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To: A16.A16 (RDANCEY) , A4.A4 (MCONTEE, JBOLEY) , FCCMAIL.SMT...
Date: 7/18/98 6:18pm
Subject: TRS NPRM CC Docket No.98-67 Comments

Since I am on the road, I trust that you will accept the attached as my formal comments to the TRS NPRM which was released on May 20, 1998 and file it accordingly.

For your convenience, the first attachment is in Microsoft Word 97 and the second one is in text format. If problems, please let me know.

Thanks a million!

Al Sonnenstrahl

CC: B7.B7 (PGREGORY) , J7.J7 (KMONTEIT)

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**FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY**

Before the
Federal Communications Commission
Washington, DC 20554

In the Matter of)
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)
Telecommunications Relay Services) CC Docket No. 98-67
and Speech-to-Speech Services for)
Individuals with Hearing and)
Speech Disabilities)

Comments

Submitted by

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July 20, 1998

Background:

1. My name is Alfred Sonnenstrahl. I was the executive director of a national consumer oriented telecommunications organization for people with hearing disabilities, Telecommunications for the Deaf, Incorporated (TDI) from 1987 to 1996. TDI assisted in writing telecommunications related languages in Titles II and IV of the Americans with Disabilities Act (ADA). Also, as a result of TDI's assistance in orienting the Federal Communications Commission (FCC) to the text telephone (TTY) network in the early 1990's, the FCC issued a Telecommunications Relay Services (TRS) Order on July 26, 1991 and created a Disability Issues Task Force (DITF). The TRS Order implemented TRS in each state. DITF developed internal orientation to disability issues for FCC personnel in order to issue realistic regulations that were workable for Americans with or without disabilities. In addition, TDI initiated training programs for all TRS providers before they established internal training programs from 1990 to 1995. I also served as the vice chair of the Interstate TRS Advisory Board, which was administered by the National Exchange Carriers Association (NECA).

2. I want to take this opportunity to applaud the FCC for revisiting the TRS Order. Since 1991, issues have emerged that need to be updated, redefined, reemphasized, and clarified. The following are my comments to the Notice of Proposed Rulemaking, CC Docket No. 98-67, which was released on May 20, 1998.

3. Please note that numbers in parentheses after subheadings refer to the paragraph numbers within the TRS NPRM CC Docket No. 98-67, adopted on May 14, 1998, and released on May 20, 1998.

Who are the "Common Carriers"? (14)

4. "Wire or radio communication service" needs to be emphasized. Currently many common carriers, including wired and wireless telecommunications companies, do not realize that they have the ultimate responsibility to provide TRS. About 80% of the states are under the impression that they, not the common carriers, have the ultimate responsibility of recovering costs and administering intrastate TRS. Also, in some states, the wireless industry remains inaccessible to TRS.

5. The definition of "Common Carriers" needs to be revisited and reemphasized. When the ADA was passed eight years ago, "common carriers" covered the wired telephone industry. Because of the development of new technology, quite a few industries, including cellular telephones and personal communications, have been entering the picture.

"Improved" Relay Services: (15, 19-39)

6. "Improved" relay services should be reviewed carefully. The main intention of Title IV of the ADA in 1990 was to ensure that all electronic utility systems, voice telephone and text telephone systems were accessible to each other. In other words, the intention was to be as consistent as all

other electronic systems. TRS involve human personnel who serve as Communications Assistants (CA) to bridge the gap between voice language and text language systems only because the voice recognition system has not reached an acceptable effective level yet.

7. Are Speech to Speech (STS), Video Relay Interpreting (VRI), and Multi-Lingual services (MLS) considered as utility or human services? STS, VRI, and MLS, by all means, are valid services and should be considered. STS, as I understand, is when a specialist/voice interpreter who could understand sufficiently intelligible speech being spoken by a caller with speech disabilities at one end of the phone repeats what is said legibly to a voice user on the other end of the phone. VRI, as I understand, is when a specialist/sign language interpreter who interprets sign language being signed by a caller with minimal ability to type English and speaks legibly to a voice user on the other end of the phone. MLS, as I understand, is when a specialist/translator who could understand one language being either typed or spoken by a caller at one end of the phone translates this to a different language to either a voice or TTY user on the other end of the phone.

8. Should the FCC declare that these services are utility services, these services should be incorporated as part of TRS and their related costs should be recovered by all end users. If they are considered as human services, they should be referred to other agencies, such as the Department of Health and Human Services, to establish and maintain procedures and cost recovery mechanisms.

Functionally Equivalency:

9. Functional equivalency" needs to be re-emphasized. Under current conditions, TRS providers do not have the incentives to provide current technology which could enhance functional equivalency due to their contractual obligations which tend to last between three and five years. Common carriers, at this point, do not seem to realize their legal obligations while state administrators tend to concentrate on obsolete contractual commitments and keeping taxes instead of tariffs as low as possible.

10. Since it appears that there is no time frame for the common carriers to achieve higher readily achievable functional equivalent TRS, it is recommended that the FCC issue a time table to achieve goals. Under current conditions, TRS providers tend to delay as long as the length of current state contracts before inserting new features. I propose that a grace period of 12 months be given to each TRS provider to include any readily achievable functionally equivalent features.

Emergency services:(40-41)

11. Ultimately, 911 should handle all TTY calls. TRS should not be involved in handling emergency calls because of various reasons. The caller's 911 jurisdiction tends not to be within the TRS center's 911 jurisdiction, thus causing time delays for the CA to trace a lo-digit number to reach the caller's 911 center which could have drastic consequences. Also, it would be difficult for CAs to shift from neutral stances while handling regular TRS calls to personal involvement while handling emergency related calls.

Furthermore, **CAs** tend not to be trained to handle emergency situations. However, due to time sensitivity, TRS must not refuse any emergency related calls.

12. All issues related to emergency TRS calls should be considered non-proprietary. Such issues which include procedural standards, record keeping, etc., like all 911 calls, should be shared with the public and reported to the Dept of Justice which is currently making efforts to assist all emergency points accessible to all TTY calls.

Enhanced services: (42-46)

13. Had the common carriers been observing their legal obligations as defined by the 1991 FCC TRS Order, the functional equivalency of new features such as voice menu driven systems would not be a problem today. In reality, the voice menus are a problem because **CAs** are unable to maintain the speed of transmission and the TTY users are unable to interrupt **CAs**. Had TRS been using, for example, Turbocode, the above-mentioned problems would have been minimized.

Speed-of-Answer Requirements: (47-53)

14. The ~~85%~~ 10 second rule should be maintained only with live **CAs**. Automated answering systems should be within the rule, not beyond the rule.

Abandoned Calls: (53)

15. Abandoned calls should include attempted calls before they are answered. Current abandoned calls data are limited to those which were disconnected only after they were answered by TRS.

Typing Speed: (54-60)

16. It is imperative that the FCC establish minimum typing speed standards. Under current conditions, NECA reimburses "certified" TRS centers for interstate calls without minimum typing speed standards. It would appear discriminatory should NECA and TRS consumers pay for longer calls because of **CAs'** minimal and variable typing speeds and the absence of higher technology such as Turbocode.

In-Call Replacement of **CAs**: (61-62)

17. The FCC is to be commended for proposing a minimum 10-minute stay on each TRS call. However, we need to add that should the calls be about to end such as when one party was saying "Good bye" or signing off, **CAs** should remain on line until such calls are completed.

Competition Issues: (63-68)

18. Since the Telecommunications Act of 1996 encourages competition in telecommunications markets, TRS single vendoring is discriminatory.

19. To create and maintain an intrastate multivendor environment, each state

should create a state TRS commission (**STRSC**) using a structure similar to respective state insurance commissions. Each STRSC could establish its own TRS criteria and certify any provider meeting such criteria before calls from that state are initiated. As for the rates, STRSC could function as respective state regulatory commissions by assessing and approving the rates and then paying state certified providers for services rendered in respective states.

Treatment of TRS Customer Information: (69-72)

19. The disclosure of "customer network information" should remain proprietary only in multi vendor settings. In other words, should the FCC encourage the continuance single vendoring, customer network information should be considered the property of respective state TRS administrators.

Other Issues: (77-80)

20. With multi vendoring, each provider will have the incentives to comply with functional equivalency by adding various TRS features such as call release, caller ID recognition, 2-line VCO, etc.; that is, if the FCC decide not to regulate such features.

National TRS Advisory **Committee**: (73-76, 78)

21. Should single vendoring remain in effect, it is strongly recommended that a National TRS Advisory Board be created and maintained to monitor effectiveness and functional equivalency of TRS issues. The Board is to report the findings to the FCC for certification, re-certification, and enforcement.

Respectfully submitted by

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