WILTSHIRE & GRANNIS LLP

October 29, 2013

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

Re: CG Docket Nos. 10-51 and 03-123

Dear Ms. Dortch:

In a recent ex parte, CSDVRS, LLC, complains about unspecified "interoperability issues" between providers' videophones and specifically asserts that "[t]here has been no real progress in addressing interoperability issues since the June 2013 FCC VRS Order."[1] These assertions are incorrect. From June 17 through 19—only days following the FCC's June 10 Order—Sorenson hosted an interoperability conference where five providers, including CSDVRS, met to conduct interoperability testing on at least 26 distinct VRS endpoints, using both H.323 and SIP.[2] During this event, providers were able to resolve a number of interoperability issues, and for issues that could not be fixed immediately, providers agreed to investigate and conduct additional testing as needed. The event was so successful that the providers agreed to hold another event in November, which CSDVRS will host.

This cooperation is not an isolated event. Since the June 10 order the SIP Forum has also been actively engaged in defining a SIP standard for relay calls as contemplated by the June Order, with Sorenson providing much of the manpower for this effort.[3] Sorenson also holds monthly telephone calls with CSDVRS and Purple to discuss interoperability, and it has

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1 Letter from Jeff Rosen, General Counsel of CSDVRS, LLC, to Marlene H. Dortch, Secretary, FCC at 2, CG Docket Nos. 10-51 & 03-123 (filed Sep. 9, 2013) ("CSDVRS Ex Parte"); *see also* Reply Comments of CSDVRS, LLC at 8, CG Docket Nos. 10-51 & 03-123 (filed Sep. 18, 2013).

2 Scot Brooksby, *[vrs] Second VRS Interoperability Event a Success*, SIP FORUM (June 19, 2013, 4:17pm), http://www.sipforum.org/pipermail/vrs/2013-June/000160.html.

3 *See Structure and Practices of the Video Relay Service Program and Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, CG Docket Nos. 10-51 & 03-123, Report and Order and Further Notice of Proposed Rulemaking, 28 FCC Rcd. 8618, 8642-44 ¶¶ 48-52 (2013); *see also Draft VRS SIP Requirements Documents*, SIP FORUM, http://www.sipforum.org/component/option,com_docman/task,cat_view/gid,144/Itemid,261/.

consistently made its engineering team available to perform interoperability testing with other VRS providers and to find solutions to interoperability problems.

CSDVRS attempts to dismiss these important efforts, complaining that any interoperability standards "are tied to being compatible with" Sorenson's VP-200 videophone.[4] But the standards being developed by the SIP Forum are not tied to any platform—let alone the VP-200. Moreover, the VP-200 will support the new SIP standards being developed and therefore will not force the adoption of "8 year old outdated technology" as CSDVRS asserts.[5]

Nevertheless, while providers are making significant progress on developing interoperability standards, the Commission should not undermine the process by imposing many of the counterproductive interoperability requirements suggested by CSDVRS. While the new SIP standards will include certain features such as portability of address books and speed-dial lists, the Commission should reject CSDVRS's suggestion to require interoperability standards for enhanced and proprietary features. As Sorenson has explained numerous times previously, it is essential for providers to be able to compete on enhanced features, and this competition has led providers to develop features that would otherwise never have been created.[6]

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CSDVRS's *ex parte* also asks the Commission to restrict consumer choice by requiring that providers distribute only "off-the-shelf" equipment.[7] But for the reasons that Sorenson and other commenters have explained numerous times in this proceeding, requiring consumers to use off-the-shelf equipment is bad policy and would violate the fundamental requirement of functional equivalence.[8] In short, off-the-shelf equipment simply does not work as well for deaf users as equipment designed specifically for those users. Among other things, equipment for hearing users is not optimized for high frame rates to capture the highly nuanced motions of ASL—but that kind of crystal-clear transmission is critical for ASL users.[9] Off-the-shelf

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4 CSDVRS Ex Parte at 2.

5 *Id.*

6 *See, e.g.*, Sorenson Communications, Inc. Comments at 71-75, CG Docket Nos. 10-51 & 03-123 (filed Aug. 19, 2013); Letter from John Nakahata, Counsel for Sorenson Communications, Inc., to Marlene H. Dortch, Secretary, FCC (filed May 1, 2013); Sorenson Communications, Inc., Opposition to Purple's Request for Immediate Public Notice, CG Docket Nos. 10-51 & 03-123 (filed May 1, 2013).

7 CSDVRS Ex Parte at 2.

8 *See, e.g.*, Comments of Sorenson Communications, Inc. at 59, CG Docket Nos. 10-51 and 03-123 (filed Nov. 14, 2012) ("Sorenson Nov. 14 Comments"); Reply Comments of Sorenson Communications, Inc., at 44-50, CG Docket Nos. 10-51 & 03-123 (filed Nov. 29, 2012); Letter from John Nakahata, Counsel for Sorenson Communications, Inc. to Marlene H. Dortch, Secretary, FCC, at 2, CG Docket Nos. 10-51 & 03-123 (filed May 8, 2013) ("Sorenson Letter").

9 *See* Comments of Telecom RERC ("Rehabilitation Engineering Research Center on Telecommunications Access" or "RERC-TA") at 3, CG Docket Nos. 10-51 & 03-123 (filed

equipment also lacks numerous features offered by videophones that are designed for deaf users. These features include:

- Visual ringing, including purpose-designed compatibility with household light flash systems;
- Integrated 911 address provisioning;
- Amplified audio;
- Integration with large screens for easier reading of ASL;
- Color and user-interface design for those with the addition of visual impairment;
- Integration with video mail; and
- Integrated support for voice carryover service.[10]

For this reason, it should not be surprising that the Consumer Groups, echoed by thousands of VRS users, have strenuously opposed forcing VRS providers to use off-the-shelf equipment designed for hearing users.[11] As thousands of VRS users have written, "[u]sing products developed by and for people who are hearing would be a huge step backwards! The FCC cannot consider this to be a reasonable replacement for the high quality, specialized VRS technology we use every day."[12]

Nov. 14, 2012) ("RERC-TA PN Comments") ("The trade-offs required with respect to video quality and frame rate are very different for the mainstream and sign language users; the mainstream tends to emphasize resolution, whereas sign language users need to emphasize frame rate.").

[10] *See* Sorenson Nov. 14 Comments at 59.

[11] Comments of Telecommunications for the Deaf and Hard of Hearing, Inc., et al ("Consumer Groups") at 12, CG Docket Nos. 10-51 & 03-123 (filed Nov. 14, 2012) ("[I]t is critical for consumers to have access to both off-the-shelf and proprietary equipment at their choosing in order to maintain robust options for VRS services."); Reply Comments of Consumer Groups at 6, CG Docket Nos. 10-51 & 03-123 (filed Nov. 29, 2012) ("While off-the-shelf technology should be incorporated into the VRS system and should be interoperable with the service, the Consumer Groups urge the FCC not to require all consumers to transition to only off-the-shelf equipment and reiterate that it is critical for consumers to have access to both off-the-shelf and proprietary equipment at their choosing in order to maintain robust options for VRS services."); Filings by thousands of consumers in *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities; Structure and Practices of the Video Relay Service*, CG Docket Nos. 10-51 & 03-123, *e.g.*, Comment of Gail Kallos (filed Jan. 28, 2013).

[12] Filings by thousands of consumers in *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities; Structure and Practices of the Video Relay Service*, CG Docket Nos. 10-51 & 03-123, *e.g.*, Comment of Gail Kallos (filed Jan. 28, 2013).

Implicitly acknowledging this problem, CSDVRS now asks the Commission to require Sorenson to stop using its innovative CPE and to create an off-the-shelf version of its equipment—essentially "unbundling" its tightly integrated CPE and VRS service. But as Sorenson pointed out the last time CSDVRS made this proposal, this is akin to requiring the iPod (another tightly integrated produce) to be separated from iTunes and makes no sense for similar reasons.[13] As Sorenson also previously pointed out, the proposal would undermine providers' incentives to innovate. CSDVRS has offered—and can offer—no compelling answer to these problems.

Sincerely,

John T. Nakahata
Mark D. Davis

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cc: Priscilla Delgado Argeris
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[13] *See* Sorenson Letter at 2.