



DA 24-1209

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COMMENT SOUGHT ON WHITE PAPER REGARDING TRANSITION OF ANALOG RELAY SERVICES TO INTERNET PROTOCOL (IP)-BASED ALTERNATIVES

CG Docket No. 03-123

Comments Due: January 17, 2024

Reply Comments Due: February 18, 2024

The Consumer and Governmental Affairs Bureau (Bureau) of the Federal Communications Commission (Commission or FCC) seeks comment on a White Paper submitted by the Accessibility Advocacy Organizations¹ regarding the transition of users of analog Telecommunications Relay Services (TRS) to Internet Protocol (IP)-based services.²

Pursuant to Title IV of the Americans with Disabilities Act of 1990 (codified at 47 U.S.C. § 225),³ the Commission must ensure that interstate and intrastate TRS are available “to the extent possible and in the most efficient manner.”⁴ TRS are “telephone transmission services that provide the ability for an individual who is deaf, hard of hearing, deafblind, or who has a speech disability to engage in communication by wire or radio with one or more individuals, in a manner that is functionally equivalent to the ability of a hearing individual who does not have a speech disability to communicate using voice communication services by wire or radio.”⁵ Section 225 imposes the requirement to provide TRS on common carriers, their designees, and entities certified to provide TRS by the Commission, or through a certified state program.⁶ The Commission has recognized three analog forms of TRS that operate on the Public Switched Telephone Network (PSTN): Text Telephone (TTY) based TRS;⁷ Speech-

¹ The Accessibility Advocacy Organizations are TDIAccess, Inc., National Association for State Relay Administration, Gallaudet University, and Telecommunications Access of Maryland.

² See Accessibility Advocacy Organizations, “Transition of Legacy Relay Users Reliant on Analog to IP-Based Telephony Relay Solutions: A White Paper,” CG Docket No. 03-123 (filed Aug. 12, 2024) (AAO White Paper), <https://www.fcc.gov/ecfs/document/10812315813172/1>.

³ Americans with Disabilities Act of 1990, Pub. L. 101-336, 104 Stat. 327, 366-69 (1990); see AAO White Paper at 3-5 (discussing the statutory and regulatory framework for TRS).

⁴ 47 U.S.C. § 225(b)(1).

⁵ *Id.* § 225(a)(3).

⁶ *Id.* § 225(c).

⁷ See 47 CFR § 64.601(46). With TTY-based TRS, the TTY user places a call to a relay center, where a communications assistant (CA) receives the text on a TTY device, places a voice telephone call to the hearing party, and relays the conversation back and forth, voicing the TTY user’s text communication to the hearing party and typing the hearing party’s voiced communication to the TTY user.

to-Speech Relay Service (STS),⁸ and Captioned Telephone Service (CTS).⁹ Currently, under section 225 and the Commission's rules, State relay programs manage and fund calls for intrastate TTY-based, STS, and CTS,¹⁰ while the Commission funds interstate calls using these services.¹¹ The Commission has also authorized three IP-based forms of TRS: Internet Protocol Relay Service (IP Relay),¹² Video Relay Service (VRS),¹³ and Internet Protocol Captioned Telephone Service (IP CTS).¹⁴ All calls using IP Relay, VRS, and IP CTS are funded through the Interstate TRS Fund.¹⁵

In the White Paper, AAO states that there is a “current compelling need for Federal and state policymakers to proactively adapt TRS obligations and programs to reflect the evolution of the country’s analog telecommunications networks to IP-based networks.”¹⁶ According to the White Paper, the transition to IP-based networks has caused substantial changes to the use of and demand for analog TRS, rendering some analog TRS obsolete for many uses, while such services continue to be the solutions of choice for parts of the affected community.¹⁷ AAO also asserts that alternative services need to be made available because “the transition from traditional analog communication systems to more advanced digital and IP-based networks is accelerating.”¹⁸

⁸ 47 CFR § 64.601(43). For STS, a CA (who is specially trained in understanding a variety of speech disorders) repeats what the caller says in a manner that makes the caller’s words clear and understandable to the called party.

⁹ With CTS, telephone captioning is provided through the PSTN. See *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, CC Docket No. 96-67, Declaratory Ruling, 18 FCC Rcd 16121, 16122-23, paras. 3-5 (2003).

¹⁰ See 47 CFR § 64.606(a)(1), (b)(1) (requirements for certification of state TRS programs); *Notice of Certification of State and U.S. Territory Telecommunications Relay Services (TRS) Programs*, CG Docket No. 03-123, 38 FCC Rcd 6621 (CGB 2023).

¹¹ 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 24-620 (June 28, 2024) (setting compensations levels for interstate TTY-based TRS, STS, and CTS).

¹² See 47 CFR § 64.601(a)(26). The IP Relay user types a text transmission to an IP Relay call center, where a CA converts the user’s text to speech for the hearing party and converts that party’s speech to text for the IP Relay user. 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, 7780, para. 3 (2002).

¹³ See 47 CFR § 64.601(a)(53). VRS “allows people with hearing or speech disabilities who use sign language to communicate with voice telephone users through video equipment.” *Id.*; see also *Telecommunications Relay Services and Speech-to-Speech 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 (2000).

¹⁴ See 47 CFR § 64.601(a)(25). IP CTS permits a person with hearing loss to have a telephone conversation while reading captions of what the other party is saying on an Internet-connected device. See *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities; Internet-based Captioned Telephone Service*, CG Docket No. 03-123, Declaratory Ruling, 22 FCC Rcd 379, 385, para. 14 (2007).

¹⁵ See 47 CFR § 64.604(c)(5)(iii)(E). The TRS Fund administrator reviews monthly compensation requests and supporting information submitted by providers of IP CTS and other forms of TRS and makes monthly payments of compensation in accordance with the applicable formula. See *2024 TRS Compensation Order*, DA 24-620 (setting compensation levels for IP-based TRS, TRS Fund requirements, and contribution factors).

¹⁶ AAO White Paper at 1.

¹⁷ See *id.* at 5-6 (describing the decreasing usage of analog relay services and areas where still in use).

¹⁸ *Id.* at 1; see also *id.* at 6-10 (describing potential alternatives for analog relay users, including IP-based TRS and real-time text (RTT)).

Contending that the federal and state governments must actively manage this transition to ensure that users of analog relay services are informed of and transitioned to alternative services,¹⁹ AAO calls on the Commission to facilitate the evaluation of replacement TRS solutions for analog services and to initiate proceedings to consider appropriate rule changes to implement modifications to the existing rules governing TRS.²⁰

Filing Requirements. Interested parties may file comments on or before the dates indicated above.²¹ All filings must reference CG Docket No. 03-123. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS).²²

- 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.
 - 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.
 - Hand-delivered or messenger-delivered paper filings for the Commission's Secretary are accepted between 8:00 a.m. and 4:00 p.m. by the FCC's mailing contractor at 9050 Junction Drive, Annapolis Junction, MD 20701. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes and boxes must be disposed of before entering the building.
 - Commercial courier deliveries (any deliveries not by the U.S. Postal Service Express) must be sent to 9050 Junction Drive, Annapolis Junction, MD 20701.
 - U.S. Postal Service first-class, Express, and Priority mail must be sent to 45 L Street, NE, Washington, DC 20554.

Ex Parte Rules. The proceeding this Notice initiates shall be treated as a "permit-but-disclose" proceeding in accordance with the Commission's *ex parte* rules.²³ Persons making *ex parte* presentations must file a 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

¹⁹ See *id.* at 10-11 (discussing transition from copper to IP-based telephone networks), 13-14 (discussing impact of transition on availability of 911 services to analog relay users).

²⁰ *Id.* at 1; see *id.* at 11-13 (reviewing potential steps toward informing analog TRS users of need to transfer to IP-based alternatives), 14-16 (reviewing potential regulatory steps for FCC).

²¹ See 47 CFR §§ 1.1, 1.49.

²² *Electronic Filing of Documents in Rulemaking Proceedings*, GC Docket No. 97-113, Report and Order, 13 FCC Rcd 11322 (1998).

²³ 47 CFR §§ 1.1200 *et seq.*

staff during *ex parte* meetings are deemed to be written *ex parte* presentations and must be filed consistent with rule 1.1206(b). In proceedings governed by rule 1.49(f) 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.

People with Disabilities. 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 Bureau at 202-418-0530 (voice).

Additional Information. For further information regarding this Notice, please contact William Wallace, Disability Rights Office, Consumer and Governmental Affairs Bureau, at 202-418-2716 or by e-mail to William.Wallace@fcc.gov.

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