



# PUBLIC NOTICE

Federal Communications Commission  
45 L Street NE  
Washington, DC 20554

News Media Information 202-418-0500  
Internet: [www.fcc.gov](http://www.fcc.gov)  
TTY: 888-835-5322

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## VIDEO RELAY SERVICE PROVIDERS' COST AND DEMAND DATA TO BE PLACED IN THE RECORD

CG Docket Nos. 03-123 and 10-51

### Oppositions Due: May 3, 2023

On May 20, 2021, the Federal Communications Commission (Commission) adopted a Notice of Proposed Rulemaking (NPRM) seeking comment on Telecommunications Relay Services (TRS) Fund compensation for the provision of video relay service (VRS).<sup>1</sup> The current compensation plan for VRS expires on June 30, 2023.<sup>2</sup>

To assist the Commission's consideration of compensation options, the Consumer and Governmental Affairs Bureau (CGB or Bureau) intends to place in the record of this rulemaking proceeding the cost and demand data filed this year by each VRS provider with the Interstate TRS Fund administrator. Specifically, the Bureau intends to place in the record each VRS provider's completed TRS Fund Annual Provider Form and TRS Fund Annual Provider Form Appendix, as filed with the TRS Fund administrator (2023 VRS Provider Cost and Demand Data). The 2023 VRS Provider Cost and Demand Data will be designated as Highly Confidential Information subject to the terms of the *Third Protective Order* and will not be available to the general public, but may be examined by appropriate persons on behalf of interested parties, subject to protections for confidentiality.<sup>3</sup>

Affected parties have until May 3, 2023, to oppose placing the 2023 VRS Provider Cost and Demand Data in the record, subject to the *Third Protective Order*. If submission of the data into the record is opposed, the procedures set forth in 47 CFR § 0.461(i) shall apply. All filings should refer to CG Docket No. 10-51 and CG Docket No. 03-123.

After the 2023 VRS Provider Cost and Demand Data is placed in the record, outside persons participating or intending to participate in the proceeding who are not involved in competitive decision-making activities and who have signed the Acknowledgment of Confidentiality attached to the *Third Protective Order* may review the 2023 VRS Provider Cost and Demand Data in accordance with the

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<sup>1</sup> See *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities; Structure and Practices of the Video Relay Service Program*, CG Docket Nos. 03-123 and 10-51, Notice of Proposed Rulemaking and Order, 36 FCC Rcd 8802 (2021) (*Notice*).

<sup>2</sup> See *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities; Structure and Practices of the Video Relay Service Program*, CG Docket Nos. 03-123 and 10-51, Order, DA 22-699, at 4, para. 14 (CGB June 30, 2022).

<sup>3</sup> *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities; Structure and Practices of the Video Relay Service Program; Misuse of Internet Protocol (IP) Captioned Telephone Service*, CG Docket Nos. 03-123, 10-51, and 13-24, Order and Third Protective Order, 33 FCC Rcd 6802 (CGB 2018) (*Third Protective Order*).

terms of the *Third Protective Order*.<sup>4</sup> Reviewing Parties should request the 2023 VRS Provider Cost and Demand Data from the relevant Submitting Parties, i.e., from each VRS provider whose filed data they wish to review.<sup>5</sup> We emphasize that persons seeking to review the VRS Provider Cost and Demand Data may do so only for purposes of participating in this proceeding and must have adequate protections in place to prevent improper use or disclosure of the information.<sup>6</sup> The Submitting Party has three business days to file with the Commission and serve an objection to the disclosure of the data to a specific individual requesting access.<sup>7</sup> A Submitting Party that has not filed an objection must provide access to the data no later than the fourth business day from the date of the request. Submitting Parties that do not object to a disclosure are encouraged to provide access to the 2023 VRS Provider Cost and Demand Data at an earlier date.

The Submitting Party shall make the 2023 VRS Provider Cost and Demand Data available in an electronic format.<sup>8</sup> Submitting Parties are not required to *transmit* the data electronically,<sup>9</sup> but may choose to do so.

Under the Commission's current procedures for the submission of filings and other documents, submissions in this matter may be filed electronically (i.e., through ECFS) or on paper to the Commission.

- Electronic Filers: Comments may be filed electronically using the Internet by accessing the ECFS: <https://www.fcc.gov/ecfs/filings>.
- Paper Filers:
  - Parties who choose to file by paper must file an original and one copy of each filing. If more than one docket or rulemaking number appears in the caption of this proceeding, filers must submit two additional copies for each additional docket or rulemaking number.
  - Filings can be sent 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.
  - Currently, the Commission does not accept any hand delivered or messenger delivered filings as a temporary measure taken to help protect the health and safety of individuals, and to mitigate the transmission of COVID-19. In the event that the Commission announces the lifting of COVID-19 restrictions, a filing window will be opened at the Commission's office located at 9050 Junction Drive, Annapolis Junction, Maryland 20701.<sup>10</sup>
  - Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9050 Junction Drive, Annapolis Junction, MD 20701.

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<sup>4</sup> See *id.* at 6815, Appx. C. Persons seeking to review the 2023 VRS Provider Cost and Demand Data may do so only for purposes of participating in this proceeding and must have adequate protections in place to prevent improper use or disclosure of the information. See *id.* at 6811, Appx. A, para. 14.

<sup>5</sup> See *id.* at 6809, Appx. A, para. 6.

<sup>6</sup> See *id.* at 6811, Appx. A, para. 14.

<sup>7</sup> See *id.* at 6809, Appx. A, para. 7.

<sup>8</sup> See *id.* at 6810, Appx. A, para. 9.

<sup>9</sup> *Id.*

<sup>10</sup> See *FCC Announces Closure of FCC Headquarters Open Window and Change in Hand-Delivery Policy*, Public Notice, 35 FCC Rcd 2788 (OMD 2020).

- U.S. Postal Service first-class, Express, and Priority mail may be addressed to 45 L Street, NE, Washington, DC 20554.

*Accessible Materials.* 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 Bureau at (202) 418-0530.

For further information, contact Michael Scott, Disability Rights Office, Consumer and Governmental Affairs Bureau, at [michael.scott@fcc.gov](mailto:michael.scott@fcc.gov) or (202) 418-1264.

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