completed form to compliance@innocaption.com or
 - B. Fax the signed and completed form to fax # 714-985-9252, Attn: InnoCaption Compliance officer
 - C. Send an original of the signed form to Miracom USA, Inc, 2913-C Saturn St, Brea, CA 92821, Attn: InnoCaption Compliance officer

Persons Authorized to Certify Eligibility:

- 1) The following licensed professionals may certify a person's acceptance/ usage of the InnoCaption product.

Audiologist	Physician
Hearing Aid Dispenser	Physician Assistant
Certified Rehabilitation Counselor (CRC)	Nurse Practitioner



Mail all correspondence to:
 Miracom USA, Inc. (InnoCaption)
 2913-C Saturn Street, Brea, CA. 92821
 Attn: Compliance officer
compliance@innocaption.com
 Fax# 714-985-9252

User Info: (used strictly for purposes of validating proof of a hearing loss for usage of the InnoCaption service)

Last Name		First	M.I.	Maiden	Date of Birth: mm/dd/yyyy
Address		City		State	Zip Code
()		Mobile Directory Number (MDN)		E-mail address	
Signature		Printed Name		Date: mm/dd/yyyy	

Certifying Professional: A licensed professional must COMPLETE and SIGN this portion.

I certify that the above named person has the disability marked below with hearing loss in excess of 40 db.

I am licensed to practice as a(n):

- Audiologist
- Hearing Aid Dispenser
- Physician
- Certified Rehabilitation Counselor (CRC)
- Physician Assistant
- Nurse Practitioner

Within the State of _____, as evidenced by my professional license #: _____

Professional **PRINTED** name: _____

Business address: _____

Phone number: _____ E-mail: _____

As a Professional in the state of _____, I certify that the above named person is: (mark all that applies)

- Deaf / Hard of Hearing
- with a Cochlear Implant / Hearing Aid / None

Signature _____ Date: mm/dd/yyyy

**AMENDMENT TO APPLICATION OF MIRACOM USA, INC. FOR
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Exhibit 2
Executed Captioning Service Level Agreement

REDACTED

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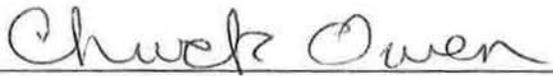
Exhibit 3

Declaration Under Penalty of Perjury of Chuck Owen

DECLARATION UNDER PENALTY OF PERJURY OF CHUCK OWEN

Chuck Owen, under penalty of perjury, deposes and states as follows:

1. I am the Chief Operations Officer of Miracom USA, Inc.
2. I have read the attached Amendment to Miracom's pending application for certification to provide Internet protocol captioned telephone service.
3. The factual statements set forth in the Amendment and in this declaration are true and correct to the best of my knowledge, information and belief.



Chuck Owen

May 16, 2012