



WILTSHIRE
& GRANNIS LLP

May 20, 2013

Ex Parte

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

Re: *Structure and Practices of the Video Relay Service Program*, CG Docket No. 10-51;
*Telecommunications Relay Services and Speech-to-Speech Services for Individuals with
Hearing and Speech Disabilities*, CG Docket No. 03-123

Dear Ms. Dortch:

On May 16, 2013, Pat Nola and Paul Kershisnik of Sorenson Communications, Inc, Michael Cole, a member of Sorenson's Board of Directors, and John Nakahata and I, representing Sorenson, met with Commissioner Clyburn, Rebekah Goodheart, Commissioner Clyburn's legal advisor, and Jonathan Chambers, Acting Chief of the Office of Strategic Planning.

We emphasized that the record compiled in response to the October 2012 Public Notice shows that no provider could provide service at the rates being proposed by RLSA and reflects strong concern from consumers that RLSA's proposals would lead to the deterioration of service and innovation, fundamentally undermining the mandate of functional equivalence established by the Americans with Disabilities Act. The fundamental flaw in RLSA's proposal lies in the rate-of-return methodology that underlies it, which is incomplete and inappropriate for a labor-intensive business like VRS. The Commission has expressly decided not to use the rate-of-return methodology to set VRS rates since 2007 and should not do so now because the Commission cannot satisfy the functional equivalence mandate using that methodology. In addition, the Commission has abandoned rate-of-return ratemaking in every other setting and it would be arbitrary and capricious to use it only to set VRS rates. These points are elaborated in Sorenson's ex parte filing in these dockets of May 2, 2013, in which Sorenson explained that a rate of \$4.37 would be unsustainably low.

Sincerely,

/s/

Christopher J. Wright
Counsel to Sorenson Communications, Inc.

cc: Rebekah Goodheart
Jonathan Chambers