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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington DC 20554

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

COMMENTS OF AMERITECH

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CC Docket No. 98-67

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Table of Contents

Summary ii

I. Ameritech Maintains a Firm Commitment to Telecommunications Accessibility 1

II. Ameritech Does Not Oppose Mandatory Speech-to-Speech Relay Services, But the Time for Compliance Should Be Extended 3

III. The Commission Has Correctly Concluded Not To Mandate Video Relay Interpreting Services 4

IV. Ameritech Supports the Commission's Disposition of Multilingual Relay Services and Translation Services 5

V. Ameritech Supports the Commission's Conclusions Regarding Access to Enhanced Services 6

VI. Ameritech Supports the Commission's Revisions To Its Mandatory Minimum TRS Standards 7

VII. Ameritech Supports the Commission's Conclusion Regarding Minimum Typing Speed 8

VIII. Ameritech Supports the Commission's Conclusions Regarding Articulate Voice Communication 9

IX. The Commission Should Not Adopt the Proposed Rule Requiring Communications Assistants To Stay At Least Ten Minutes with Each Call 9

X. Conclusion 10

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COMMENTS OF AMERITECH

Summary

Ameritech is firmly committed to greater accessibility to telecommunications products and services for persons with disabilities. Accordingly, Ameritech welcomes the efforts of the Commission to improve and enhance the telecommunications relay service. Ameritech is pleased to support by far the vast majority of the proposals and tentative conclusions the Commission has put forth in its Notice of Proposed Rulemaking, with only a few limited exceptions.

Ameritech will not continue its former position opposing mandatory speech-to-speech relay services, assuming that the Commission adopts the rule (as it has already tentatively decided to do) that TRS providers will be fully entitled to recover the intrastate and interstate costs thereof. However, the time for compliance with this requirement should not be the two years proposed in the NPRM, but should be extended to three full years.

In addition, the Commission should not adopt its rule requiring communications assistants not to take on new TRS calls within their last ten minutes before leaving work, which would hamper the

scheduling process at TRS centers. At the very least, the Commission should cut the ten-minute period to five minutes.

Otherwise, Ameritech supports the findings and tentative conclusions the Commission has made in regard to video relay interpreting services, multilingual and translation relay services, access to enhanced services, minimum TRS standards, minimum typing speeds, and articulate voice communication.

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I. Ameritech Maintains a Firm Commitment to Telecommunications Accessibility.

As it did in its earlier Comments addressed to the Commission's Notice of Inquiry in this docket, Ameritech[1] responds to the recent Notice of Proposed Rulemaking on relay services (hereinafter referred to as the "Notice" or "NPRM")[2] in four distinct capacities:

1. As a provider of services and equipment to its customers who are deaf, hard-of-hearing or speech-disabled;
2. As the operator of two TRS centers in Michigan;

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[1] **Ameritech comprises five entities defined as Bell operating companies under the Telecommunications Act of 1996 — Illinois Bell Telephone Company, Indiana Bell Telephone Company, Incorporated, Michigan Bell Telephone Company, The Ohio Bell Telephone Company, and Wisconsin Bell, Inc. — and other affiliates.**

[2] **FCC 98-90, released May 20, 1998.**

3. As a carrier supporting TRS centers in Illinois, Indiana, Ohio, and Wisconsin; and,
4. As a contributor to the financial support of TRS at both the national and state levels.

Ameritech is firmly committed to greater accessibility to telecommunications products and services for persons with disabilities. In the concurrent docket now pending before the Commission in regard to disabilties issues under Section 255 of the Telecommunications Act of 1996,[3] Ameritech has recently laid out in its Comments a summary of the notable Ameritech record of service to the disabled community, not only in the domain of accessibility to telecommunications products and services, but also in the areas of volunteerism, grants and financial support, support of advocacy organizations, a commitment to workplace diversity, and an overall commitment to accessibility.[4] Against this background, Ameritech welcomes the efforts of the Commission to improve and enhance the telecommunications relay service. Accordingly, Ameritech is pleased to support by far the vast majority of the proposals and tentative conclusions the

[3] See *In re* Implementation of Section 255 of the Telecommunications Act of 1996: Access to Telecommunications Services, Telecommunications Equipment, and Customer Premises Equipment by Persons with Disabilities, WT Docket No. 96-198, Notice of Proposed Rulemaking, FCC 98-55 (released April 20, 1998).

[4] *Id.*, Comments of Ameritech, filed June 30, 1998, at l-5.

Commission has put forth in its NPRM, subject to the following discussion of certain details.

II. Ameritech Does Not Oppose Mandatory Speech-to-Speech Relay Services, But the Time for Compliance Should Be Extended.

In its Comments responding to the Notice of Inquiry, Ameritech pointed to the apparent lack of demand for speech-to-speech relay services ("ST,") and asserted that such services should not be made mandatory. However, in the NPRM (¶ 23) the Commission has tentatively concluded that STS should be required under the Rules, based on the Commission's reading of the statutory definition of TRS. The Commission proposes that carriers must begin to provide STS service within two years.

Ameritech no longer opposes mandatory speech-to-speech relay services, provided that the Commission adopts in final form the tentative conclusion expressed in the NPRM (¶ 15) that TRS providers will be entitled to receive reimbursement for providing either STS or VRI, both intrastate and interstate.

However, Ameritech asks the Commission to enlarge the two-year deadline to three years. This will allow sufficient time to determine the most cost-effective method of providing STS, based on projected

demand levels, which may vary significantly from state to state, and on service cost analyses. Moreover, a three-year deadline will ensure there is adequate time for the selection and specialized training of additional Communications Assistants. Finally, a three-year deadline will allow states the option of waiting until current contracts with TRS providers expire, at which time STS provisioning may be included in the overall bidding process. For these reasons the Commission should conclude that the proposed two-year requirement is too short.

III. The Commission Has Correctly Concluded Not To Mandate Video Relay Interpreting Services.

In Ameritech's comments on the Notice of Inquiry (pp. 7–15), Ameritech pointed out that video relay interpreting ("VRI") services should be offered only as an optional supplement to existing TTY-based TRS, and not be mandated, on account of the severe shortage of qualified interpreters and in view of the current high costs of provisioning the service. Accordingly, Ameritech now supports the tentative conclusion in the NPRM (¶ 32) that VRI should not be mandated. Ameritech also, consistently with its earlier comments, supports the proposal in the NPRM (¶ 34) that the usual confidenti-

ality, conversation content, and type-of-call rules be applied to VRI, as well as the tentative conclusion (¶ 15) that the interstate costs of voluntary VRI be recoverable from the interstate TRS fund and that the intrastate costs be recoverable from the intrastate jurisdiction.

IV. Ameritech Supports the Commission's Disposition of Multilingual Relay Services and Translation Services.

In ¶ 35 of the NPRM, the Commission takes up the issue of "multilingual" relay service, which refers to conversation where both the caller and the called party communicate in a shared foreign language.[5]

The Commission tentatively concludes that although multilingual services will not be mandated, the costs of providing such services may be recovered. However, the Commission finds (¶ 39) that "translation" TRS, "especially foreign language translation services," are not within the scope of a "relay service" as defined in the statute and are therefore not recoverable from the interstate TRS Fund.

[5] In its original comments, Ameritech expressed a concern that the Commission's terminology was unclear, and it still appears to Arneritech that the term "multilingual" does not accurately describe a communication where both parties use the same spoken language. Only after comparison to the parallel provisions applicable to "translation" does it become clear that "multilingual" must actually mean "uni-lingual non-English".

Ameritech fundamentally agrees that translation services from one spoken language to another are beyond the range of what is required, or permitted to be recovered, as a relay service. However, Ameritech submits that where such a translation service is provided voluntarily, a valid underlying TTY-to-voice relay function is still being provided just as if the caller and the called party spoke the same language; accordingly, where a language translation service is voluntarily furnished, it is not the entire cost of the call which must be deemed unrecoverable, but only the incremental costs attributable to the fact that two different languages were involved, which of course in many cases will be only a minimal or non-existent increment.

V. Ameritech Supports the Commission's Conclusions Regarding Access to Enhanced Services.

In response to several comments concerning computer-driven voice menu systems, the Commission has carefully examined the legislative history and tentatively concluded (¶ 45) "that in the absence of further direction from Congress, our jurisdiction under Title IV of ADA does not permit us to mandate access to such services." Ameritech agrees with the Commission that further legislation would be necessary for the scope of TRS to extend into this

area. Furthermore, Ameritech submits that any such legislation seeking to enhance the accessibility of such systems to persons with disabilities should focus more closely on the responsibilities of those end users who install voice menu systems, rather than seek to impose further difficult burdens upon local exchange carriers, who of course have no direct control over the configuration of such systems.

VI. Ameritech Supports the Commission's Revisions To Its Mandatory Minimum TRS Standards.

Presently the commission's TRS rules require that 85 percent of all calls must be answered within ten seconds. In response to allegations that some parties merely place calls in queue and count them as answered, the Commission proposes that the rule be changed to require that 85 percent of the calls be answered "by a CA prepared to place the TRS call at that time." Ameritech makes no objection to this proposal.

Also, the Commission proposes to require the 85-percent, ten-second computation to be performed daily, rather than averaged over longer periods as some parties were allegedly doing. Ameritech makes no objection to this proposal.

In addition, the Commission declines (¶ 53) to require redialed or abandoned calls to be included in all speed-of-answer calculations, although it expresses concern that this action might "be used by TRS providers to avoid properly staffing their facilities." Ameritech supports the Commission's tentative conclusion and states that the Commission need not be concerned about the staffing of facilities because the other improvements now being made to the speed-of-answer calculations will be adequate to reveal understaffing, whether or not redialed calls are included.

VII. Ameritech Supports the Commission's Conclusion Regarding Minimum Typing Speed.

Despite some comments to the contrary, the Commission tentatively concludes (¶ 58) that there is currently no need for a federal rule imposing a minimum typing speed for CAs. Ameritech strongly supports this conclusion in view of the unhealthy impact such a minimum requirement would have upon the presently limited labor market for CAs.

VIII. Ameritech Supports the Commission's Conclusions Regarding Articulate Voice Communication.

The Commission tentatively concludes (¶ 59) that "clear and articulate voice communication is an essential skill for any CA and is essential to the concept of 'functional equivalency'." However, the Commission does not propose any new rules to address the need for better articulation and asks for comment on whether such rules are necessary. Ameritech urges the Commission to avoid the temptation to make new rules in this sensitive area on account of the extreme subjectivity, and potentially discriminatory impact, of any judgments about what is acceptable articulation. In addition, any rule purporting to establish such a minimum standard of articulation would negatively impact the supply of qualified CAs.

IX. The Commission Should Not Adopt the Proposed Rule Requiring Communications Assistants To Stay At Least Ten Minutes with Each Call.

Some parties asserted in response to the Notice of Inquiry that handing off a call from one communications assistant to another is disruptive. In response, the Commission tentatively concludes (¶ 62) that the Rules should be amended to require the communications assistant stay with each call for at least ten minutes. Ameritech urges the Commission not to adopt this rule because of the adverse effect it

might have upon the limited labor supply of communications assistants. What it will mean, essentially, is that no CA will be able to commence the handling of any call during the last ten minutes of his or her tour of duty. To prevent a hiatus in the handling of new calls, CAs on the next tour of duty will have to report to work ten minutes earlier than they do today. Moreover, those on the next shift will also have to stop answering calls ten minutes earlier, and thus a full twenty minutes will be lost from each tour of duty. Thus TRS providers will be compelled to recruit additional personnel to staff TRS centers. As previously pointed out, this would be an undesirable result in view of the current shortage of qualified persons to fill those jobs.

Even if the Commission nevertheless decides to adopt such a rule, it should dispel the rule's harmful effects by shortening the applicable time frame from ten minutes to five minutes.

X. Conclusion

Arneritech is able to support the vast majority of the proposals the Commission has made in its Notice of Proposed Rulemaking in regard to enhancements to the telecommunications relay service. However, the time for compliance with the new mandatory speech-to-speech

rule should be extended to three years instead of two. Also, the Commission should not adopt the proposed rule requiring communications assistants to stay at least ten minutes with each call, or, in the alternative, the Commission should adopt a five-minute rule in its place.

Respectfully submitted,

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