



# PUBLIC NOTICE

Federal Communications Commission  
445 12<sup>th</sup> St., S.W.  
Washington, D.C. 20554

News Media Information 202 / 418-0500  
Internet: <http://www.fcc.gov>  
TTY: 1-888-835-5322

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## CONSUMER AND GOVERNMENTAL AFFAIRS BUREAU MODIFIES COST SUBMISSION TIMEFRAMES ASSOCIATED WITH IMPLEMENTATION OF THE NUMBERING SYSTEM FOR INTERNET-BASED TELECOMMUNICATIONS RELAY SERVICES

**CG Docket No. 03-123**

**WC Docket No. 05-196**

In this *Public Notice*, we modify the filing timeframes in which Video Relay Service (VRS) and Internet Protocol (IP) Relay<sup>1</sup> providers requesting compensation from the Interstate TRS Fund (Fund) must submit their initial filing for costs associated with implementing the requirements of the June 24, 2008, *Numbering Order*.<sup>2</sup> Specifically, VRS and IP Relay providers must submit their initial filings by January 30, 2009, for the period of June 24, 2008 through December 31, 2008. Further, VRS and IP Relay providers subsequently must submit costs 30 days after the end of each calendar quarter, as set forth in more detail below, for costs incurred during the preceding quarter.

In the *Numbering Order*, the Commission adopted a system for assigning users of Internet-based TRS, specifically VRS and IP Relay, ten-digit telephone numbers linked to the North American Numbering Plan.<sup>3</sup> The Commission determined that the numbering system will ensure that VRS and IP Relay users can be called by voice users in the same manner that voice users are called, and that emergency calls placed by Internet-based TRS users will be routed directly and automatically to

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<sup>1</sup> VRS is an Internet-based form of telecommunications relay services (TRS) in which an individual with a hearing or speech disability uses a video link to communicate in sign language with a communications assistant (CA), who relays the conversation between the VRS user and the voice user. See 47 C.F.R. § 64.601(17); *Telecommunications Relay Services for Individuals with Hearing and Speech Disabilities*, CC Docket No. 98-67, Report and Order and Further Notice of Proposed Rulemaking, 15 FCC Rcd 5140, 5152-54, paras. 21-27 (Mar. 6, 2000). IP Relay is an Internet-based form of TRS in which an individual with a hearing or speech disability communicates with a CA in text using a computer (or other similar device) and the Internet, rather than with a text telephone device and the Public Switched Telephone Network. 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 (Apr. 22, 2002). See also generally 47 U.S.C. § 225; 47 C.F.R. § 64.601 *et seq.* (TRS implementing regulations).

<sup>2</sup> *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities; E911 Requirements for IP-Enabled Service Providers*, CG Docket No. 03-123, WC Docket No. 05-196, Report and Order and Further Notice of Proposed Rulemaking, 23 FCC Rcd 11591 (June 24, 2008) (*Numbering Order*).

<sup>3</sup> See *id.* at 11601-20, paras. 20-78.

appropriate emergency services authorities by the Internet-based TRS providers.<sup>4</sup> The Commission mandated that the new numbering and emergency call handling plan be implemented by December 31, 2008.<sup>5</sup>

The Commission also determined that VRS and IP Relay providers could be compensated for their costs of implementing the mandates of the *Numbering Order*.<sup>6</sup> The Commission noted that although VRS and IP Relay providers presently are compensated based on a per-minute rate calculated pursuant to the Commission's rules, the providers' additional costs necessary to implement the numbering and emergency call handling requirements have not been factored into the present compensation rates.<sup>7</sup> The Commission therefore concluded that it would "compensate these costs separately from the other costs presently encompassed by the per-minute compensation rates."<sup>8</sup> The Commission directed that VRS and IP Relay providers seeking compensation for their actual reasonable costs of complying with the new requirements in the *Numbering Order* submit to the Fund administrator (currently, the National Exchange Carrier Association) reasonably detailed explanations of those costs.<sup>9</sup> The Commission further directed that those costs be submitted to the Fund administrator every three months, beginning three months after the release date of the *Numbering Order*, for the costs actually incurred during the prior three-month period.<sup>10</sup> By these terms of the *Numbering Order*, which was released on June 24, 2008, the initial submission of those costs would be due September 24, 2008.

In order to allow sufficient time for providers to prepare their filings upon the close of the cost reporting period, we recognize that it is appropriate to afford providers additional time to report their costs. Accordingly, and in order to ensure that providers' filings include costs that are incurred up to and including the final date of the reporting period, we modify the reporting timeframes to allow providers an additional 30 days to file their costs after the end of a reporting period. In addition, for administrative convenience, we conform the three-month reporting periods to calendar quarters. Finally, because these cost submissions constitute new information collections subject to the Paperwork Reduction Act of 1995 (PRA), Public Law 104-13, this requirement cannot go into effect until the Office of Management and Budget approves the collections under the PRA and the Commission publishes a notice in the Federal Register announcing such approval and the relevant effective date(s). In order to afford time for the Commission to receive and publish PRA approval to be received and announced, we extend the initial filing deadline until January 30, 2009. In other words, the first cost submissions to the Fund administrator must be filed by January 30, 2009, and will cover the period from the release date of the *Numbering Order*, June 24, 2008 through December 31, 2008. Subsequent reports will be due 30 days after the close of each calendar quarter.

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<sup>4</sup> *Id.* at 11592-93, para. 1.

<sup>5</sup> *Id.* at 11593, 11628, paras. 1, 102.

<sup>6</sup> *Id.* at 11626-27, paras. 96-101.

<sup>7</sup> *Id.* at 11626, paras. 96-98.

<sup>8</sup> *Id.* at para. 98; *see also id.* at 11645-66, paras. 147-49 (seeking comment on whether, and to what extent, costs should be passed on to the Internet-based TRS users, rather than paid for by the Fund).

<sup>9</sup> *Id.* at 11626-27, para. 99.

<sup>10</sup> *Id.*

To illustrate, the first few subsequent reporting periods and filing due dates will be as follows:

January 1, 2009, through March 31, 2009:	Cost submission due April 30, 2009
April 1, 2009, through June 30, 2009:	Cost submission due July 30, 2009
July 1, 2009, through September 30, 2009:	Cost submission due October 30, 2009
October 1, 2009, through December 31, 2009:	Cost submission due January 30, 2010

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For further information regarding this *Public Notice*, contact Thomas Chandler, Consumer & Governmental Affairs Bureau, Disability Rights Office, at (202) 418-1475 (voice), (202) 418-0597 (TTY), or e-mail at [Thomas.Chandler@fcc.gov](mailto:Thomas.Chandler@fcc.gov).