



CSDVRS, LLC
600 Cleveland Street, Suite 1000 – Clearwater, Florida 33755
VideoPhone: 727-431-9692 Voice: 727-254-5600 Fax: 727-443-1537

May 3, 2013

Via Electronic Filing

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street SW
Washington, D.C. 20554

RE: Ex Parte Notice: CG Docket Nos. 10-51 and 03-123

Dear Ms. Dortch:

On May 2, 2013 Sean Belanger, CEO of CSDVRS, LLC (“ZVRS”), met by telephone with Nicholas Degani, Wireline Legal Advisor to Commissioner Pai and Jonathan Chambers, Acting Chief, Office of Strategic Planning and Policy Analysis, and on May 3, 2013, along with the undersigned, met with Karen Peltz Strauss, Deputy Chief, Consumer & Governmental Affairs Bureau, Gregory Hlibok, Chief, and Eliot Greenwald, Attorney Advisor Disability Rights Office.

The discussion centered on the following points:

1) The Commission cannot continue to allow the locked-in VRS market that it noted under its VRS Reform FNPRM.¹ It is absolutely essential to migrate to off-the shelf technology as long proposed by the Commission and demanded by consumers.² The use of proprietary CPEs by Sorenson Communications has been identified by the Commission as a cause of the VRS market dysfunction.³ ZVRS has proposed that providers should not be compensated unless their services and equipment are off-the-shelf and certified as interoperable.⁴ Sorenson can continue to

¹ *Structure and Practices of the Video Relay Service Program; Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, Further Notice of Proposed Rulemaking, CG Docket Nos. 10-51 and 03-123; FCC 11-184, 77 FR 4948, (“FCC FNPRM”) (December 15, 2011).

² See e.g., *Structure and Practices of the Video Relay Service Program; Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, Ex Parte of Consumer Organizations with Consumer FNPRM Comments attached, CG Docket Nos. 10-51 and 03-123 (April 11, 2013).

³ FCC FNPRM pgs 16-19 and 41-48.

⁴ See e.g. *Structure and Practices of the Video Relay Service Program; Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, Comments of CSDVRS, LLC, CG

make their videophones (“VPs”) available as off-the-shelf hardware if they provide them in an open market for the purchase of consumers and other providers, with all their features and functions and transfer to consumers the titles to the VPs.⁵ ZVRS advised the Commission that its intention would be to buy Sorenson VPs and provide them to their consumers for free like Sorenson does. ZVRS would then enable our customers to use Sorenson VPs to directly access Z interpreters in making their VRS calls. Otherwise the Commission continues to fund Sorenson’s closed network whereby their VPs are selectively made available to certain customers according to undisclosed criteria. ZVRS has previously opined that the Commission has the legal authority under Section 225 of the Americans with Disabilities Act to regulate consumer VRS equipment to “ensure” that TRS is “available, to the extent possible and in the most efficient manner, to [deaf and hard of hearing] and speech-impaired individuals in the United States.”⁶

2) The Commission should create a default provider selection as was ordered several years ago but the rule currently waived regarding the portability of VPs. This time the Commission should augment that Order by requiring VRS providers to sustain all features and functions of VPs even when the number associated with the CPE is ported or the call routed to a different provider. Consumers have demanded the ability to independently use VPs without any loss of functionality merely because they choose a different provider. This approach will save millions of dollars and create a dramatically more competitive VRS market. It would be a boon for consumer as this shifts focus on quality interpreting compared to the currently locked-in VRS market as a result of providers’ controlling their VPs and associated proprietary functions.

3) To sustain choice and competition, it is absolutely essential that any interoperability standards include all essential VP functions such as address book, flasher control, caller ID, direct dialing, video mail etc. We strongly urge the Commission to establish a timeline for no more than a year for the development and implementation of interoperability standards. Providers should not be compensated unless their services and equipment are certified as interoperable. A fully executable and reference VP application is also essential. In mandating the interoperability standards, the Commission should simultaneously create a path towards full transition to off-the-shelf technology and a new default plan as discussed above.

Sincerely,

/s/

Jeff Rosen
General Counsel

Docket Nos. 10-51 and 03-123 (November 14, 2012); *See also* Letter from Competitive Providers, CG Docket Nos. 10-51 & 03-123 (filed Apr. 29, 2013). For example, products such as those from Cisco, Polycom, or Apple are readily available on the open market to VRS providers and consumers.

⁵ ZVRS has offered to buy from Sorenson their VPs but was flatly turned down by them.

⁶ *See Structure and Practices of the Video Relay Service Program; Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, Comments of CSDVRS, LLC. citing 47 U.S.C. § 225(b)(1), CG Docket Nos. 10-51 and 03-123 (March 9, 2012).

cc: Nicholas Degani
Jonathan Chambers
Karen Peltz Strauss
Gregory Hlibok
Eliot Greenwald