

**Telecommunications Relay Service  
Application for Renewal of Current Certification  
State of Maryland**

**Submitted to:**

Marlene H. Dortch  
Office of the Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street SW, Room TW-A325  
Washington, DC 20554

**Submitted by:**

Maryland Department of Information Technology (DoIT)  
Telecommunications Access of Maryland  
301 W. Preston Street, Suite 1008a  
Baltimore, MD 21201  
800-735-2258 Toll Free - TTY/Voice  
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**Provider of Service:**

Hamilton Telephone Company  
d/b/a Hamilton Telecommunications  
1001 Twelfth Street  
Aurora, NE 68818  
402-694-3656 TTY/Voice  
800-618-4781 Toll Free  
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September 28, 2012

Marlene H. Dortch  
Office of the Secretary  
Federal Communications Commission  
445 12th Street, SW, Room TW-A325  
Washington, DC 20554

Dear Ms. Dortsch:

In reference to Public Notice DA 12-1187 released July 25, 2012, the Telecommunications Access of Maryland (TAM) program, a division of the Maryland Department of Information Technology on behalf of the State of Maryland respectfully submits the attached application for recertification of the Maryland Relay Service. The State of Maryland is meeting all FCC minimum requirements and all of the required information is included in this filing.

Please contact me if any further information or clarification is needed. We look forward to the recertification of Maryland Relay Service.

Sincerely,

Brenda Kelly-Frey  
Assistant Director  
Department of Information Technology  
Telecommunications Access of Maryland/Maryland Relay

**TELECOMMUNICATIONS RELAY SERVICE  
APPLICATION FOR RENEWAL OF CURRENT STATE CERTIFICATION**

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## **Introduction**

This is an application on behalf of the State of Maryland submitted by the Maryland Department of Information Technology (DoIT) to have the Maryland Telecommunications Relay Service be certified as a Telecommunications Relay Service pursuant to the rules and procedures set forth by the Federal Communications Commission. The State of Maryland has been certified for the certification time period beginning July 26, 2008 and ending July 25, 2013.

Official notices, documentation and correspondence related to this application should be directed to:

Brenda Kelly-Frey  
Assistant Director  
Department of Information Technology  
Telecommunications Access of Maryland/Maryland Relay  
301 West Preston Street, Suite 1008a, Baltimore, MD 21201  
Telephone numbers: Voice/TTY 800-552-7724  
Fax 410-767-4276  
VP: 866-475-4899 or 866-348-7705  
E-Mail [Brenda.Kelly-Frey@maryland.gov](mailto:Brenda.Kelly-Frey@maryland.gov)

Operational questions about the center may also be directed to the following:

Dixie Ziegler  
Vice President of Relay  
Hamilton Relay, Inc.  
1001 12th Street  
Aurora, NE 68818  
Voice/TTY: 402-694-3656  
Toll Free: 800-618-4781  
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E-mail: [dixie.ziegler@hamiltonrelay.com](mailto:dixie.ziegler@hamiltonrelay.com)  
Website: [www.hamiltonrelay.com](http://www.hamiltonrelay.com)

## **Request for Renewal of Current State Certification**

Wherefore, the Maryland Department of Information Technology requests that the Federal Communications Commission certify the State of Maryland Telecommunications Relay Service provided through Hamilton Telephone Company in Aurora, Nebraska.

The Maryland Department of Information Technology  
on behalf of the State of Maryland

By: \_\_\_\_\_

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## **TRS Contract Status**

Hamilton Telephone Company d/b/a Hamilton Telecommunications is operating the Maryland Relay under contract with the Maryland Department of Information Technology (DoIT). The term of the current contract is effective March 1, 2007 through May 31, 2013 extended June 1, 2012 through May 31, 2013.

Hamilton provides TRS service for the State of Maryland from an in-state center located at 1 Science Park, Frostburg Business Park, Frostburg, Maryland.

The Maryland Relay provides users with a complete service package including all features and services as detailed in this filing. Training for operators is continual. Maryland Relay has also developed an outreach program for the State of Maryland with a team of staff people devoted to this function.

## Operational Standards

### ***47 C.F.R. § 64.604 - Mandatory minimum standards.***

*The standards in this section are applicable December 18, 2000, except as stated in paragraphs (c)(2) and (c)(7) of this section.*

*(a) Operational standards—*

*(1) Communications assistant (CA).*

- (i) 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.*
- (ii) 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.*
- (iii) 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.*

Maryland Relay CAs (operators) are trained to relay calls in a manner that meets and often exceeds Federal Communications Commission (FCC) standards. The following describes how Maryland Relay hires and trains its operators to meet operational proficiency standards stated above.

Before hiring, exams are given to each applicant in the following areas to ensure that the candidate has the needed skills to become a fully trained operator:

- (1) Spelling skills (must achieve at least 90% correct)
- (2) Reading skills (must be able to read clearly and distinctly)
- (3) Typing proficiency

### **Spelling Skills**

The minimum spelling skills required of Maryland Relay operators is the ability to quickly and easily spell words. Operators must pass a spelling exam to be eligible to work for Maryland Relay. The spelling skills exam is based on a 12th grade spelling level.

### **English Reading, Speaking, and Writing Skills**

Maryland Relay operators must meet all grammar proficiency requirements including reading, speaking, and writing English at a minimum of a 12th grade level prior to employment. Maryland Relay also tests for diction, clear and articulate voice communications, and a neutral accent by requiring each prospective operator to complete the reading exam, which follows:

## **Reading Exam**

There is a new wind blowing through the quality profession. It is bringing some very different messages to those of us who manage and support the quality functions of our organizations. These messages tell us about quality in ways that are hard to reconcile with our traditional understanding of quality. They are messages like "quality is customer satisfaction" or even "quality is customer delight"; "quality people do quality work" and "quality is the expression of human excellence."

We have difficulty with the messages because, as one quality professional noted, "I don't know how to develop specifications from these ways of thinking about quality. "It is a real dilemma because our history and technology have been built upon our ability to specify, measure, and control. As long as these specifications have been based on objectively measurable phenomena like length, weight, hardness, frequency, etc., we can set standards and develop control procedures based on these standards. Now we are confronted with a way of understanding that is expressed as customer satisfaction or even customer delight. How are we to translate this into specifications and standards?"

## **Typing Proficiency**

Maryland Relay operators must type 60 words per minute (wpm). Maryland Relay exceeds this service level by requiring operators to maintain a 95% accuracy level while typing 60-wpm. The Maryland Center has an average typing speed of 68.1 wpm with 97% accuracy. New operator hires are required to meet the Maryland Relay minimum typing proficiency standard on an oral-to-text exam within a three week period, before they may take calls. Maryland Relay also tests its operators every four months in a manner simulating actual working conditions to document current proficiency levels of the operators. Maryland also hires an objective third party quality assurance company to ensure that FCC requirements are met.

Maryland Relay also uses a computer based typing program for continuing enhancement of keyboarding, spelling and grammar skills. This program is available in the Maryland Relay center for operators to use.

## **Initial Training**

During the training process, operators are trained to recognize typed American Sign Language (ASL) "gloss" (written form of ASL) and grammar. Operators are further trained on tone of voice, hearing and speech disabled cultures, TTY etiquette, pertinent information about the needs of deaf, hard-of-hearing and speech impaired users, the role of the operator, and operation of relay telecommunications equipment including answering machines and computerized services. This is done through videos, training seminars, observation, both simulated and monitored live calls, and a variety of role play scenarios. Maryland Relay operators are well trained to effectively meet the specialized needs of hearing and speech-disabled individuals as explained below.

Maryland Relay has a Training Coordinator who is responsible for the overall training program. This person performs all classroom training and leads role-play activities. In addition, Maryland Relay's outreach employees and operators all help carry out training by teaching relay user culture. Furthermore, during training, operators share general knowledge about the relay and assist with role playing activities.

During the first three weeks of employment, operators are introduced to basic ASL training including in-depth information on the deaf syntax, culture, and basic limited signing.

Throughout their employment, Maryland Relay operators attend continuing educational classes and seminars in order to refresh and expand on information learned in the initial training classes.

In order to become a Speech-to-Speech (STS) operator, an individual must pass the same tests as traditional operators, meet more stringent STS criteria and pass an STS exam. Once an operator has been accepted into the STS Program, he/she receives specialized STS training.

During the training, STS operators learn about speech disabilities and are given specific strategies to use in order to facilitate calls between STS users and end users. STS operators also receive detailed training on STS policies and procedures. As follow-up to the initial training, the STS Program Supervisor continually educates all STS operators on speech disabilities, their respective implications and etiquette, through the use of a STS newsletter, STS Resource Library materials (articles, books, videos, etc.), workshops, and in-service meetings.

Maryland Relay Spanish operators must complete the same training plus pass additional tests showing proficiency in the Spanish language.

### **Disability/Relay/Deaf Culture Training**

All relay service staff, including management, receive training devoted solely to disability issues, including ASL “gloss” and grammar, Deaf culture, issues relating to hard of hearing, late-deafened and speech-disabled users, dual sensory impaired users, diversity issues, ethics and confidentiality.

Maryland Relay requires some operators to be trained and certified to interpret verbatim, calls involving ASL and English. Only a person fluent in both languages (English and ASL) and interpretation has the skill level to voice ASL gloss into spoken English or to type spoken English back to an ASL user, a requirement of the Maryland Relay.

Maryland Relay’s training gives all operators the knowledge to recognize the appropriate time and situation to call on an ASL translator/interpreter to handle an ASL call, by showing them how to identify ASL gloss. Maryland Relay does not allow a non-certified operator to translate/interpret ASL Maryland Relay calls. A person fluent in ASL translation is on duty at the relay center at all times to assist operators with ASL translation.

In addition, Maryland Relay provides 20 hours of specialized/cultural training to each relay service staff annually.

### **Proficiency Examinations**

Maryland Relay operators begin relaying calls at the end of the three-week training period, if all proficiency skills are met, including the fundamentals of ASL. In addition to the aforementioned exams, operators must successfully complete several relay call scenarios to demonstrate proficiency in simulated scenarios. Maryland Relay can then determine that an operator is meeting and exceeding all minimum FCC proficiency requirements. Tests are kept confidential and portions of the tests are changed routinely. Any operator who cannot pass this examination within a three-month probationary period will not be retained as a relay operator. Operators are

tested on a variety of topics monthly to ensure that they continue to meet all requirements. Maryland Relay retains all testing documentation.

The performance-based testing used by Maryland Relay consists of several relay test calls. A variety of call scenarios is given to the operator to complete. Supervisors “grade” the operator on his/her ability to set-up the call, make appropriate billing arrangements, relay the call, typing and spelling accuracy, and overall proficiency of translating written ASL (when requested) and tone of voice. Various types of relay calls are tested.

During relay call testing operators must demonstrate a clear understanding of deaf culture, ethics and confidentiality and professional judgment. These calls also test the operators’ knowledge of relay procedures, conveyance of non-TTY and TTY user’s tone of voice or expressive words.

### **Performance Monitoring to Ensure Each Operator Continues to Meet All Requirements**

Maryland Relay constantly monitors its operators for quality ensuring formal call evaluations are completed each month, as well as informal “spot checking” every day to ensure that operators are performing properly on calls.

Through its relay provider’s advanced relay platform, Maryland Relay has established a unique “remote” call monitoring system. Monitoring staff are able to remotely monitor at any time. Informal feedback is provided immediately to operators. Maryland Relay also uses this call monitoring system to perform monthly evaluation summaries of proficiency and professionalism, procedures, language, voice quality, decorum, and professional knowledge and skills.

Scores from the call monitoring are calculated and given to the operator so that progress and improvement can be tracked each month. In addition, a “center” report is generated that allows Maryland Relay to monitor overall quality improvements. This system allows Maryland Relay to set quality improvement goals for individuals as well as for the entire center.

Through the call monitoring process, any operator not in compliance with quality standards is taken off duty for further training and re-testing. These operators are put on probation and monitored frequently to ensure continued improvement.

Quality measurements give Maryland Relay an accurate picture of each operator’s skills as well as a record from which improvement plans can be built and future progress measured.

*(v) Operators 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.*

Maryland Relay does not change operators during a call. Even at the end of shifts, over lunch hours, and other breaks, Maryland Relay operators stay with a call until it is completed. Our experience has been that this provides much greater continuity for the user.

Maryland Relay exceeds the FCC standard for substitution of operators for TTY-based TRS and STS TRS.

Maryland Relay only substitutes an operator if the following should occur:

- **A caller requests a change in gender of the Operator**  
Maryland Relay operators, when requested, will switch a call to another operator who is of the same gender as the caller and retain that operator for the user throughout the relay call.
- **Verbal abuse or obscenity is directed to the Operator**  
If a relay user becomes abusive towards an operator (calling names, etc.) or does not give a number to dial, Maryland Relay's procedure is to send a hot key requesting the number to call three times, waiting approximately 20 to 30 seconds between each time the hot key is sent. If the operator is still being harassed or is not given a number to dial, a supervisor is called. The supervisor will try to process the call. If abuse continues or there is no response, a disconnect slip will be completed.
- **The call requires a specialist (Spanish language, speech to speech, etc.)**
- **A perceived conflict of interest exists or,**
- **A major emergency exists**

A change never takes place until either the calling or called party has completed their part of the conversation.

If a call does need to be transferred, another operator replaces the operator relaying the call at the same workstation so that the relay user's call is not interrupted (except to identify the new operator to both parties). A supervisor monitors the change and must approve the change based on the criteria listed above.

*(vi) 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.*

Operators, when requested, will switch a call to another operator who is of the gender requested by the caller and retain that gender for the user throughout the relay call. Maryland's provider has the technical capability to automatically route calls to CAs of the preferred gender, if available, based on customer profile selection.

*(vii) TRS shall transmit conversations between TTY and voice callers in real time.*

Maryland Relay transmits conversations between TTY and voice callers in real time. Maryland Relay provides real time text to voice and voice to text calls in which a deaf, hard of hearing or speech disabled person utilizing a TTY or another form of text telephone can communicate over the existing telecommunications network with a non-TTY user (and vice-versa) through the voice assistance of the relay service (operator).

*(2) Confidentiality and conversation content.*

*(i) Except as authorized by section 705 of the Communications Act, 47 U.S.C. 605, CAs are prohibited from disclosing the content of any relayed conversation regardless of content, and with a limited exception for STS CAs, from keeping records of the content of any conversation*

*beyond the duration of a call, even if to do so would be inconsistent with state or local law. STS CAs may retain information from a particular call in order to facilitate the completion of consecutive calls, at the request of the user. The caller may request the STS CA to retain such information, or the CA may ask the caller if he wants the CA to repeat the same information during subsequent calls. The CA may retain the information only for as long as it takes to complete the subsequent calls.*

*(ii) CAs are prohibited from intentionally altering a relayed conversation and, to the extent that it is not inconsistent with federal, state or local law regarding use of telephone company facilities for illegal purposes, must relay all conversation verbatim unless the relay user specifically requests summarization, or if the user requests interpretation of an ASL call. An STS CA may facilitate the call of an STS user with a speech disability so long as the CA does not interfere with the independence of the user, the user maintains control of the conversation, and the user does not object. Appropriate measures must be taken by relay providers to ensure that confidentiality of VRS users is maintained.*

Maryland Relay operators are prohibited from disclosing the content of any relayed conversation, regardless of the content, and from keeping records of the content of any conversation beyond the duration of a call. Operators are also prohibited from intentionally altering a relayed conversation. Maryland Relay operators relay conversations in a grammatically correct manner. If an operator recognizes ASL “gloss”, the operator will summons a Translator/Interpreter and will notify both parties. Either party can accept or reject the translation. Relay users who always want translation, can select this option on the customer profile.

All Maryland Relay STS operators have the authority, at the request of the STS user, to retain information beyond the duration of a call in order to facilitate the completion of consecutive calls. STS operators repeat any information (without the STS user having to say the same thing each time) during subsequent calls if requested to do so. STS operators only retain this information for as long as it takes to complete the subsequent calls.

All Maryland Relay STS operators are permitted to facilitate a call for a user with a speech disability if the user does not oppose the intervention. STS operators do not interfere with the independence of the user; the user maintains complete control of the conversation.

### **Policies of Confidentiality**

Maryland Relay’s provider understands the importance and is experienced at relaying conversations promptly and accurately while maintaining the privacy of persons who use telecommunications relay services. All calls handled by the Maryland Relay are confidential; no written or electronic script or record of any type is kept beyond the duration of the call. Maryland Relay operators and supervisory personnel understand that they shall not reveal information about any call, at anytime, regardless of content except the minimum necessary for billing purposes. All relay personnel are required to sign a Pledge of Confidentiality promising not to disclose the identity of any callers or fellow operators or any information learned during the course of relaying calls during their period of employment as an operator or after termination

of employment. When relaying calls or analyzing data, Maryland Relay uses the following confidentiality practices:

1. All operators are given thorough training on the significance and importance of maintaining confidentiality from both a legal perspective and a moral perspective.
2. All operators, prior to taking any live calls or being allowed in the relay center, are given a copy of Maryland Relay's policies of confidentiality in addition to a copy of their signed Pledge of Confidentiality.
3. Maryland Relay's policy requires immediate termination for any violation of confidentiality.

Maryland Relay has additional protocols in place to prevent an unintentional disclosure of relayed conversations. The operators' Procedure Handbook includes rules and regulations which must be followed to prevent any unintentional disclosure of confidential information.

The facility, in which the operators perform their specialized duties, is located in a private room at the offices of Hamilton at 1 Science Park, Frostburg Business Park, Frostburg, Maryland 21532. The room is clearly marked prohibiting any unauthorized access.

### **Confidentiality during Training**

When training new operators, trainers do not reveal any of the following information:

- (1) Names, genders, or ages of the parties involved in the call
- (2) Originating or terminating points of the call
- (3) Specifics of the information conveyed

### **Discussion of Calls**

Maryland Relay operators understand that they shall not discuss, even among themselves or their supervisors, any names or specifics of any relay call except in instances of resolving complaints. Maryland Relay operators also understand that they may discuss the general situation surrounding a call with their supervisor in order to clarify how to handle a particular type of relay call and for that limited purpose only. Operators are trained to ask questions about procedures without revealing names or specific information that will identify callers. They are also trained to recognize emergency or life threatening situations and understand those circumstances in which the operator may disclose names and specific information in order to expeditiously address the situation.

### **Watching or Listening to Actual Calls**

No one is allowed to watch or listen to actual calls other than the operator or Supervisor or Monitoring.

### **Violation of Confidentiality**

Any of Maryland Relay's operators or supervisors who, after an investigation, have been found to violate the confidentiality rules and regulations will be terminated immediately. If a consumer alleges a violation of confidentiality and the same was reported to the relay center or to the DoIT in any manner, Maryland Relay's policy is to first investigate the alleged violation internally and make a written report both for the complaint file of the relay service as well as for the personnel file of the individual or individuals alleged to be involved. If a violation is found to have occurred, the party(s) responsible for the violation is terminated immediately.

**PLEDGE OF CONFIDENTIALITY**

I, the undersigned Relay Service Operator for the Relay Center, do hereby recognize the serious and confidential nature of this position and therefore promise in all good faith and conscience to abide by the following guidelines:

- 1) Under no circumstances will I disclose to an individual the identity of any caller or information I may learn about a caller while relaying his/her messages.
- 2) Under no circumstances will I act upon any information I may learn while relaying a call.
- 3) Under no circumstances will I disclose to anyone the names, schedules or personal information of any fellow Relay Service Operator or supervisor working at the Relay Center.
- 4) I will not share any information about a caller with any person with the exception of relay center supervisory personnel and then only to the extent necessary to resolve complaints, collect or clarify personal information necessary to provide and bill for relay services, such general information as may be necessary for the supervisor to assist in clarifying how to process a particular type of relay call, and such specific information as may be necessary for a supervisor to assist in expeditiously addressing an emergency situation.
- 5) In the event of my resignation or termination of my employment, I will continue to hold in strictest confidence all information related to the work I have performed as a Relay Service Operator.

Name (sign) \_\_\_\_\_

Name (print) \_\_\_\_\_

Date \_\_\_\_\_

*(3) Types of calls.*

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

*(ii) 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.*

*(iii) Relay service providers are permitted to decline to complete a call because credit authorization is denied.*

Maryland Relay does not and will not place any restrictions on the length or number of single or sequential calls placed by customers through the relay center. Maryland Relay will continue to manage its traffic loads in a manner that will not require that customers be asked to call back later.

Maryland Relay is capable of processing non-coin-sent paid calls, sent-paid calls, collect calls, person-to-person calls, international calls, hotel calls and calls charged to a third party. Maryland Relay is also able to process credit cards, any Maryland local exchange calling cards and all non-proprietary interexchange company calling cards that are accessed by dialing an 800 number. This includes all major interexchange company calling cards. Relay users simply inform Maryland Relay operators when they want to use an alternate form of billing. The operator selects the correct billing method from an on-screen menu and the call is then placed. The customer's carrier of choice bills the call (based on conversation time) for intralata, interlata, and international calls.

**Coin Sent Paid**

Maryland Relay is capable of handling any call normally provided by common carriers with the exception of coin sent paid calls. Maryland Relay has chosen not to invest in the technology to process coin sent paid calls. The technology and networks between the common carrier network, payphones, and relay do not allow for signaling to be passed so that an operator can determine when coins have been dropped into the payphone. Furthermore, the FCC ordered that coin sent paid calls are not feasible.

Maryland Relay does not charge relay users who want to place a local call from a payphone as stated in the current FCC coin sent paid order.

Relay users making a long distance call from a payphone are able to use a calling card (debit card, regular calling card, etc.) or place a collect or third party call. The customer's carrier of choice then rates and bills any long distance payphone calls. Once billing has been established the call is processed as a regular relay call. In this manner, all relay users have access to anyone from a payphone.

### **Cellular/Wireless/PCS Phone Access**

Maryland Relay is capable of processing relay calls that involve pagers, cellular and personal communications services. These services are all part of the Public Switched Network and they are handled just like any other relay call.

Maryland Relay has Dual Tone Multi-Frequency (DTMF) boxes at each workstation to perform dialing or access functions for relay users. DTMF boxes send tones that activate automated voice systems and pagers. With DTMF capability, Maryland Relay can navigate voice menus, answering machines, or any other automated system that either record or passes on voice, text, or electronic message to the other party even when using a wireless device.

One exception is when false Automatic Number Identification (ANI) information is forwarded. Although infrequent, this situation would require the operator to ask for an alternate form of billing.

The relay switch identifies wireless calls with a false ANI associated with it and Maryland Relay processes the call as “no bill” preventing the relay user from having to use alternate form of billing.

### **Directory Assistance**

Maryland Relay gives all relay users access to local, intrastate and interstate directory assistance services via the relay and processes directory assistance requests in the same manner as any other relay requests.

Upon receiving the area code from the relay user, the operator dials the correct area code plus 555-1212. When reaching the directory assistance operator, the operator identifies the relay and asks for the city and state the user has given while at the same time keeping the relay user informed. When the correct number has been obtained the call is handled as a regular relay call.

- **End User Billing for Directory Assistance**

The relay user can pick which carrier they want to use for directory assistance. The relay user’s carrier of choice bills for interlata and intralata directory assistance calls at their tariffed rate. With intralata presubscription, all billing is performed by the customer’s carrier. All directory assistance calls are sent to the customer’s carrier of choice for processing and billing. Maryland Relay does not set any rates for long distance or operator assisted calls since the customer’s carrier of choice bills these calls. All directory assistance calls are billed via the customers’ long distance carrier.

### **Network Access**

Maryland Relay’s system provides for and serves all of the following types of calls.

- (1) Local calls originating and terminating within Maryland, including Extended Area Service (EAS) and optional calling plan calls
- (2) Intralata, interstate calls which are considered local calls – Billed to the Interstate TRS Fund
- (3) Intralata calls originating and terminating within Maryland

- (4) Intrastate, interlata calls originating and terminating in Maryland
- (5) Interstate calls that originate within Maryland and terminate outside of Maryland - Billed to the Interstate TRS Fund
- (6) Interstate calls that originate outside of Maryland and terminate in Maryland - Billed to the Interstate TRS Fund
- (7) Interstate calls that originate outside of Maryland and terminate outside of Maryland - Billed to the Interstate TRS Fund

Maryland Relay 800 numbers, including 7-1-1, are able to place call types 1-7 listed above. Maryland Relay's service is designed so that all calls made through its relay centers are billed from the originating telephone number to the terminating telephone number as if the call were made directly with no relay intervention. The relay platform includes necessary information about EAS and optional calling plan arrangements in Maryland so that calls made within an EAS area or optional calling area are not billed to the customer. ANI information appears at the workstation automatically and the terminating number is keyed in by the operator so that a billing record can be created. For calls originating in areas where ANI information is not forwarded, Maryland Relay operators will key in originating number information.

Maryland Relay does not charge users of Maryland Relay for use of the relay service. Users access the relay service via toll-free 800 numbers, which are accessible anywhere in the United States or by dialing 7-1-1. Calling and called parties bear no charges for calls originating and terminating within the same toll-free local calling area, including all EAS locations and/or local optional calling plan data.

### **Local and Intrastate Relay Calling**

Maryland Relay provides local and intrastate calling to the users of Maryland Relay and has obtained the necessary Numbering Plan Area/Exchange code (NPA/NXX) information to build a database to identify the difference between local and intrastate calls (including expanded local information).

Maryland Relay has contacted the Local Exchange Carriers (LECs) within Maryland to collect all EAS and local optional calling plan information. Maryland Relay has updated its database within its switching platform and its toll processing system to identify certain NPA-NXXs as toll-free calling areas. Relay users with access to optional calling plans are not billed any more for calls to the specific optional calling area than if they would have called directly through their local network.

The calling party's ANI is compared to the called number. The relay database used by Maryland Relay determines if it is a local or intrastate toll call and gives the operator notification if billing information is required. If it is a local call, no billing arrangements are necessary and there are no charges. If it is a toll call, Maryland Relay sends the call to the customer's carrier of choice for billing purposes.

The entire call process and operator procedures used by Maryland Relay are designed to make the relay center transparent. To the relay user, a call looks like it was placed from his or her primary location to the call destination. Relay users do not see or get billed for the "links" going

to and from the relay center. Relay users receive no billing for local calls. Intrastate/intralata calls are billed by the customer's carrier.

### **Access to Regionally Directed Toll-Free Numbers**

Maryland Relay allows access to regionally directed toll-free numbers. Because Maryland Relay passes true Caller ID information, the caller's ANI reflects a Maryland number, which results in the call being routed to the correct state or regional location.

### **Access to Restricted Toll Free Numbers**

The service provided by Maryland Relay allows access to restricted 800 numbers and other special prefixes. Maryland Relay is providing this service today through an incumbent LEC via re-originating dial tone. Maryland Relay makes sure that all of the relay users in Maryland have access to all 800 numbers and other special prefixes.

### **Access to Businesses with Special Prefixes**

Maryland Relay understands that some local telephone companies have abbreviated numbers available for services calls. Maryland Relay will continue to work with LEC to ensure proper routing and will allow Maryland relay users to access businesses with special prefixes.

### **Relaying Interstate and International Long Distance Calls**

Maryland Relay provides interstate and international calling to Maryland relay users. As stated in the previous section, Maryland Relay does not bill any long distance calls and thus is not in control of other carrier's discounts for relay calls. Maryland Relay does provide to relay users a list of carriers available through the relay with customer service numbers so that a relay user can call any long distance company of their choosing to gather rate information, sign up for a relay discount, etc.

Following in this section is a complete description of how users are billed for long distance relay calls.

### **Inbound International Calls**

Maryland Relay provides inbound International calling in which the relay user pays to place a call from an International location to the relay center. Maryland Relay then places the outbound call to a destination in the United States free of charge and relays the conversation for them. All processed International calls are billed to the Interstate TRS Fund Administrator.

### **End User Billing for all Toll Calls**

Interlata (including interstate and international) and intralata long distance toll charges are recorded and billed by the relay users' carrier of choice in the same manner as the carrier bills that customer for direct interstate and intrastate long distance calls. On each interlata and intralata call, Maryland Relay forwards the appropriate information digits, calling number and called number as part of the call information so that the long distance company can bill the customer directly or through their normal billing mechanisms.

Maryland Relay forwards information on each toll call to the relay user's carrier at the time the relay call actually takes place. The record contains: the originating and terminating numbers

and the call type (e.g., person-to person, collect). Interlata and intralata billing records are created by the interexchange carrier as a result of the information digits and calling and called number data being sent to the interexchange carrier at the time the call is made. Long distance charges are based on the originating and terminating numbers. The location of the relay center does not affect billing. The long distance carrier bills based on conversation time using their own rounding calculations. Maryland Relay does not pass session time on to the carrier so only conversation time is billed by the carrier. Billing and collection is then the responsibility of the interexchange carrier who carries the call.

The format of the bill for all toll calls is determined by the carrier as Maryland Relay does not bill any relay calls. However, the call digit information will identify the call as a Maryland TRS call and will further designate the type of call (i.e. 3rd number call, direct dial call, collect call, and person-to-person call). This allows carriers to correctly identify each relay call on their bill.

All billing to the relay user is based on minutes of conversation and is processed by the relay user's carrier of choice.

Maryland Relay has the ability to place the following call types:

Bill to ANI	Person to Person
Third Party	PP - Bill to ANI
Collect	PP – Third Party
Calling Card/Credit Card	PP – Collect
Prepaid Calling Cards	PP – Calling Card/Credit Card

### **Automated Billing System to Determine Call Jurisdiction**

Maryland Relay makes use of an automated billing system to determine call jurisdiction. Maryland Relay marks on every billing record whether the call is local, EAS, intrastate or interstate. This is done immediately when the call is placed. Maryland Relay performs a second check of call jurisdiction during the monthly settlement process. In addition to redundant jurisdiction look-ups, Maryland Relay also accounts for every minute of relay use. This means that all reports must balance at the end of every month in each jurisdiction category. This additional safeguard ensures that all minutes are accounted for correctly. Maryland Relay bills the Interstate TRS Fund Administrator for all interstate minutes.

*(iv) Relay services shall be capable of handling pay-per-call calls.*

### **Pay-Per-Call Services**

Maryland Relay allows relay users to access intrastate and interstate 800, 900 and 976 pay-per-call services in which the company providing the service bills the end-user directly. Maryland Relay has established the necessary trunking to the carriers participating in relay equal access so that the carrier can bill directly for this call.

Maryland Relay's provider bills the Interstate TRS Fund and the DoIT using the percentage split defined by the Interstate TRS Fund Administrator for 800, 900, and 976 calls. Customers may choose to block 976 and 900 calls from being made altogether via forms provided by Maryland Relay.

*(v) 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.*

### **TTY/ASCII to Voice**

Maryland Relay is able to accept a call from a TTY equipped caller, place a call to a hearing and voice capable caller and translate the voice messages to TTY messages and TTY messages to voice messages in order to complete the communications link.

### **Voice to Text Call Processing**

Maryland Relay is able to accept a call from a hearing and voice capable caller, place a call to TTY equipped caller and translate the voice messages to TTY messages and TTY messages to voice messages in order to complete the communications link.

### **Voice Carryover (VCO)**

Maryland Relay allows VCO users to utilize both TTY modes, acoustic mode and direct connect mode. A variety of VCO call types are also available through Maryland Relay.

### **Two-Line VCO**

Maryland Relay provides **two-line VCO** capability which allows a VCO user to have a more interactive conversation. By using two telephone lines, the caller can listen to their conversation if they have some hearing available, on one line while receiving typed text from an operator on the other line, thus creating a more natural flow of conversation.

### **Reverse Two-line VCO**

Maryland Relay's Two-line VCO feature also works in the reverse when a voice user places a call to a two-line VCO user through relay. It is then called Reverse Two-line VCO.

### **VCO-TTY and TTY-VCO**

Maryland Relay provides this service in which VCO users can call a TTY user (or vice versa) through the relay. The VCO user voices his/her conversation which the operator types to the TTY user. The TTY user types his/her conversation directly to the VCO user.

### **VCO-VCO**

Maryland Relay provides VCO to VCO service where the operator types to both parties, preventing the VCO users from having to type their part of the conversation.

### **Hearing Carryover (HCO)**

Maryland Relay allows HCO users to utilize both TTY modes, acoustic mode and direct connect mode. A variety of HCO call types are also available through Maryland relay.

### **Two-Line HCO**

Maryland Relay provides **two-line HCO** capability.

### **HCO-TTY and TTY-HCO**

Maryland Relay provides this feature allowing HCO users to contact TTY users (or vice versa) via the relay.

### **HCO-HCO**

This service allows two HCO users to contact each other through the relay. Maryland Relay provides HCO to HCO service where the operator voices to both parties, preventing the HCO users from having to read the other party's conversation.

*(vi) TRS providers are required to provide the following features:*

*(1) Call release functionality; (2) speed dialing functionality; and (3) three-way calling functionality.*

### **TTY to TTY Call Release**

Maryland Relay processes TTY to TTY calls when it is necessary to go through a voice switchboard first, or if the originating TTY user is using a calling card that is accessed by calling an 800 number first. Once the operator reaches a compatible TTY user when placing a relay call, Maryland Relay gives the calling party the option to communicate independent of the relay function.

The operator receives an automated message box with instructions to release the call from the workstation. Once the call has been released from the workstation, the operator is able to take any other incoming calls.

Using the above procedure, Maryland Relay provides a true call release function to satisfy the FCC requirement, which removes the workstation from the call. If the call is a long distance call, the call is billed as a normal relay call (i.e. the relay user's carrier of choice).

### **Voice to Voice Call Release**

Maryland Relay provides a voice to voice call release function, which removes the workstation from the call. If the call is a long distance call, the call is billed as a normal relay call (i.e. the relay user's carrier of choice). Once the call has been released from the workstation, the call ceases to be a TRS call and is not subject to the per-minute charge to the State.

### **Speed dialing**

Maryland Relay has developed a customer profile for relay users to indicate calling preferences. Customer profile information is presented to the operator each time the relay user calls the relay and includes the option of Speed Dialing. In the Speed Dialing section of the Customer Profile form, customers list the first name and phone number of people they call often through the relay.

### **Three-way calling**

In compliance with the FCC Order released on June 17, 2003, Maryland Relay provides three-way calling capability, in which the customer (if the customer has purchased this feature from his/her LEC) can use this feature to either tie the third party directly into the conversation or to tie the third party in by making a second call to the relay center.

*(vii) 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. The hot key will send text from the CA to the consumer's TTY indicating that a recording or interactive menu has been encountered. Relay providers shall electronically capture recorded messages and retain them for the length of the call. Relay providers may not impose any charges for additional calls, which must be made by the relay user in order to complete calls involving recorded or interactive messages.*

### **Machine Recording Capabilities**

Maryland Relay has a recording function that allows the operator to record a voice announcement and then play back the message at a speed controlled by the operator. The operator informs the relay user through the use of a hot key on the operator's terminal that a recording has been reached, followed by another hot key stating (OPERATOR HERE WOULD YOU LIKE COMPLETE MSG TYPED OR HOLD FOR A DEPT OR LIVE PERSON Q).

If a caller requests a department or live person, the operator types, "HLDING FOR DEPT/PERSON" and presses the appropriate option when the recording prompts.

If a caller requests listening to the complete message, the operator sends a hot key that states, "COLLECTING INFO PLS HLD" and the operator continues to collect the recording.

The message is retained only for the length of the call. This prevents the caller from having to call back several times to get the entire message. Once the originator of the call disconnects, the recording is automatically deleted from the system.

Whenever Maryland Relay has to redial to an answering machine, voice mail, interactive voice messaging unit, or any other type of recording system, for whatever reason, Maryland Relay does so without billing the customer for any subsequent long distance relay calls.

*(viii) TRS providers shall provide, as TRS features, answering machine and voice mail retrieval.*

### **Answering Machine and Voice Mail Retrieval**

Operators are trained in retrieving and relaying TTY messages to voice users and voice messages to TTY users from voice processing systems. Operators use the following procedures to obtain messages for relay users:

1. The user is informed that the operator has reached a voice processing system.
2. If the user requests message retrieval, Maryland Relay obtains the appropriate access codes from the user. Maryland Relay does not retain access codes or any other information needed to access a voice mail system subsequent to the call. This information is considered "call" information and just like any other call information is kept confidential.
3. After the voice processing system has been accessed, Maryland Relay operators begin to relay any messages that have been recorded or leave a message as requested. Maryland Relay makes use of its advanced recording function to capture this information as discussed previously.

4. If the operators must call again to finish relaying any messages, Maryland Relay operators do so without billing the end user for subsequent calls.

Maryland Relay alerts relay users to the presence of a recorded message and/or interactive menu. Maryland Relay uses hot keys (automated macros) to announce recordings or interactive messages. Maryland Relay does not charge a relay user for subsequent calls to a recording or to interactive messages.

#### **Answering Machine Retrieval (Single-Line)**

Maryland Relay provides this service in which messages from a voice or TTY answering machine or a single line telephone are retrieved by the operator. The caller requests Automatic Message Retrieval (AMR) or Single Line Answering Machine (SLAM) and plays the messages to the operators by putting the handset near the speaker of the answering machine. The technology used by Maryland Relay records any messages, enabling the operators to capture the information and type or voice it back to the relay customer. Once the information is relayed to the caller and the call is completed, the recording is automatically erased when the caller disconnects.

*(4) Emergency call handling requirements for TTY-based TRS providers. TTY-based TRS providers must use a system for incoming emergency calls that, at a minimum, automatically and immediately transfers the caller to an appropriate Public Safety Answering Point (PSAP). An appropriate PSAP is either a PSAP that the caller would have reached if he had dialed 9-1-1 directly, or a PSAP that is capable of enabling the dispatch of emergency services to the caller in an expeditious manner.*

#### **The Procedure used by Maryland Relay for Handling Emergency Calls**

Maryland Relay uses a national Emergency Call Relay Center, operated by Intrado, Inc., for the provision of handling emergency relay calls.

Maryland Relay uses Intrado and follows the procedures below:

- If the caller has the local emergency number which needs to be accessed, the call is promptly placed and handled in the same manner as any other relay call.
- In the event that the caller does not have the access number to 9-1-1 and the emergency appears to be of such a nature that time will not permit the caller to hang up and call directly to 9-1-1, the operator will contact the Emergency Call Relay Center (ECRC) which is accomplished through one stroke on the keyboard.
- Simultaneously, the operator obtains the address from which the person is calling from and selects the “emergency call” box option on the software at the workstation. (A Supervisor assists every 9-1-1 call. When an operator makes this selection, a Supervisor is notified immediately as a flag indicator on the Supervisor Console is activated.)

- Once connected to the ECRC, the operator will identify as a TTY relay call and relay the location of the caller. (If the operator does not obtain location information, the operator gives the ECRC the ANI of the caller.)
- The ECRC immediately transfers the call to the appropriate Public Service Answering Point (PSAP) center. The ECRC drops off the call once confirming that both parties are on the line and the correct PSAP has been reached. The operator processes the call as normal.
- Maryland Relay passes the caller's telephone number to the PSAP when a caller disconnects before being connected to emergency services.

### **Back-up Emergency Procedures**

- As a back-up to Intrado in the event that Intrado is unable to match the caller with the appropriate PSAP, Maryland Relay has procedures in place to access its own emergency database.
- The software used by Maryland Relay takes the NPA/NXX information from the ANI of an incoming call and matches it to information in its database. The ANI indicates what city or location a call is coming from. This NPA/NXX information is then cross-referenced to a list of towns and locations in the State of Maryland stored in the database. Maryland Relay has mapped each NPA/NXX in Maryland to the appropriate PSAP. Once this search is complete (it only takes a second) the correct emergency telephone number is loaded automatically into the "outdial" box and the Operator can immediately dial the appropriate emergency personnel. This process ensures that Maryland Relay users have access to the correct and appropriate PSAP when their call is handled in any Hamilton facility.
- Maryland Relay passes the caller's telephone number to the PSAP when a caller disconnects before being connected to emergency services.
- If the caller is using a cellular phone, the ANI is not a good indication of where the caller is actually calling from. In this case, the operator asks for the nearest city name and initiates an automated search for the appropriate PSAP. If several PSAPs are listed for the same city, the operator will try to identify the correct one with a quick question to the caller.
- Maryland Relay's emergency database application described above meets the new requirements established by the FCC.

### **FCC Rules for Emergency Calls**

In the June 2004 order, the FCC adopted the definition of "appropriate" PSAP as "either a PSAP that the caller would have reached if he had dialed 9-1-1 directly, or a PSAP that is capable of enabling the dispatch of emergency services to the caller in an expeditious manner." The database used by Maryland Relay automatically and immediately transfers the caller to the appropriate Public Safety Answering Point based on NPA/NXX information.

The key to providing the best service in emergency situations is to maintain an updated list of Public Emergency Service Answering Point numbers (i.e. 9-1-1 centers). Maryland Relay

accomplishes this through two mechanisms to ensure that relay users are connected to the appropriate PSAP: 1) through the use of Intrado's 9-1-1 infrastructure and 2) through the PSAP database maintained by Maryland Relay's provider.

### **TTY to TTY Communications Between PSAP and Caller**

Maryland Relay will process direct TTY to TTY communications between the PSAP and the TTY caller.

### **If a Caller Disconnects Before Being Connected to the PSAP**

In the event that a caller disconnects before being connected to the PSAP even if the operator is unable to get the number of the caller before the call is disconnected, the workstation contains a notification feature that initiates a command to write a record of the ANI calling for emergency assistance. The Supervisor can then access this information if needed, so no matter when the caller hangs up, Maryland Relay can send the correct ANI information to the 9-1-1 center.

The Supervisor will contact the appropriate 9-1-1 center and give the dispatcher any pertinent information collected on the call. This includes ANI for the caller so that if the 9-1-1 center has "Enhanced 9-1-1 Services", emergency personnel will be able to locate where the person in need is calling from.

During the course of any emergency 9-1-1 calls, the operator continually attempts to solicit as much information as possible about the nature of the emergency so that in the event that the caller cannot complete the call for any reason, the operator may have an opportunity to seek out the appropriate emergency assistance. The operator then gives the dispatcher any pertinent information collected on the call even if the originator of the call has disconnected. This includes ANI for the caller so that if the 9-1-1 center has "Enhanced 9-1-1 Services", emergency personnel will be able to locate where the person in need is calling from. This meets the FCC's new requirement where an operator must pass along the caller's telephone number to the PSAP when a caller disconnects before being connected to emergency services. This allows the PSAP to follow their regular procedures, which is to call back the person calling for help.

The emergency call plan used by Maryland Relay follows this section. This covers the scenario of a relay user disconnecting before the call is completed. If the 9-1-1 call is completed, the operator will follow normal relay procedures with the assistance of a supervisor and the caller's ANI is transferred to the appropriate PSAP as described above.

### **9-1-1 Procedures**

If the caller disconnects before the emergency call to the PSAP is completed:

Call the 9-1-1 Dispatch number that is listed in the Emergencyfile.txt or the emergency dispatch numbers file ASAP (all of this is immediately available on the operator's workstation screen).

Remember this is a 9-1-1 call.

When you reach the 9-1-1 dispatch operator use the following steps:

- A. **Greeting:** This is "CA XXXX" from "State" Relay Center. We just received a 9-1-1 call that wasn't completed. The caller uses a TTY and may be Hard of Hearing, Speech Disabled, or Deaf. The ANI is XXX-XXX-XXXX.

- B. Ask the 9-1-1 dispatch operator if they have a TTY. If they do not proceed to item “3”. Ask if they know how to use the TTY. If they don’t know how to use the TTY proceed to item “3”. If they know how to use the TTY proceed to item “5”.
  - C. Give the 9-1-1 dispatch operator the Voice relay number for the correct state.
  - D. Ask the 9-1-1 dispatch operator if they know how to use the relay.
    - Relay Explanation  
The person you are calling through relay will be typing their conversation and the CA will read it to you.
5. Ask the 9-1-1 dispatch operator for their name or operator number. Record this information on the CA’s Emergency Call Slip.

Complete the Supervisor Emergency Call Slip in the Emergency Dispatch Numbers folder. Through its outreach programs and outreach materials, Maryland Relay educates relay users about how to use 9-1-1 services. As a part of this information, Maryland Relay encourages relay users to call 9-1-1 direct and to contact their local emergency service personnel using a TTY to ensure that the 9-1-1 center will process a TTY call correctly if there ever were an actual emergency.

In addition, Maryland Relay gives presentations to 9-1-1 centers routinely as part of its outreach program. Maryland Relay provides training and other assistance to emergency dispatchers to ensure TTY calls or relay calls are handled correctly.

*(5) STS called numbers. Relay providers must offer STS users the option to maintain at the relay center a list of names and telephone numbers which the STS user calls. When the STS user requests one of these names, the CA must repeat the name and state the telephone number to the STS user. This information must be transferred to any new STS provider.*

### **Speech to Speech**

STS service allows individuals with a speech disability to use his/her own voice or a speech synthesizer when using the relay. STS users are able to communicate with any and all relay users including but not limited to VCO, HCO, TTY, 2LVCO, other STS users or standard phone users. Specially trained operators process Speech to Speech calls. STS is also available in Spanish.

Maryland Relay’s provision of Speech to Speech meets all FCC requirements for Speech to Speech call processing.

STS operators are permitted to facilitate a call for a user with a speech disability if the user does not oppose the intervention as required by the FCC.

Maryland Relay provides STS users the same profile and all of the features contained within that profile which are currently available to other relay users. Maryland Relay has a feature, which allows all relay users, including STS users, to maintain a list of names and telephone numbers. A relay user simply gives the name of the person to call to the operator, the operator then repeats the name and states the number of the person to call. The Speed Dial feature is of great benefit to STS users.

Maryland Relay complies with the 15-minute requirement prior to changing STS operators. A Supervisor must approve and facilitate a STS operator change. Maryland Relay exceeds the FCC standard for substitution of STS operators.

If a change in STS operator is necessary, another operator will replace the operator relaying the call at the same workstation so that the relay user's call is not interrupted except to identify the new operator to both parties. The replacement STS operator will announce, "This is operator# \_\_\_\_ continuing your call." A supervisor monitors the change and must approve the change based on the caller's request or emergency circumstances.

All STS operators have the authority, at the request of the STS user, to retain information beyond the duration of a call in order to facilitate the completion of consecutive calls. This information is retained only for the duration of the inbound call. STS operators retain any important information given by the STS user which might be difficult for the STS relay user to repeat (i.e. credit card numbers, telephone numbers, account numbers, etc.) for use in a subsequent outbound call. Maryland Relay places a great emphasis on maintaining the confidentiality of relay users. As a result, all information is destroyed immediately upon termination of the inbound call. The above meets all FCC requirements for Speech to Speech call processing.

## Technical Standards

*(b) Technical standards.*

*(1) ASCII and Baudot. TRS shall be capable of communicating with ASCII and Baudot format, at any speed generally in use.*

Maryland Relay is capable of receiving and transmitting using Voice, Turbo Code, ASCII or Baudot formats, at any speed generally in use. All equipment is compatible with industry-wide standards. The modems used by Maryland Relay can auto-detect the difference between ASCII and Baudot signals within the same modem so that each call is connected correctly.

*(2) Speed of answer.*

*(i) TRS providers shall ensure adequate TRS facility staffing to provide callers with efficient access under projected calling volumes, so that the probability of a busy response due to CA unavailability shall be functionally equivalent to what a voice caller would experience in attempting to reach a party through the voice telephone network.*

*(ii) TRS facilities shall, except during network failure, answer 85% of all calls within 10 seconds by any method which results in the caller's call immediately being placed, not put in a queue or on hold. The ten seconds begins at the time the call is delivered to the TRS facility's network. A TRS facility shall ensure that adequate network facilities shall be used in conjunction with TRS so that under projected calling volume the probability of a busy response due to loop trunk congestion shall be functionally equivalent to what a voice caller would experience in attempting to reach a party through the voice telephone network.*

*(A) The call is considered delivered when the TRS facility's equipment accepts the call from the local exchange carrier (LEC) and the public switched network actually delivers the call to the TRS facility.*

*(B) Abandoned calls shall be included in the speed-of-answer calculation.*

*(C) A TRS provider's compliance with this rule shall be measured on a daily basis.*

*(D) The system shall be designed to a P.01 standard.*

*(E) A LEC shall provide the call attempt rates and the rates of calls blocked between the LEC and the TRS facility to relay administrators and TRS providers upon request.*

Maryland Relay provides adequate staffing to provide callers with efficient access to the relay. The probability of a busy response due to operator unavailability is functionally equivalent to a voice caller's experience when attempting to reach a party through the voice telephone network.

Except during network failure, Maryland Relay answers eighty-five percent (85%) of all calls within 10 seconds on a daily basis, including abandons. Maryland Relay begins measuring

Average Answer time from the moment a relay call arrives at its relay switch (i.e. in the TRS center's network). As soon as the equipment used by Maryland Relay accepts the call from the LEC and the public switched network delivers the call to the TRS center, Maryland Relay starts its call detail record to capture answer time data.

The State of Maryland has contract provisions in place to assess its relay provider liquidated damages if these answer seconds are not maintained. Hamilton is meeting this standard today for the State of Maryland.

### **Call Blockage**

Maryland Relay requires that the average daily blockage rate for all calls into the Relay Center is no greater than P.01. Blockage rate are measured by sampling the number of calls being blocked at a minimum of every 30 minutes for each 24-hour period beginning at 12:00 AM (local time). If a call rings or is in queue/hold in excess of 90 seconds, it is considered a blocked call.

The systems used by Maryland Relay are designed to prevent blockage. There has been no blockage at switch points because incoming network capacity is well in excess of any peak load requirements. Relay users never receive a busy signal due to Maryland Relay. If a relay user does reach a busy signal, there is a problem somewhere else in the network that is not under Maryland Relay's control (i.e. local network, long distance network, equipment, etc.) Although very unlikely, in the event the switch used by Maryland Relay is down, calls are automatically rerouted or intercept messages are used rather than busy signals.

Maryland Relay's transmission circuits meet or exceed industry interexchange performance standards for circuit loss and noise. Maryland Relay has no busy signals at its center because of a lack of facilities. Maryland Relay's system is currently provisioned in such a manner that call blockage or busy signals never happen. This meets the FCC requirements. In the last 12 months Maryland Relay has experienced no call blockage.

*(3) Equal access to interexchange carriers. TRS users shall have access to their chosen interexchange carrier through the TRS, and to all other operator services, to the same extent that such access is provided to voice users.*

Maryland Relay provides relay users with access to the interexchange carrier of their choice through the TRS, and to all other operator services, to the same extent that such access is provided to voice users. Interlata and intralata long distance toll charges are recorded and billed by the relay user's carrier of choice in the same manner as the carrier bills that customer for long distance calls made without the relay. On each interlata and intralata call, Maryland Relay forwards the appropriate information digits (identifying the call as a relay call), calling number and called number as part of the call information so that the long distance company can bill the customer at correct functionally equivalent rate through their normal billing mechanisms. Calling card or credit card billing is handled in the same manner. Maryland Relay has provisioned the necessary trunks at each of its relay switching tandems for all long distance companies participating in equal access so that they can receive Maryland Relay traffic. Maryland Relay offers equal access to all carriers who choose to participate.

Maryland Relay provides relay users with access to all other Operator Services to the same extent as that provided to voice users. Operator services are handled in the same manner as explained above. All operator assisted calls are sent to the customers' carrier of choice for processing and billing.

The type of arrangement explained above gives the control to the relay user. The relay user can pick their carrier of choice, receive one bill for all of their calls, and the relay user can shop for the best rates, just like they do today for calls not made through the relay. The relay user can continue to work with one carrier and the relay remains invisible.

The customer profile program used by Maryland Relay is based on the relay users' ANI that provides automatic connection to the carrier of choice for both interlata and intralata calls made by the relay user. Relay users complete a customer profile with their carrier information and Maryland Relay adds this information to its database. On each subsequent relay call relay users are automatically connected to their carrier of choice. Relay users can also notify the operator of their carrier of choice when making a long distance relay call. In the event a relay user elects to change his/her carrier of choice, the operator is able to do so.

Maryland Relay offers 1010 dialing through the relay. This service is functionally equivalent to using 1010 services when not placing calls through the relay. In addition to 1010 dial-around, Maryland Relay has 23 interexchange carriers available on its platform.

In order to obtain new carriers on its platform, Maryland Relay contacts all carriers that are requested by Maryland relay users to see if they will participate in relay equal access. Maryland Relay then works through ordering and testing phases with that carrier to ensure that the carrier becomes available to Maryland relay users. Hamilton Relay maintains a list of participating long distance carriers for the Maryland Relay and makes this information available to relay users.

#### *(4) TRS facilities.*

*(i) TRS shall operate every day, 24 hours a day. Relay services that are not mandated by this Commission need not be provided every day, 24 hours a day, except VRS.*

The Maryland Relay provides telecommunications relay service 24 hours a day, 7 days a week.

*(ii) TRS shall have redundancy features functionally equivalent to the equipment in normal central offices, including uninterruptible power for emergency use.*

The facility used by Maryland Relay has the needed redundancy in switching mechanisms and telecommunication facilities to ensure operation 24 hours a day. Maryland Relay is operated from an in-state center located in Frostburg, Maryland. Maryland Relay calls automatically overflow during peak volume times and during any failure of switching or telecommunications facilities to other centers operated by Maryland Relay's provider. This ensures continuous operation of the Maryland Relay.

## **Switching System**

Maryland Relay makes use of an Excel telecommunications switch. The GS-2000 is a programmable, non-blocking switching system that supports a wide range of digital telephony services. Its open, modular architecture and programmable interfaces allow for simplified and cost-effective application development. The GS-2000 supports up to 2,048 ports in a single high-density system. Its components include a matrix CPU, network interface cards, Digital Signal Processing service cards and SS7 packet engine cards. The GS-2000 adapts to all standard network and line interfaces, including T1, E1, J1, and ISDN PRI.

The InterCall Switch Operating System (ISOS) was developed in response to the need to quickly develop applications on the Excel Inc. programmable switching platforms.

The ISOS can simply be loaded on a UNIX host, and plugged into the switch to offer basic tandem type switching capabilities including routing and call detail records. The ISOS is a fully operational basic switch and has great flexibility.

The workstation application was developed to take advantage of the power and flexibility of the ISOS operating system. It provides a high level of operator control processing with complete flexibility to connect any type of call protocol to any other type of call protocol. A database was developed to maintain a profile of each caller to speed up call connections and to provide information for tailored call processing.

The switching system used by Maryland Relay contains a fully redundant central processing unit on hot standby with automatic failover. This is to ensure that no calls are dropped due to technical failure. It also has a redundant power supply on hot standby. Backup control and database servers are also on hot standby with automatic failover. Maryland Relay maintains an inventory of spare critical components for the switching system onsite to ensure that the required levels of service are met (listed below).

The system is fully redundant to ensure quality, reliable performance. The system utilizes a standard T1 interface that enables it to be linked to other digital switches. All cards and power supplies within the system are redundant which gives us the flexibility to switch from one side of the switch to the other to perform updates or to troubleshoot without interrupting call processing. The system is set up to automatically access the secondary operating system on the switch with no human intervention. The system auto-detects any problems and moves to the secondary system immediately if necessary.

The on-sight switching system spare equipment includes:

- D4 channel bank
- All required channel bank cards
- T1 CSU packs
- Switch T-1 card
- Switch conference card

If one of the switching systems used by Maryland Relay cannot be returned to service by transferring control to redundant equipment, the calls automatically will overflow to another switching system. Switching systems used by Maryland Relay are designed to provide a very high level of operational security with two fully redundant processors and power supplies in each switch. Each fully redundant control system, which includes keyboard, monitor and printer capabilities, is used to control and monitor each of the switching systems. The control systems provide online system monitoring and real-time programming capabilities that will not take the system off-line and the ability to perform preventative maintenance or repair while the system is online. Remote capabilities are also provided so the system can be remotely monitored, reconfigured or controlled as necessary. All of this is provided to insure the required levels of service are always met.

### **Backup Power**

An uninterruptible power source with full battery backup is available to operate the Maryland Relay at full capacity for extended periods of time. Maryland Relay also has automatically activated generator back-up capabilities allowing it to provide relay service for an extended period of time during power outages.

This power system supports the switch system and its peripherals, switch room and operator work site emergency lights and system alarms, operator consoles/terminals, Call Detail Recording, Supervisory and traffic monitoring consoles, Customer Service and administrative phone and voice mail systems, and building security systems.

*(5) Technology. No regulation set forth in this subpart is intended to discourage or impair the development of improved technology that fosters the availability of telecommunications to person with disabilities. TRS facilities are permitted to use SS7 technology or any other type of similar technology to enhance the functional equivalency and quality of TRS. TRS facilities that utilize SS7 technology shall be subject to the Calling Party Telephone Number rules set forth at 47 CFR 64.1600 et seq.*

Using flexible software and hardware (i.e. common equipment frames, standard T1 interfaces, windows NT servers, UNIX operating System, etc.) where components can easily be modified in order to accommodate new technology, the platform used by Maryland Relay is ideal for today's rapidly changing technologically advanced environment. Maryland Relay's relay provider can quickly add new features and make changes based on the input from relay users and from our internal evaluations. Maryland Relay's relay provider takes advantage of innovations and technological improvements to enhance the State of Maryland's relay service.

### **Signaling System Seven (SS7)**

The relay platform used by Maryland Relay has made use of SS7 signaling since February 2002. The Relay platforms have been retrofitted to deliver Caller ID in the same manner that these services are delivered today in the public switched network (i.e. Maryland Relay provides true Caller ID service where the actual information of the calling party (not the relay center number) appears on the called party's Caller ID box).

*(6) Caller ID. When a TRS facility is able to transmit any calling party identifying information to the public network, the TRS facility must pass through, to the called party, at least one of the following: the number of the TRS facility, 7-1-1, or the 10-digit number of the calling party.*

**True Caller ID**

Through the use of SS7 signaling Maryland Relay provides true Caller ID service where the actual information of the calling party (not the relay center number) appears on the called party's Caller ID box. Maryland Relay provides this information on all call types and on all carriers. Maryland Relay brings true functional equivalence to Maryland Caller ID relay users.

Maryland Relay receives and passes calling line identification information, including blocking information from all users calling through the relay service.

## Functional Standards

*(c) Functional standards--*

*(1) Consumer complaint logs.*

*(i) States and interstate providers must maintain a log of consumer complaints including all complaints about TRS in the state, whether filed with the TRS provider or the State, and must retain the log until the next application for certification is granted. The log shall include, at a minimum, the date the complaint was filed, the nature of the complaint, the date of resolution, and an explanation of the resolution.*

Maryland Relay tracks all TRS complaints and all other customer service activity. Maryland Relay maintains a log of consumer complaints alleging a violation of federal minimum standards as it relates to the provisioning of Telecommunications Relay Service and retains the log for the State until the FCC grants the next application for certification.

All complaints made through the toll-free Customer Service number, the customer inquiry form or on-line feedback form, whether in writing or in person, are documented in the Customer Service database. All resolutions are also documented in this database. All information is kept on file and available to the DoIT and FCC. Each database record includes the name and/or address of the complainant, the date and time received, the operator identification number, the nature of the complaint, the specific relief or satisfaction sought, the result of the investigation, the resolution of the complaint and date of the resolution. The customer service representative responsible for handling the complaint is also indicated.

The Department's complaint log consists of the following database categories:

- Miscellaneous External Complaints
- LEC External Busy
- 9-1-1 External Calls
- No Notice of How to Complain to FCC
- Operator Accuracy/Spelling/Verbatim
- Operator Gave Wrong Information
- Operator Did Not Keep User Informed
- Operator Hung Up on Caller
- Operator Misdialed Number
- Operator Typing Speed
- Didn't Follow Voice Mail/Recording Procedure
- Operator Typing
- Improper Use of Speed Dialing
- Poor Vocal Clarity/Enunciation
- Improperly Handled ASL or Related Culture Issues
- Improper Use of Call Release
- Improper Handling of Three Way Calling
- Caller ID Not Working Properly

- Improper Use of Customer Data
- Fraudulent/Harassment Call
- Replaced Operator Improperly in Middle of Call
- Didn't Follow Emergency Call Handling Procedure
- Operator Didn't Follow Policy/Procedure
- Confidentiality Breach
- Spanish to Spanish Call Handling Problems
- Miscellaneous Service Complaints
- Ringing/No Answer
- Speech to Speech Call Handling Problems
- Connect Time (TTY-Voice)
- Busy Signal/Blockage
- ASCII/Baudot Break-down
- STS Break-Down
- HCO Break-Down
- Relay Not Available 24 Hours a Day
- 7-1-1 Problems
- VCO Break-Down
- Miscellaneous Technical Complaints
- Line Disconnected
- Carrier of Choice not Available/Other Equal Access
- CapTel Complaints

*(ii) Beginning July 1, 2002, states and TRS providers shall submit summaries of logs indicating the number of complaints received for the 12-month period ending May 31 to the Commission by July 1 of each year. Summaries of logs submitted to the Commission on July 1, 2001 shall indicate the number of complaints received from the date of OMB approval through May 31, 2001.*

Maryland Relay reports complaint activity to the DoIT on a monthly basis. The DoIT submits the necessary information to the FCC as required in § 64.601 Mandatory Minimum Standards on an annual basis. Maryland Relay issues each complaint a Record ID number to enable the DoIT and the FCC to quickly and easily identify the number and details of complaints and contact information of the complainant.

*(2) Contact persons. Beginning on June 30, 2000, State TRS Programs, interstate TRS providers, and TRS providers that have state contracts must submit to the Commission a contact person and/or office for TRS consumer information and complaints about a certified State TRS Program's provision of intrastate TRS, or, as appropriate, about the TRS provider's service. This submission must include, at a minimum, the following:*

*(i) The name and address of the office that receives complaints, grievances, inquiries, and suggestions;*

*(ii) Voice and TTY telephone numbers, fax number, e-mail address, and web address; and*

*(iii) The physical address to which correspondence should be sent.*

The DoIT submitted to the Commission a contact person for TRS consumer information and complaints about Intrastate TRS. The submission includes the name and address of the State office that receives complaints, grievances, inquiries and suggestions, voice and TTY telephone numbers, fax number, e-mail address, web address, and physical address to which correspondence should be sent. Following is the name of the contact at the DoIT for those purposes:

Brenda Kelly-Frey  
Assistant Director  
Department of Information Technology  
Telecommunications Access of Maryland/Maryland Relay  
301 West Preston Street, Suite 1008a, Baltimore, MD 21201  
Telephone numbers: Voice/TTY 800-552-7724  
Fax 410-767-4276  
VP: 866-475-4899 or 866-348-7705  
E-Mail [Brenda.Kelly-Frey@maryland.gov](mailto:Brenda.Kelly-Frey@maryland.gov)

The Hamilton Telephone Company d/b/a Hamilton Telecommunications, the provider of Maryland Relay, has submitted to the Commission a contact person for TRS consumer information and complaints about Hamilton's service. The submission includes the name and address of the state office that receives complaints, grievances, inquiries and suggestions, voice and TTY telephone numbers, fax number, e-mail address, and physical address to which correspondence should be sent. Following is the name of the contact at The Hamilton Telephone Company for those purposes:

Dixie Ziegler  
Vice President of Relay  
Hamilton Relay, Inc.  
1001 12th Street  
Aurora, NE 68818  
Voice/TTY: 402-694-3656  
Toll Free: 800-618-4781  
Fax: 402-694-5037  
E-mail: [dixie.ziegler@hamiltonrelay.com](mailto:dixie.ziegler@hamiltonrelay.com)  
Website: [www.hamiltonrelay.com](http://www.hamiltonrelay.com)

*(3) Public access to information. Carriers, through publication in their directories, periodic billing inserts, placement of TRS instructions in telephone directories, through directory assistance services, and incorporation of TTY numbers in telephone directories, shall assure that callers in their service areas are aware of the availability and use of all forms of TRS. Efforts to educate the public about TRS should extend to all segments of the public, including individuals who are hard of hearing, speech disabled, and senior citizens as well as members of the general population. In addition, each common carrier providing telephone voice transmission services shall conduct, not later than October 1, 2001, ongoing education and outreach programs that*

*publicize the availability of 7-1-1 access to TRS in a manner reasonably designed to reach the largest number of consumers possible.*

### **Community Outreach, Public Relations and Educational Programs**

Maryland Relay provides community and business outreach and promotes a public awareness campaign to educate all Maryland citizens about the relay service. These efforts educate and heighten public awareness of 7-1-1 and TRS throughout Maryland through marketing, advertising and community involvement. In compliance with FCC requirements, which call for outreach to all telephone users, Maryland Relay's outreach initiatives focus on the need to educate the hearing community. As it has been in the past, the primary outreach concern is the number of hearing people who hang up on relay calls. Through participation in promotional events, presentations, workshops and instructional seminars, Maryland Relay reaches out to all relay user communities and always adjusts its programs to meet the specific needs of every audience.

Maryland Relay's outreach and awareness efforts specifically target deaf, hard of hearing, late deafened, deaf-blind and speech-disabled individuals, as well as their family, friends and caregivers. Maryland Relay performs a variety of activities to inform the telecommunications-using public about relay and regularly participates in Maryland organizations' activities that serve relay users.

The outreach team offers informative presentations on the features of relay services to organizations, relay user groups, businesses, educators and students, health care providers, 9-1-1 call centers, emergency, fire and law enforcement personnel, libraries, senior centers, and public and private entities. Maryland Relay's statewide outreach and awareness efforts include:

- PSAs and Other Media Advertisement
- Bill Inserts (TRS features HCO, STS, TTY, Voice, VCO; Captioned Telephone)
- Educational Videos
- Press Releases, Promotional Materials and Relay Brochures
- Presentations and Exhibits
- Training Classes
- Customer Profiles for Relay Users
- Participation in Deaf Community Events
- Participation in Disability Awareness Programs
- Outreach to Healthcare Providers & Caregivers
- Outreach to Educators
- Outreach to Malls and Public Facilities
- Outreach to Speech-Disabled Community
- Outreach to Businesses
- Outreach to Aging Community
- Outreach to State Agencies
- Outreach to Spanish Speaking Marylanders
- Town Hall Meetings
- Brown Bag Lunch Meetings
- Description of Complaint Procedures in Printed Materials

- Listservs
- Website
- Directory Pages

Please refer to Attachment A for sample outreach materials and a list of the outreach activities Maryland Relay has accomplished.

*(4) Rates. TRS users shall pay rates no greater than the rates paid for functionally equivalent voice communication services with respect to such factors as the duration of the call, the time of day, and the distance from the point of origination to the point of termination.*

Maryland Relay's provider performs no billing. All billing is performed by the relay users' carrier of choice for both intralata and interlata toll calls. Thus the relay users' carrier of choice bills all intralata and interlata toll calls at their applicable discounted rate for relay users. Maryland Relay's provider forwards the appropriate information digits identifying the call as a relay call to the carrier so that it can be identified as a relay call, rated and billed accordingly by the carrier. Each carrier providing long distance service to relay users is responsible to ensure that TRS users shall pay no greater than the rates paid for functionally equivalent voice communication services.

*(5) Jurisdictional separation of costs.*

*(i) General. Where appropriate, costs of providing TRS shall be separated in accordance with the jurisdictional separation procedures and standards set forth in the Commission's regulations adopted pursuant to section 410 of the Communications Act of 1934, as amended.*

Maryland Relay's provider presents the Interstate TRS Fund with a billing statement for all interstate minutes of relay in accordance with the requirements of the Interstate TRS Fund and consistent with FCC rulings. All intrastate minutes of use are compensated from the Maryland Relay Fund.

*(ii) Cost recovery. Costs caused by interstate TRS shall be recovered from all subscribers for every interstate service, utilizing a shared-funding cost recovery mechanism. Except as noted in this paragraph, with respect to VRS, costs caused by intrastate TRS shall be recovered from the intrastate jurisdiction. In a state that has a certified program under § 64.605, the state agency providing TRS shall, through the state's regulatory agency, permit a common carrier to recover costs incurred in providing TRS by a method consistent with the requirements of this section. Costs caused by the provision of interstate and intrastate VRS shall be recovered from all subscribers for every interstate service, utilizing a shared-funding cost recovery mechanism.*

Please refer to Method of Funding for a description of the State of Maryland's funding mechanism.

*(iii) Telecommunications Relay Services Fund. Effective July 26, 1993, an Interstate Cost Recovery Plan, hereinafter referred to as the TRS Fund, shall be administered by an entity*

*selected by the Commission (administrator). The initial administrator, for an interim period, will be the National Exchange Carrier Association, Inc.*

Not applicable.

*(A) Contributions. Every carrier providing interstate telecommunications services (including interconnected VoIP service providers pursuant to Sec.64.601(b)) and every provider of non-interconnected VoIP service shall contribute to the TRS Fund on the basis of interstate end-user telecommunications revenues as described herein. Contributions shall be made by all carriers who provide interstate services, including, but not limited to, cellular telephone and paging, mobile radio, operator services, personal communications service (PCS), access (including subscriber line charges), alternative access and special access, packet-switched, WATS, 800, 900, message telephone service (MTS), private line, telex, telegraph, video, satellite, intraLATA, international and resale services.*

Not applicable.

*(B) Contribution computations. Contributors' contribution to the TRS fund shall be the product of their subject revenues for the prior calendar year and a contribution factor determined annually by the Commission. The contribution factor shall be based on the ratio between expected TRS Fund expenses to the contributors' revenues subject to contribution. In the event that contributions exceed TRS payments and administrative costs, the contribution factor for the following year will be adjusted by an appropriate amount, taking into consideration projected cost and usage changes. In the event that contributions are inadequate, the fund administrator may request authority from the Commission to borrow funds commercially, with such debt secured by future years' contributions. Each subject carrier must contribute at least \$25 per year. Contributors whose annual contributions total less than \$1,200 must pay the entire contribution at the beginning of the contribution period. Contributors whose contributions total \$1,200 or more may divide their contributions into equal monthly payments. Contributor shall complete and submit, and contributions shall be based on, a "Telecommunications Reporting Worksheet" (as published by the Commission in the **Federal Register**). The worksheet shall be certified to by an officer of the contributor, and subject to verification by the Commission or the administrator at the discretion of the Commission. Contributors' statements in the worksheet shall be subject to the provisions of section 220 of the Communications Act of 1934, as amended. The fund administrator may bill contributors a separate assessment for reasonable administrative expenses and interest resulting from improper filing or overdue contributions. The Chief of the Consumer & Governmental Affairs Bureau may waive, reduce, modify or eliminate contributor reporting requirements that prove unnecessary and require additional reporting requirements that the Bureau deems necessary to the sound and efficient administration of the TRS Fund.*

Not applicable.

*(C) Registration Requirements for Providers of Non-Interconnected VoIP Service.*

*(1) Applicability. A non-interconnected VoIP service provider that will provide interstate service that generates interstate end-user revenue that is subject to contribution to the Telecommunications Relay Service Fund shall file the registration information described in paragraph (c)(5)(iii)(C)(2) of this section in accordance with the procedures described in paragraphs (c)(5)(iii)(C)(3) and (c)(5)(iii)(C)(4) of this section. Any non-interconnected VoIP service provider already providing interstate service that generates interstate end-user revenue that is subject to contribution to the Telecommunications Relay Service Fund on the effective date of these rules shall submit the relevant portion of its FCC Form 499-A in accordance with paragraphs (c)(5)(iii)(C)(2) and (3) of this section.*

*(2) Information required for purposes of TRS Fund contributions. A non-interconnected VoIP service provider that is subject to the registration requirement pursuant to paragraph (c)(5)(iii)(C)(1) of this section shall provide the following information:*

*(i) The provider's business name(s) and primary address;*

*(ii) The names and business addresses of the provider's chief executive officer, chairman, and president, or, in the event that a provider does not have such executives, three similarly senior-level officials of the provider;*

*(iii) The provider's regulatory contact and/or designated agent;*

*(iv) All names that the provider has used in the past; and*

*(v) The state(s) in which the provider provides such service.*

*(3) Submission of registration. A provider that is subject to the registration requirement pursuant to paragraph (c)(5)(iii)(C)(1) of this section shall submit the information described in paragraph (c)(5)(iii)(C)(2) of this section in accordance with the Instructions to FCC Form 499-A. FCC Form 499-A must be submitted under oath and penalty of perjury.*

*(4) Changes in information. A provider must notify the Commission of any changes to the information provided pursuant to paragraph (c)(5)(iii)(C)(2) of this section within no more than one week of the change. Providers may satisfy this requirement by filing the relevant portion of FCC Form 499-A in accordance with the Instructions to such form.*

*(D) Data collection from TRS Providers.*

*(1) TRS providers seeking compensation from the TRS Fund shall provide the administrator with true and adequate, and other historical, projected and state rate related information reasonably requested to determine the TRS Fund revenue requirements and payments. TRS providers shall provide the administrator with the following: total TRS minutes of use, total interstate TRS minutes of use, total TRS investment in general in accordance with part 32 of this chapter, and other historical or projected information reasonably requested by the administrator for purposes of computing payments and revenue requirements.*

*(2) Call data required from all TRS providers. In addition to the data requested by paragraph (c)(5)(iii)(C)( 1 ) of this section, TRS providers seeking compensation from the TRS Fund shall submit the following specific data associated with each TRS call for which compensation is sought:*

*(i) The call record ID sequence;*

*(ii) CA ID number;*

*(iii) Session start and end times noted at a minimum to the nearest second;*

*(iv) Conversation start and end times noted at a minimum to the nearest second;*

*(v) Incoming telephone number and IP address (if call originates with an IP-based device) at the time of the call;*

*(vi) Outbound telephone number (if call terminates to a telephone) and IP address (if call terminates to an IP-based device) at the time of call;*

*(vii) Total conversation minutes;*

*(viii) Total session minutes;*

*(x) The call center (by assigned center ID number) that handled the call; and*

*(x) The URL address through which the call is handled.*

*(3) Additional call data required from Internet-based Relay Providers. In addition to the data required by paragraph (c)(5)(iii)(C)( 2 ) of this section, Internet-based Relay Providers seeking compensation from the Fund shall submit speed of answer compliance data.*

*(4) Providers submitting call record and speed of answer data in compliance with paragraphs (c)(5)(iii)(C)( 2 ) and (c)(5)(iii)(C)( 3 ) of this section shall:*

*(i) Employ an automated record keeping system to capture such data required pursuant to paragraph (c)(5)(iii)(C)( 2 ) of this section for each TRS call for which minutes are submitted to the fund administrator for compensation; and*

*(ii) Submit such data electronically, in a standardized format. For purposes of this subparagraph, an automated record keeping system is a system that captures data in a computerized and electronic format that does not allow human intervention during the call session for either conversation or session time.*

*(5) Certification. The chief executive officer (CEO), chief financial officer (CFO), or other senior executive of a TRS provider with first hand knowledge of the accuracy and completeness of the information provided, when submitting a request for compensation from the TRS Fund must, with each such request, certify as follows:*

*I swear under penalty of perjury that:*

*(i) 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*

*(ii) The TRS calls for which compensation is sought were handled in compliance with Section 225 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.*

*(6) Audits. The fund administrator and the Commission, including the Office of Inspector General, shall have the authority to examine and verify TRS provider data as necessary to assure the accuracy and integrity of TRS Fund payments. TRS providers must submit to audits annually or at times determined appropriate by the Commission, the fund administrator, or by an entity approved by the Commission for such purpose. A TRS provider that fails to submit to a requested audit, or fails to provide documentation necessary for verification upon reasonable request, will be subject to an automatic suspension of payment until it submits to the requested audit or provides sufficient documentation.*

*(7) Call data record retention. Internet-based TRS providers shall retain the data required to be submitted by this section, and all other call detail records, other records that support their claims for payment from the TRS Fund, and records used to substantiate the costs and expense data submitted in the annual relay service data request form, in an electronic format that is easily retrievable, for a minimum of five years.*

Not applicable.

*(E) Payments to TRS Providers. TRS Fund payments shall be distributed to TRS providers based on formulas approved or modified by the Commission. The administrator shall file schedules of payment formulas with the Commission. Such formulas shall be designed to compensate TRS providers for reasonable costs of providing interstate TRS, and shall be subject to Commission approval. Such formulas shall be based on total monthly interstate TRS minutes of use. TRS minutes of use for purposes of interstate cost recovery under the TRS Fund are defined as the minutes of use for completed interstate TRS calls placed through the TRS center beginning after call set-up and concluding after the last message call unit. In addition to the data required under paragraph (c)(5)(iii)(C) of this section, all TRS providers, including providers who are not interexchange carriers, local exchange carriers, or certified state relay providers, must submit reports of interstate TRS minutes of use to the administrator in order to receive payments. The administrator shall establish procedures to verify payment claims, and may suspend or delay payments to a TRS provider if the TRS provider fails to provide adequate verification of payment upon reasonable request, or if directed by the Commission to do so. The TRS Fund administrator*

*shall make payments only to eligible TRS providers operating pursuant to the mandatory minimum standards as required in § 64.604, and after disbursements to the administrator for reasonable expenses incurred by it in connection with TRS Fund administration. TRS providers receiving payments shall file a form prescribed by the administrator. The administrator shall fashion a form that is consistent with parts 32 and 36 procedures reasonably tailored to meet the needs of TRS providers. The Commission shall have authority to audit providers and have access to all data, including carrier specific data, collected by the fund administrator. The fund administrator shall have authority to audit TRS providers reporting data to the administrator. The formulas should appropriately compensate interstate providers for the provision of VRS, whether intrastate or interstate.*

Not applicable.

*(F) TRS providers eligible for receiving payments from the TRS Fund are:*

*(1) TRS facilities operated under contract with and/or by certified state TRS programs pursuant to § 64.605; or*

*(2) TRS facilities owned by or operated under contract with a common carrier providing interstate services operated pursuant to § 64.604; or*

*(3) Interstate common carriers offering TRS pursuant to § 64.604.*

Not applicable.

*(G) Any eligible TRS provider as defined in paragraph (c)(5)(iii)(F) of this section shall notify the administrator of its intent to participate in the TRS Fund thirty (30) days prior to submitting reports of TRS interstate minutes of use in order to receive payment settlements for interstate TRS, and failure to file may exclude the TRS provider from eligibility for the year.*

Not applicable.

*(H) Administrator reporting, monitoring, and filing requirements. The administrator shall perform all filing and reporting functions required in paragraphs (c)(5)(iii)(A) through (c)(5)(iii)(J) of this section. TRS payment formulas and revenue requirements shall be filed with the Commission on May 1 of each year, to be effective the following July 1. The administrator shall report annually to the Commission an itemization of monthly administrative costs which shall consist of all expenses, receipts, and payments associated with the administration of the TRS Fund. The administrator is required to keep the TRS Fund separate from all other funds administered by the administrator, shall file a cost allocation manual (CAM) and shall provide the Commission full access to all data collected pursuant to the administration of the TRS Fund. The administrator shall account for the financial transactions of the TRS Fund in accordance with generally accepted accounting principles for federal agencies and maintain the accounts of the TRS Fund in accordance with the United States Government Standard General Ledger. When the administrator, or any independent auditor hired by the administrator, conducts audits of providers of services under the TRS program or contributors to the TRS Fund, such audits*

*shall be conducted in accordance with generally accepted government auditing standards. In administering the TRS Fund, the administrator shall also comply with all relevant and applicable federal financial management and reporting statutes. The administrator shall establish a non-paid voluntary advisory committee of persons from the hearing and speech disability community, TRS users (voice and text telephone), interstate service providers, state representatives, and TRS providers, which will meet at reasonable intervals (at least semi-annually) in order to monitor TRS cost recovery matters. Each group shall select its own representative to the committee. The administrator's annual report shall include a discussion of the advisory committee deliberations.*

Not applicable.

*(I) Information filed with the administrator. The Chief Executive Officer (CEO), Chief Financial Officer (CFO), or other senior executive of a provider submitting minutes to the Fund for compensation must, in each instance, certify, under penalty of perjury, that the minutes were handled in compliance with section 225 and the Commission's rules and orders, and are not the result of impermissible financial incentives or payments to generate calls. The CEO, CFO, or other senior executive of a provider submitting cost and demand data to the TRS Fund administrator shall certify under penalty of perjury that such information is true and correct. The administrator shall keep all data obtained from contributors and TRS providers confidential and shall not disclose such data in company-specific form unless directed to do so by the Commission. Subject to any restrictions imposed by the Chief of the Consumer and Governmental Affairs Bureau, the TRS Fund administrator may share data obtained from carriers with the administrators of the universal support mechanisms (see §54.701 of this chapter), the North American Numbering Plan administration cost recovery (see §52.16 of this chapter), and the long-term local number portability cost recovery (see §52.32 of this chapter). The TRS Fund administrator shall keep confidential all data obtained from other administrators. The administrator shall not use such data except for purposes of administering the TRS Fund, calculating the regulatory fees of interstate common carriers, and aggregating such fee payments for submission to the Commission. The Commission shall have access to all data reported to the administrator, and authority to audit TRS providers. Contributors may make requests for Commission nondisclosure of company-specific revenue information under §0.459 of this chapter by so indicating on the Telecommunications Reporting Worksheet at the time that the subject data are submitted. The Commission shall make all decisions regarding nondisclosure of company-specific information.*

Not applicable.

*(J) [Reserved]*

*(K) All parties providing services or contributions or receiving payments under this section are subject to the enforcement provisions specified in the Communications Act, the Americans with Disabilities Act, and the Commission's rules.*

Not applicable.

*(6) Complaints.*

*(i) Referral of complaint. If a complaint to the Commission alleges a violation of this subpart with respect to intrastate TRS within a state and certification of the program of such state under § 64.605 is in effect, the Commission shall refer such complaint to such state expeditiously.*

*(ii) Intrastate complaints shall be resolved by the state within 180 days after the complaint is first filed with a state entity, regardless of whether it is filed with the state relay administrator, a state PUC, the relay provider, or with any other state entity.*

The DoIT will resolve all intrastate complaints within 180 days after the complaint is first filed with the State, regardless of whether the complaint is filed with the state relay administrator, a state PUC, the relay provider or with any other state entity.

*(iii) Jurisdiction of Commission. After referring a complaint to a state entity under paragraph (c)(6)(i) of this section, or if a complaint is filed directly with a state entity, the Commission shall exercise jurisdiction over such complaint only if:*

*(A) Final action under such state program has not been taken within:*

*(1) 180 days after the complaint is filed with such state entity; or*

*(2) A shorter period as prescribed by the regulations of such state; or*

*(B) The Commission determines that such state program is no longer qualified for certification under § 64.605.*

The DoIT understands that if it does not provide a resolution to a complaint that the FCC may exercise jurisdiction.

*(iv) The Commission shall resolve within 180 days after the complaint is filed with the Commission any interstate TRS complaint alleging a violation of section 225 of the Act or any complaint involving intrastate relay services in states without a certified program. The Commission shall resolve intrastate complaints over which it exercises jurisdiction under paragraph (c)(6)(iii) of this section within 180 days.*

The DoIT understands that the Commission will resolve intrastate complaints over which it exercises jurisdiction under paragraph (c)(6)(iii) of this section within 180 days.

*(v) Complaint Procedures. Complaints against TRS providers for alleged violations of this subpart may be either informal or formal.*

*(A) Informal Complaints.*

*(1) Form. An informal complaint may be transmitted to the Consumer & Governmental Affairs Bureau by any reasonable means, such as letter, facsimile transmission, telephone*

*(voice/TRS/TTY), Internet e-mail, or some other method that would best accommodate a complainant's hearing or speech disability.*

*(2) Content. An informal complaint shall include the name and address of the complainant; the name and address of the TRS provider against whom the complaint is made; a statement of facts supporting the complainant's allegation that the TRS provided it has violated or is violating section 225 of the Act and/or requirements under the Commission's rules; the specific relief or satisfaction sought by the complainant; and the complainant's preferred format or method of response to the complaint by the Commission and the defendant TRS provider (such as letter, facsimile transmission, telephone (voice/TRS/TTY), Internet e-mail, or some other method that would best accommodate the complainant's hearing or speech disability).*

*(3) Service; designation of agents. The Commission shall promptly forward any complaint meeting the requirements of this subsection to the TRS provider named in the complaint. Such TRS provider shall be called upon to satisfy or answer the complaint within the time specified by the Commission. Every TRS provider shall file with the Commission a statement designating an agent or agents whose principal responsibility will be to receive all complaints, inquiries, orders, decisions, and notices and other pronouncements forwarded by the Commission. Such designation shall include a name or department designation, business address, telephone number (voice and TTY), facsimile number and, if available, internet e-mail address.*

*(B) Review and disposition of informal complaints.*

*(1) Where it appears from the TRS provider's answer, or from other communications with the parties, that an informal complaint has been satisfied, the Commission may, in its discretion, consider the matter closed without response to the complainant or defendant. In all other cases, the Commission shall inform the parties of its review and disposition of a complaint filed under this subpart. Where practicable, this information shall be transmitted to the complainant and defendant in the manner requested by the complainant (e.g., letter, facsimile transmission, telephone (voice/TRS/TTY) or Internet e-mail.*

*(2) A complainant unsatisfied with the defendant's response to the informal complaint and the staff's decision to terminate action on the informal complaint may file a formal complaint with the Commission pursuant to paragraph (c)(6)(v)(C) of this section.*

The DoIT will assist as necessary in this process.

*(C) Formal complaints. A formal complaint shall be in writing, addressed to the Federal Communications Commission, Enforcement Bureau, Telecommunications Consumer Division, Washington, DC 20554 and shall contain:*

*(1) The name and address of the complainant,*

*(2) The name and address of the defendant against whom the complaint is made,*

*(3) A complete statement of the facts, including supporting data, where available, showing that such defendant did or omitted to do anything in contravention of this subpart, and*

*(4) The relief sought.*

*(D) Amended complaints. An amended complaint setting forth transactions, occurrences or events which have happened since the filing of the original complaint and which relate to the original cause of action may be filed with the Commission.*

*(E) Number of copies. An original and two copies of all pleadings shall be filed.*

*(F) Service.*

*(1) Except where a complaint is referred to a state pursuant to §64.604(c)(6)(i), or where a complaint is filed directly with a state entity, the Commission will serve on the named party a copy of any complaint or amended complaint filed with it, together with a notice of the filing of the complaint. Such notice shall call upon the defendant to satisfy or answer the complaint in writing within the time specified in said notice of complaint.*

*(2) All subsequent pleadings and briefs shall be served by the filing party on all other parties to the proceeding in accordance with the requirements of § 1.47 of this chapter. Proof of such service shall also be made in accordance with the requirements of said section.*

*(G) Answers to complaints and amended complaints. Any party upon whom a copy of a complaint or amended complaint is served under this subpart shall serve an answer within the time specified by the Commission in its notice of complaint. The answer shall advise the parties and the Commission fully and completely of the nature of the defense and shall respond specifically to all material allegations of the complaint. In cases involving allegations of harm, the answer shall indicate what action has been taken or is proposed to be taken to stop the occurrence of such harm. Collateral or immaterial issues shall be avoided in answers and every effort should be made to narrow the issues. Matters alleged as affirmative defenses shall be separately stated and numbered. Any defendant failing to file and serve an answer within the time and in the manner prescribed may be deemed in default.*

*(H) Replies to answers or amended answers. Within 10 days after service of an answer or an amended answer, a complainant may file and serve a reply which shall be responsive to matters contained in such answer or amended answer and shall not contain new matter. Failure to reply will not be deemed an admission of any allegation contained in such answer or amended answer.*

*(I) Defective pleadings. Any pleading filed in a complaint proceeding that is not in substantial conformity with the requirements of the applicable rules in this subpart may be dismissed.*

The DoIT will assist as necessary in this process.

**Supplemental Information:**

Intrastate Maryland Relay complaints are processed in the following manner for the DoIT by its TRS provider:

Trained personnel located within the State of Maryland answer all Maryland Relay Customer Service calls. Maryland Relay provides a 24 hour a day, 7 days a week customer service via a

toll-free telephone number, accessible from anywhere in the U.S., to assist TTY and voice callers with Maryland TRS inquiries and complaints. Customers may also contact Maryland Relay via e-mail and through the Maryland relay web-site; in person; as well as in writing. Any caller to the relay center having a complaint can reach a supervisor or customer service representative while still on line during a relay call. Maryland Relay processes any complaints, which originate via e-mail, fax, telephone, regular mail, outreach events, at the workstations, etc.

Ultimately responsible for processing all inquiries, comments and complaints is Maryland's Relay Center Manager. The Vice President of Relay also views all complaint information.

In the event of a complaint regarding the Maryland Relay, trained staff will follow an established procedure of complaint resolution. This process varies depending on the gravity of the situation.

- A Complaint involving an operator is directed to the operator's Supervisor and the Lead Supervisor. Constructive feedback will be shared with the operator and appropriate coaching, re-training and counseling steps will be taken by the primary Supervisor to resolve the situation. Maryland Relays' detailed call records show each key command (not actual text) the operator makes. Maryland Relay's provider can easily investigate Maryland Relay operator complaints and take disciplinary action when needed.
- Complaints regarding service/procedure issues are directed to the appropriate internal personnel. Technical issues are given to the technical support staff Maryland Relay uses and addressed immediately. Procedural issues are discussed at internal quality meetings.

All complaints are reviewed by the Maryland Relay Center Manager and State's Contract Manager to ensure that any complaints have been resolved to the customer's satisfaction. The Customer Service Team resolves most customer service complaints. If further action is needed, the complaint is escalated to the Vice President of Relay Service for Hamilton, and to the Director of Maryland Relay when needed. All complaints are resolved within 10 calendar days depending on the complexity of the problem. Maryland Relay describes the above procedures and FCC complaint processes, including contact information for both the DoIT and the FCC, in appropriate printed outreach material that is distributed to the general public.

If the user is not satisfied with the resolution of the complaint by Maryland Relay or with any action taken, Maryland Relay's monthly report to the DoIT will so state. The user then has the opportunity and is given written notice of that opportunity by Maryland Relay to have the complaint and action of Maryland Relay reviewed by the DoIT for such action as it may deem appropriate in accordance with its rules and regulation. The DoIT will act on such complaint no later than 180 days from the filing of the complaint.

The DoIT will process all complaints referred by the Federal Communication's Commission for intrastate Telecommunications Relay Service for the State of Maryland. The DoIT will cooperate in the investigation or resolution of any and all complaints concerning Maryland Relay with the Federal Communication's Commission.

*(7) Treatment of TRS customer information. Beginning on July 21, 2000, all future contracts between the TRS administrator and the TRS vendor shall provide for the transfer of TRS customer profile data from the outgoing TRS vendor to the incoming TRS vendor. Such data must*

*be disclosed in usable form at least 60 days prior to the provider's last day of service provision. Such data may not be used for any purpose other than to connect the TRS user with the called parties desired by that TRS user. Such information shall not be sold, distributed, shared or revealed in any other way by the relay center or its employees, unless compelled to do so by lawful order.*

The contracts between the Maryland Department of Information Technology and The Hamilton Telephone Company d/b/a Hamilton Telecommunications provide for the transfer of TRS customer profile data from Hamilton to the incoming TRS vendor. Hamilton will provide the above mentioned data to the new vendor at least 60 days prior to the conclusion or termination of the contract.

Hamilton does not and will not use this data for any purpose other than connecting the Maryland Relay user to his/her called party. Hamilton has not and will never make any relay information available for sale or distribution. Hamilton will not sell, distribute, share or reveal in any way the information referenced above.

## State Certification Requirements

### *§64.606 Internet-based TRS provider and TRS program certification*

#### *(a) Documentation—*

*(1) Certified state program. Any state, through its office of the governor or other delegated executive office empowered to provide TRS, desiring to establish a state program under this section shall submit, not later than October 1, 1992, documentation to the Commission addressed to the Federal Communications Commission, Chief, Consumer & Governmental Affairs Bureau, TRS Certification Program, Washington, DC 20554, and captioned “TRS State Certification Application.” All documentation shall be submitted in narrative form, shall clearly describe the state program for implementing intrastate TRS, and the procedures and remedies for enforcing any requirements imposed by the state program. The Commission shall give public notice of states filing for certification including notification in the Federal Register.*

The State of Maryland is currently certified to provide intrastate TRS through July 26, 2013. This application is submitted to re-certify the State of Maryland for an additional five years.

*(b) (1) Requirements for state certification. After review of state documentation, the Commission shall certify, by letter, or order, the state program if the Commission determines that the state certification documentation:*

*(i) Establishes that the state program meets or exceeds all operational, technical, and functional minimum standards contained in §64.604;*

Please refer to the Operational Standards, Technical Standards and Functional Standards sections for a description of how the state of Maryland meets or exceeds all operational, technical and functional minimum standards contained in §64.604.

*(ii) Establishes that the state program makes available adequate procedures and remedies for enforcing the requirements of the state program, including that it makes available to TRS users informational materials on state and Commission complaint procedures sufficient for users to know the proper procedures for filing complaints; and*

The DoIT regulates the provision of telecommunications service in the State of Maryland and has established rules and procedures for service standards as well as complaint resolution and other necessary enforcement remedies. The contract entered into between the DoIT and Hamilton Telephone Company provides that all state and federal laws shall be complied with. Failure to do so by Hamilton would be a breach-of-contract for which the DoIT could terminate the agreement with Hamilton and seek such other remedies as may be available by law. Consumers also have the opportunity pursuant to the established rules of the DoIT to file complaints or petitions concerning the Maryland Relay requesting modifications in the provision of this service or otherwise resolving issues or concerns of the public.

*(iii) Where a state program exceeds the mandatory minimum standards contained in §64.604, the state establishes*

As demonstrated in the following section, where the Maryland Relay program exceeds the mandatory minimum standards contained in §64.604, Maryland Relay establishes that its program in no way conflicts with federal law.

The Maryland Relay does exceed some of the mandatory minimum standards contained in Section 64.604 in terms of the following items:

### **Operator Training and Procedures**

Maryland Relay not only meets, but also exceeds FCC Communications Assistant (Operator) standards in the areas of hiring and training practices, typing speed and accuracy and in-call replacement of operators.

### **Ability to TYPE at 60 wpm**

Maryland Relay operators must TYPE 60 words per minute. **Maryland Relay exceeds this service level by requiring operators to maintain a 95% accuracy level in addition to 60-wpm typing.** The Maryland Center has an average typing speed of 68.1 wpm with 97% accuracy.

### **Turbo Code**

Maryland Relay exceeds the FCC requirement that TRS shall be capable of communicating with ASCII and Baudot formats, at any speed generally in use. Maryland Relay provides Turbo Code, a proprietary alternate protocol developed by Ultratec, as an enhanced protocol and has secured a license from Ultratec to use this protocol in its relay modems. Maryland Relay users are able to automatically connect “Turbo Code” on every relay call type. With Turbo Code, Maryland Relay users can use their Turbo Code Interrupt feature.

### **Intrastate Spanish**

In addition to Interstate Spanish to Spanish, Maryland Relay provides Intrastate Spanish to Spanish call handling to the relay users of Maryland and processes all the same call types on its Spanish lines as it does on its English voice and TTY lines.

When recruiting and training bilingual operators, Maryland Relay requires Spanish operators to pass a Spanish test, attend a Spanish orientation class and take all standard operator and Speech to Speech training prior to relaying Spanish to Spanish calls. Hamilton training materials automatically change to Spanish as needed.

### **SS7 Signaling**

**The relay platform used by Maryland Relay has made use of SS7 signaling since February 2002.** The Relay platforms have been retrofitted to deliver Caller ID in the same manner that these services are delivered today in the public switched network (i.e. Maryland Relay provides true Caller ID service where the actual information of the calling party (not the relay center number) appears on the called party’s Caller ID box).

## **Captioned Telephone Service**

Maryland Relay provides Captioned Telephone service 24 hours a day, 7 days a week, 365 days a year in a manner that is functionally equivalent to traditional voice calls. Captioned Telephone users place a call in the same way as dialing a traditional phone. As they dial, the CapTel phone automatically connects to a captioning service. When the other party answers, the CapTel phone user hears everything that is said, just like a traditional telephone call.

## **FCC Captioned Telephone Regulations and Waivers**

The FCC has issued a separate Ruling specifically for Captioned Telephone: Declaratory Ruling on August 1, 2003 CC Docket No. 98-67, FCC 03-190 document. In this Ruling the FCC found that captioned telephone VCO service (Captioned Telephone Service is a form of this) is a type of TRS. In addition the FCC waived certain TRS mandatory minimum standards that do apply to captioned telephone VCO service, and waived other TRS mandatory minimum standards for captioned telephone VCO (see list below). On July 14, 2005 the FCC clarified that Two-Line Captioned Telephone Service is a type of telecommunications relay service eligible for compensation from the Interstate TRS Fund.

Maryland's Captioned Telephone Service offering meets all FCC minimum standards.

The Declaratory Ruling referenced above serves as the primary source in meeting the existing minimum standards including waivers of the six TRS requirements for Captioned Telephone Services. The FCC issued an order on August 14, 2006 (CG Docket No. 03-123, DA 06-1627 document) making these temporary waivers permanent.

### **Captioned Telephone waivers include:**

1. Speech to Speech (STS) and Hearing Carryover (HCO)
2. Communication Assistants waivers:
  - TRS mandatory minimum standard requiring CAs to be competent in interpretation of typewritten ASL as applied to Captioned Telephone captionists.
  - CA oral-to-type test requirement and permit the use of an oral-to-text test instead for Captioned Telephone captionists.
  - Requirement that CAs not refuse single or sequential calls as applied to Captioned Telephone captionists handling outbound Captioned Telephone calls.
  - Gender preference.
  - 60 wpm mandatory typing speed for CAs.
3. Interrupt Functionality
4. Call Release
5. ASCII and Baudot Format

## **Captioned Telephone Training**

All Captioned Telephone captionists are required to satisfactorily complete a series of skills assessments to achieve the expertise and knowledge to adequately and accurately caption in a professional manner the words spoken by the hearing party without intervening in the communication between the parties. The evaluation process includes the quality of voice, clarity of speech and correct use of words and sentence structure.

A detailed training plan for captionists is in place to ensure that all standards as applied by the FCC to the provision of Captioned Telephone are met by each captionist. At any time if a prospective captionist does not demonstrate the ability to achieve the expected standards, they may be removed from the training group.

After initial training, Captioned Telephone trainees are tested through the administration of timing scripts in a test environment. Each captionist is required to successfully pass two rounds of timings consecutively prior to handling live calls. In addition, trainees are required to meet specified monitor scores when being evaluated on live call processing. Captionists are monitored daily and if a captionist fails a monitoring, they are not allowed to process live calls until they are able to pass monitoring.

### **Captioned Telephone Ongoing Training**

All captionists receive all necessary ongoing training. Captionists are monitored on each shift and if they are found to need additional training or re-training, they are taken off line and given the necessary training. In addition, captionists are retrained on new features and capabilities of the Captioned Telephone service platform including any new or improved voice recognition systems used in the platform.

Captionists are tested monthly through the administration of Timing Scripts in a test environment. In addition, captionists are periodically monitored while processing live calls. Only the scores of each captionist are maintained in a database. No other information regarding conversations is kept at any time.

### **Captioned Telephone Quality Assurance**

One way that quality is measured is through the testing program which requires a proficiency level for captionists of 130 WPM speed of transcription with a 2% or less Error Rate and 98% accuracy requirement in a testing environment.

### **Captioned Telephone Service Captionists adhere to the following minimum standards:**

- The captionist is trained to caption the words spoken by the hearing party as accurately as reasonably possible without intervening in the communications. The captionist is permitted to provide background noise identification;
- The captionist shall not maintain any records of conversation content and shall keep the existence and content of all calls confidential;
- The captionist shall be required to meet minimum transcription speed requirements as set by provider;
- The captionist shall not limit the length of a call and shall stay with the call for a minimum of ten minutes when answering and placing a call;
- The captionist shall pass along a Captioned Telephone caller's ANI to the appropriate PSAP if the caller disconnects before being connected to emergency services;
- Captioned Telephone personnel have the requisite experience, expertise, skills, education, knowledge and training to perform Captioned Telephone Services in a professional manner.

### **Captioned Telephone Confidentiality Agreement**

All captionists adhere to strict policies of confidentiality, which comply with all FCC confidentiality requirements. Maryland's Captioned Telephone provider collects only that personal information necessary to provide and bill for the Captioned Telephone service being rendered. Captionists are also prohibited from intentionally altering a relayed conversation. Following is a Confidentiality Agreement that all captionists are required to sign prior to taking any live calls.

The success of Captioned Telephone depends on quality and complete confidentiality. All captionists understand and abide by the confidentiality policy.

Captionists do not discuss the contents of captioned calls, any caller identifying factors, calling points, or other information about captioned calls other than what is necessary to train other captionists. The CapTel call centers are isolated to assure confidentiality standards are upheld.

**Confidentiality Policy**

- I will not disclose to any individual (outside of a member of the CapTel management staff) the identity of any caller or information I may learn about a caller (including names, phone numbers, locations, etc.) on any Captioned Telephone call.
- I will not act upon any information received while processing a Captioned Telephone call.
- I will not disclose to anyone the names, schedules, or personal information of any fellow worker at CapTel Inc.
- I will not share any information about Captioned Telephone calls with anyone except a member of the CapTel Inc. management staff in order to investigate complaints, technical issues, etc.
- I will continue to hold in confidence all information related to the work and calls I have performed while at CapTel Inc. after my employment ends.
- I will NOT reveal my Captionist ID number in conjunction with my name unless asked by a member of the CapTel Inc. management staff.
- I will not share with anyone any technical aspect of my position at CapTel Inc. unless asked by a member of the CapTel Inc. management staff.
- I will not talk about consumers or call content with any fellow Captionists.
- I will not listen to or get involved in calls taken by fellow Captionists.

I have read the above Confidentiality Policy and understand a breach of confidentiality will result in disciplinary action up to and including termination of employment at CapTel, Inc. I recognize the serious and confidential nature of my position and therefore promise to abide by these guidelines.

Employee Name \_\_\_\_\_

Date \_\_\_\_\_

## **Types of Captioned Telephone Calls**

Captionists are prohibited from limiting the length of a call and are required to stay with a call for a minimum of ten minutes when answering and placing a call. Captioned Telephone transmits conversations between callers in real time. Maryland Captioned Telephone is capable of handling any type of call normally provided by telecommunications carriers, except for those types of calls and call functionality that specifically been waived for Captioned Telephone Services.

## **Change of Captioned Telephone Captionist**

Maryland Captioned Telephone is in compliance with the FCC rule which requires that the captionist shall stay with a relay call for a minimum of ten minutes.

The situations in which a captionist would change during a call include:

- 1) More than 10 minutes past scheduled break or lunch time
- 2) More than 10 minutes past the end of a shift
- 3) Captionist is observed having extreme difficulty processing the call
- 4) Call has been in progress more than 30 minutes with difficult call content or speed, or 60 minutes or more of an average call

The change of captionist is handled through a supervisor who approves the change, finds an available captionist to exchange, and issues the Call Take Over. When a change occurs, the new captionist is identified to the Captioned Telephone user. Just prior to the change in captionist a message is sent to the Captioned Telephone user indicating there will be a change in captionist. After the change, a new message is sent with the new captionist number indicating they have taken over the call. This way the Captioned Telephone user can choose to stop the standard phone user from talking for a moment until the new captionist is fully in place. The change take place while the Captioned Telephone user is speaking so that the least amount of information to caption is lost.

## **Dialing 9-1-1 in an Emergency – Two-Line Captioned Telephone**

When calling 9-1-1 in emergency situations using 2-Line Captioned Telephone, one line is routed directly to the most appropriate 9-1-1 center and the second line is routed through the captioning center. This allows the user to receive captions on one line and hear the conversation on the other line simultaneously. The 9-1-1 center receives the caller's ANI information directly from the network in the same way as a non-Captioned Telephone call.

## **Dialing 9-1-1 in an Emergency – Single Line Captioned Telephone**

When calling 9-1-1 in emergency situations, the single line Captioned Telephone users' call is automatically routed to the most appropriate 9-1-1 center because the call was placed from the user's landline. 9-1-1 calls are **not** routed through the captioning service. This means:

- There are no delays in accessing emergency personnel, as calls are directly connected to a 9-1-1 call center.
- Emergency 9-1-1 calls are **not** captioned in the same manner that regular Captioned Telephone calls are because the call is not routed through the CapTel Captioning Service.
- The Captioned Telephone user speaks directly into the handset. The 9-1-1 call-taker will hear everything the Captioned Telephone user says. The Captioned Telephone user will

not be able to hear the call taker, but the dispatcher can type instructions on a TTY, which will appear on the Captioned Telephone display screen.

- Emergency 9-1-1 Services will know the ANI of the caller and be able to locate the individual and send appropriate help, based on the location from which the Captioned Telephone call is placed.

### **Captioned Telephone Answer Performance**

Maryland's Captioned Telephone answers 85% of calls within 10 seconds by any method which results in the caller's call immediately being placed, not put in queue or on hold.

Maryland's Captioned Telephone provider ensures that adequate staffing is supplied to provider Captioned Telephone users with an average answer speed of 85% of all calls answered within 10 seconds on a daily basis including abandons. As an experienced Captioned Telephone provider, Maryland's Captioned Telephone provider has tools in place to project future demand so all standard can be met.

Maryland ensures that services standards relating to answer speed are met including during those times of increases or spikes in call volume. Maryland's Captioned Telephone provider tracks the number of CapTel phones distributed to users. Combining this with an average length of each call allows Maryland's Captioned Telephone provider to predict the number of captionists that are needed. Maryland's Captioned Telephone provider ensures adequate trunking capacity, workstations, personnel staffing, and equipment capacity to meet the current standard of 85% of all calls answered within 10 seconds on a daily basis. Abandoned calls are included in the speed of answer calculation. Maryland's Captioned Telephone provider also has reporting mechanisms and alarm systems to detect and record failures.

Maryland ensures compliance with the P.01 customary TRS industry standard for blockage. Maryland's Captioned Telephone provider commits to ensuring that no more than one call in 100 will receive a busy signal when calling the Captioning Center at the busiest hour.

### **Captioned Telephone Facilities**

Captioned Telephone Services are provided from the following locations Madison, WI; Milwaukee, WI; Aurora, Nebraska; Baton Rouge, Louisiana; and Frostburg, Maryland.

Maryland ensures that Captioned Telephone Service is available 24 hours per day, 7 days per week, and 365 days per year. Maryland's Captioned Telephone provider ensures the needed redundancy in switching mechanisms and telecommunications facilities are in place to ensure operation 24 hours a day.

Each CapTel Center is equipped with redundant systems for power. The CapTel Centers utilize a combination of battery backup, commercial UPS supply, and/or auxiliary generator to supply uninterruptible power to the CapTel Center for extended periods of time. Redundant systems for power include ACD/telecom switching equipment, call processing servers, data network servers, and LAN gear. Most equipment failures can be corrected without complete loss of service.

The CapTel switching system includes a redundant Central Processing Unit (CPU) on "hot

stand-by” to ensure that no calls are dropped due to processor failure, a full Maintenance and Administrative Terminal with keyboard, screen and printer capabilities, on-line monitoring, real time programming capabilities which does not take the system off-line, and an inventory of spare critical components which are maintained on site to ensure the required levels of service are met

It is also important to ensure that equipment and technology is tested and upgraded frequently. Maryland’s Captioned Telephone provider and its subcontractor communicate frequently and review plans to ensure redundancy, including: replacing servers with ones that have lower power requirements, allowing for longer power if back-up power is needed; deploying new servers which allow for more robust monitoring to see any signs of trouble before it would affect call processing; and deploying all servers and core switching gear are on a SONET fiber ring at each location.

### **24/7/365(6) Captioned Telephone Customer Service**

Maryland’s Captioned Telephone provider ensures that customers can reach Customer Service even on those times that CTI’s customer service is closed to ensure complete customer satisfaction.

### **True Caller ID via Captioned Telephone**

Maryland’s Captioned Telephone provider offers FCC compliant Caller ID services. The FCC has required that when a TRS facility is able to transmit any calling party identifying information to the public network, the TRS facility must pass through, to the called party, at least one of the following: the number of the TRS facility, 7-1-1, or the 10-digit number of the calling party. Maryland’s Captioned Telephone provider has provided True Caller ID which passes along the 10-digit number of the person calling since August 1, 2005.

The actual identity of the Calling Party is presented to the Called Party’s Caller ID box (True Caller ID). With True Caller ID, the Called Party may not know that they received a call via the Captioned Telephone service. Also if the Calling Party blocks their Caller ID, the Called Party does not receive any Caller ID information, functionally equivalent to a standard telephone call. Caller ID information of the Called Party is shown on the CapTel display screen.

### **Three-way Calling via Captioned Telephone**

Maryland’s Captioned Telephone provider offers FCC compliant Three-way calling. A standard telephone user can initiate a three-way call to a Captioned Telephone user. For example, two standard phone users are on a call. The party with three-way calling feature on his/her phone line would hook flash to put the other person on hold, and would then dial the national Captioned Telephone voice number and enter the Captioned Telephone user’s telephone number or dial the Captioned Telephone user direct if a 2-Line Captioned Telephone user. All three parties would then be joined and the Captioned Telephone user would receive captions on the call.

With 2-Line Captioned Telephone, the Captioned Telephone user can initiate a Three-way call in the same manner that a standard phone user would. The first line works exactly as a regular phone line (able to add another caller) and the second line supports the captions.

### **Call-Waiting via Captioned Telephone**

Call-waiting is supported by 2-line Captioned Telephone only. When the Captioned Telephone user hears (or reads in the captions) the “beep” telling him/her a second call is coming in, the party would simply press the FLASH button on their CapTel phone. The Captioned Telephone user’s second caller will be on-line, and the Captioned Telephone user will receive captions of the conversation. The Captioned Telephone user will still receive captions of their first conversation, if/when they return to the first caller by pressing the FLASH button again.

No charges will be assessed to Captioned Telephone users for these local exchange non-basic services beyond what the user pays their LEC for these services.

### **Speed Dialing via Captioned Telephone**

Maryland’s Captioned Telephone provider offers speed dialing, which is built into the CapTel phone’s Dialing Directory. To use this feature, the Captioned Telephone user saves the desired phone numbers in the CapTel memory. To speed dial a number in memory, the user simply presses the button next to the “Memory Dial/Redial” arrow. A list of saved numbers and the last number dialed is then displayed. The user then presses the button next to the number they wish to dial and Captioned Telephone dials the number automatically.

### **Captioned Telephone via 7-1-1**

Maryland’s Captioned Telephone provider has implemented a procedure that allows standard phone users to call a Captioned Telephone user by dialing 7-1-1 rather than the Captioned Telephone 800 number. Standard phone users can use this on a per-call basis or as an option on the Customer Profile.

### **Spanish Captioned Telephone**

Maryland’s Captioned Telephone provider offers Intrastate and Interstate Spanish Language Captioned Telephone services. Spanish Captioned Telephone hours are from 7:00 a.m. to 11:00 p.m. Central Time. To use Spanish Captioned Telephone, the user selects the Spanish option under the menu settings. Once this setting is selected, calls will automatically route to a Spanish captionist. Standard phone users will dial the Spanish toll-free access number to call a Spanish Captioned Telephone user and have the call captioned in the Spanish language.

### **Using Automated (Touchtone) Systems via Captioned Telephone**

With Captioned Telephone, customers can easily receive and/or leave messages on answering machines or voice mail systems with automated menus.

The Captioned Telephone user can press the Captioned Telephone number buttons at any time during a call to make selections. This makes navigating automated systems easy.

The Captioned Telephone user can press a button as soon as they are ready to make a selection. The captioning service continuously transcribes what is heard regardless of what the Captioned Telephone user is saying or which buttons they press.

Some automated systems have very short response times which may disconnect the call. If this happens, the Captioned Telephone user will simply hang up and try the call again.

### **Leaving Messages on Answering Machines via Captioned Telephone**

The Captioned Telephone user may begin leaving their message as soon as they see “BEEP” on the display screen or hear the recorded greeting end.

If no further information is received, the Captioned Telephone user may assume their message was recorded. If the answering machine is capable of confirming that a message was left, the Captioned Telephone user will see the confirmation message on the Captioned Telephone display.

### **Retrieving Voice Mail Messages via Captioned Telephone**

The Captioned Telephone user accesses their voice mail/answering machine system as a remote caller, and follows the voice mail/answering machine prompts to retrieve the messages.

### **Captioning External Answering Machine Messages via Captioned Telephone**

Captioned Telephone users can receive captions of voice messages left on an answering machine that is near the CapTel phone by playing the messages aloud by following these instructions:

1. With the handset hung up, press the menu button until “Caption External Answering Machine Messages” is displayed.
2. Press the button next to “OK”.
3. Pick up the CapTel handset and place the handset mouth piece next to the answering machine speaker. Make sure the handset mouthpiece is close enough to “hear” the messages as they are played aloud.
4. In this mode, Captioned Telephone will automatically dial the captioning service. Watch the display to see when a connection is established.
5. Start playing the voice messages aloud on your external answering machine. Watch the CapTel display to see captions of the voice messages.
6. Save or delete voice messages directly on the answering machine. When you are finished, hang up the CapTel handset. The “Caption External answering Machine Messages” feature will go off automatically.

### **Captioned Telephone End User Billing**

Captioned Telephone users can utilize alternate billing arrangements; for example, collect, third number, person to person, calling card, credit card, and 900 number services.

All local calls are provided free of charge to the consumer. For long distance, all billing is performed by the customer’s long distance carrier of choice or by the State’s default carrier when the customer has not selected a carrier. All billing information is routed to the appropriate carrier during the outbound call setup. The carrier provides accurate billing to the customer using the same process used for standard telephone calls.

All interstate calls, including out of state long distance and international calls are billed to the Interstate TRS Fund. Jurisdiction information is captured while the call is in progress and recorded in the CDR. This information is passed to the appropriate carrier during the outbound call set-up to ensure accurate billing.

### **Captioned Telephone Carrier of Choice**

Captioned Telephone users have the ability to access their chosen carrier of choice for intrastate, interstate or international calls to the same extent such access can typically be made by a TRS user.

Maryland's Captioned Telephone provider informs Captioned Telephone users of the need to designate a long distance carrier for long distance Captioned Telephone calls and the consequences of not making such a designation through a variety of methods including customer service, newsletters, the website, etc.

If a customer needs to make long distance calls with Captioned Telephone, they must register their existing long distance service or calling plan with Captioned Telephone Customer Service to ensure that any long distance charges are billed under their current long distance provider.

If they do not register a preferred long distance provider with Captioned Telephone, any long distance captioned calls they make will be automatically billed by Maryland's TRS long distance carrier, at their long distance rate (which varies by state).

Customers can complete a customer profile in order to specify their long distance carrier. Customers can also designate their carrier of choice via the Captioned Telephone website or by calling Customer Service. Customers simply indicate which carrier they want to use.

Maryland's Captioned Telephone provider has the ability to accurately determine call jurisdiction information in order to ensure that callers have access to extended community calling plans, optional calling plans and other special situations to the same extent provided by traditional relay service by delivering the call to the user's chosen IXC.

### **Directory Assistance via Captioned Telephone**

Maryland's Captioned Telephone provider offers access to directory assistance to the same extent directory assistance is offered to Traditional TRS users. The Captioned Telephone user's carrier of choice bills for interlata and intralata directory assistance calls at their tariffed rate. All billing is performed by the customer's carrier. The call is then processed like all other Captioned Telephone calls.

*(c)(1) State certification period. State certification shall remain in effect for five years. One year prior to expiration of certification, a state may apply for renewal of its certification by filing documentation as prescribed by paragraphs (a) and (b) of this section.*

The State of Maryland is currently certified to provide intrastate TRS. The State of Maryland is requesting certification beginning July 26, 2013, continuing for a five-year period.

*(d) Method of funding. Except as provided in §64.604, the Commission shall not refuse to certify a state program based solely on the method such state will implement for funding intrastate TRS, but funding mechanisms, if labeled, shall be labeled in a manner that promote national understanding of TRS and do not offend the public.*

Please refer to the Method of Funding section of this document for a complete description of the State of Maryland's funding mechanism.

*(e)(1) Suspension or revocation of state certification. The Commission may suspend or revoke such certification if, after notice and opportunity for hearing, the Commission determines that such certification is no longer warranted. In a state whose program has been suspended or revoked, the Commission shall take such steps as may be necessary, consistent with this subpart, to ensure continuity of TRS. The Commission may, on its own motion, require a certified state program to submit documentation demonstrating ongoing compliance with the Commission's minimum standards if, for example, the Commission receives evidence that a state program may not be in compliance with the minimum standards.*

The Maryland program has never been suspended or revoked and will continue to meet all FCC requirements necessary for certification.

*(f) Notification of substantive change. (1) States must notify the Commission of substantive changes in their TRS programs within 60 days of when they occur, and must certify that the state TRS program continues to meet federal minimum standards after implementing the substantive change.*

Maryland Relay will notify the Commission of substantive changes in its TRS programs within 60 days of when they occur, and will certify that the state TRS program continues to meet federal minimum standards after implementing the substantive change.

By this application the DoIT intends that the operation of Maryland Relay will continue to be in compliance with the Federal Communication Commission rules and orders regarding telecommunications relay service. If there is any technical or substantial variation discovered by the FCC that would cause or could cause Maryland Relay to be out of compliance, the DoIT agrees to take such action as may be reasonably required to bring Maryland Relay into compliance.

## **Method of Funding**

*(d) Method of funding. Except as provided in §64.604, the Commission shall not refuse to certify a state program based solely on the method such state will implement for funding intrastate TRS, but funding mechanisms, if labeled, shall be labeled in a manner that promote national understanding of TRS and do not offend the public.*

In response to the Americans with Disabilities Act of 1990 and the 1987 legislative mandate, the 1991 Maryland General Assembly passed House Bill 853. This bill gave the Department of General Services (DGS) administrative authority over Maryland's TRS, established a Universal Service Trust Fund as the funding mechanism, and mandated that the service begin by December 31, 1991, and be fully operational by July 1, 1992. **The fee assessed on the Local Exchange Carrier Bills in the State of Maryland is labeled, "Telecommunications Access of MD Fee".**

Effective July 1, 2012, Senate Bill 746 expands the services that are subject to the Universal Service Trust Fund (USTF) surcharged from landline services only to "all communications services" which include wireless and Voice over Internet Protocol (VoIP) telephone service in the State. The bill also alters the assessment of the surcharge from a per telephone charge to a per account charge.