

Before the  
**FEDERAL COMMUNICATIONS COMMISSION**  
Washington, DC 20554

Telecommunications Relay Services and )  
Speech-to-Speech Services for Individuals ) CG Docket No. 03-123  
with Hearing and Speech Disabilities )

To: Secretary, FCC  
For: Chief, Consumer & Governmental Affairs Bureau

**COMMENTS OF HAMILTON RELAY, INC. IN SUPPORT  
OF IP CTS “BEST PRACTICES” POLICY**

Hamilton Relay, Inc. (“Hamilton”) hereby submits these comments in support of the “IP Captioned Telephone Best Practices Policy” submitted by Ultratec, Inc. in the above-captioned docket (the “Best Practices Policy”).<sup>1</sup> As a provider of Internet Protocol Captioned Telephone Service (“IP CTS”), an approved form of Telecommunications Relay Services (“TRS”) for hard of hearing individuals, Hamilton takes seriously its commitment to furthering functional equivalency opportunities while eradicating opportunities for fraud, waste or abuse of the Interstate TRS Fund (the “Fund”). Hamilton believes that the recommended practices and procedures outlined in the Best Practices Policy will help ensure the long-term integrity of the Fund. Accordingly, Hamilton strongly encourages the Commission to seek public comment on the Best Practices Policy and to move forward with formally implementing its recommendations.

In the interim, Hamilton has voluntarily implemented the policies and procedures outlined in the Best Practices Policy. For example, Hamilton has adopted the terminology of the “Acceptable Use Policy” which advises prospective users that IP CTS is “intended for use by a person with a hearing disability . . . in connection with a federally funded program” and that use

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<sup>1</sup> Ex Parte Letter of Ultratec, Inc., CG Docket No. 03-123 (filed Sept. 21, 2012).

of the service “in any other manner may violate FCC rules.” In addition, prospective users are reminded that “a live operator listens to the call and helps provide captioning” when the CAPTIONS feature of the Captel phone is turned on, and that users of the Captel phone who do not require captioning “should only use a Captel phone with the CAPTIONS feature turned off.”<sup>2</sup>

In order to purchase an IP Captel phone from Hamilton online, the purchaser must first agree to the Acceptable Use Policy.<sup>3</sup> Over-the-phone purchasers are screened to ensure that the purchaser is an appropriate end-user of the Captel phone. All Captel phones, whether ordered from Hamilton online or over the phone, come with a warning label that the user must remove before using the phone; this warning label reminds the user of the Acceptable Use Policy.<sup>4</sup>

Prior to activating the Captel phone, Hamilton requires each user to certify that he/she has a demonstrated need for using IP CTS, and the user must agree to Hamilton’s Terms and Conditions of Service.<sup>5</sup> These verification procedures also apply to users of Hamilton’s Web CapTel and Mobile CapTel services which provide IP CTS users with online and mobile access to captioned calls. Hamilton has also taken steps beyond those outlined in the Best Practices Policy by voluntarily requiring that all Web CapTel and Mobile CapTel users register with Hamilton before they can use the IP CTS service. Registration helps ensure that these web-based and mobile services are being used by individuals who need the service, and that the services are being used in an appropriate manner.

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<sup>2</sup> *See id.* at 3-4.

<sup>3</sup> *Id.* at 4 (noting features of the Hamilton Captel website that are consistent with these requirements).

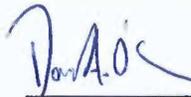
<sup>4</sup> *Id.* at 6.

<sup>5</sup> Hamilton’s Terms and Conditions are available at: [http://www.hamiltonrelay.com/corporate/policies/terms\\_and\\_conditions.html](http://www.hamiltonrelay.com/corporate/policies/terms_and_conditions.html) (last updated Sept. 11, 2012). See in particular Section 15.

CapTel call center staff are trained to monitor for any IP CTS call that is not consistent with the requirements outlined above. If it becomes clear to a Communications Assistant (“CA”) that the audio being captioned is not a legitimate IP CTS call, the CA is directed to call a supervisor. The supervisor will listen in to the call and determine if the call should be disconnected. If a call is terminated, the supervisor will send a pre-programmed disconnect message for the specific situation.

These are but a few of Hamilton’s procedures and policies that are consistent with the Best Practices Policy. Hamilton looks forward to sharing additional information about the voluntary efforts it has conducted over the last several years to protect against fraud, waste and abuse of IP CTS. To this end, Hamilton urges the Commission to issue a Public Notice seeking formal comments on the Best Practices Policy and additional methods for ensuring the integrity of this important service for the hard of hearing.

Respectfully submitted,



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November 1, 2012

*Submitted via ECFS*