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May 30, 2014

**REDACTED FOR PUBLIC INSPECTION**

**VIA ECF [Redacted Version] and U.S. Mail**

Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street SW  
Washington, DC 20554

*RE: In the Matter of Structure and Practices of the Video Relay Service Program,*  
CG Docket No. 10-51 – **CONFIDENTIAL INFORMATION** – SUBJECT TO  
PROTECTIVE ORDER IN CG DOCKET NOS. 03-123 AND 10-51 BEFORE  
THE FEDERAL COMMUNICATIONS COMMISSION

Dear Ms. Dortch:

Hancock, Jahn, Lee & Puckett, LLC d/b/a Communication Access Ability Group (“CAAG”) herein provides supplemental information to support the concerns shared on April 22, 2014, by Angela Valcarcel-Roth of ASL Holdings LLC (“ASL Holdings”), and Andrew Isar of Miller Isar, Inc., on behalf of ASL Holdings; Jeremy Jack and Everett Puckett of CAAG; Jeff Rosen of Convo Communications, LLC; Sean Belanger, Lydia Runnels, Aaron Wegehaupt, and Mike Strecker, all of CSDVRS, LLC; John Ferron, John Goodman and John Kelleher of Purple Communications, Inc.; and Christopher Wakeland of Sorenson Communications, Inc. (“Sorenson”), and John Nakahata, of Wiltshire & Grannis LLP, on behalf of Sorenson (collectively, “VRS Providers”), and summarized in the subsequent ex parte filing on April 24, 2014, regarding current and planned Speed of Answer (“SoA”) mandates.

CAAG hopes this additional data will assist the Commission in determining whether to adopt a waiver for current and upcoming SoA requirements until such time as adequate data can be gathered and presented to allow the Commission to set reasonable standards and to identify appropriate penalties for non-compliance.

The attached data (Appendix A) shows that from the time the new SoA requirements (85% of all calls in a day to be answered within 60 seconds) became effective on January 1, 2014, through May 19, 2014, CAAG [BEGIN CONFIDENTIAL INFORMATION]

[END CONFIDENTIAL INFORMATION] The data also shows that applying retroactively the upcoming, more stringent daily requirement of

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answering 85% of all calls in a day within 30 seconds, during the same January 1, through May 19, 2014 time period, CAAG [BEGIN CONFIDENTIAL INFORMATION]

[END CONFIDENTIAL INFORMATION].

The potentially dramatic financial loss to a VRS provider, particularly to a smaller provider, if it is not able to meet the current and upcoming mandates cannot be underestimated, particularly when combined with the negative impact of declining reimbursement rates for providing service. CAAG urges the Commission to take action in the form of adopting a reasonable waiver until such time as sufficient and reliable comparative data can be collected and analyzed so that more appropriate SoA measurements can be put into place.

**Request for Confidential Treatment:** Pursuant to Section 0.459 of the Commission's rules, and "Exemption 4" of the Freedom of Information Act, CAAG respectfully requests confidential treatment of the non-public, non-redacted version of this letter and its attachment. The confidential version contains proprietary information not intended for public consumption. CAAG would not make this information public under any circumstance. Release of the confidential version of this letter to the public could cause CAAG irreparable and inestimable harm. CAAG requests that the confidential version of this letter be withheld from public inspection. Should disclosure of the confidential version of this letter be requested, CAAG requests that it be informed of such request so that CAAG may take appropriate action to safeguard its interests.

Pursuant to the Commission's Second Protective Order in the above-referenced matter, one copy of the confidential version of this letter and two copies of the redacted public version are enclosed. Two copies of the confidential version are being mailed to Gregory Hlibok, Consumer and Governmental Affairs Bureau, Federal Communications Commission, 445 12th Street, S.W., Room 3-B431, Washington, D.C. 20554.

Questions may be directed to Jeremy Jack, Vice President, CAAG VRS.

Sincerely,



Kathleen M. LaValle

cc: Gregory Hlibok

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**Appendix A**  
**CONFIDENTIAL**

**REDACTED**