

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.

**§ 64.604 Mandatory minimum 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.*

Kansas Relay Center 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 Kansas Relay Center 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.*

Kansas Relay Center is committed to complying with the speed of answer requirements applicable to relay. Kansas Relay Center answers eighty-five percent (85%) of calls within ten (10) seconds from the time the call enters the TRS system during all times of the day by any method which results in the caller's call immediately placed, not put in a queue or on hold.

Kansas's Relay provider 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 Kansas's Relay provider accepts the call, call detail records start to capture answer time data. Kansas Relay Center's timing is very accurate as no rounding takes place since this time is measured in seconds. The information reported is taken from Call Detail Records ensuring the accuracy of the data. Each call detail record tracks the amount of time a call waits to be answered. Kansas Relay Center's CAs do not answer a call until they are ready to engage the call. Calls in queue or calls receiving the intercept message are not counted as answered. This "queue time" field will be analyzed and reported, but not billed. Abandoned calls are included in the speed of answer calculation.

Kansas Relay Center has the ability to monitor speed of answer on a real-time basis via a monitoring system that is accessible to management and supervisors. This information is utilized to make CA staffing changes throughout the day. Average Answer time is displayed on the supervisor console. The Supervisor workstation and reader boards in the center indicate if calls are in queue waiting to be answered. The Supervisors are responsible for making sure that when that alert comes up that all available CA resources are logged in to the system and answering calls. Each of these tracking mechanisms allows Kansas Relay Center to respond quickly by adding more CAs immediately.

Daily activity reports used for internal management purposes also track answer performance information for future scheduling. In addition, Kansas Relay Center uses a variety of other scheduling techniques to ensure that staffing meets traffic demands. Kansas's Relay provider makes use of historical data, trending, call patterns and combines that with the knowledge of current events (e.g. football games, weather, Mother's Day, etc.) to anticipate staffing needs.

Kansas Relay Center has outstanding answer performance. Average answer seconds for the past year were 1.4 with 94% of calls answered in ten seconds or less.

Kansas Relay Center also meets all FCC call blockage standards. Kansas Relay Center's relay service is designed to a P.01 standard. No more than one call in 100 will receive a busy signal when calling the relay center at the busiest hour. Kansas Relay Center defines "blockage" as any call that arrives at the relay switch but is not answered due to the customer receiving a busy signal. Currently, Kansas Relay Center has never come close to blocking 1 call in 100.

The systems used by Kansas Relay Center are designed to prevent blockage. The switches used are high-speed, stand-alone, non-blocking digital switching matrixes. The system is fully redundant to ensure quality and reliable performance, making blockage or any downtime nearly impossible. The system auto-detects any problems and moves to the secondary system immediately if necessary.

Another measure Kansas Relay Center has taken to prevent blocking is to use networks that make use of SONET survivability technology. All of the networks controlled by Kansas Relay Center - from the point a relay user picks up the phone in their home or business, through the

relay and then back to the other phone being called - are redundant and can survive fiber cuts and other such outages.

Kansas Relay Center measures, records and reports its answer performance and blockage rate information to the Kansas Relay Service, Inc. (KRSI) and abides by the FCC rules (i.e. a LEC shall provide the call attempt and the rates of calls blocked between the LEC and the relay center upon request).

The transmission circuits used by Kansas's provider meet or exceed industry interexchange performance standards for circuit loss and noise.

*(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.*

### **Equal Access (Carrier of Choice)**

Kansas Relay Center provides relay users with access to the interexchange carrier of their choice through 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, Kansas Relay Center 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. Kansas Relay Center's provider 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 Kansas Relay Center traffic. Kansas Relay Center offers equal access to all carriers who choose to participate.

Kansas Relay Center 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 Kansas Relay Center 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 Kansas Relay Center 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 CA 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 CA is able to do so.

Kansas Relay Center offers 1010 dialing through the relay. This service is functionally equivalent to using 1010 services when not placing calls through the relay.

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

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

The switches and relay platforms used by Kansas Relay Center's provider are located in the Louisiana and the Nebraska relay centers. Workstation equipment, database information, and CA are located in all relay centers. Workstations in the Maryland and Massachusetts centers are controlled by the main processing and switch unit located in Nebraska via digital telecommunications facilities which are redundant T -1 circuits. Workstations in the Kansas Center are controlled by the main processing and switch unit located in Louisiana via digital telecommunications facilities which are redundant T -1 circuits. All incoming relay calls enter the relay provider's network. Calls can then be connected to workstations in any of the Relay provider's facilities. This all happens instantaneously with no call delays. Calls made to the terminating party exit through the call network as well. Kansas Relay Center users receive outstanding call processing and superior answer performance as a result of this network configuration.

**Uninterruptible Power**

All relay centers operated by Kansas's Relay provider make use of an uninterruptible power source with full battery backup to operate each center at full capacity for extended periods of time. In addition, battery back-up systems have the capability to automatically connect to a generator at each of its existing relay centers. The combination of battery and generator back-up

allows Kansas Relay Center's provider to provide relay service for days and weeks at a time during power outages.

The power system supports the switch system and its peripherals, switch room environmentals (air conditioning/heating, fire suppression system, emergency lights & system alarms), CA consoles/terminals, CA work-site and lighting and Call Detail Record recording at each center. Employees are given procedures to follow in the event of emergency.

Kansas's Relay provider provides auxiliary power sources for nine central offices in addition to all its relay centers and has significant experience at purchasing, installing, testing and insuring that such back-up equipment is in place. All of Hamilton's back-up power systems have redundancy features functionally equivalent to the equipment in normal central offices including uninterruptible power for emergency use.

### **Switching System**

Kansas Relay Center provider's second generation relay platform makes use of an Excel telecommunications switch. Its switch 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 switch 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 switch adapts to all standard network and line interfaces, including T1, E1, 11, 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. Kansas's Relay provider took advantage of this flexibility and has customized many relay functions in the ISOS operating system.

The relay workstation application takes advantage of the power and flexibility of the ISOS operating system. It provides a high level of Communication Assistant 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 systems contain 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. Kansas's Relay provider 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 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 cannot be returned to service by transferring control to redundant equipment, the calls automatically will overflow to another switching system. The switching systems 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 ensure the required levels of service are always met.

Kansas's Relay provider has made changes to its relay platform in recent years, making use of leading edge technology. It has upgraded its switching servers to new hardware that evolved its switching operating system from 32 bit UNIX to 64 bit Linux for more robust hardware support; and tested and deployed new switching control code which allows additional ad hoc reporting capabilities for comprehensive traffic analysis and enhanced failover and recovery. Kansas's Relay provider has also replaced database servers with new hardware and replaced legacy profile database servers with SQL servers for improved redundancy and database management. Finally Kansas's Relay provider has completed a multi-year upgrade of all production workstations to newer, standardized hardware; upgraded workstation operating systems from 16 bit to 32 bit which provides a higher level of stability; and rolled out several new workstation versions to support a variety of new features.

*(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.*

#### **Upgrades in Technology/Process in Determining of Technology is Reliable**

Using flexible software and hardware (i.e. standard carrier switch, common equipment frames, standard T1 interfaces, windows servers, UNIX operating System, etc.) where components can easily be modified in order to accommodate new technology, the platform used by Kansas Relay Center is ideal for today's rapidly changing technologically advanced environment. Kansas Relay Center's provider takes advantage of innovations and technological improvements to enhance the state of Kansas's relay service.

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

The relay platform used by Kansas Relay Center 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. Kansas Relay Center 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, 711, or the 10-digit number of the calling party.*

### **True Caller ID**

Through the use of SS7 signaling Kansas Relay Center 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. Kansas Relay Center provides this information on all call types and on all carriers. Kansas Relay Center brings true functional equivalence to Caller ID relay users.

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

**§ 64.604 Mandatory minimum 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.*

Kansas Relay Center tracks all TRS complaints and all other customer service activity. Kansas Relay Center 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 Kansas Relay Service, Inc. (KRSI) and FCC.** Each database record includes the name and/or address of the complainant, the date and time received, the Communication Assistant 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.

KRSI's complaint log consists of the following database categories:

- Miscellaneous External Complaints
- LEC External Busy
- 911 External Calls
- No Notice of How to Complain to FCC
- CA Accuracy/Spelling/Verbatim
- CA Gave Wrong Information
- CA Did Not Keep User Informed
- CA Hung Up on Caller
- CA Misdialed Number
- CA Typing Speed
- Didn't Follow Voice Mail/Recording Procedure
- CA 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 CA Improperly in Middle of Call
- Didn't Follow Emergency Call Handling Procedure
- CA 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
- 711 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.*

Kansas Relay Center's provider reports complaint activity to KRSI on a monthly basis. KRSI submits the necessary information to the FCC as required in § 64.601 Mandatory Minimum Standards on an annual basis. KRSI has submitted copies of its 2008 through 2012 complaint logs to the FCC. The provider for Kansas Relay Center issues each complaint a Record ID number to enable KRSI and the FCC to quickly and easily identify the details of those particular complaints and contact information of the complainants.

*(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.*

KRSI 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 KRSI for those purposes:

Joyce Hightower  
Kansas Relay Service, Inc.  
4848 SW 21st Street, Suite 201, Topeka, KS 66604-4415  
Tel numbers: Voice 785-234-0200; TTY 785-234-0207; Fax 785-234-2304  
E-mail: [jhightower@kstelecom.com](mailto:jhightower@kstelecom.com)

Kansas Relay Center Customer Service:  
9107 Bluebonnet Centre Blvd.  
Baton Rouge, LA 70809  
Voice/TTY: 866.735.2957  
Fax: 225.293.3583  
E-mail: [ksrelay@hamiltonrelay.com](mailto:ksrelay@hamiltonrelay.com)

The Hamilton Telephone Company d/b/a Hamilton Telecommunications, the provider of Kansas Relay Center, 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.  
1006 12th Street  
Aurora, NE 68818  
Voice/TTY 402-694-3656  
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 711 access to TRS in a manner reasonably designed to reach the largest number of consumers possible.*

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

Kansas Relay Center provides community and business outreach and promotes a public awareness campaign to educate all Kansas citizens about the relay service. These efforts educate and heighten public awareness of 7-1-1 and TRS throughout Kansas through marketing, advertising and community involvement. In compliance with FCC requirements, which call for outreach to all telephone users, Kansas Relay Center'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, Kansas Relay Center reaches out to all relay user communities and always adjusts its programs to meet the specific needs of every audience.

Kansas Relay Center's outreach and awareness efforts specifically target individuals who are deaf, hard of hearing, late deafened, deaf-blind or have difficulty speaking, as well as their family, friends and caregivers. Kansas Relay Center performs a variety of activities to inform the public about relay and regularly participates in activities held by Kansas organizations 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. Kansas Relay Center's statewide outreach and awareness efforts include:

- Presentations
- Exhibits
- 911 Education
- Strategies for reaching Hard to Reach Relay Users
  - Hard of Hearing and Elderly Strategies
  - Speech to Speech
  - Deaf Blind
- Outreach to Businesses and Educational Institutions
- Outreach to Spanish
- Equipment Distribution Programs
- Involvement of Deaf and State Agencies
- Customized Outreach materials
- Promotional Materials

- Variety of Brochures
- Description of Complaint Procedures in Printed Materials
- Bill Inserts and Directory Pages
- Newsletters
- TRS and CapTel Web sites
- Social Media
- Press Release and Public Relations
- Print Advertising
- Media Advertising

Please refer to Attachment B for sample outreach materials and a list of the outreach activities Kansas Relay Center 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.*

Kansas Relay Center'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. Kansas Relay Center'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.*

KRSI 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 Kansas Relay Center 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 §64.606, 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 Tab 7, Method of Funding for a complete description of the State of Kansas's funding mechanism.

*(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 §64.606 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.*

KRSI 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 §64.606.*

KRSI 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.*

KRSI 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.*

KRSI 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.*

KRSI will assist as necessary in this process.

**Supplemental Information:**

Intrastate Kansas Relay Center complaints are processed in the following manner for KRSI by its TRS provider:

Trained personnel located within the State of Kansas answer all Kansas Relay Center Customer Service calls. Kansas Relay Center 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 Kansas TRS inquiries and complaints. Customers may also contact Kansas Relay Center via e-mail and through the Kansas Relay Center 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. Kansas Relay Center 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 Kansas Relay Center Customer Service department. The National Customer Service Manager, Center Manager and Vice President of Relay Service for Hamilton also view all complaint information.

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

- A Complaint involving a Communication Assistant is directed to the Communication Assistant's Supervisor and the Lead Supervisor. Constructive feedback will be shared with the Communication Assistant and appropriate coaching, re-training and counseling steps will be taken by the primary Supervisor to resolve the situation. Kansas Relay Center's detailed call records show each key command (not actual text) the CA makes. Kansas Relay Center can easily investigate Kansas Relay Center CA 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 and addressed immediately. Procedural issues are discussed at internal quality meetings.

All complaints are reviewed by the National Customer Service 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 then to KRSI when needed. All complaints are resolved within 10 calendar days depending on the complexity of the problem. Kansas Relay Center describes the above procedures and FCC complaint processes, including contact information for both KRSI 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 Kansas Relay Center or with any action taken, Kansas Relay Center's monthly report to the KRSI will so state. The user then has the opportunity and is given written notice of that opportunity by Kansas Relay Center to have the complaint and action of Kansas Relay Center reviewed by KRSI for such action as it may deem appropriate in accordance with its rules and regulation. KRSI will act on such complaint no later than 180 days from the filing of the complaint.

KRSI will process all complaints referred by the Federal Communication's Commission for intrastate Telecommunications Relay Service for the State of Kansas. KRSI will cooperate in the investigation or resolution of any and all complaints concerning the Kansas Relay Center 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 contract between KRSI 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 Kansas Relay Center 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.

**§ 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 Kansas is currently certified to provide intrastate TRS through July 26, 2013. This application is submitted to re-certify the State of Kansas 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 of this application for a description of how the State of Kansas 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*

Please refer to Tab 1 for a copy of the State of Kansas's rules and regulations governing telecommunications relay service. The Kansas Relay Service, Inc. (KRSI) regulates the provision of telecommunications service in the State of Kansas and has established rules and procedures for service standards as well as complaint resolution and other necessary enforcement remedies. The contract entered into between KRSI 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 KRSI 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 KRSI to file complaints or petitions concerning the Kansas Relay Center 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 [that its program in no way conflicts with federal law].*

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

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

### **CA Training and Procedures**

Kansas Relay Center not only meets, but also exceeds FCC Communication Assistant standards in the areas of hiring and training practices, typing speed to accuracy and in-call replacement of CAs.

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

Kansas Relay Center Communication Assistants must TYPE 60 words per minute.

**Kansas Relay Center exceeds this service level by requiring CAs to maintain a high accuracy level in addition to 60-wpm typing.**

### **Turbo Code**

Kansas Relay Center exceeds the FCC requirement that TRS shall be capable of communicating with ASCII and Baudot formats, at any speed generally in use. Kansas Relay Center 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. Kansas Relay Center users are able to automatically connect “Turbo Code” on every relay call type. With Turbo Code, Kansas Relay Center users can use their Turbo Code Interrupt feature.

### **Intrastate Spanish**

In addition to Interstate Spanish to Spanish, Kansas Relay Center provides Intrastate Spanish to Spanish, Spanish to English and English to Spanish call handling to the relay users of Kansas 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 CAs, Kansas Relay Center requires Spanish CAs pass a Spanish test, attend a Spanish orientation class and take all standard CA and Speech to Speech training prior to relaying Spanish to Spanish calls.

### **SS7 Signaling**

The relay platform used by Kansas Relay Center 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.

Kansas Relay Center 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 (CapTel)**

Kansas Relay Center 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 not 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.

Kansas' 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 CAs.
  - CA oral-to-type test requirement and permit the use of an oral-to-text test instead for Captioned Telephone CAs.
  - Requirement that CAs not refuse single or sequential calls as applied to Captioned Telephone CAs 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 CAs 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 CA training plan is in place to ensure that all standards as applied by the FCC to the provision of Captioned Telephone are met by each Captioned Telephone CA. At any time if a prospective CA 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 CA 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. Captioned Telephone 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 Captioned Telephone CAs receive all necessary ongoing training. CAs 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, CAs are retrained on new features and capabilities of CTI's Captioned Telephone service platform including any new or improved voice recognition systems used in the platform.

CAs are tested monthly through the administration of Timing Scripts in a test environment. In addition, CAs are periodically monitored while processing live calls. Only the scores of each CA 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 CA testing program which requires a proficiency level for Captioned Telephone CAs of 130 WPM speed of transcription with a 2% or less Error Rate and 98% accuracy requirement in a testing environment.

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

- The Captioned Telephone CA is trained to caption the words spoken by the hearing party as accurately as reasonably possible without intervening in the communications. The CA is permitted to provide background noise identification;
- The Captioned Telephone CA shall not maintain any records of conversation content and shall keep the existence and content of all calls confidential;
- The Captioned Telephone CA shall be required to meet the FCC standards for TRS minimum transcription speed;
- The Captioned Telephone CA 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 Captioned Telephone CA 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 Captioned Telephone CAs adhere to strict policies of confidentiality, which comply with all FCC confidentiality requirements. Kansas' Captioned Telephone provider collects only that personal information necessary to provide and bill for the Captioned Telephone service being rendered. Captioned Telephone CAs are also prohibited from intentionally altering a relayed conversation. Following is a Confidentiality Agreement that all CAs 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.

CAs 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 CAs. The CapTel call center is isolated to assure confidentiality standards are upheld. The equipment and structural accommodations made to the CA workspace ensure the confidentiality of Captioned Telephone User's calls, and prevent the Captioned Telephone Users on one call from overhearing a CA processing another call.

**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 \_\_\_\_\_