



# PUBLIC NOTICE

Federal Communications Commission  
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## CONSUMER AND GOVERNMENTAL AFFAIRS BUREAU SEEKS COMMENT ON APPLICATION OF NEW AND EMERGING TECHNOLOGIES FOR VIDEO RELAY SERVICE USE

CG Docket No. 10-51

**Comments Due: 30 days after date of publication in the Federal Register**

**Reply Comments Due: 45 days after date of publication in the Federal Register**

As part of ongoing Video Relay Service (“VRS”) reform efforts associated with the *VRS Structure and Practices Notice of Inquiry (NOI)* released on June 28, 2010,<sup>1</sup> the Consumer and Governmental Affairs Bureau seeks additional comment and information regarding new and emerging technologies that may be used to access VRS. In the *VRS Structure and Practices NOI*, the Commission sought comment on how to improve the VRS program “to ensure that it is available to and used by the full spectrum of eligible users, encourages innovation, and is provided efficiently so as to be less susceptible to the waste, fraud, and abuse that plague the current program and threaten its long-term viability.”<sup>2</sup> Comments received in response to this Public Notice will supplement the comments received in response to the *VRS Structure and Practices NOI*, and will be incorporated into the record of that proceeding.

The Commission acknowledged the importance of ensuring access to advances in video communications technology in the *VRS Structure and Practices NOI*, by seeking comment on the use of commercially available (or off-the-shelf) customer premises equipment and other advanced technologies for Internet-based TRS,<sup>3</sup> and with its launch of the Accessibility and Innovation Initiative.<sup>4</sup> In addition, the Commission is currently exploring the appropriate regulatory treatment of an ever-expanding range of new video communication technologies used by people with disabilities as part of its implementation of Section 716 of the newly enacted Twenty-First Century Communications and Video Accessibility Act.<sup>5</sup>

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<sup>1</sup> *Structure and Practices of the Video Relay Service Program*, CG Docket No. 10-51, Notice of Inquiry, 25 FCC Rcd 8597 (2010) (*VRS Structure and Practices NOI*).

<sup>2</sup> *Id.* at 8598, ¶ 1.

<sup>3</sup> *Cf. id.* at 8609, ¶ 36.

<sup>4</sup> See FCC Kicks Off Anniversary Celebration for Americans with Disabilities Act, (FCC) Press Release (July 22, 2010) (announcing the launch of the Accessibility and Innovation Initiative); see also <http://www.broadband.gov/accessibilityandinnovation>.

<sup>5</sup> Twenty-First Century Communications and Video Accessibility Act of 2010, Pub. L. No. 111-260, 124 Stat. 2751 (2010), as amended by Pub. L. 111-265, 124 Stat. 2795 (2010). Both laws were enacted on October 8, 2010. On

(continued...)

Moreover, the Commission has a statutory obligation to ensure that its TRS regulations encourage the use of existing technology and do not discourage or impair the development of improved technology.<sup>6</sup>

In the *VRS Structure and Practices NOI*, the Commission sought comment on a number of issues concerning the provision of off-the-shelf video equipment, including the extent to which such equipment is available and affordable to VRS consumers, the extent to which this equipment can serve as an acceptable substitute for videophone equipment and software specifically designed for VRS users, and the extent to which changes in the VRS program are needed to allow consumers to use such equipment for VRS calls.<sup>7</sup> Given the recent proliferation of these video technologies, we now request that interested parties provide additional information and comment on the specific functionalities of these devices as they relate to the provision and use of VRS. In particular, we seek quantitative data and comments based on systematic primary or secondary research, where it is available, on the following issues:

- What specific features or functions of off-the-shelf equipment, services, and software are needed to effectively use VRS? Commenters should specify whether each feature or function is necessary to use VRS and point-to-point communications or could be optional. What broadband speeds and frames-per-second transmission rates are necessary for acceptable video quality? What lux (lx) level ratings are required for a camera to produce acceptable images in low light settings? What other features must a camera have (*e.g.*, pan, zoom, tilt)? How much jitter (lateral and angular) is tolerable?
- To what extent are consumers currently using off-the-shelf video communication software and/or platforms in connection with VRS? How often do consumers use these technologies (*e.g.*, Skype, Apple FaceTime) as compared to equipment and software issued by VRS providers for point-to-point communications? What are the advantages and disadvantages of the off-the-shelf technologies compared to technologies provided by VRS providers? For example, are there specific functionalities – for either VRS or point-to-point communications – that these technologies offer that are not available on devices issued by providers? What are the current limitations of such technologies (*e.g.*, with respect to interoperability, numbering, emergency services) and to what extent do such limitations impede their use by persons who rely on VRS? Do such off-the-shelf technologies comply with the Commission’s current rules?<sup>8</sup> If they do not comply, in what ways do they not comply? Should the Commission’s rules be modified in any way to provide more flexibility to VRS users to utilize off-the-shelf equipment, and if so, how?

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October 21, 2010, the Commission released a Public Notice seeking initial comment on implementation of this law as it pertains to advanced communications services and devices used with those services, including access by people with disabilities to video communications devices used with advanced communication services. *Consumer & Governmental Affairs Bureau and Wireless Telecommunications Bureau Seek Comment on Advanced Communication Provisions of the Twenty-First Century Communications and Video Accessibility Act of 2010*, CG Docket No. 10-213, Public Notice, 25 FCC Rcd 14589, 14590 (CGB 2010).

<sup>6</sup> 47 U.S.C. § 225(d)(2).

<sup>7</sup> *VRS Structure and Practices NOI*, 25 FCC Rcd at 8604, 8609, ¶¶ 21, 36.

<sup>8</sup> Part 64 of the Commission’s rules establishes, among other things, mandatory minimum standards for VRS providers, including interoperability and emergency call handling requirements, and mandates for ten-digit numbering. See 47 C.F.R. §64.604 *et. seq.*

Pursuant to Sections 1.415 and 1.419 of the Commission's rules, 47 C.F.R. §§ 1.415 and 1.419, interested parties may file comments on or before **[30 days after date of publication in the Federal Register]**, and reply comments on or before **[45 days after date of publication in the Federal Register]**. 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*.<sup>9</sup> Comments may be filed electronically using the Internet by accessing the ECFS: <http://fjallfoss.fcc.gov/ecfs2/> or the Federal eRulemaking Portal: <http://www.regulations.gov>. Filers should follow the instructions provided on the website for submitting comments. In completing the transmittal screen, commenters should include their full name, U.S. Postal Service mailing address. All filings must reference **CG Docket No. 10-51**. 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](mailto: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.

In the *VRS Structure and Practices NOI*, the Commission designated the *ex parte* status of the proceeding as "permit-but-disclose," so any presentations related to this Public Notice will also be designated as such.<sup>10</sup>

Parties who choose to file by paper must file an original and one copy of each filing. In addition, parties must send one copy to the Commission's duplicating contractor, Best Copy and Printing, Inc., 445 12<sup>th</sup> Street, SW, Washington, DC 20554, or via email to [fcc@bcpiweb.com](mailto:fcc@bcpiweb.com). 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 12<sup>th</sup> 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 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 12<sup>th</sup> Street, SW, Washington DC 20554.

A copy of this document and any subsequently filed documents in this matter will be available during regular business hours at the FCC Reference Center, Portals II, 445 12<sup>th</sup> Street, SW, Room CY-A257, Washington, D.C. 20554, (202) 418-0270. This document and any subsequently filed documents in this matter may also be purchased from the Commission's duplicating contractor at its website, [www.bcpiweb.com](http://www.bcpiweb.com), or by calling 1-800-378-3160. These documents may also be found by searching ECFS (insert **CG Docket No. 10-51** 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](mailto:fcc504@fcc.gov) or call the Consumer and Governmental Affairs

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<sup>9</sup> 63 FR 24121 (1998).

<sup>10</sup> Pursuant to 47 C.F.R. § 1.1200 *et. seq.*, this matter shall be treated as a "permit-but-disclose" proceeding in accordance with the Commission's *ex parte* rules. Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentations must contain summaries of the substance of the presentations and not merely a listing of the subjects discussed. More than a one or two sentence description of the views and arguments presented is generally required. Other rules pertaining to oral and written *ex parte* presentations in permit-but-disclose proceedings are set forth in 47 C.F.R. § 1.1206 (b).

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/trs.html>.

For further information, please contact Diane Mason, Consumer and Governmental Affairs Bureau, Disability Rights Office, at (202) 418-7126 (voice), (202) 418-7828 (TTY), or e-mail at [Diane.Mason@fcc.gov](mailto:Diane.Mason@fcc.gov).

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