

**STATEMENT OF  
COMMISSIONER JONATHAN S. ADELSTEIN**

*Re: IP-Enabled Services; Implementation of Sections 255 and 251(a)(2) of the Communications Act of 1934, as Enacted by the Telecommunications Act of 1996: Access to Telecommunications Service, Telecommunications Equipment and Customer Premises Equipment by Persons with Disabilities; The Use of N11 Codes and Other Abbreviated Dialing Arrangements, WC Docket No. 04-36, WT Docket No. 96-198, CG Docket No. 03-123, CC Docket No. 92-105.*

In this Order, we take important steps to implement Congress' vision that the promise of new communications technology should benefit all Americans, including those with disabilities. We advance that vision by extending the disability access requirements of the Act to providers of interconnected VoIP services and equipment, and by ensuring that interconnected VoIP providers contribute to the interstate TRS Fund.

Through sections 225 and 255 of the Act, Congress codified important principles that have ensured access to functionally-equivalent services for persons with disabilities. I strongly believe that we must extend the ADA's important protections beyond the world of narrowband telephone service, so I am pleased to support this item.

With consumers and businesses increasingly migrating to interconnected VoIP, we must ensure that providers of those services and manufacturers of equipment or CPE that is specially designed to provide them comply with the requirements of section 255. Particularly as many consumers forego the use of their traditional phone service and as VoIP is embraced in the workplace, these new services must provide for "reasonably achievable" accessibility. Millions of Americans with disabilities should not have to worry if their phone service will work in the manner in which they have come to expect, such as supporting the use of TTYs and shortened dialing codes like 711. This accessibility is critical in order to promote the independence of persons with disabilities, participation in our society, and critical access in emergency situations.

Indeed, Americans with disabilities can benefit from widely-available and accessible interconnected VoIP services. More broadly, IP protocols are increasingly allowing services to combine voice, video, and text in ways that will allow persons with disabilities to communicate far more effectively. Applying section 255 to interconnected VoIP services and equipment will help ensure that accessibility issues are considered early in the development process, which should lessen the need to retrofit regulatory and technical protections after the-fact. At the same time, there is much work to be done to develop specific standards, so I encourage all parties to continue to work toward the common goals of accessibility, functional equivalence, and innovation.

This Order also correctly concludes that providers of interconnected VoIP services should contribute to the TRS Fund. If an interconnected VoIP service provider shares in the benefits of having the ability to access and use TRS or Video Relay Service (VRS), which draws more customers to their service, they should also share in the burdens by contributing to the fund. This action provides a broader and more sustainable base of contributors to the TRS Fund, but it is worth noting that we have more work to do. Particularly as we come to the close of the current funding year, it is important that we move forward with our review of the rate-setting mechanisms and that we work to inject more transparency and predictability in that process.

I want to thank the Chairman and the Bureau for their hard work on this item, and I look forward to working with them, my colleagues, and the disability community as we turn to the challenges ahead.