



PUBLIC NOTICE

Federal Communications Commission
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CONSUMER & GOVERNMENTAL AFFAIRS BUREAU SEEKS COMMENT ON PETITION FOR DECLARATORY RULING REGARDING VIDEO RELAY SERVICE (VRS) PROVIDER EMPLOYMENT CONTRACTS WITH VRS COMMUNICATIONS ASSISTANTS (CAs)

CG DOCKET NO. 03-123

PLEADING CYCLE ESTABLISHED

Comments Due: September 4, 2007

Reply Comments Due: September 19, 2007

On May 18, 2007, five VRS providers (Petitioners) filed a Petition for Declaratory Ruling (*Petition*) that Sorenson Communications, Inc.'s (Sorenson) alleged practice of using "do-not-compete" clauses in their employment contracts with VRS CAs is contrary to the public interest and therefore should be prohibited.¹ Petitioners assert that the clause forbids VRS CAs employed with Sorenson from working with other VRS providers for a period of one year after ending their employment with Sorenson.² The Commission hereby seeks comment on the *Petition*.

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 on or before **September 4, 2007**, and reply comments on or before **September 19, 2007**. All filings must 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*.³ Comments may be filed electronically using the Internet by accessing the ECFS:

¹ *Petition for Declaratory Ruling and Complaint Concerning the Provision of Video Relay Service by Sorenson Communications, Inc.*, CG Docket 03-123, filed by Hands on Video Relay Services, Inc., CSDVRS, LLC, Snap Telecommunications, Inc., GoAmerica, Inc., and Communication Access Center for the Deaf and Hard of Hearing (May 18, 2007). On May 29, 2007, Sorenson filed a motion to dismiss, asserting that the Commission lacks jurisdiction to address this issue. *Motion to Dismiss of Sorenson Communications, Inc.*, CG Docket No. 03-123 (May 29, 2007). On June 25, 2007, Petitioners filed an opposition to Sorenson's motion to dismiss, but withdrew the complaint portion of the petition. *Opposition to Motion to Dismiss Petition for Declaratory Ruling and Complaint Concerning the Provision of Video Relay Service by Sorenson Communications, Inc.*, CG Docket 03-123, filed by Hands on Video Relay Services, Inc., CSDVRS, LLC, Snap Telecommunications, Inc., GoAmerica, Inc., and Communication Access Center for the Deaf and Hard of Hearing (June 25, 2007).

² *Petition* at 2.

³ 63 FR 24121 (1998).

<http://www.fcc.gov/cgb/ecfs/> or the Federal eRulemaking Portal: <http://www.regulations.gov>. Filers should follow the instructions provided on the website for submitting comments. For ECFS filers, if multiple docket or rulemaking numbers appear in the caption of this proceeding, filer must transmit one electronic copy of each comment for 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, filers should send an e-mail to ecfs@fcc.gov, and include the following words in the body of the message: “get form.” A sample form and directions will be sent in response.

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, filers must submit two additional copies for each additional docket or rulemaking number. Filings can be sent by hand or messenger delivery, electronic media, by commercial overnight courier, or by first-class or overnight U.S. Postal Service 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 filings 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 mail sent by overnight mail (other than U.S. Postal Service Express mail and Priority mail) must be sent to 9300 East Hampton Drive, Capital 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: Diane Mason, Consumer & Governmental Affairs Bureau, Disability Rights Office, 445 12th Street, SW, Room 3-A503, Washington D.C. 20554. Such submission should be on a 3.5 inch diskette or CD-Rom formatted in an IBM compatible format using Word 97 or a 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 filer’s name, proceeding (including the lead docket number in the 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, commentators must send diskette copies to the Commission’s duplicating contractor at Portals II, 445 12th Street, SW, Room CY-CB402, Washington, D.C. 20554.

A copy of this document, the *Petition*, and any subsequently filed documents in this matter will be available during regular business hours at the FCC Reference Center, Portals II, 445 12th Street, SW, Room CY-A257, Washington, D.C. 20554, (202) 418-0270. This document, the *Petition*, and any subsequently filed documents in this matter may also be purchased from the Commission’s duplicating contractor at their website, www.bcpiweb.com, or call 1-800-378-3160. A copy of the submission may also be found by searching on the Commission’s Electronic Comment Filing System (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 document can also be downloaded in Word and Portable Document Format (PDF) at: <http://www.fcc.gov/cgb/dro>.

For further information regarding this *Public Notice*, contact Diane Mason, Consumer & Governmental Affairs Bureau, Disability Rights Office, (202) 418-7126 (voice), (202) 418-7828 (TTY), or email Diane.Mason@fcc.gov

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