

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the Matter of)	
)	
Speech-to-Speech and Internet Protocol (IP))	CG Docket No. 08-15
Speech-to-Speech Telecommunications Relay)	
Services)	
)	
Telecommunications Relay Services and)	CG Docket No. 03-123
Speech-to-Speech Services for Individuals with)	
Hearing and Speech Disabilities)	

To: The Commission

COMMENTS OF HAMILTON RELAY, INC.

Hamilton Relay, Inc. (“Hamilton”), by its counsel, submits these comments in response to the July 19, 2013 *Further Notice of Proposed Rulemaking* (“*Further Notice*”) concerning speech-to-speech (“STS”) relay services.¹ As a provider of STS in numerous states, Hamilton welcomes the opportunity to respond to the questions raised in the *Further Notice* and to update the record in this proceeding since the last pleading cycle in 2008.

I. A Single, Nationwide Outreach Entity for STS Would Be Counterproductive and Inefficient

In the *Further Notice*, the Commission “tentatively agrees” that a single, nationwide STS outreach entity would be more effective than the outreach efforts of the individual providers of STS. In addition, the Commission seeks comment on the criteria that should be used to select such a nationwide outreach coordinator, as well as the outreach activities for which such coordinator should be responsible.

¹ *Speech-to-Speech and Internet Protocol (IP) Speech-to-Speech Telecommunications Relay Services; Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, Report and Order and *Further Notice of Proposed Rulemaking*, CG Docket Nos. 08-15, 03-123, 28 FCC Rcd 10,702 (rel. July 19, 2013) (“*Further Notice*”).

Hamilton disagrees with the tentative conclusion that a single nationwide coordinator would be more effective in conducting outreach than individualized approaches. As an initial matter, Hamilton believes that it is premature to conclude that because the Commission has moved to a centralized outreach approach for Video Relay Service (“VRS”) and IP Relay that a centralized STS outreach effort will *a fortiori* be more effective than today’s outreach approach for STS. There is insufficient data and research in the record to suggest that a centralized approach for STS would be any more effective than the current approach. Unless and until such data and research are introduced into the record,² Hamilton continues to believe that the Commission should focus on methods to improve outreach through the states and through providers.³

A measured approach is particularly important for STS because the characteristics of the needs of the STS population are very different; as a result, the outreach required is necessarily different.⁴ In Hamilton’s many years of experience in providing STS, it has learned that one-on-one outreach is the most effective method for STS outreach, because the barriers to access and questions about STS vary greatly from one user to the next.

² Hamilton believes that even though IP Relay and VRS outreach are fundamentally different than STS outreach, the Commission will be informed through empirical data as to the effectiveness of centralized outreach efforts in the next year or so for those services. In turn, that data will help inform the Commission as to whether centralized STS outreach may (or may not) be more effective than individualized outreach efforts. Similarly, the Commission should analyze the effectiveness of the \$500,000 allocated for the National Deaf Blind Equipment Distribution Program outreach to confirm that it has indeed been successful in conducting outreach. The Commission should confirm that these pilot programs have been successful, and indeed more successful, than the outreach being conducted by providers, before moving forward with a single national STS outreach coordinator.

³ Hamilton notes that, for similar reasons, it opposes a centralized outreach approach for IP Captioned Telephone Services. *See* Comments of Hamilton Relay, Inc., CG Docket Nos. 10-51, 03-123, at 6 (filed Aug. 19, 2013).

⁴ *See* Comments of Speech Communications Assistance by Telephone, Inc., CG Docket Nos. 08-15, 03-123, at 4-5 (filed Sept. 9, 2013) (“SCAT Comments”).

Hamilton has thoroughly trained its employees and contractors in each of its states to detect the specific needs of STS users. To ensure outreach is customized to users' individualized needs, Hamilton employs an internal STS subject matter expert, consults with speech-language pathologists, and uses its existing outreach infrastructure to determine and then reach targeted groups of potential STS users. These trained individuals are knowledgeable, have the required subject matter expertise, and provide outreach services on a one-on-one basis, spending as much time as needed with each potential STS user or user group. It is far from clear that a nationwide coordinator could achieve the same "boots on the ground" success given the inherent nationwide footprint of such a coordinator.

Hamilton also believes that the state TRS programs handle STS outreach very well, with knowledgeable trainers who work in conjunction with Hamilton's employees. A national outreach coordinator may at best be duplicative of these efforts. In the worst case, these individualized efforts would be replaced by a national approach that could be far less effective.

These are important issues, and Hamilton does not take them lightly. Hamilton believes that the Commission should host a summit with state coordinators, consumer groups, providers, and other stakeholders in an effort to gather additional information about how best to conduct STS outreach, given the particularized needs of the individuals who need the service. The Commission could then direct the state TRS programs, and providers as necessary, to adopt recommended outreach practices based on the lessons learned from that summit. Hamilton notes that this approach would be more cost effective in both the short-term and the long-term for the

interstate TRS Fund. Hamilton also believes that it would result in a more effective approach than a single coordinator approach.⁵

The Commission also seeks comment on whether, given the decision to establish an Internet-based TRS National Outreach Program (iTRS– NOP) for IP Relay service and VRS, the Commission should bundle national STS outreach efforts into this national outreach program. Hamilton believes that such a decision would be a mistake. STS is a fundamentally different service from IP Relay and VRS, with a different user base who have different needs and outreach requirements.⁶

II. The Commission Should Avoid Imposing Additional Barriers to Using STS Such as Registration and User Registration Databases

The Commission also seeks comment on how to establish rules to clearly define and oversee the eligibility, registration, and verification of STS users. Hamilton questions the need for such requirements at this time, given the lack of discussion in the *Further Notice* of fraud, waste or abuse of STS, and particularly given the proportionately smaller pool of potential STS users when compared to the overall number of TRS users.⁷ In addition, Hamilton is concerned that burdensome registration requirements, particularly self-certifications under penalty of perjury, for this particular set of users would result in less use and adoption of the service, in a manner contrary to the Commission’s stated goal of improving STS outreach.⁸

⁵ For these reasons, Hamilton opposes any interim elimination of the outreach amount added to the STS per-minute rate on an annual basis.

⁶ See also SCAT Comments at 4.

⁷ Hamilton agrees with SCAT that it is particularly important to determine the population parameters of STS users. SCAT Comments at 6. In Hamilton’s opinion, adopting the outreach proposals in the *Further Notice* would be premature until this information is known and made a part of the record.

⁸ For similar reasons, Hamilton does not support the implementation of a centralized user registration database for STS users, because it presupposes a registration requirement that could deter new STS users.

III. Mandatory Minimum Standards for STS Remain Necessary

In the *2008 STS NPRM*, the Commission tentatively concluded that IP STS providers would not need to meet the following TRS mandatory minimum standards to be eligible for compensation: (1) CA competency in typing and spelling; (2) ensuring that TTY calls over TRS can be transmitted in ASCII and Baudot formats; (3) call release; (4) hearing carry over (HCO) and voice carry over (VCO) services; (5) equal access to interexchange carriers; (6) pay-per-call (900) service; and (7) outbound 711 dialing.⁹ In the *Further Notice*, the Commission now proposes to amend its rules to state that the standards for (a) CA competency in typing and spelling, (b) ensuring that TTY calls over TRS can be transmitted in ASCII and Baudot formats, (c) call release, and (d) VCO services not be applied to any form of STS because they are inapplicable to this service.¹⁰

Since filing its last comments on this issue, Hamilton has gained additional experience and insight into the variety of solutions STS call handling offers, and as a result Hamilton no longer supports the removal of these mandatory minimum standards for STS.

Specifically, with respect to CA competency, Hamilton is under contract with state relay programs which require that STS CAs have the same competencies as CAs for other forms of TRS. This approach appears rational to Hamilton as a method of ensuring minimum CA competency. In addition, Hamilton has gained experience processing STS-to-TRS calls (i.e., STS-to-TTY, STS-to-VCO, etc.). Hamilton only uses one CA for such calls, and employs STS

⁹ *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities; Speech-to-Speech and Internet Protocol (IP) Speech-to-Speech Telecommunications Relay Service*, CG Docket Nos. 03–123 and 08–15, Notice of Proposed Rulemaking, 23 FCC Rcd 10,663 (2008).

¹⁰ *Further Notice*, ¶ 40.

CAs that meet all the mandatory minimums for TRS CAs. Thus, Hamilton supports the retention of this mandatory minimum standard for competency.¹¹

With respect to ASCII/Baudot formats, Hamilton is under contract with state relay programs requiring that STS CAs change modality at the request of the user. For instance, this switch could be necessitated if a user begins a call as STS but then wishes to change to TTY if his or her voice becomes fatigued. Therefore, this requirement should continue as a mandatory minimum standard for STS.¹²

With respect to call release functionality, Hamilton notes that this functionality can be beneficial to customers in several scenarios. By offering call release functionality, a STS user can “excuse” the CA from the call if the party they are speaking with is understanding their speech. Similarly, call release functionality is useful when a STS user has a personal revoicer present with them at the time of their call and the assistance of a STS CA is no longer needed. Call release may also be useful in preventing misuse of STS. Consequently, this requirement should continue as a mandatory minimum standard for STS.

With respect to VCO, Hamilton notes that the number of military veterans with traumatic brain injuries (TBIs) has increased dramatically over the past decade. TBIs frequently cause both hearing loss and speech disabilities. Consequently, VCO/STS is an ideal, functionally equivalent

¹¹ The Commission also asks whether mandatory minimum standards for STS CA training should apply. Hamilton believes that CAs should be required as part of their training to observe STS calls in process, and should be required to meet minimum hearing acuity requirements (such as 20 decibels). CAs should also receive training from speech language pathologists. The topics of this training should include: basic speech production science, disability awareness and sensitivity, strategies for communicating with people with difficulty speaking, and technological advances in Augmentative and Alternative Communication (AAC) equipment and Speech Generating Devices (SGDs).

¹² Clearly, some of these requirements may not be applicable to IP STS. To the extent the Commission issues a proposed rulemaking regarding IP STS, Hamilton encourages the Commission to seek comment on the mandatory minimum standards that should apply to IP STS.

solution for these potential consumers. For this reason, Hamilton supports the retention of the VCO minimum standard for STS.

IV. The Commission Should Adopt but Clarify STS User Profile Methods

The Commission also seeks comment on whether STS user profiles should be immediately available to an STS CA each time an STS user places a call, to allow the provider to provide a better and more consistent STS relay experience for users.

Hamilton believes all user profiles for TRS and STS users should be immediately available each time a relay user places a call.¹³ However, Hamilton seeks clarification on whether the intent of this proposal is to allow user profiles to be established, or whether providers would be asked to proactively contact STS users and ask them whether they would like to establish a user profile. Hamilton also notes that the availability of STS speed dial numbers is already required.¹⁴

As an additional user benefit, some of Hamilton's states have opted in to Hamilton's STS User Training Line service offering. This service allows a potential STS user within those states to learn more about STS, determine if it is a useful and appropriate communication solution for that individual, and place practice STS calls as a "test drive."¹⁵ The STS User Training Line also provides information about user profiles, and encourages callers to establish profiles before using STS. Hamilton believes this is a better approach rather than providers breaking confidentiality and calling relay users to set up a user profile.

¹³ Although Hamilton supports the ability of users to establish user profiles, Hamilton does not support mandatory user profiles for purposes of establishing or maintaining a centralized registration database.

¹⁴ 47 C.F.R. § 64.604(a)(5).

¹⁵ Such practice calls are not billed to the TRS Fund.

V. **Hamilton Supports Efforts to Ensure that STS Calls Are Not Terminated Prematurely**

The Commission seeks comment on whether CAs should be prohibited from terminating a STS call until at least 60 seconds has passed when a STS user is silent and does not say “good-bye,” so that the call will not be disconnected prematurely.

Hamilton supports this proposal. It is Hamilton’s current policy, based on years of user feedback and requests, to have the CA wait 60 seconds before terminating a TRS call, and 120 seconds before terminating a STS call, in order to ensure that calls are not prematurely disconnected. Hamilton believes that this approach is particularly necessary for STS, where the time to set up a STS call can be substantial and frustrating to the STS user.

VI. **Other STS Enhancements**

Finally, the Commission asks if there are any other enhancements to STS that are relevant to this proceeding. Hamilton has focused on adopting additional customer profile enhancements, including:

Dial-by-name directory: If the user requests to be listed in Hamilton’s internal STS directory, calling parties may contact the STS user by asking the CA to dial by the STS user’s name instead of phone number. For example, if STS user Sally Smith selected this option and a calling party needed to reach her, the caller would simply connect with a Hamilton STS CA and say “*Please dial Sally Smith.*” People with difficulty speaking often struggle to voice numbers, mainly because the numerals 0-9 are all single syllable words except for “zero” and “seven.” Though it sounds counterintuitive, often times it becomes easier for these users to more clearly voice longer words because the additional syllables provide extra auditory and contextual clues. Because of this, and using the above example, Sally Smith no longer needs to put as much energy into providing her contact information by voicing out each numeral. She can simply tell the caller to dial STS Relay and ask for her by name.

711 Skill Routing: By indicating in the user’s profile that he/she will always use STS when connecting to relay, the user can directly connect to STS when dialing 711. This allows the user the same connection efficiency as all other relay users.

Dictated Message Retention: When STS users dictate a message to be left on an answering machine, Hamilton CAs are able to save the message in the customer's profile for 2 hours so that the user can call back to STS and have that message used on subsequent calls within the 2-hour window.

VII. Conclusion

Hamilton is proud of its tradition of providing STS, and wishes to continue providing the service with the enhancements proposed in these comments. Hamilton urges the Commission to reject proposals that would make the service less attractive to potential users, and proposals that would centralize provision and outreach in a manner that would disserve the community it is intended to benefit.

Respectfully submitted,

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