Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the Matter of	)	
	)	
Misuse of Internet Protocol (IP) Captioned Telephone Service	)	CG Docket No. 13-24
	)	
	)	
Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities	)	CG Docket No. 03-123
	)	

To: The Commission

REPLY COMMENTS OF HAMILTON RELAY, INC.

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Hamilton Relay, Inc. ("Hamilton"), by its counsel, hereby submits these reply comments in response to the August 26, 2013 *Further Notice of Proposed Rulemaking* ("*Further Notice*") regarding Internet Protocol Captioned Telephone Services ("IP CTS").[1]

I. INTRODUCTION AND SUMMARY

The comments in this proceeding make clear that there is no support for returning to a rate-of-return methodology for IP CTS rate regulation. Purple, like Hamilton, supports the continued use of the Multistate Average Rate Structure ("MARS") rate methodology for IP CTS. Only two commenters oppose the continued use of MARS, even though one of those commenters repeatedly asserts that the data used to calculate MARS is "a reasonable proxy" for market-based rates for IP CTS.[2]

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[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, 28 FCC Rcd 13420 (rel. Aug. 26, 2013) ("*Further Notice*").

[2] Sorenson Comments at 11. Hamilton also disagrees with the Independent Telephone and Telecommunications Alliance's ("ITTA's") rationale for opposing MARS as explained below.

Similarly, the comments from providers uniformly oppose the adoption of a centralized database for IP CTS. The Consumer Groups do not oppose such a database, but express significant concerns about the data that would be contained in the database, and the risk that the database could be breached. Practical and technical concerns were raised by other providers in their comments relating to the centralized database concept, and Hamilton shares these concerns.

The record also supports further exceptions to the default captions off rule in order to relieve consumers burdened by the existing requirements, and it provides support for additional mandatory minimum standards for IP CTS.

Finally, Hamilton joins other providers in recommending that the Commission avoid adopting generalized proscriptions that provide the industry with insufficient guidance as to required behavior.

Hamilton appreciates the opportunity to address each of these issues below.

II. THE COMMENTS DEMONSTRATE THAT MARS CONTINUES TO BE THE MOST APPROPRIATE RATE METHODOLOGY FOR IP CTS

As Hamilton explained in its opening comments, the Commission should continue to rely on MARS to set IP CTS rates. MARS is far superior to the other mechanisms under consideration here. None of the comments filed demonstrate otherwise.

As an initial matter, Hamilton agrees with Sorenson that the Commission should not adopt a rate-of-return mechanism for IP CTS rate-setting purposes. The Commission has recognized that "rate regulation can only be, at best, an imperfect substitute for market forces,"[3] and "cannot replicate the complex and dynamic ways in which competition will affect

[3] *Access Charge Reform; Price Cap Performance Review for Local Exchange Carriers; Transport Rate Structure and Pricing End User Common Line Charges*, 12 FCC Rcd 15982, 16107 ¶ 289 (1997) (emphasis added).

[providers'] prices, service offerings, and investment decisions."[4] Rate-of-return regulation, as Sorenson notes, "both over-encourages capital investment and discourages efficiency and innovation."[5] Rate-of-return regulation is especially inappropriate for a service such as IP CTS, which is labor-intensive rather than capital-intensive. Traditional rate-of-return regulation provides return only on capital investments, and thus would provide inadequate returns on IP CTS costs.[6]

Hamilton and Sorenson part ways, however, on the question of what methodology the Commission should use for setting IP CTS rates. As Hamilton explained in its opening comments, the MARS methodology is superior to its alternatives because, unlike rate-of-return regulation or the "price cap" approach urged by Sorenson, it relies on the competitive market, rather than prescriptive regulation, to set rates. Specifically, MARS bases interstate CTS rates on competitively bid intrastate CTS rates, obviating the complexities inherent in rate-of-return or price-cap ratemaking while relying on providers' strong incentives to estimate their costs accurately as part of the competitive bidding process. Moreover, rather than relying on arbitrary "productivity factors" that only guess at expected efficiency gains, MARS produces rates based on *actual* changes in providers' costs. So, too, MARS has avoided the negative unintended consequences that have vexed other ratemaking methodologies, such as the Commission's early approach to VRS rates (which resulted in "waste, fraud, and abuse" and "compensation rates that … bec[a]me inflated well above actual cost"[7]) and the price-cap approach applied to IP Relay services (which led to an unanticipated 20% reduction in rates between 2012 and 2013, forcing

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[4] *Id.*
[5] Sorenson Comments at 7.
[6] *See also* Purple Comments at 2.
[7] *Structure and Practices of the Video Relay Service Program; Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, 28 FCC Rcd 8618, 8620 ¶ 1 (2013) ("*VRS Reform Order*").

market exit by leading providers). In Purple's words, there is "no reason to artificially develop other forms of market-based rates given the effectiveness of the MARS policy."[8]

As explained more fully in Hamilton's opening comments, the rationales that the *Further Notice* cites to support a shift *away* from MARS do not withstand scrutiny. There is no evidence in the record that MARS is causing growth in IP CTS usage. Relying on the growth of IP CTS usage as a premise for rendering MARS rates invalid would therefore be irrational based on the record before the Commission. Indeed, the Commission has recognized twice this year[9] that the sharp growth in the IP CTS sector was the result of *other factors* unrelated to MARS, including specific marketing practices that it has since invalidated, and is unlikely to continue. Moreover, the Interstate TRS Fund Administrator's report for October 2013 shows that IP CTS support paid in July 2013 equaled less than one-third the amount projected, demonstrating that the Commission's reforms are succeeding.[10] There is no need to change the pricing mechanism to respond to growth that has been reversed as a result of the Commission's market reform efforts.

The Commission poses a concern that IP CTS per-minute rates are not decreasing even though call volumes are seemingly increasing. It may be logical to conclude that increased volumes would result in reduced per-minute costs if IP CTS were a capital-intensive service whose costs are predominantly fixed rather than variable, such that growth in volume allows the

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[8] Purple Comments at 3.

[9] *See Misuse of Internet Protocol (IP) Captioned Telephone Service; Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, 28 FCC Rcd 703 (2013) ("*IP CTS Interim Order*"), *review pending sub nom. Sorenson Communications, Inc. and CaptionCall, LLC v. FCC* (D.C. Cir., No. 13-1122, filed Apr. 8, 2013); *Misuse of Internet Protocol (IP) Captioned Telephone Service Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, CG Docket No. 13-24; CG Docket No. 03-123, Report and Order and Further Notice of Proposed Rulemaking (rel. Aug. 26, 2013) ("*IP CTS Permanent Order*").

[10] *See* Rolka Loube Saltzer Associates, *October 2013 Interstate TRS Fund Report*, available at: http://www.r-l-s-a.com/TRS/Reports.htm (contrasting $21,723,285 projection against $6,600,576 actual support figure for July 2013).

provider to spread the same fixed costs over more and more minutes of use ("MOUs"). However, IP CTS is not that kind of service. Rather, the vast majority of costs associated with CTS (in both its PSTN-based and IP varieties) are attributable to labor, not capital, and are incremental. In Sorenson's words, labor costs "rise directly in proportion to minutes: the more minutes that are handled, the more labor will be needed."[11] Increased volumes, then, do not result in proportionately decreased per-MOU costs.

Only two commenters urge adoption of a methodology other than MARS. Their arguments are based on misunderstandings of MARS, the market, or both. First, ITTA states that MARS is "only as accurate as providers' projected minutes of use and costs," and "creates incentives for providers to overestimate costs and underestimate minutes of use to ensure that the compensation rate is as high as possible…."[12] ITTA appears to be misconstruing the *Further Notice*, which cites these concerns as reasons why the Commission rejected other methodologies and chose MARS instead.[13] MARS itself is not based at all on providers' predicted volumes or costs, but rather on their actual competitively-based bids to provide CTS service at the state level, and actual recorded call volumes as reported by the states. In short, under MARS there is no incentive for providers to overestimate costs (since they are unlikely to be the successful

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[11] Sorenson Comments at 12.
[12] ITTA Comments at 3, *citing Further Notice* ¶ 114.
[13] *See Further Notice* ¶ 114 ("The Commission's reasons for adopting the MARS Plan methodology, laid out in the 2007 TRS Methodology Order, were largely based on the prediction that using an average of state rates in the MARS Plan would 'simplify the rate setting process and result in more predictable, fair, and reasonable rates' for IP CTS. The Commission expressed concern that reliance on a weighted average of the providers' projected minutes and costs might produce rates that were only as accurate as the providers' projected minutes of use and costs. Specifically, the Commission explained that providers had incentives to both overestimate costs and underestimate minutes, to ensure that the compensation rate would be as high as possible, presumably to make a profit—all of which put into question the reliability of a cost-based recovery mechanism. Likewise, the Commission rejected use of a price cap regime out of concern that this would require the Commission's determination of an initial rate that accurately reflected providers' historical, actual, reasonable costs.").

bidder if they do) or underestimate minutes of use (since the actual minutes of use reported by states to the fund administrator are used to calculate the per-minute rate).

Second, Sorenson's rationales for adopting a "price cap" approach rather than MARS are not persuasive. Indeed, Sorenson's comments themselves provide strong support for the continued use of MARS. Sorenson acknowledges that MARS has "provided a reasonable proxy for market-based rates."[14] It states that "past competitive bid information from state CTS programs is an appropriate source of data for determining a reasonable range for market-based IP CTS rates." It recognizes that "[t]his was the logic behind MARS in the first place, and it remains sound."[15] And it agrees that rates should "account[] for the labor-intensive nature of IP CTS."[16]

Sorenson's only apparent argument *against* MARS is that it has not resulted in annual price reductions, but rather in "unnecessary" increases.[17] This argument misunderstands the basic underpinnings of competition that drive the state bidding process. If "MARS is unlikely to reduce IP CTS rates,"[18] that could only be because the costs of providing IP CTS are not falling. If they were, providers would have every incentive to bid lower rates and to win business at the state level, which would, in turn, reduce MARS rates. On the other hand, if costs remain mostly constant, or rise, then we should expect state-level bids to also remain constant or rise, and the MARS rates to follow suit. This is the fundamental premise of market competition: Providers will seek to win market share by reducing their prices to bear out competitors' prices, so long as they can do so while recouping their costs. This downward pressure has, in fact, resulted in a

[14] Sorenson Comments at 5.
[15] *Id.* at 12.
[16] *Id.* at 11.
[17] *Id.* at 11; *see also id.* at 12.
[18] *Id.* at 10.

reduction in the inflation-adjusted IP CTS rate; as Hamilton has previously noted, the total increase over the entire time the MARS rate has been in effect for IP CTS has averaged 1.6% per year, which is *less* than the increase in the Consumer Price Index for the same period.[19]

Sorenson contends that "shifting to a price cap regime will encourage IP CTS providers to restrain labor prices and more efficiently use their resources." But CTS providers do not control prices in the labor market, and thus have no ability "to restrain [those] prices," however strong their incentives to do so may be. Indeed, Sorenson's apt points regarding the differences between capital-intensive communications offerings and labor-intensive offering such as IP CTS eviscerate its suggestion that an arbitrary 0.5% annual rate reduction will promote efficiency and innovation:

> [U]nlike telephone service, which is capital intensive …, IP CTS is labor intensive. *There is no reason to believe that IP CTS's input costs for a well-managed firm will decline faster than the economy as a whole.* While an individual IP CTS provider may be able to wring out efficiencies through better management, these are likely to be one time improvements, and not recurring productivity enhancements as expected in computing power with Moore's Law.[20]

Thus, Sorenson itself acknowledges that "[a]s long as the CA remains necessary to captioning, technology-based improvements in productivity will be limited,"[21] and that "productivity of IP CTS would [most likely] track the economy as a whole…."[22]

Under these circumstances, it makes far more sense to rely on the market to promote efficiency rather than to adopt an arbitrary annual price decrease of 0.5%. While Sorenson's argument that price cap regulation has a "proven track record of incentivizing efficiency and

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[19] *See* Comments of Hamilton Relay, Inc., CG Docket Nos. 10-51, 03-123, at 5 (filed May 31, 2013).
[20] Sorenson Comments at 14 (emphasis added).
[21] *Id.* at 12.
[22] *Id.* at 15.

innovation"[23] may be true when price caps replace rate-of-return regulation, it is *not* true when they replace a more market-oriented mechanism such as MARS. MARS allows prices to reflect the competitive bids of providers who have strong incentives to reduce prices in a manner consistent with recouping their costs. Likewise, market-based mechanisms such as MARS eliminate the need for *ad hoc* exogenous cost adjustments and the administrative complexities they bring. Providers bidding in a market environment have both the incentive and the ability to ensure that their bids reflect all relevant shifts in cost, and to formulate bids accordingly, in order that they may offer the most competitive price possible that will still recoup their costs. Tellingly, the Commission has never found it necessary to adjust the MARS rates, despite reserving the right to do so.[24]

Ultimately, Sorenson's position seems to be that the Commission should reduce rates below those that the market will bear. This would be poor public policy, particularly in a labor-intensive industry like CTS, where it is quite clear that labor costs have increased year over year, and are likely to continue to do so for the foreseeable future. Sorenson states that "[a]s long as rates decline in inflation-adjusted terms, consumers benefit,"[25] but this claim is false. When rates decline but costs do not, providers become unable to offer their services, leading providers to exit the market and leaving customers without service. Sorenson knows this only too well – it is exactly what happened with respect to IP Relay, prompting Sorenson to cease its provision of that service. The Commission should avoid any mechanism that would promote such market exit from IP CTS, and thus should retain the market-based MARS approach.

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[23] *Id.* at 6.
[24] *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, Report and Order and Declaratory Ruling, 22 FCC Rcd 20140, paras. 21, 35 & nn. 86, 106 (2007).
[25] Sorenson Comments at 9.

Thus, the arguments raised by ITTA and Sorenson against MARS's continued application should be rejected.

III. ALL IP CTS PROVIDERS AGREE THAT A CENTRALIZED DATABASE IS EITHER UNNECESSARY AND TECHNICALLY PROBLEMATIC OR SHOULD BE DELAYED

In its initial comments, Hamilton opposed the concept of a centralized database for IP CTS users, arguing that it is unnecessary because such users already are subscribers to a local exchange carrier or Voice over IP provider.[26] IP CTS users are of necessity part of the telecommunications network already, unlike VRS and IP Relay users who, in the absence of a centralized database, would essentially operate outside the traditional network.

Other IP CTS providers similarly oppose a centralized database. Sorenson notes that a centralized database would be unnecessary and counterproductive.[27] Miracom notes that while it supports mandatory registration (as does Hamilton), it "does not believe a central database is necessary. Unlike VRS, which is provided entirely over the Internet, IP CTS generally uses the Internet to only provide the captions to a telephone device. Thus, central registration is unnecessary in order to provide call routing to the user."[28]

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[26] Hamilton Comments at 11.

[27] Sorenson Comments at 24. Purple recommends that before attempting to implement a centralized verification process for IP CTS, the Commission should complete the successful implementation of these processes with respect to VRS first. *See* Purple Comments at 4. Although Hamilton believes that a centralized approach for IP CTS is unnecessary and would be technically inefficient, Hamilton agrees with Purple that, at the very least, the Commission should attempt to implement the centralized approach for VRS first before attempting to extend it to IP CTS.

[28] Miracom Comments at 6. Miracom separately suggests that the Commission should adopt interoperability requirements for IP CTS equipment. *See id*. That issue is beyond the scope of this proceeding because it was not raised in the *Further Notice*. In any event, the Commission would need to develop a complete record on that issue before deciding to adopt any interoperability requirements for IP CTS.

The Consumer Groups do not object to a centralized database, but they express significant concerns about the content of that database.[29] Consumers are concerned that sensitive personal information could be subject to malevolent use. They state that the collection of this information in a centralized database would expose consumers to the unnecessary risk of identity theft.

While a centralized database may be advantageous to certain IP CTS users who also may rely on VRS and IP Relay, the Commission has never quantified the number of IP CTS users who would benefit, and thus there is no justification in the record for burdening IP CTS providers with a centralized database requirement merely so that an unknown number of IP CTS users could also use VRS and IP Relay without having to register for those services. Hamilton believes that there is a significant population of IP CTS users who do not know American Sign Language and thus would not be eligible for VRS, and would find other forms of Internet-based relay to be not readily useable. In any event, the avoidance of a per-service registration requirement does not appear to be a sufficient benefit to justify the costs and problems associated with a centralized IP CTS database.

IV. CONSUMERS AND STATE RELAY ADMINISTRATORS JOIN HAMILTON IN SUPPORTING MANDATORY MINIMUM STANDARDS FOR IP CTS

In its comments, Hamilton supported the adoption of clearly defined, measurable captioning standards for speed, accuracy and verbatim/summarization as noted above, and suggested that these standards should be adopted for both CTS and IP CTS. Other standards, such as defining answer speed, abandoned call counts, and adopting a clear definition of how to

[29] Comments of Hearing Loss Association of America *et al.* at 8-9 ("Consumer Group Comments").

measure conversation time, must be established. Hamilton noted that different providers may use different standards of measurement currently, which can result in widely varying cost data.[30]

The Consumer Groups support the establishment of minimum mandatory requirements for IP CTS, including error rates and captioning quality.[31] Similarly, the National Association for State Relay Administration ("NASRA") supports the establishment of minimum mandatory requirements specific to IP CTS, "including speed and accuracy standards."[32] Hamilton believes that additional information needs to be gathered on each of these issues and analyzed by the Commission so that a more complete record is developed on these issues, with the goal of adopting mandatory minimum standards. Hamilton also agrees with the Consumer Groups that providers "should not be permitted to compromise captioning speed for accuracy or vice versa"[33] but standards for when call summarization is permitted need to be adopted, along with quality standards for such summarizations.

Sorenson suggests that quality standards should be set by the market rather than mandatory minimum standards,[34] but Hamilton is concerned that these issues are too important to consumers, as shown by their comments, and too important to the Commission in terms of assessing provider compliance, to be left to the marketplace.

Hamilton encourages the Commission to work with industry stakeholders to develop these industry standards so that they can be implemented in a workable fashion that benefits consumers. Hamilton looks forward to providing additional data and suggestions to the Commission on the need for uniform industry standards.

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[30] Hamilton Comments at 12-14.
[31] Consumer Group Comments at 20-22.
[32] NASRA Comments at 1.
[33] Consumer Group Comments at 21.
[34] Sorenson Comments at 30-31.

V. COMMENTERS OVERWHELMINGLY SUPPORT ADDITIONAL EXEMPTIONS FROM THE DEFAULT CAPTIONS OFF RULES

Nearly all commenters share Hamilton's concern that the default captions off rules have created burdens for many consumers. In its initial comments, Hamilton suggested that the Commission allow users to select their default option for captions, or at the very least the Commission should extend the hardship waiver exception to those users who certify that they live alone.[35] The same concept should apply to individuals who have a private phone in a workplace.

The Consumer Groups and other providers agree that additional relief is needed with respect to the captions off requirement. The Consumer Groups support extending the exception to households consisting of only people with hearing loss.[36] Hamilton agrees, and submits that these issues could be addressed during the registration process. Hamilton also agrees with Purple that the chance of misuse in these types of settings is remote.[37]

VI. HAMILTON SUPPORTS THE CONSUMER GROUPS' GOAL OF INCREASING IP CTS EDUCATIONAL INFORMATION AND OUTREACH, BUT OPPOSES BURDENSOME LABELING REQUIREMENTS

The *Further Notice* proposes that the federal warning labels that must be affixed to each IP CTS phone should also be added to IP CTS provider websites, advertising brochures, and other advertising and consumer informational materials.[38] The *Further Notice* also proposes that such websites, brochures, and materials contain statements that the captions on captioned

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[35] Hamilton Comments at 18-19.
[36] Consumer Group Comments at 29.
[37] Purple Comments at 9; *see also* Sorenson Comments at 20-21. Only Miracom supports the retention of the default captions off rule, and indeed it proposes additional consumer burdens such as requiring the user to acknowledge the need for captions before accepting any inbound call. *See* Miracom Comments at 9. Hamilton opposes this proposal to add to consumers' burdens in this manner.
[38] *Further Notice* ¶ 152.

telephones are provided by a live communications assistant and that the cost of captioning is funded through a federal program.[39]

In its comments, Hamilton stated that it does not object to a requirement that each IP CTS provider place such warning information on their home web pages. However, Hamilton stated that such warnings are potentially stigmatizing and may deter eligible users from even considering the service.[40] Moreover, Hamilton argued that the burden of placing this information on all advertising and informational materials outweighs any benefits that might be derived from such a requirement.[41]

Sorenson similarly argues in its comments that federal warnings may drive away the eligible population of principally elderly individuals who would benefit from the service.[42] Sorenson also notes that such deterrents are largely unnecessary under a regulatory approach that requires users to turn captions on for each and every call.[43] Sorenson suggests that any warnings regarding ineligible use should be provided after the user registration process in order to balance the need to educate consumers about appropriate IP CTS use against the requirement to ensure the availability of functionally equivalent service.[44] Hamilton agrees with these valid concerns, but is not opposed to having the warning language precede or be part of the registration process. Hamilton continues to oppose requiring the warning language to be placed on all advertising and informational materials, because doing so is extremely burdensome to the providers that generate these materials, and is potentially off-putting to eligible users.

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[39] *Id.*
[40] Hamilton Comments at 20.
[41] *Id.*
[42] Sorenson Comments at 31.
[43] *Id.*
[44] *Id.*

The Consumer Groups focus on the need for additional outreach to educate consumers about IP CTS,[45] rather than on the need for repeated warnings about improper use. Specifically, the Consumer Groups state that "information about the TRS Fund, how the captioned telephone works, and related information should be made available to consumers in as many venues and via as many methods as possible."[46] The Consumer Groups cite with approval the outreach approach that California has taken, including the establishment of service centers that allow consumers to select, learn to use, and take home equipment that can best benefit them.[47] Hamilton agrees with the Consumer Groups that no one outreach venue or method will reach all consumers.[48]

VII. COMMENTERS AGREE THAT GENERALIZED PROHIBITIONS ARE PROBLEMATIC

In its comments, Hamilton urged the Commission not to adopt general prohibitions that offer little guidance to the industry and create the potential for inadvertent violations.[49] Other commenters agree. Purple favors the enforcement of "existing, specific IP CTS rules rather than the imposition of a vague, 'catch-all' prohibition[,]" and notes that general prohibitions present "an extremely subjective standard [that] will be very difficult for the Commission and for providers to prove in an enforcement context."[50] Sorenson similarly notes that generalized prohibitions would be unenforceable and would provide insufficient notice to providers.[51]

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[45] Consumer Group Comments at 31-32.
[46] *Id.* at 31.
[47] *Id.*
[48] *Id.* at 32.
[49] Hamilton Comments at 20-21.
[50] Purple Comments at 9-10.
[51] Sorenson Comments at 32. Even Miracom, which supports a general prohibition against providing service to users who do not need IP CTS, expresses concern that the Commission would need to explain what degree of due diligence a provider would be expected to perform in order to ensure they are not providing service to persons who do not need the service. Miracom (continued)...

Like Purple, Hamilton strongly supports the enforcement of existing IP CTS rules to ensure that only legitimate IP CTS use occurs. Hamilton remains wary that generalized prohibitions will simply introduce uncertainty about providers' required behavior.

VIII. CONCLUSION

The record in this proceeding is replete with evidence that MARS is the most appropriate rate methodology for ensuring that IP CTS providers are compensated for their reasonable costs of providing the service. No other rate methodology is rationally supported in the record.

The comments from providers in this proceeding reflect uniform opposition to a centralized database proposal for IP CTS, based on numerous practical and technical concerns.

There is also widespread support in the comments for additional exemptions from the default captions off rule.

Like Hamilton, consumer groups and NASRA support IP CTS-specific mandatory minimum standards. Additional information needs to be developed in the record before these standards can be adopted.

Comments at 9-10. Hamilton is concerned that a "due diligence" standard would be too subjective a standard and would create too much uncertainty in the industry. Specific compliance rules would better serve the industry and, ultimately, consumers.

Finally, Hamilton and other providers urge the Commission to avoid generalized rules that offer insufficient guidance to the industry.

Respectfully submitted,

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