

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of	)	
	)	
Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities	)	CG Docket No. 03-123
	)	
Structure and Practices of the Video Relay Service Program	)	CG Docket No. 10-51
	)	
E911 Requirements for IP-Enabled Service Providers	)	WC Docket No. 05-196
	)	
Internet-Based Telecommunications Relay Service Numbering	)	WC Docket No. 10-191
	)	

**PETITION FOR LIMITED WAIVER**

Pursuant to Section 1.3 of the Commission’s rules,<sup>1</sup> Sprint Corporation (“Sprint”) hereby requests a limited waiver of the Federal Communications Commission’s (“Commission”) rules in order to permit federal video relay service toll-free “front door” telephone numbers and ten-digit numbers into the iTRS Numbering Directory. Permitting these federal “front door” and ten-digit numbers into the database will increase the ability of taxpaying deaf and hard of hearing Americans to reach federal employees and will reduce the number of calls placed through the federal TRS fund. In order to accomplish this goal, Sprint requests a limited waiver of 47 C.F.R. § 64.613(a)(4).

**I. BACKGROUND**

In 2008, the Commission established a ten-digit numbering plan for iTRS in order to

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<sup>1</sup> 47 C.F.R. § 1.3.

make access by deaf and hard-of-hearing people more functionally equivalent to access enjoyed by the hearing community.<sup>2</sup> To ensure that voice telephone users can call a VRS or IP Relay user simply by dialing a ten-digit number, the Commission required Internet-based TRS providers to assign NANP telephone numbers to persons who use their service.

The Commission also established a centralized numbering directory (“iTRS Numbering Directory”) to support calls between Internet-based TRS users using different providers of Internet-based TRS and between Internet-based TRS users and callers using the PSTN. The Numbering Directory contains “records mapping the NANP telephone number or each Registered Internet-based TRS User to a unique Uniform Resource Identifier (URI).”<sup>3</sup> For security reasons, the Commission concluded that (and codified into 47 C.F.R. § 64.613(a)(4)) only the TRS Numbering Administrator and Internet-based TRS providers may access the TRS Numbering Directory.<sup>4</sup>

## II. DISCUSSION

Sprint is an Internet-based TRS provider that provides IP Relay and IP Caption Telephone Services (IP CTS) that are compensated from the interstate TRS Fund. Sprint assigns ten-digit numbers and utilizes the iTRS Numbering Directory in its provision of these services to the public.

Although Sprint discontinued providing Video Relay Services to the general public in 2012, Sprint continues to provide Federal Relay VRS services pursuant to a federal

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<sup>2</sup> See *Telecommunications Relay Service and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities; E911 Requirements for IP-Enabled Service Providers*, CG Docket No. 03-123; WC Docket No. 05-196, Report and Order and Further Notice of Proposed Rulemaking, (2008)(*First Internet-based TRS Order*.) Codified in 47 C.F.R. § 64.613(a)(3) and later changed to 47 C.F.R. § 64.613(a)(4).

<sup>3</sup> 47 C.F.R. § 64.613(a).

<sup>4</sup> See *First Internet-based TRS Order* at ¶ 67. Codified in 47 C.F.R. § 64.613(a)(3) and later changed to 47 C.F.R. § 64.613(a)(4).

contract. The Federal Relay, as established by Congress under Public Law 100-542, the Telecommunications Accessibility Act of 1988, provides an intermediary telecommunications service for individuals who are deaf, hard of hearing, and/or have speech disabilities, including federal employees, for communications with and within the federal government. Federal government agencies may meet their obligation under Section 504 of the Rehabilitation Act with the Federal Relay as an option to provide reasonable accommodations to employees with disabilities in the workplace.

Currently, federal employees who are deaf or hard of hearing and have been assigned a Federal VRS ten-digit number in order to make and receive VRS calls are unable to make a VRS call directly to deaf or hard of hearing federal employees who also have been assigned a ten-digit number in order to make and receive VRS calls. The inability to make such point-to-point VRS calls stems from the fact that the federally assigned ten-digit numbers are not loaded into the iTRS Numbering Directory (also referred to as the Neustar iTRS database).

As a result, when a deaf or hard of hearing federal employee using VRS attempts to call another deaf or hard of hearing federal employee user of VRS, the call will be sent to the video interpreter (VI) of the provider supplying the VRS equipment – the VRS default provider. At that point the caller will usually end the call since he or she had expected to connect with the federal employee he/she had called. Nonetheless, the default provider will have incurred some cost by answering the call.

Sprint has discussed with iTRS database vendor, Neustar, the possibility of loading these federal numbers into the iTRS database as well as keeping the “front door” toll free number in the database. These “front door” numbers permit non-governmental individuals

as well as federal employees (using a video phone) to call directly into the Federal Video Relay service. Sprint is willing to compensate Neustar for any expenses it incurs in meeting its request for loading the numbers so that such costs (which should be de minimis) would not be passed onto the Interstate TRS Fund.

Waiver of Commission rules is permitted upon a showing of “good cause.”<sup>5</sup> Specifically, the Commission may waive its rules where the particular facts would make strict compliance inconsistent with the public interest, taking into account, *inter alia*, considerations of “hardship, equity, or more effective implementation of overall policy on an individual basis.”<sup>6</sup> Waiver is particularly appropriate where “special circumstances warrant a deviation from the general rule and such deviation will serve the public interest.”<sup>7</sup> In this case, a waiver of 47 C.F.R. §64.613(a)(4) would allow Sprint to place these Federal Relay ten-digit and toll-free “front door” telephone numbers into the iTRS Numbering Directory.

A waiver would clearly serve the public interest in several ways. First, by allowing these federal numbers into the iTRS database, the public policy goal of effectuating “functional equivalency” for deaf and hard of hearing people is enhanced. Second, permitting these federal “front door” and ten-digit numbers into the database will increase the ability of taxpaying deaf and hard of hearing Americans to reach federal employees. Third, if these numbers are in the iTRS database, calls can be completed to federal agencies

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<sup>5</sup> 47 C.F.R. § 1.3.

<sup>6</sup> *Numbering Resource Optimization; Petition of California Public Utilities Commission for Waiver of the Federal Communications Commission’s Contamination Threshold Rule*, Order, 18 FCC Rcd 16860, ¶ 9 (2003) (citing *WAIT Radio v. FCC*, 418 F.2d 1153, 1159 (D.C. Cir. 1969), *cert. denied*, 409 U.S. 1027 (1972) (“*WAIT Radio*”); *Northeast Cellular Tel. Co. v. FCC*, 897 F.2d 1164, 1166 (D.C. Cir. 1990)).

<sup>7</sup> *Northeast Cellular Tel. Co. v. FCC*, 897 F.2d at 1166 (referencing *WAIT Radio*).

and its deaf and hard of hearing employees without impacting the interstate TRS fund. In short, a waiver is appropriate because it improves the functional equivalency policy underlying Title IV of the Americans with Disabilities Act, and a waiver will help to reduce calls that would otherwise be compensated out of the federal interstate TRS fund.

### **III. CONCLUSION**

For the foregoing reasons, Sprint requests that the Commission grant the waiver discussed herein and permit Sprint to load federal video relay service toll-free “front door” and ten-digit telephone numbers into the iTRS Numbering Directory.

Respectfully submitted,

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