



PUBLIC NOTICE

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**CONSUMER & GOVERNMENTAL AFFAIRS BUREAU
NOTICE OF PETITIONS FOR RECONSIDERATION OF THE SECOND REPORT AND
ORDER AND ORDER IN CG DOCKET NO. 10-51**

Oppositions Due: (10 days after date of publication in the Federal Register).

Replies Due: (15 days after date of publication in the Federal Register).

By this Public Notice, the Consumer & Governmental Affairs Bureau (“CGB”) provides notice that, by petitions for reconsideration dated September 6, 2011 in CG Docket No. 10-51, Sorenson Communications, Inc. (Sorenson) and AT&T Services, Inc. (AT&T) have each sought Commission reconsideration of various aspects of the Commission’s July 2011 *Second Report and Order* regarding the Video Relay Service (VRS) and other forms of Internet-based Telecommunications Relay Services (TRS).¹ By its Petition, Sorenson asks the Commission to reconsider its recently adopted rules requiring the submission of documentation regarding all of a provider’s VRS equipment and technologies, and the submission of documentation regarding sponsorship arrangements. AT&T seeks reconsideration of the portions of the *Second Report and Order* that make the operation of call centers and the employment of communications assistants requirements of the mandatory certification of VRS providers, and would prohibit such providers from subcontracting the core functions of VRS to another certified provider.

Section 1.429(f) of the Commission’s rules, 47 C.F.R. §1.429(f), specifies that oppositions to a petition for reconsideration shall be filed within fifteen days after the date of public notice of the petition’s filing. Section 1.429(g), 47 C.F.R. §1.429(g), requires that replies to an opposition shall be filed within ten days after the time for filing oppositions has expired. In this case, we find good cause to alter the periods specified in Section 1.429 for the filing of such oppositions and replies. Providers currently eligible for compensation from the Interstate TRS Fund (TRS Fund) via a means other than Commission certification must apply for certification within 30 days after the rules adopted in the *Second Report and Order* become effective, and providers with Commission certifications expiring November 4, 2011 must apply for recertification after the rules become effective but at least 30 days prior to their expirations provided that the rules are effective by that date, or risk having to shut down their operations and being denied compensation from the TRS Fund. In light of these impending deadlines for initial and recertification applications, and to avoid waste, fraud, and abuse in the VRS program, we find that good cause exists in this instance to alter the comment periods specified in Section 1.429 of the Commission’s rules. See 47 C.F.R. § 1.3 (providing for suspension, amendment, or waiver of Commission rules, in whole or in part, for good cause shown, and on the Commission’s own motion).

¹ *Structure and Practices of the Video Relay Service Program*, CG Docket No. 10-51, Second Report and Order and Order, 26 FCC Rcd 10898 (2011) (*Second Report and Order*).

Accordingly, oppositions to Sorenson's and/or AT&T's petitions for reconsideration of the *Second Report and Order* shall be filed no later than 10 days after Federal Register publication, and replies to oppositions will be due no later than 15 days after Federal Register publication.

Procedural Matters

Oppositions and Replies. Pursuant to Section 1.429 of the Commission's rules,² interested parties may file oppositions and replies to an opposition on or before the dates indicated on the first page of this document. Comments may be filed using: (1) the Commission's Electronic Comment Filing System (ECFS); or (2) by filing paper copies. All filings should reference the docket number of this proceeding, CG Docket No. 10-51.

- **Electronic Filers:** Comments may be filed electronically using the Internet by accessing the ECFS: <http://fjallfoss.fcc.gov/ecfs2/>. Filers should follow the instructions provided on the website for submitting comments. In completing the transmittal screen, ECFS filers should include their full name, U.S. Postal Service mailing address, and CG Docket No. 10-51.
- **Paper Filers:** Parties who choose to file by paper must file an original and one copy of each filing. Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.
 - All hand-delivered or messenger-delivered paper filings for the Commission's Secretary must be delivered to FCC Headquarters at 445 12th Street, SW, Room TW-A325, Washington, DC 20554. The filing hours are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes or boxes must be disposed of *before* entering the building.
 - Commercial 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, Express, and Priority mail must be addressed to 445 12th Street, SW, Washington DC 20554.

Accessibility Information. 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).

The comments and reply comments filed in response to this Public Notice will be available via ECFS at: <http://fjallfoss.fcc.gov/ecfs2/>; you may search by docket number (CG Docket No. 10-51). Comments are also available for public inspection and copying during business hours in the FCC Reference Information Center, Portals II, 445 12th Street, SW, Room CY-A257, Washington, D.C. 20554. Copies may also be purchased from Best Copy and Printing, Inc., telephone (800) 378-3160, facsimile (202) 488-5563, e-mail FCC@BCPIWEB.com.

Ex Parte Rules. This proceeding shall be treated as a "permit-but-disclose" proceeding in accordance with the Commission's *ex parte* rules.³ Persons making *ex parte* presentations must file a

² 47 C.F.R. §§ 1.429(f), (g).

³ See 47 C.F.R. §§ 1.1200 *et seq.*

copy of any written presentation or a memorandum summarizing any oral presentation within two business days after the presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentation must: (1) list all persons attending or otherwise participating in the meeting at which the *ex parte* presentation was made; and (2) summarize all data presented and arguments made during the presentation. If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenter's written comments, memoranda or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during *ex parte* meetings are deemed to be written *ex parte* presentations and must be filed consistent with section 1.1206(b) of the Commission's rules. In proceedings governed by section 1.49(f) of the rules or for which the Commission has made available a method of electronic filing, written *ex parte* presentations and memoranda summarizing oral *ex parte* presentations, and all attachments thereto, must be filed through the electronic comment filing system available for that proceeding, and must be filed in their native format (*e.g.*, .doc, .xml, .ppt, searchable .pdf). Participants in this proceeding should familiarize themselves with the Commission's *ex parte* rules.

Additional Information. For further information, contact Gregory Hlibok of the Consumer & Governmental Affairs Bureau, at (202) 559-5158 (VP), or email at Gregory.Hlibok@fcc.gov.

By the Chief, Consumer & Governmental Affairs Bureau

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