

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Telecommunications Relay Services and)	CG Docket No. 03-123
Speech-to-Speech Services for)	
Individuals with Hearing and Speech Disabilities)	
)	
E911 Requirements for IP-Enabled Service)	WC Docket No. 05-196
Providers)	

ORDER

Adopted: June 15, 2009

Released: June 15, 2009

By the Chief, Consumer & Governmental Affairs Bureau:

I. INTRODUCTION

1. In this *Order*, we find good cause to extend the June 30, 2009, date for the end to the permissive calling period during which Internet-based Telecommunications Relay Service (TRS) providers may continue to complete the non-emergency calls of unregistered users. Pursuant to this *Order*, TRS providers may continue to complete such calls until November 12, 2009. After that date, however, providers will have to ensure that a user has registered with a default provider before completing the user's non-emergency calls.

2. In taking this action, we grant in part, and deny in part, a petition to extend the June 30th deadline filed by several Internet-based TRS providers on April 29, 2009.¹ We find that extending the Internet-based TRS registration deadline will ensure a more orderly transition to ten-digit numbering for users of Internet-based TRS by allowing for additional time for outreach and educational activities, as well as time to address any unresolved technical issues associated with the transition.

II. BACKGROUND

3. In the *First Internet-based TRS Order*, the Commission adopted emergency call handling requirements for Internet-based TRS, specifically Video Relay Service (VRS) and Internet Protocol (IP) Relay, as well as a system for assigning users of VRS and IP Relay ten-digit numbers linked to the North American Numbering Plan (NANP).² The Commission required Internet-based TRS providers to offer

¹ See Petition to Extend Relay Registration Deadline, CG Docket No. 03-123 and WC Docket No. 05-196 (filed April 29, 2009) (Joint Petition). The Joint Petition was filed by AT&T, Inc., CAC, CSDVRS, LLC, Hamilton Relay, Inc., Purple Communications, Inc., Snap Telecommunications, Inc., Sprint Nextel Corporation, and Viable, Inc.

² *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, CG Docket No. 03-123; *E911 Requirements for IP-Enabled Service Providers*, WC Docket No. 05-196, Report and Order and Further Notice of Proposed Rulemaking, 23 FCC Rcd 11591 (June 24, 2008) (*First Internet-based TRS Order*). We use the term, "Internet-based TRS," herein to refer to both VRS and IP Relay, unless (continued....)

individuals using their service the capability to register with a “default provider,” and to begin assigning ten-digit, NANP telephone numbers to their registered users no later than December 31, 2008.³ The Commission explained that mandatory registration and the assignment of NANP telephone numbers would yield important benefits, including facilitating the effective provision of 911 service.⁴ The Commission required Internet-based TRS providers to obtain registration information from all new users and to assign all new users a NANP telephone number.⁵ Existing users would also have to be registered. Recognizing that not every existing Internet-based TRS user would immediately register with a default provider, however, the Commission decided to implement a longer registration period for the existing base of users to migrate to the new ten-digit numbering plan.⁶

4. In the *Second Internet-based TRS Order*,⁷ the Commission provided existing users a three-month “registration period” followed by a three-month “permissive calling period” which is scheduled to end on June 30, 2009.⁸ During the permissive calling period, Internet-based TRS providers may continue to carry non-emergency calls for unregistered users. At the conclusion of the permissive calling period, however, providers must register any unregistered user before completing a non-emergency VRS or IP Relay call.⁹

5. On April 29, 2009, a group representing a majority of the Internet-based TRS providers filed the Joint Petition seeking to postpone the June 30, 2009, Internet-based TRS registration deadline.¹⁰ Asserting that a large percentage of existing Internet-based TRS users remain unregistered due to consumer confusion, the petitioners urge the Commission to extend the deadline “indefinitely” until certain milestones are adequately satisfied.¹¹ Although “reluctant to suggest the exact deadline,” the petitioners suggested a “goal” of December 31, 2009.¹²

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otherwise specified. See 47 C.F.R. § 601(a)(11), (13), (21), and (26) (defining various forms of TRS). Although IP captioned telephone service (IP CTS) is also an Internet-based form of TRS, as noted in the *First Internet-based TRS Order*, the Commission has determined to address any issues relating to IP CTS, if appropriate, in a separate order because IP CTS raises distinct technical and regulatory issues. See *First Internet-based TRS Order*, 23 FCC Rcd at 11592, para. 1 n.5 (deferring action on IP CTS); *id.*, 23 FCC Rcd at 11594 n.15 (describing captioned telephone service and IP CTS).

³ *First Internet-based TRS Order*, 23 FCC Rcd at 11609-10, paras. 42-44.

⁴ *Id.*, 23 FCC Rcd at 11609, para. 42.

⁵ *Id.*, 23 FCC Rcd at 11610, para. 44; see also 47 C.F.R. § 64.611(b) (requiring mandatory registration of new users). The Commission defined a “new” user as an individual who “has not previously utilized VRS or IP Relay[.]” See *Second Internet-based TRS Order*, 24 FCC Rcd at 803, para. 24.

⁶ *First Internet-based TRS Order*, 23 FCC Rcd at 11610, para. 45.

⁷ *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, CG Docket No. 03-123; *E911 Requirements for IP-Enabled Service Providers*, WC Docket No. 05-196, Second Report and Order and Order on Reconsideration, 24 FCC Rcd 791 (Dec. 19, 2008) (*Second Internet-based TRS Order*).

⁸ *Second Internet-based TRS Order*, 24 FCC Rcd at 801, 802, paras. 21, 23.

⁹ *Id.*, 24 FCC Rcd at 802, para. 23.

¹⁰ Joint Petition at 1.

¹¹ Joint Petition at 9.

¹² *Id.*

6. The petitioners identify four “milestones” they believe should be achieved before the permissive calling period is allowed to end: (1) implementation of a reverse look-up function that would automatically verify whether a caller is registered; (2) implementation of “an extensive public education and outreach campaign;” (3) resolution of concerns about the assignment of geographically appropriate phone numbers; and (4) resolution of equipment portability issues.¹³

7. Sorenson Communications, Inc., filed an *ex parte* letter in response to the Joint Petition.¹⁴ While Sorenson does not expressly ask the Commission to deny the petition, Sorenson does express the view that an extension is not needed, and states its concern about the open-ended nature of the petitioners’ request.

III. DISCUSSION

8. We find good cause to extend the June 30, 2009, registration deadline established in the *Second Internet-based TRS Order* and, therefore, we extend until November 12, 2009, the date after which VRS and IP Relay providers must stop completing non-emergency calls for unregistered users. We conclude that extending the deadline will ensure a more orderly transition to ten-digit numbering for users of Internet-based TRS.

9. In particular, we are concerned that, despite the outreach and consumer education efforts already undertaken by the Commission and the Internet-based TRS providers, many users may remain uncertain about how the ten-digit numbering and E911 requirements will affect their use of Internet-based TRS services and their rights and responsibilities under the new rules.¹⁵ In addition, we have received recent data from some providers indicating that a majority of calls presently handled are not being made via a new ten-digit number.¹⁶ Extending the end of the permissive calling period until November 12, 2009, will enable the Commission, as well as the providers, to conduct additional outreach and education addressing particular consumer concerns associated with the transition to ten-digit numbering for Internet-based TRS. And to the extent that there are technical concerns, as petitioners suggest, this additional time will allow them to be addressed.

10. We are not, however, persuaded that we should extend the June 30th deadline indefinitely, as petitioners request. As Sorenson notes in its *ex parte* filing, registering users for ten-digit numbers “is critical for public safety.”¹⁷ In the *Second Internet-Based TRS Order*, the Commission found that “mandatory registration is critical to the effective handling of 911 calls.”¹⁸ An indefinite delay in implementation would come at the expense of enhanced emergency services for Internet-based TRS users. We believe that the extension granted here reasonably balances the concerns raised in the Joint Petition against the public safety implications of further delay.

¹³ *Id.* at 10-11.

¹⁴ See Letter from Gil M. Strobel, Sorenson Communications, Inc., to Marlene H. Dortch (dated May 12, 2009).

¹⁵ See, e.g., Joint Petition at 6-9 (discussing several areas of customer confusion concerning the use of toll-free numbers, equipment and number porting, and misconceptions about the use of a single number for multiple services).

¹⁶ See, e.g., CSDVRS *Ex parte* letter, CG Docket No. 03-123 (June 11, 2009); Hamilton Relay, Inc. *Ex parte* letter, CG Docket No. 03-123, WC Docket No. 05-196 (June 11, 2009).

¹⁷ Sorenson Letter (May 12, 2009) at 4.

¹⁸ *Second Internet-Based TRS Order* at para. 22.

IV. ORDERING CLAUSES

11. Accordingly, IT IS ORDERED, pursuant to the authority contained in sections 4(i) and 225 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i), 225, and sections 0.141, 0.361, and 1.3 of the Commission's rules, 47 C.F.R. §§ 0.141, 0.361, 1.3, that this *Order* is ADOPTED.

12. IT IS FURTHER ORDERED that the June 30, 2009, Internet-based TRS registration deadline is EXTENDED UNTIL NOVEMBER 12, 2009.

13. IT IS FURTHER ORDERED that the Petition to Extend Relay Registration Deadline, filed by AT&T, Inc., CAC, CSDVRS, LLC, Hamilton Relay, Inc., Purple Communications, Inc., Snap Telecommunications, Inc., Sprint Nextel Corporation, and Viable, Inc. on April 29, 2009, is GRANTED, IN PART, and DENIED, IN PART, to the extent described herein.

14. IT IS FURTHER ORDERED that, pursuant to section 1.102(b) of the Commission's rules, 47 C.F.R. § 1.102(b), this *Order* SHALL BE EFFECTIVE upon release.

15. To request materials in accessible formats (such as Braille, large print, electronic files, or audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at (202) 418-0530 (voice) or (202) 418-0432 (TTY). This *Order* can also be downloaded in Word and Portable Document Formats (PDF) at <http://www.fcc.gov/cgb/dro/trs.html#orders>.

FEDERAL COMMUNICATIONS COMMISSION

Catherine W. Seidel
Chief, Consumer & Governmental Affairs Bureau