

September 18, 2013

VIA ELECTRONIC FILING (ECFS)

Marlene H. Dortch, Esq., Secretary
Federal Communications Commission
445 Twelfth Street, SW
Washington, DC 20554

RE: **EX PARTE PRESENTATION**
*Misuse of Internet Protocol (IP) Captioned Telephone Service;
Telecommunications and Relay Services and Speech-to-Speech Services
for Individuals with hearing and Speech Disabilities*
CG Docket Nos. 13-24 & 03-123

Dear Ms. Dortch:

On September 16, 2013, representatives of Captel, Inc., Ultratec, Inc., and Weitbrecht Communications, (collectively “Captel/Ultratec”), Sprint Corporation (“Sprint”), and Hamilton Relay, Inc. (“Hamilton”) met with Karen Peltz Strauss, Robert Aldrich, Elaine Gardner, and Eliot Greenwald of the Consumer and Governmental Affairs Bureau (“CGB”) and David Schmidt of the Office of the Managing Director. Attending the meeting on behalf of Captel/Ultratec via teleconference were Rob Engelke, Jayne Turner, Kevin Colwell, Pam Holmes, Tim Engelke, and Barbara Dreyfus. On behalf of Sprint via teleconference were Angie Officer, Maggie Schoolar, Mike Ellis, Dennis Selznick, Mark Tauscher, Mark Seeger, Ray Rothermel, and Scott Freiermuth. On behalf of Hamilton via teleconference was Dixie Ziegler and in person were Anne Girard, Director of Marketing, and Joshua M. Bercu and the undersigned of Wilkinson, Barker, Knauer, LLP on behalf of Hamilton.

The main purpose of the meeting was to discuss compliance with respect to new labeling requirements for Internet Protocol (“IP”) Captioned Telephone Service (“IP CTS”) adopted by the Commission in the above-captioned proceeding.¹ Noting that the labeling of IP CTS equipment may not be a “one-size-fits-all” issue, particularly for IP CTS equipment provided to

¹ *Misuse of Internet Protocol (IP) Captioned Telephone Service; 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. 13-24 & 03-123, FCC 13-118 ¶ 90 (rel. Aug. 26, 2013) (“Order”).

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users prior to March 7, 2013,² the providers discussed the potential advantages of permitting electronic labeling to reach pre-March 7 users.

The providers also discussed the label's language, required under Section 64.604(c)(11)(iii) of the Commission's rules,³ and noted that minor adjustments to the language may help reduce consumer confusion about the nature and purpose of the label. Commission staff also confirmed that placing the notification label on the handset of an IP CTS device would be sufficient to comply with the labeling rule.

Finally, the providers noted that in many cases they currently lack sufficient address information for certain IP CTS users in order to send them paper labels.⁴ Accordingly, the providers indicated that they would consider filing a limited waiver to extend the label notification period so that the deadline more closely approximates the deadline for certifying and registering existing IP CTS users.

Hamilton also separately discussed the wholesale/retail aspects of the *Order* with Commission staff.⁵ Hamilton noted, by way of example, that Costco.com is operated by Costco, which employs hearing health professionals at its in-store hearing health centers. Commission staff confirmed that a provider would not be permitted to enter into a wholesale/retail arrangement with Costco or Costco.com under that scenario pursuant to the *Order*.

² The Commission's interim rule requiring registration for new IP CTS users became effective on March 7, 2013. *See* Misuse of Internet Protocol (IP) Captioned Telephone Service; Telecommunications Relay Services and Speech-to-Speech Services for Individuals With Hearing and Speech Disabilities, *Interim Rule; announcement of effective date*, 78 Fed. Reg. 14701 (Mar. 7, 2013).

³ This labeling rule will become effective upon publication in the Federal Register of a notice announcing the approval of the rule's requirements by the Office of Management and Budget and an effective date of the rule. *See Order* ¶ 171.

⁴ Because IP CTS utilizes IP to provide IP CTS, providers receive IP signaling when a call is connected rather than signaling from the Public Switched Telephone Network, which renders reverse lookup impractical.

⁵ *See Order* ¶ 26.

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This filing is made in accordance with Section 1.1206(b)(1) of the Commission's rules, 47 C.F.R. § 1.1206(b)(1). In the event that there are any questions concerning this matter, please contact the undersigned.

Respectfully submitted,

/s/ David A. O'Connor
David A. O'Connor
Counsel for Hamilton Relay, Inc.

cc: Participants