

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Telecommunications Relay Services)	
and Speech-to-Speech Services for)	CG Docket No. 03-123
Individuals with Hearing and Speech)	
Disabilities)	

ORDER

Adopted: June 24, 2008

Released: June 24, 2008

By the Chief, Consumer & Governmental Affairs Bureau:

I. INTRODUCTION

1. On May 1, 2008, the National Exchange Carrier Association, Inc. (NECA), the Interstate Telecommunications Relay Services (TRS)¹ Fund Administrator, filed its annual Interstate Telecommunications Relay Services Fund Payment Formula and Fund Size Estimate for the period of July 1, 2008, through June 30, 2009.² In its filing, NECA proposes the following rates: \$1.5938 per minute for interstate traditional TRS;³ \$2.7248 per minute for interstate Speech-to-Speech (STS);⁴ \$1.6569 per minute for interstate captioned telephone service (CTS)⁵ and intrastate and interstate Internet

¹ TRS, created by Title IV of the Americans with Disabilities Act of 1990 (ADA), enables an individual with a hearing or speech disability to communicate by telephone or other device through the telephone system with a person without such a disability through a communications assistant (CA) at a relay center. *See* 47 U.S.C. § 225(a)(3) (defining TRS); 47 C.F.R. § 64.601(14). As noted below, TRS is provided in a variety of ways. Interstate TRS calls, and for some forms of TRS, both intrastate and interstate TRS calls, are compensated from the Interstate TRS Fund (Fund).

² *Telecommunications Services for Individuals with Hearing and Speech Disabilities, and the Americans with Disabilities Act of 1990*, Interstate Telecommunications Relay Services Fund Payment Formula and Fund Size Estimate, CG Docket No. 03-123, filed May 1, 2008 at 6-8 and Ex. 2 (*2008 NECA Filing*).

³ *See 2008 NECA Filing* at 6-8 and Ex. 2. Traditional TRS is accomplished via text-to-voice or voice-to-text, with the text provided via a text telephone (TTY) over the Public Switched Telephone Network (PSTN). *See* 47 C.F.R. § 64.601(14).

⁴ *See 2008 NECA Filing* at 6-8 and Ex. 2. STS is a form of TRS that allows persons with speech disabilities to communicate with voice telephone users through the use of specially trained CAs who understand the speech patterns of persons with disabilities and can repeat the words spoken by that person. *See* 47 C.F.R. § 64.601(12).

⁵ *See 2008 NECA Filing* at 8 and Ex. 2. CTS is a form of TRS generally used by someone who can speak and has some residual hearing. A special telephone displays the text of what the other party is saying, so that the user can simultaneously both listen to what is said over the telephone (to the extent possible) and read captions of what the other person is saying. *See Telecommunications Relay Services, and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, CC Docket No. 98-67, Declaratory Ruling, 18 FCC Rcd 16121 (Aug. 1, 2003) (*2003 Captioned Telephone Declaratory Ruling*).

Protocol (IP) captioned telephone service (IP CTS);⁶ \$1.2865 per minute for intrastate and interstate IP Relay;⁷ and tiered rates of \$6.7362 for the first 50,000 monthly minutes, \$6.4675 for monthly minutes between 50,001 and 500,000, and \$6.2685 for minutes above 500,000 for intrastate and interstate Video Relay Service (VRS).⁸ Based on these rates, NECA proposes a carrier contribution factor of 0.01012, and a Fund size requirement of approximately \$805.5 million. As set forth below, we adopt the proposed rates, carrier contribution factor, and Interstate TRS Fund (Fund) size.

II. BACKGROUND

A. The New TRS Compensation Methodologies

2. On November 19, 2007, the Commission released the *2007 TRS Cost Recovery Methodology Order*, which adopted new cost recovery methodologies for the various forms of TRS.⁹ For interstate traditional TRS and STS, the Commission adopted the Multi-state Average Rate Structure (MARS) Plan.¹⁰ The Commission also adopted the MARS Plan for interstate CTS and intrastate and interstate IP CTS.¹¹ For intrastate and interstate IP Relay, the Commission adopted a price cap methodology.¹² For intrastate and interstate VRS, the Commission adopted a tiered rate methodology based on call volume.¹³ Tier I includes the first 50,000 monthly VRS minutes; Tier II includes monthly minutes between 50,001 and 500,000; and Tier III includes monthly minutes above 500,000.¹⁴ The *2007 TRS Cost Recovery Methodology Order* also adopted rates under the new methodologies for the remainder of the 2007-2008 Fund year, effective March 1, 2008 through June 30, 2008.¹⁵

⁶ See *2008 NECA Filing* at 8 and Ex. 2. IP CTS is a form of captioned telephone service where the connection carrying the captions between the relay provider and the user is via the Internet, rather than the PSTN. See *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities; Internet-based Captioned Telephone Service*, CG Docket No. 03-123, Declaratory Ruling, 22 FCC Rcd 379 (Jan. 11, 2007) (*2007 IP CTS Declaratory Ruling*).

⁷ See *2008 NECA Filing* at 9. IP Relay is a form of TRS that is similar to traditional TRS except that the text is provided to, and received from, the CA via the TRS consumer's computer or other web-enabled device and the Internet. See *Provision of Improved Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, CC Docket No. 98-67, Declaratory Ruling and Second Further Notice of Proposed Rulemaking, 17 FCC Rcd 7779 (April 22, 2002) (*IP Relay Declaratory Ruling*).

⁸ See *2008 NECA Filing* at 10-11. VRS is a form of TRS that allows users to communicate with the CA via a video link and sign language, rather than text, through a broadband Internet connection. See 47 C.F.R. § 64.601(17) (defining VRS).

⁹ *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, CG Docket No. 03-123, Report and Order and Declaratory Ruling, 22 FCC Rcd 20140 (Nov. 19, 2007) (*2007 TRS Cost Recovery Methodology Order*).

¹⁰ See *id.* at 20153-57, paras. 26-35.

¹¹ See *id.* at 20157-58, paras. 36-38.

¹² See *2007 TRS Cost Recovery Methodology Order*, 22 FCC Rcd at 20158-60, paras. 39-46; see also *2008 NECA Filing* at 9.

¹³ See *2007 TRS Cost Recovery Methodology Order*, 22 FCC Rcd at 20160-65, paras. 47-56; see also *2008 NECA Filing* at 10-11.

¹⁴ See *2007 TRS Cost Recovery Methodology Order*, 22 FCC Rcd at 20160-65, paras. 47-56.

¹⁵ The rates in effect from March 1, 2008 through June 30, 2008 were: \$1.592 for interstate traditional TRS; \$2.723 for interstate STS; \$1.629 for intrastate and interstate CTS and IP CTS; \$1.293 for intrastate and interstate IP Relay; and tiered rates of \$6.77 for the first 50,000 monthly minutes, \$6.50 for monthly minutes between 50,001 and

(continued....)

B. NECA's May 1, 2008, Filing

3. In the *2008 NECA Filing*, NECA submitted proposed compensation rates for the various forms of TRS pursuant to the new cost recovery methodologies described above. We address each proposed compensation rate below.

1. Interstate Traditional TRS and Interstate STS

4. NECA proposes per-minute rates of \$1.5938 for interstate traditional TRS,¹⁶ and \$2.7248 for interstate STS.¹⁷ Pursuant to the *2007 TRS Cost Recovery Methodology Order*, interstate traditional TRS and interstate STS are compensated at the same rate.¹⁸ The proposed rate for STS includes an additional sum for outreach, as explained below.

5. The base rate for traditional TRS and STS was calculated by NECA following the MARS analysis adopted in the *2007 TRS Cost Recovery Methodology Order*.¹⁹ The MARS rate is calculated by collecting each state's *intrastate* TRS and STS rates and minutes of use data, and averaging this data to determine the appropriate interstate rate as described in the *2008 NECA Filing*.²⁰ NECA states that the total dollars paid by the states for intrastate TRS and STS for calendar year 2007 is \$68,431,476, and the total intrastate conversation minutes is 42,935,544.²¹ The ratio of total dollars to total minutes equals the proposed compensation rate of \$1.5938 per minute.²² This rate is approximately one tenth of one percent higher than the 2007-2008 rate of \$1.592.²³

6. In the *2007 TRS Cost Recovery Methodology Order*, the Commission recognized that many potential STS users were not being made aware of this important service.²⁴ Therefore, for the 2007-2008 Fund year the Commission added an additional amount of \$1.131 per minute to the STS

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500,000, and \$6.30 for monthly minutes above 500,000 for intrastate and interstate VRS. *2007 TRS Cost Recovery Methodology Order*, 22 FCC Rcd at 20142-43, para. 2

¹⁶ See *2008 NECA Filing* at 6-8 and Ex. 2.

¹⁷ See *id.* at 6-8 and Ex. 2.

¹⁸ See *2007 TRS Cost Recovery Methodology Order*, 22 FCC Rcd at 20165, para. 57.

¹⁹ See *2007 TRS Cost Recovery Methodology Order*, 22 FCC Rcd at 20180-82, Apps. B-D; see also *2008 NECA Filing* at Ex. 1-1; para. 2, *supra*. Three states' rate information was either fully or partially excluded from the MARS calculation. Michigan pays its provider a flat rate, rather than a per-minute rate. Because there is no true per-minute rate for Michigan, its data is excluded from the calculation. Maine used a flat rate for a portion of 2007 as well, so only minutes reimbursed at a per-minute rate for Maine were used in the MARS calculation. In California, providers bid to be compensated at a percentage of the interstate compensation rate set by the Commission, rather than based on the cost of providing service. Because California's rates are based on the interstate TRS rate, the MARS rate would not accurately reflect an average of state rates if California's data was included. Therefore, California's data was also excluded from NECA's MARS calculation for the interstate TRS and STS rates. See *id.* at 6.

²⁰ See *id.* at 4-8; see also *infra* App. A (listing state rates used in the TRS and STS interstate rate calculation without identifying the rates paid by particular states).

²¹ See *2008 NECA Filing* at 7.

²² See *id.*

²³ See *id.*

²⁴ *2007 TRS Cost Recovery Methodology Order*, 22 FCC Rcd at 20166, para. 61.

compensation rate calculated under the MARS plan.²⁵ The Commission directed that this additional amount was to be used for outreach purposes.²⁶ The Commission stated that it would revisit the additional reimbursement amount for STS outreach in future Fund years, and determine whether to continue it, as well as whether to increase or decrease the amount.²⁷ NECA recommends continuing this additional funding for STS outreach by proposing a per-minute reimbursement rate of \$2.7248 for interstate STS minutes, which is the sum of the base rate of \$1.5938 and the additional \$1.131 for outreach.²⁸

2. Interstate CTS and Intrastate and Interstate IP CTS

7. NECA proposes a per-minute rate of \$1.6569 for interstate CTS and intrastate and interstate IP CTS.²⁹ These rates are also calculated using the MARS formula.³⁰ In the *2007 TRS Cost Recovery Methodology Order*, the Commission determined that because there is no state data for IP CTS, it would be reimbursed at the same rate as CTS.³¹ NECA states that the total dollars paid by the states for CTS for calendar year 2007 is \$24,051,751, and the total intrastate conversation minutes is 14,516,188.³² The ratio of total minutes to total dollars equals the proposed compensation rate of \$1.6569 per minute.³³ This rate is approximately 1.7 percent higher than the 2007-2008 rate of \$1.629.³⁴

3. Intrastate and Interstate IP Relay

8. NECA proposes a per-minute rate of \$1.2865 for intrastate and interstate IP Relay.³⁵ This is based on the price cap formula adopted in the *2008 TRS Cost Recovery Methodology Order*,³⁶ and described in the *2008 NECA Filing*.³⁷ This rate is determined by multiplying the current IP Relay rate by an Inflation Factor, an Efficiency Factor, and including appropriate Exogenous Costs.³⁸ The Inflation Factor is the Gross Domestic Product minus the Price Index (GDP-PI), and the Efficiency Factor is the Inflation factor minus 0.5 percent to account for productivity gains.³⁹ As reported by NECA, the application of the price cap formula results in a reduction of approximately 0.5 percent from the 2007-

²⁵ *Id.*

²⁶ *Id.*

²⁷ *Id.*

²⁸ See *2008 NECA Filing* at 7-8 (NECA recommends continuing additional funding for STS outreach because there has not *been* enough time since the outreach funding was adopted to assess the impact on potential STS users).

²⁹ See *id.* at 8 and Ex. 2.

³⁰ See *2008 NECA Filing* at 8. Two states' rate information were excluded from the MARS calculation for CTS and IP CTS. As with TRS and STS, Michigan and California have not established a per-minute reimbursement rate for CTS and, therefore, their data is excluded from the interstate rate calculation for CTS and IP CTS. See *id.* In addition, six states (Alaska, Delaware, Georgia, Louisiana, Massachusetts, and South Dakota), Puerto Rico, and the District of Columbia did not provide CTS in 2007.

³¹ *2007 TRS Cost Recovery Methodology Order*, 22 FCC Rcd at 20158, para 38.

³² See *2008 NECA Filing* at 8.

³³ See *id.*

³⁴ See *id.*

³⁵ See *2008 NECA Filing* at 9.

³⁶ See *2007 TRS Cost Recovery Methodology Order*, 22 FCC Rcd at 20159-60, paras. 43-46.

³⁷ See *2008 NECA Filing* at 9 and Ex. 1-3.

³⁸ See *id.* at 9.

³⁹ See *2007 TRS Cost Recovery Methodology Order*, 22 FCC Rcd at 20159-60, para. 43.

2008 rate of \$1.293 for IP Relay.⁴⁰

4. Intrastate and Interstate VRS

9. NECA proposes tiered rates of \$6.7362 for the first 50,000 monthly minutes, \$6.4675 for monthly minutes between 50,001 and 500,000, and \$6.2685 for monthly minutes above 500,000 for intrastate and interstate VRS.⁴¹ NECA's proposal is based on the tiers and rates adopted in the *2007 Cost Recovery Methodology Order*⁴² and described in the *2008 NECA Filing*.⁴³ This rate is calculated by applying a 0.5 percent reduction to the base rates to reflect productivity gains.⁴⁴ The proposed rates for the 2008-2009 Fund year are based on the rates that were set for the 2007-2008 Fund year.⁴⁵

5. Interstate TRS Fund Size and Carrier Contribution Rate

10. Once NECA has calculated its proposed compensation rates for traditional TRS, STS, CTS, IP CTS, IP Relay, and VRS, NECA calculates the proposed 2008-2009 Interstate TRS Fund size requirement and the carrier contribution factor.⁴⁶ The total annual Fund requirement is determined by adding together the projected payments to TRS providers for each form of TRS, based on the proposed rates and projected minutes of use,⁴⁷ plus certain administrative expenses, less surplus amounts from the 2007-2008 Fund year that can be used to offset the 2008-2009 Fund year requirement.⁴⁸ The contribution factor is based on the ratio between total expected TRS Fund expenses and interstate end-user telecommunications revenues.⁴⁹ Based on these calculations, NECA proposes a Fund size requirement of \$805,481,049.76, and a carrier contribution factor of 0.01012 for the 2008-2009 Fund year.⁵⁰

C. Commenters

11. On May 2, 2008, the Consumer & Governmental Affairs Bureau (Bureau) released a

⁴⁰ See *2008 NECA Filing* at 9.

⁴¹ See *id.* at 10-11.

⁴² See *2007 TRS Cost Recovery Methodology Order*, 22 FCC Rcd at 20160-65, paras. 47-56.

⁴³ See *2008 NECA Filing* at 10-11 and Ex. 1-4.

⁴⁴ See *id.* at 10. The base rates set for the 2007-2008 Fund year were \$6.77 for the first 50,000 minutes; \$6.50 for minutes between 50,001 and 500,000; and \$6.30 for minutes above 500,000. See *2008 NECA Filing* at Ex. 1-4.

⁴⁵ See *id.* at 11 (NECA states that none of the providers reported exogenous costs that should be included in the rate for the 2008-2009 funding year).

⁴⁶ Under the Commission's rules, "[e]very carrier providing interstate telecommunications services shall contribute to the TRS Fund on the basis of interstate end-user telecommunications revenues." 47 C.F.R. § 64.604(c)(5)(iii)(A).

⁴⁷ For purposes of calculating the Fund size, NECA projects the following demand for the 2008-2009 Fund year for each form of TRS: 9,822,811 minutes for traditional TRS; 152,282 minutes for STS; 9,301,826 for CTS; 247,200 for IP CTS; 73,924,253 for IP Relay; and 103,511,393 minutes for VRS. See *2008 NECA Filing* at Ex. 2. Because providers of services compensated using the MARS Plan are no longer required to submit demand projections, TRS, STS, and CTS demand projections are estimated based on actual historical demand. See *id.* at 11. IP Relay and VRS demand projections are based on the providers' submitted minute forecasts for the 2008-2009 Fund year. See *id.* at 12.

⁴⁸ *Id.* at 11-13 and Ex. 2.

⁴⁹ *Id.*

⁵⁰ See *2008 NECA Filing* at 2-4 and 11-13 and Ex. 2.

Public Notice requesting comment on NECA's filing.⁵¹ Six comments were filed, all of which express support for NECA's proposal to continue the additional \$1.131 per-minute reimbursement rate to be used for STS outreach.⁵²

III. DISCUSSION

A. The Compensation Rates for the Various Forms of TRS

12. The Bureau has reviewed NECA's proposed rates and its underlying calculations. We conclude that these rates are consistent with the *2007 TRS Cost Recovery Methodology Order*. We also note that no comments have opposed or otherwise questioned these rates. As a result, we hereby adopt NECA's rates for the 2008-2009 Fund year as follows: \$1.5938 for interstate traditional TRS; \$2.7248 for interstate STS; \$1.6569 for interstate CTS, and intrastate and interstate IP CTS; \$1.2865 for intrastate and interstate IP Relay; and tiered per minute rates of \$6.7362 for the first 50,000 monthly minutes, \$6.4675 for monthly minutes between 50,001 and 500,000, and \$6.2685 for monthly minutes above 500,000 for intrastate and interstate VRS.

13. The Bureau again finds it appropriate to add an additional per-minute amount of \$1.131 to the STS rate for outreach purposes.⁵³ We agree with NECA's recommendation to continue the additional funding for STS outreach, because there has not been sufficient time since the additional funding was adopted in 2007 to assess its impact on potential STS users⁵⁴ Therefore, consistent with the *2007 Cost Recovery Methodology Order*, we again require that STS providers file a report annually with NECA and the Commission on their specific outreach efforts directly attributable to the additional support for STS outreach.⁵⁵

B. Interstate TRS Fund Size and Carrier Contribution Rate

14. Because we adopt NECA's proposed compensation rates for each form of TRS, and agree that NECA's projected minutes of use for each service is reasonable, we also adopt NECA's

⁵¹ *National Exchange Carrier Association (NECA) Submits the Payment Formula and Fund Size Requirement for the Interstate Telecommunications Relay Services (TRS) Fund for the July 2008 through June 2009 Fund Year*, CG Docket No. 03-123, Public Notice, 22 FCC Rcd 7189 (May 2, 2008).

⁵² See Comments of Bob Segalman, Ph.D. of Speech Communication Assistance by Telephone (May 15, 2008), LuRetta Fairman (May 15, 2008), James W. Fee, Jr., MS (May 15, 2008), Lawrence J. Brick (May 15, 2008), J. Barry Gurdin, Ph.D. (May 16, 2008), and American Speech-Language-Hearing Association (ASHA) (May 16, 2008).

⁵³ We note that Bob Segalman, Ph.D., LuRetta Fairman, and James W. Fee, Jr., MS state in their comments that states generally reimburse providers for intrastate STS minutes at a lower rate than the interstate rate, and state that "[p]roviders have informed the FCC that the cost of providing Speech-to-Speech is \$3.4546 per minute." However, \$3.4546 actually reflects projected costs for last year's filing by NECA, and the true actual costs reported by the providers for STS for the 2006-2007 Fund year was \$2.6050 per minute. See *Telecommunications Services for Individuals with Hearing and Speech Disabilities, and the Americans with Disabilities Act of 1990*, Interstate Telecommunications Relay Services Fund Payment Formula and Fund Size Estimate, CG Docket No. 03-123, filed May 2, 2007 at Ex. 1-3b (*2007 NECA Filing*). We also note that the Commission has released a *Notice of Proposed Rulemaking*, seeking comment on the additional funding for outreach for STS. See *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities; Speech-to-Speech and Internet Protocol (IP) Speech-to-Speech Telecommunications Relay Services*, CG Docket Nos. 03-123 and 08-15, Notice of Proposed Rulemaking, FCC 08-149 at paras. 26-27 (June 24, 2008). Based on the comments received the Commission may consider revising the STS rate for the current or for subsequent Fund years.

⁵⁴ See *2008 NECA Filing* at 7-8.

⁵⁵ *2007 TRS Cost Recovery Methodology Order*, 22 FCC Rcd at 20166, para. 61.

recommendation for a total funding requirement of \$805,481,049.76⁵⁶ and carrier contribution factor of 0.01012⁵⁷ for the 2008-2009 Fund year, which will result in an approximate total Fund size of \$850 million.⁵⁸

C. Other issues

15. We clarify that, in connection with the calculation of rates under the MARS Plan, the TRS Fund Administrator's request for intrastate minutes of use from states and providers includes allocated 800-number, 900-number, and inbound two-line CTS minutes allocated as intrastate. In the past, when NECA proposed rates based on the providers' projected minutes of use and projected costs, NECA recommended that 49% of TRS minutes resulting from 800- and 900-number calls would be considered intrastate, and we have accepted that allocation.⁵⁹ In 2005, the Commission concluded that 11% of inbound two-line CTS calls would be considered intrastate.⁶⁰ We conclude that in calculation the MARS rates these allocated intrastate minutes must be included to ensure that the resulting rates reflect all minutes of use compensated by the states at the intrastate rates.

IV. ORDERING CLAUSES

16. Accordingly, IT IS ORDERED, pursuant to the authority contained in Section 225 of the Communications Act of 1934, as amended, 47 U.S.C. § 225, and Sections 0.141, 0.361, and 64.604(c)(5)(iii) of the Commission's rules, 47 C.F.R. §§ 0.141, 0.361, and 64.604(c)(5)(iii), that this ORDER IS hereby ADOPTED.

17. IT IS FURTHER ORDERED that NECA shall compensate providers of interstate traditional TRS for the July 1, 2008 through June 30, 2009 Fund year, at the rate of \$1.5938 per completed interstate conversation minute.

18. IT IS FURTHER ORDERED that NECA shall compensate providers of interstate Speech-to-Speech service for the July 1, 2008 through June 30, 2009 Fund year, at the rate of \$2.7248 per completed interstate conversation minute.

⁵⁶ The Fund size requirement is based on NECA's projected demand for each form of TRS, as noted above and as reflected in the *2008 NECA Filing*, and the rates adopted in this order. It also reflects the inclusion of Fund administrator expenses, interest income, and an additional amount proposed to safeguard the Fund. *See 2008 NECA Filing* at 13 and Ex. 2. *See also Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, CC Docket No. 98-67, CG Docket No. 03-123, Order, 20 FCC Rcd 12237, at 12249-12250, para. 33 (June 28, 2005) (*2006 TRS Rate Order*) (concluding that the inclusion of a 10 percent safety margin is reasonable).

⁵⁷ The carrier contribution factor is determined by dividing the total funding requirement (\$805,481,049.76) by the funding base (total interstate and international common carrier end user revenues, which equals \$79,567,233,937.00). *See 2008 NECA Filing* at Ex. 2.

⁵⁸ The total Fund size is the amount of the total funding requirement of approximately \$805.5 million, plus the 2007-2008 carry-over surplus of approximately \$43 million.

⁵⁹ *See, e.g., 2007 NECA Filing* at 10-12; *see generally Telecommunications Services for Individuals with Hearing and Speech Disabilities - Recommended TRS Cost Recovery Guidelines/Request by Hamilton Telephone Company for Clarification and Temporary Waivers*, CC Docket No. 98-67, Memorandum and Order and Further Notice of Proposed Rulemaking, 16 FCC Rcd 22948, 22953 at para. 12 (Dec. 21, 2001).

⁶⁰ *See Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, CG Docket No. 03-123, Order, 20 FCC Rcd 19322,19322-23 at paras. 1 and 5 (Dec. 2, 2005); *see also 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, 20 FCC Rcd 13195, 13200 at paras. 11-12 (July 19, 2005).

19. IT IS FURTHER ORDERED that NECA shall compensate providers of interstate captioned telephone service and intrastate and interstate IP captioned telephone service for the July 1, 2008 through June 30, 2009 Fund year, at the rate of \$1.6569 per completed interstate conversation minute.

20. IT IS FURTHER ORDERED that NECA shall compensate providers of intrastate and interstate IP Relay service for the July 1, 2008 through June 30, 2009 Fund year, at the rate of \$1.2865 per completed interstate conversation minute.

21. IT IS FURTHER ORDERED that NECA shall compensate providers of intrastate and interstate Video Relay Service for the July 1, 2008 through June 30, 2009 Fund year, at the rates of \$6.7362 for the first 50,000 monthly minutes (Tier I), \$6.4675 for monthly minutes between 50,001 and 500,000 (Tier II), and \$6.2685 for minutes above 500,000 (Tier III) per completed interstate conversation minute.

22. IT IS FURTHER ORDERED that the Interstate TRS funding requirement shall be \$805,481,049.76, and the carrier contribution factor shall be 0.01012 for the July 1, 2008, through June 30, 2009, Fund year.

23. IT IS FURTHER ORDERED that this *Order* is effective upon release.

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

FEDERAL COMMUNICATIONS COMMISSION

Catherine W. Seidel, Chief
Consumer & Governmental Affairs Bureau

APPENDIX A

TRS and STS Intrastate Rate Data for 2007

	Per-Minute Rate	Conversation or Session Minutes
State X	\$1.06	Conversation
State X	\$1.09	Conversation
State X	\$1.10	Conversation
State X	\$1.13	Conversation
State X	\$1.17	Conversation
State X	\$1.21	Conversation
State X	\$1.24	Conversation
State X	\$1.26	Conversation
State X	\$1.29	Conversation
State X	\$1.30	Conversation
State X	\$1.31	Conversation
State X	\$1.35	Conversation
State X	\$1.36	Conversation
State X	\$1.38	Conversation
State X	\$1.40	Conversation
State X	\$1.41	Conversation
State X	\$1.42	Conversation
State X	\$1.50	Conversation
State X	\$1.72	Conversation
State X	\$1.89	Conversation
State X	\$2.88	Conversation
State X	\$0.45	Session
State X	\$0.73	Session
State X	\$0.74	Session
State X	\$0.74	Session
State X	\$0.75	Session
State X	\$0.76	Session
State X	\$0.76	Session
State X	\$0.80	Session
State X	\$0.82	Session
State X	\$0.85	Session
State X	\$0.85	Session
State X	\$0.86	Session
State X	\$0.88	Session
State X	\$0.89	Session
State X	\$0.89	Session
State X	\$0.89	Session
State X	\$0.89	Session
State X	\$0.90	Session
State X	\$0.90	Session
State X	\$0.92	Session
State X	\$0.92	Session
State X	\$0.92	Session
State X	\$0.92	Session
State X	\$0.93	Session
State X	\$0.94	Session
State X	\$0.94	Session
State X	\$0.94	Session

State X	\$0.95	Session
State X	\$0.95	Session
State X	\$0.95	Session
State X	\$0.96	Session
State X	\$1.04	Session
State X	\$1.05	Session
State X	\$1.06	Session
State X	\$1.07	Session
State X	\$1.09	Session
State X	\$1.11	Session
State X	\$1.11	Session
State X	\$1.11	Session
State X	\$1.24	Session
State X	\$1.31	Session
State X	\$1.39	Session
State X	\$1.45	Session
State X	\$1.55	Session
State X	\$1.90	Session
State X	\$2.25	Session
State X	\$2.27	Session
State X	\$2.50	Session
State X	\$3.33	Session

* There are 68 entities listed, because 13 states had one rate and/or provider change in 2007 (including one that established separate rates for TRS and STS); 2 states had 2 rate and/or provider changes in 2007; 1 state has 3 providers; Puerto Rico and the District of Columbia are included; and Michigan's data is excluded from the table, because they did not establish a per-minute rate.

APPENDIX B

CTS Intrastate Rate Data for 2007

	Per-Minute Rate	Conversation or Session Minutes
State X	\$1.29	Conversation
State X	\$1.39	Conversation
State X	\$1.40	Conversation
State X	\$1.40	Conversation
State X	\$1.43	Conversation
State X	\$1.45	Conversation
State X	\$1.45	Conversation
State X	\$1.45	Conversation
State X	\$1.45	Conversation
State X	\$1.45	Conversation
State X	\$1.45	Conversation
State X	\$1.47	Conversation
State X	\$1.47	Conversation
State X	\$1.50	Conversation
State X	\$1.56	Conversation
State X	\$1.59	Conversation
State X	\$1.61	Conversation
State X	\$1.61	Conversation
State X	\$1.64	Conversation
State X	\$1.65	Conversation
State X	\$1.65	Conversation
State X	\$1.70	Conversation
State X	\$1.32	Session
State X	\$1.35	Session
State X	\$1.37	Session
State X	\$1.40	Session
State X	\$1.40	Session
State X	\$1.40	Session
State X	\$1.40	Session
State X	\$1.40	Session
State X	\$1.40	Session
State X	\$1.43	Session
State X	\$1.44	Session
State X	\$1.44	Session
State X	\$1.45	Session
State X	\$1.45	Session
State X	\$1.45	Session
State X	\$1.45	Session
State X	\$1.45	Session
State X	\$1.45	Session
State X	\$1.45	Session
State X	\$1.45	Session
State X	\$1.45	Session
State X	\$1.45	Session
State X	\$1.45	Session
State X	\$1.47	Session
State X	\$1.47	Session
State X	\$1.47	Session
State X	\$1.48	Session
State X	\$1.52	Session

State X	\$1.53	Session
State X	\$1.60	Session
State X	\$1.70	Session
State X	\$1.82	Session
State X	\$1.90	Session

* There are 50 entities listed, because 7 states had rate and/or provider changes in 2007; 6 states, the District of Columbia, and Puerto Rico did not offer CTS in 2007; and Michigan's data is excluded from the table, because they did not establish a per-minute rate.