ASL SERVICES HOLDINGS, LLC.

3700 Commerce Boulevard
Kissimmee, Florida 34741

Via ECFS and Overnight Delivery

April 11, 2012

Ms. Marlene H. Dortch
Office of the Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

RE: *In the Matter of Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities E911 Requirements for IP-Enabled Service Providers*, Docket Nos. CG Docket No. 03-123 and WC Docket No. 05-196, Mandatory Minimum Standards Waiver Annual Report

Dear Ms. Dortch:

Pursuant to the Federal Communications Commission's *2012 TRS Waiver Order* in the above-referenced proceedings, ASL Services Holdings, LLC ("ASL," branded "Gracias VRS"), submits its annual report regarding Mandatory Minimum Standards ("MMS") currently waived for Video Relay Services ("VRS") and Internet Protocol ("IP") Relay services.

A certified Statement of Compliance regarding the accuracy of this report is attached. Thank you for your attention to this matter. Questions may be directed to the undersigned.

Sincerely,

ASL SERVICES HOLDINGS, LLC

Angela Roth
President and Chief Executive Officer

Attachment

ASL Services Holdings, LLC
2013 Annual Mandatory Minimum Standards Waiver Compliance Report
CG Docket No. 03-123 and WC Docket No. 05-196

I. Introduction

The following constitutes ASL Services Holdings, LLC ("ASL," branded "Gracias VRS"), initial annual report regarding Mandatory Minimum Standards ("MMS") currently waived for Video Relay Services ("VRS") and Internet Protocol ("IP") Relay services,[1] submitted pursuant to the Commission's *2012 TRS Waiver Order*.[2] The waived MMS remain appropriate for ASL.

Contrary to its original assessment, ASL r the continued waiver of the MMS subject to the *2012 TRS Waiver Order* pending further development of technological solutions enabling full compliance and requests that the expiration of those waivers for ASL be rescinded. Yet ASL maintains that achievement of full compliance with these MMS is also a direct function of industry interoperability and development of a clear, caller primary communication modality preference policy, as discussed herein.

II. ASL Compliance With Waived Mandatory Minimum Standards

1. *One-line VCO, VCO-to-TTY, and VCO-to-VCO.*[3]

The Commission inquires whether it is necessary for this waiver to remain in effect, and whether a technical fix is imminent. ASL's automatic call distribution video relay services ("VRS") platform currently has the capability to utilize one-line VCO. Yet this technical capability is effective only with other technology that is also one-line VCO capable, *e.g.* is interoperable.

To accommodate subscriber calling requirements and achieve interoperability with other providers, ASL has adopted two-line VCO as an alternative.[4] ASL's current VRS platform precludes direct VCO-TTY or VCO-VCO connection.[5]

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[1] ASL does not provide IP Relay services

[2] *In the Matter of Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities; E911 Requirements for IP-Enabled Service Providers*, Docket Nos. CG Docket No. 03-123 and WC Docket No. 05-196, *Order*, DA 12-988, (June 22, 2012) [*2012 TRS Waiver Order*].

[3] "One-line VCO, VCO-to-TTY, and VCO-to-VCO. One-line VCO is a type of traditional TTY-based TRS that can be used by persons with a hearing disability but who can speak. The VCO user speaks directly to the other party to the call, and the CA types the response back so the VCO user can read it in text. As a result, the CA does not voice any part of the conversation." *Id.* at 8.

[4] Dominant providers' extensive use of two-way VCO has become accepted by the Deaf community as the norm for how VCO calls are made using video relay services. ASL subscribers and callers are often surprised when they realize that the Company's one-line VCO technology exists.

[5] To comply, a VCO VRS caller could contact VRS Video Interpreter who then connects to a Telecommunications Relay Service ("TRS") communications assistant who would connected the call to a called party using teletype ("TTY") (or a VCO TTY called party in the case of VCO-VCO). ASL has elected not to engage in this practice because it raises issues regarding proper assessment of the TRS Fund in the absence of an established policy. Under such an approach, each provider would be seeking Fund

Unless the Commission maintains that this approach can be deemed compliant under its current capabilities, ASL requests extension of this waiver requirement consistent with the extensions granted to other providers who have expressed one-line VCO capabilities, pending development of a technological solution.[6]

2. *One-line HCO, HCO-to-TTY, and HCO-to-HCO.* [7]

ASL requests an extension of this waived MMS. This waived MMS raises the same issues addressed *supra.* ASL is capable of providing one-line HCO, yet one-line HCO is effective only with other technology that is also one-line HCO capable, *e.g.* is interoperable. ASL does not have the full technological capability to process direct HCO-TTY or HCO-HCO calls but continues to pursue technologically solutions.

Unless the Commission maintains that this approach can be deemed compliant under its current capabilities, ASL requests extension of this waiver requirement consistent with the extensions granted to other providers who have expressed one-line HCO capabilities, pending development of a technological solution.[8]

3. *Call Release.*[9]

ASL requests an extension of this waived MMS to enable full compliance, and rescind the expiration of this waiver for ASL.[10] ASL's current technology platform does not have the have the capability for the VRS Video Interpreter to perform a call release enabling full compliance. ASL's VRS platform currently has the capability to enable connection of multiple video lines. ASL is developing a solution that will enable a VRS Video Interpreter to connect two video lines and engage "call release" so that the two video lines would remain connected.

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reimbursement for a Video Interpreters and a separate communications assistant – one for caller and one to connect to the called party - for the same call. ASL maintains that this approach could be used by relay service providers to commit fraud/abuse and, at a minimum, constitute waste. This raises a separate issue of whether caller rights to utilize their primary communications modality would be compromised; *viz.*, a Deaf caller who can speak but uses sign language as their primary mode of communication and prefers to use VCO with an VRS Video Interpreter, may want to call a Deaf individual who's primary mode of communication is written English and who also speaks. The caller might prefer to use a TRS CA for their telecommunication needs. Currently ASL has no direct technology solution to comply.

[6] *2012 TRS Waiver Order* at footnote 49.

[7] "One-line HCO, HCO-to-TTY, and HCO-to-HCO. One-line HCO is a type of traditional TTY-based TRS that can be used by persons with a speech disability but who can hear. The HCO user types what he or she wishes to say to the called party, and the CA voices what the HCO user has typed. The HCO user then listens to what the called party says in response. As a result, the CA does not type any part of the conversation. ... An HCO-to-TTY call allows a relay conversation to take place between an HCO user and a TTY user; an HCO-to-HCO call allows a relay conversation to take place between two HCO users." *Id.* at 10.

[8] *2012 TRS Waiver Order* at footnote 60.

[9] "Call release allows a CA to set up a TTY-to-TTY call that, once established, does not require the CA to relay the conversation. In other words, this feature allows the CA to sign-off or be "released" from the telephone line, without triggering a disconnection between two TTY users, after the CA connects the originating TTY caller to the called party's TTY through, e.g., a business switchboard." *Id.* at 12.

[10] *Id.* at footnote 65.

4. *Pay-Per-Call (900) calls.*[11]

ASL requests an extension of this waived MMS to enable full compliance, and rescind the expiration of this waiver for ASL.[12] ASL's current platform technology does not allow for pay-per-calls to be automatically processed and charged to a consumer's ten digit number like some pay-per-call services can do via a landline (where a TRS consumer could use a TTY). ASL's alternative process is to allow consumers to call 900 numbers and use a personal payment method to place the call. A waiver is still necessary to enable full compliance even though ASL does not receive these types of calls often.

5. *Types of Calls (Operated Assisted Calls and Long Distance Calls).*[13]

ASL requires an extension of this waiver for the reasons cited by the Commission to remain in compliance[14] and rescind the expiration of this waiver for ASL.[15]. However ASL remains in compliance with the Commission's requirement to provide free long distance during the waiver extension period.

6. *Equal Access to Interexchange Carriers.*[16]

ASL supports the continued extension of this waiver. ASL does not charge subscribers to place calls, consistent with the basis for Commission waiver.[17] The Commission also requests that providers specifically address the effect of the numbering and registered location requirements on the continuing need for this waiver. The requirement to issue geographically appropriate telephone numbers to support access to emergency services underscores the need for continued waiver. A Deaf subscriber located in San Francisco who is assigned a telephone number containing the NPA NXX applicable to the customer's registered location, is imperative for proper routing to the public safety access point ("PSAP") serving the subscribers location. Calls from the subscriber can indeed be determined to be local or interexchange based on the call's terminating location. Yet if the subscriber travels to Atlanta without informing ASL, a local Atlanta call would continue to be billed as an interexchange call between San Francisco and Atlanta. ASL's

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[11] "Pay-per-call (900) calls are calls wherein the caller pays for the call at a charge greater than the basic cost of the call. The Commission waived this requirement for VRS and IP Relay." Id. at 14.

[12] *2012 TRS Waiver Order* at footnote 72.

[13] "Commission rules require TRS providers to handle any type of call normally handled by common carriers. The requirements that VRS providers offer operator-assisted calls and bill certain types of calls to the end user were waived because providers could not determine if a VRS call was local or long distance. VRS providers are required to allow calls to be placed using calling cards and/or provide free long distance during the waiver period." *Id.* at 16.

[14] *Id* at 17.

[15] *2 Id.* at footnote 81.

[16] The TRS rules require that providers offer TRS users their interexchange carrier of choice to the same extent that such access is provided to voice users. The Commission has waived this requirement for VRS providers, noting that it was not possible to determine if a call is long distance and, in any event, the providers could not automatically route the calls to the caller's long distance carrier of choice. *Id* at 18.

[17] *Id.* at 19.

assumption of the cost to place calls remains critical in support of emergency access requirements.

7. *Speech-to-Speech.* [18]

ASL supports the ongoing waiver extension for the reasons cited by the Commission[19] to remain in compliance. VRS is a visual/video based service so speech-to-speech ("STS") does not apply. However, this waiver extension again brings up the issue of communication modality preferences. It remains unclear whether if a speech disabled person calls a STS Video Interpreter and wants to call a Deaf individual through a VRS Video Interpreter, providers could appropriately seek Fund reimbursement for a Video Interpreter and a separate communications assistant to so that the caller and called party could utilize their respective primary communications modality.

8. *Waiver for Default Providers Using Other Providers' CPE*

As ASL stated in its 2012 report, in its comments on the Commission's recent *Further Notice of Proposed Rulemaking*[20] ASL noted *inter alia* that some dominant provider's equipment is effectively non-interoperable, noting, "[s]ubscribers ultimately fear relinquishing the equipment and serving provider, on the perception that they will lose critical service capabilities and features. This constitutes an anti-discriminatory lock on a dominant provider's subscribers contrary to the Commission's requirements.[21] ASL has supported the Commission's desire to institute technical standards and reiterates its support here. Equipment interoperability is essential to the public's ability to select among service providers consistent with equal access in the wireline and wireless industries.

The Commission notes that this waiver is granted for default Internet-based TRS providers that are unable to meet such standards for newly-registered Internet-based TRS users who port their Customer Premises Equipment ("CPE") from a former default provider. Though the waiver remains warranted to account for such a situation, ASL maintains that the waiver should be finite, thus compelling all manufacturers to have interoperable equipment, designed under Commission technical standards.

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[18] The Commission waived this requirement indefinitely for VRS, noting that STS is a speech-based service, whereas VRS is a visual service using interpreters to interpret in sign language over a video connection. *Id.* at 20.

[19] *Id.*

[20] *In the Matter of Structure and Practices of the Video Relay Service Program Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, CG Docket Nos. 10-51 and 03-123, *Comments of ASL Services Holdings, LLC* (March 9, 2012).

[21] *Id.* at page 16.

STATE OF FLORIDA)
) ss.
COUNTY OF OSCEOLA)

STATEMENT OF COMPLIANCE

I swear under penalty of perjury that I am Angela Roth, first being duly sworn upon oath, depose and say I am President and Chief Executive Officer of ASL Services Holdings, LLC, an officer of the above-named reporting entity and that I have examined the foregoing Mandatory Minimum Standards Waiver Annual Report for 2013 and that all requested information has been provided and all statements of fact are true and accurate

ASL Services Holdings, LLC

By: Angela Roth

Angela Roth
President and Chief Executive Officer
3700 Commerce Blvd., Suite 216
Kissimmee, Florida 34741
Telephone: 407.518.7900 ext. 201

Subscribed and sworn to before me this 11 day of April, 2013

Kathleen A. Dickson
Notary Public in and for the State of Florida

KATHLEEN A. DICKSON
Notary Public - State of Florida
My Comm. Expires Oct 10, 2016
Commission # EE 836230
Bonded Through National Notary Assn.