

# Interstate TRS Fund Advisory Council

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Maryland

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August 19, 2013

Marlene H. Dortch, Secretary

FCC Headquarters

445 12<sup>th</sup> Street SW Rm TW A325

Washington, DC 20554

RE: CG Docket Nos. 10-51 and 03-123, Structure and Practices of the Video Relay Service Program; Telecommunications Services and Speech to Speech Services for Individuals with Hearing and Speech Disabilities

Dear Ms. Dortch,

The Interstate Telecommunications Relay Service Fund Advisory Council (TRS Advisory Council) appreciates the opportunity to submit collective comments on the FCC's Notice of Proposed Rulemaking in the Structure and Practices of the VRS Program; TRS and S-T-S Services for Individuals with Hearing and Speech Disabilities.

It is the overall consensus of the TRS Advisory Council that the present Council be retained and its mission expanded, and not replaced.. As noted in the pending NRPM, the Commission states "that at various times, the existing TRS Advisory Council has itself asked for additional responsibilities, including matters concerning TRS quality." p. 40411 In line with this observation, the present TRS Advisory Council members recommend expanding and redefining the existing Council mission and membership to incorporate the following:

- Retaining the current membership of the Council including the providers and expanding the membership to include other stakeholders such as the Gallaudet University Technology Access Program, Gallaudet and University of Wisconsin at Madison's RERC-TA, Telecommunications Equipment Distribution Program Association (TEDPA), a deaf-blind representative, and the National Deaf-Blind Equipment Distribution Program (NDBEDP);
- Council members who represent providers have and continue to bring valuable reality-based perspectives provide excellent insight into the feasibility of various solutions and approaches and an understanding of the actual costs of providing relay service;
- There are consumer representatives on the present Council that benefit from VRS and the various relay services offered presently.

The present TRS Advisory Council is of the opinion that having providers on the Council, with the change in the focus, should continue despite the FCC view that having provider membership on the committee would create a potential conflict of interest when the committee is making decisions regarding recommended technologies, outreach initiatives, quality of service improvements, and the like. We respectfully do not agree that provider membership "may lead to distracting discussions regarding the relative merits of competing provider services and technologies." p. 40411 During TRS Advisory Council meetings, providers have abstained from votes when it is apparently a conflict of interest. The information provided by the Fund Administrators has always been aggregated and not company specific when data is reviewed, in order to avoid conflict and to protect proprietary information. We note the FCC proposes that "providers will have an opportunity to make their view known to the committee through open sessions held by the advisory committee" (p. 40411), we do not feel this is an efficient use of the TRS Advisory Council's meeting time as there are numerous providers offering various Relay services to different populations that gleaning this type of information in an open session would be very time consuming. We propose the provider members remain on the TRS Advisory Council but have non-voting status during the meetings which should remove any apparent conflict of interest.

The TRS Advisory Council follows established written agendas during meetings and adhere to the agendas. The provider business and offerings are

not discussed during the Council meetings nor do provider members advocate for their services during council meetings. Perhaps the Commission concerns regarding provider representation could be alleviated by the Council adopting in their bylaws an ethics policy and a formal conflict of interest policy.

Rather, as the current TRS Advisory Council has evolved over time, monthly Provider teleconference meetings were established with RLSA, the current Fund Administrator, where providers and the Fund Administrator had an ongoing opportunity to dialog on issues of importance to all the parties involved. The providers have cooperated on those phone calls with the Fund Administrator. Additionally, the Council has a separate monthly teleconference call, the "Health of the Fund" where members are able to monitor and discuss trends related to all the current Relay services.

The Council believes that an expanded TRS Advisory Council can readily provide advice and recommendations in four areas and an additional two mentioned by the FCC later in the NPRM:

1. Technology
2. Efficiency
3. Outreach
4. User experience
5. Eligibility, registration, and verification
6. Porting and slamming.

These topics have been addressed in past Council meetings and after meetings, letters have been sent to the FCC with input on these topics and others pertaining to the quality of the various Relay services offered presently. These recurring topics have led the Council, at various times which were noted by the FCC, to ask for an expansion of its charge and responsibilities as the various Relay Services expanded over the years. The current Council members bring user experience to the table at council meetings ongoing. To disband this group and reinvent the wheel would be time consuming. It will also likely lead to a loss of important institutional knowledge as key members will be lost without a proper transition. We feel the TRS Fund Administrator should work in tandem with the Commission's TRS Managing Director and the FCC's Consumer and Governmental Bureau office to solicit and evaluate potential members of the Council ongoing.

The present TRS Advisory Council, with expansion of the members and its charge, can certainly and timely provide input to TRS program administrators, including the TRS Fund administrator, the iTRS Outreach Coordinator(s), the VRS access technology reference platform administrator, the TRS-URD administrator, and/or the neutral video communication service provider in the implementation of their responsibilities. We propose that the FCC work with the current TRS Advisory Council to modify its charge, responsibilities, and expand the membership as spelled out in the NPRM. The TRS Advisory Council is familiar with entities mentioned by the FCC and should be able to assist and work with the FCC in revising the charge, membership, and duties.

We agree with the FCC that there should be consistent regulations on all forms of iTRS. AS the FCC has noted, there are significant commonalities among VRS, IP Relay, and other forms of iTRS. We would be remiss in our charge if we did not note this and applaud the FCC for stressing the need for consistent regulation across all forms of TRS currently available.

Thank you for the opportunity to submit comments on this proceeding as we strive to serve the diverse populations that use the varying Relay Service programs.

Sincerely,

The TRS Advisory Council