



PUBLIC NOTICE

Federal Communications Commission
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DA 09-870
April 20, 2009

PLEADING CYCLE ESTABLISHED FOR FILING OF OPPOSITIONS TO PETITION FOR PARTIAL RECONSIDERATION AND LIMITED WAIVER, AND PETITION FOR PARTIAL RECONSIDERATION, CONCERNING THE ASSIGNMENT OF TEN-DIGIT TELEPHONE NUMBERS AND E911 REQUIREMENTS FOR INTERNET-BASED TELECOMMUNICATIONS RELAY SERVICE (TRS)

**CG DOCKET NO. 03-123
WC DOCKET NO. 05-196**

**Oppositions Due: 15 days after date of publication in the Federal Register
Replies Due: 25 days after date of publication in the Federal Register**

On January 29, 2009, Telecommunications for the Deaf and Hard of Hearing, Inc. and five consumer organizations (TDI Coalition),¹ and GoAmerica, Inc. (GoAmerica),² each filed a petition for partial reconsideration of the Commission's *Second Internet-based TRS Order*.³ In that order, the Commission concluded, in part, that "only individuals with a hearing or speech disability will be eligible to obtain ten-digit telephone numbers under the numbering system adopted in the *Internet-based TRS Order*."⁴ To this end, the Commission also required providers to verify that persons receiving ten-digit numbers "have a medically recognized hearing or speech disability necessitating their use of TRS" through a self-certification process.⁵

¹ See *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, Telecommunications for the Deaf and Hard of Hearing, Inc. (TDI), Association of Late-Deafened Adults, Inc., National Association of the Deaf, Deaf and Hard of Hearing Consumer Advocacy Network, Hearing Loss Association of America, and American Association of the Deaf-Blind, Petition for Partial Reconsideration (filed Jan. 29, 2009) (*TDI Coalition Petition*).

² *Telecommunications Relay Services for Deaf and Hard of Hearing and Speech Disabled Persons, E911 Requirements for IP-Enabled Service Providers*, CG Docket No. 03-123, CC Docket No. 98-67, WC Docket No. 05-196, Petition for Partial Reconsideration and Limited Waiver (filed Jan. 29, 2009) (*GoAmerica Petition*).

³ *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, CG Docket No. 03-123, E911 Requirements for IP-Enabled Service Providers, WC Docket No. 05-196, Second Report and Order and Order on Reconsideration, FCC 08-275 (Dec. 19, 2008) (*Second Internet-based TRS Order*).

⁴ *Id.* at para. 34; see also *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) (*Internet-based TRS Order*).

⁵ *Second Internet-based TRS Order* at para. 37.

TDI Coalition and GoAmerica seek reconsideration of this eligibility requirement that limits the assignment of ten-digit telephone numbers to individuals who are deaf or hard of hearing or who have a speech disability.⁶ TDI Coalition and GoAmerica contend, in part, that allowing assignment of ten-digit numbers to hearing persons would facilitate point-to-point (*i.e.*, non-relay) calls between a voice telephone user and an individual with a hearing or speech disability, and therefore reduce the number of VRS calls that are compensated from the Interstate TRS Fund.⁷

In addition, GoAmerica requests that the Commission grant reconsideration or a limited waiver for six months of the requirement that Internet-based TRS providers must answer a call back from the Public Safety Answering Point (PSAP) with priority (*i.e.*, move the call to the top of the queue).⁸ GoAmerica asserts that providers are not capable of meeting this requirement at the present time and are working collaboratively on a technical solution.⁹

Parties may submit oppositions or replies to opposition to the *TDI Coalition Petition* and the *GoAmerica Petition* pursuant to sections 1.429(f) & (g) of the Commission's rules, 47 C.F.R. §§ 1.429(f) & (g). Under these rules, oppositions to a petition for reconsideration must be filed with 15 days after the date of public notice of the petition's filing, and replies to an opposition must be filed within 10 days after the time for filing oppositions has expired.

When filing oppositions or replies to opposition, please reference **CG Docket No. 03-123 and WC Docket No. 05-196**. Oppositions and replies to opposition 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 (1998). Documents 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>. Parties should follow the instructions provided on the website for submitting documents. If multiple docket or rulemaking numbers appear in the caption of this proceeding, parties must transmit one electronic copy of the opposition or reply to opposition to each docket or rulemaking number referenced in the caption. In completing the transmittal screen, parties should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic filing by Internet e-mail. To get filing instructions, parties 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, parties 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,

⁶ *TDI Coalition Petition* at 1-2; *GoAmerica Petition* at 1-3.

⁷ *GoAmerica Petition* at 2-3; *TDI Coalition Petition* at 5-6.

⁸ *GoAmerica Petition* at 4; *see also Second Internet-based TRS Order* at para. 15.

⁹ *GoAmerica Petition* at 4.

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 documents on CD-Rom. The CD-Rom should be submitted, along with three paper copies, to: Dana Wilson, Consumer & Governmental Affairs Bureau, Disability Rights Office, 445 12th Street, SW, Room 3-C418, Washington, D.C. 20554. Such a submission should be on CD-Rom formatted in an IBM compatible format using Word 2003 or compatible software. The CD-Rom should be accompanied by a cover letter and should be submitted in "read only" mode. The CD-Rom should be clearly labeled with the party's name, proceeding (including the lead docket number) in this case, **CG Docket No. 03-123 and WC Docket No. 05-196**, type of pleading (oppositions or replies to opposition), date of submission, and the name of the electronic file on the CD-Rom. The label should also include the following phrase "CD-Rom Copy - Not an Original." Each CD-Rom should contain only one party's pleadings, preferably in a single electronic file. In addition, parties must send CD-Rom 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, email at fcc@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/trs.html>.

For further information, please contact Gregory Hlibok, Consumer & Governmental Affairs Bureau, Disability Rights Office, at (866) 954-4053 (voice and videophone), (202) 418-0431 (TTY), or email at Gregory.Hlibok@fcc.gov.

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