



PUBLIC NOTICE

Federal Communications Commission
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DA 06-387

Released: February 22, 2006

**FEDERAL COMMUNICATIONS COMMISSION SEEKS COMMENT ON PETITION FOR
CLARIFICATION CONCERNING THE PROVISION OF
ASL-TO-SPANISH VIDEO RELAY SERVICE (VRS)**

CG DOCKET NO. 03-123

PLEADING CYCLE ESTABLISHED

Comments Due: 30 Days after publication in the Federal Register

Reply Comments Due: 45 days after publication in the Federal Register

On February 6, 2006, a Petition for Clarification was filed by Communication Service for the Deaf concerning the provision of American Sign Language (ASL)-to-Spanish Video Relay Service (VRS).¹ This Public Notice seeks comments on the Petition.

On July 19, 2005, the Commission concluded that non-shared language Spanish translation VRS – *i.e.*, relay service in which the CA translate what is signed in ASL into spoken Spanish, and *vice versa* – is a form of telecommunications relay service (TRS) compensable from the Interstate TRS Fund (Fund).² Also, on July 19, 2005, the Commission concluded that effective January 1, 2006, providers seeking compensation from the Fund for offering VRS must offer the service 24 hours a day, seven days a week.³ The petition asks the Commission to clarify that the providers of ASL-to-Spanish VRS are not required to offer the service 24 hours a day and 7 days a week to be eligible for compensation from the Fund.

Pursuant to sections 1.415 and 1.419 of the Commission's rules, 47 C.F.R. §§ 1.415, 1.419, interested parties may file comments in this proceeding (**30 days after publication in Federal Register**) and reply comments may be filed (**45 days after publication in Federal Register.**) When filing comments, please reference **CG Docket No. 03-123**. Comments may be filed using: (1) the Commission's Electronic Comment Filing System (ECFS), (2) the Federal Government's eRulemaking Portal, or (3) by filing paper copies. See Electronic Filing of Documents in Rulemaking Proceedings, 63 Fed. Reg. 24,121

¹ See Communication Service for the Deaf, *Petition for Clarification on Spanish VRS*, CG Docket No. 03-123, filed February 6, 2006.

² *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, CC Docket No. 98-67 and CG Docket No. 03-123, Order on Reconsideration, 20 FCC Rcd 13140 (July 19, 2005); see generally 47 U.S.C. § 225; 47 C.F.R. § 64.601 *et seq.*

³ *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, CG Docket No. 03-123 and CC Docket No. 98-67, Report and Order, 20 FCC Rcd 13165 (July 19, 2005).

(1998). Comments filed through the ECFS can be sent as an electronic file via the Internet by accessing the ECFS: <http://www.fcc.gov/cgb/ecfs/> or the Federal Rulemaking Portal: <http://www.regulations.gov>. Filers should follow the instructions provided on the website for submitting comments. If multiple docket or rulemaking numbers appear in the caption of this proceeding, commenters must transmit one electronic copy of the comment to each docket or rulemaking number referenced in the caption. In completing the transmittal screen, commenters should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions, commenters should send an e-mail to ecfs@fcc.gov, and should include the following words in the body of the message, "get form." A sample form and directions will be sent in reply.

Parties who choose to file by paper must file an original and four copies of each filing. If more than one docket or rulemaking number appears in the caption of this proceeding, commenters must submit two additional copies for each additional docket or rulemaking number. Filings can be sent by hand or messenger delivery, by electronic media, by commercial overnight courier, or by first-class or overnight U.S. Postal Services mail (although we continue to experience delays in receiving U.S. Postal Service mail). All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission. The Commission's contractor will receive hand-delivered or messenger-delivered paper filings or electronic media for the Commission's Secretary at 236 Massachusetts Avenue, NE, Suite 110, Washington, D.C. 20002. The filing hours at this location are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of *before* entering the building. Commercial and electronic media sent by overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. U.S. Postal Service first-class mail, Express Mail, and Priority Mail should be addressed to 445 12th Street, SW, Washington, D.C. 20554.

Parties who choose to file by paper should also submit their comments on diskette. These diskettes should be submitted, along with three paper copies, to: Dana Jackson, Consumer & Governmental Affairs Bureau, Disability Rights Office, 445 12th Street, SW, Room 3-C418, Washington, D.C. 20554. Such a submission should be on a 3.5 inch diskette formatted in an IBM compatible format using Word 97 or compatible software. The diskette should be accompanied by a cover letter and should be submitted in "read only" mode. The diskette should be clearly labeled with the commenter's name, proceeding (including the lead docket number) in this case, **CG Docket No. 03-123**, type of pleading (comment or reply comment), date of submission, and the name of the electronic file on the diskette. The label should also include the following phrase "Disk Copy - Not an Original." Each diskette should contain only one party's pleadings, preferably in a single electronic file. In addition, commenters must send diskette copies to the Commission's copy contractor, Portals II, 445 12th Street, SW, Room CY- B402, Washington, D.C. 20554.

Pursuant to section 1.1206 of the Commission's rules, 47 C.F.R. § 1.1206, this proceeding will be conducted as a permit-but-disclose proceeding in which *ex parte* communications are subject to disclosure.

The full text of this document and copies of any subsequently filed documents in this matter will be available for public inspection and copying during regular business hours at the FCC Reference Information Center, Portals II, 445 12th Street, SW, Room CY-A257, Washington, D.C. 20554. This document and copies of subsequently filed documents in this matter may also be purchased from the Commission's duplicating contractor at Portals II, 445 12th Street, SW, Room CY-B402, Washington, DC 20554. Customers may contact the Commission's contractor at their web site www.bcpweb.com or by calling 1-800-378-3160. A copy of the Petition for Rulemaking may also be found by searching ECFS at <http://www.fcc.gov/cgb/ecfs/> (insert **CG Docket No. 03-123** into the proceeding block).

To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (TTY). This *Public Notice* can also be downloaded in Word or Portable Document Format (PDF) at: <http://www.fcc.gov/cgb/dro>.

For further information, please contact Dana Jackson, Consumer & Governmental Affairs Bureau, Disability Rights Office, at (202) 418-2247 (voice), (202) 418-7898 (TTY), or e-mail at Dana.Jackson@fcc.gov.

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