

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

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

ORDER

Adopted: June 22, 2012

Released: June 22, 2012

By the Acting Chief, Consumer and Governmental Affairs Bureau, and Chief, Wireline Competition Bureau:

I. INTRODUCTION

1. In this Order, the Consumer and Governmental Affairs Bureau and the Wireline Competition Bureau extend the waivers of certain telecommunications relay services (TRS) mandatory minimum standards for video relay service (VRS) and Internet Protocol (IP) Relay Service that will expire on July 1, 2012, pursuant to the 2011 TRS Waiver Order. Specifically, for those providers that

1 TRS was created by Title IV of the Americans with Disabilities Act of 1990 (ADA). Pub. L. No. 101-336, § 401, 104 Stat. 327, 336-69 (1990); 47 U.S.C. § 225. TRS enables a person with a hearing or speech disability to access the nation's telephone system to communicate with voice telephone users through a relay provider and a communications assistant (CA). A CA relays the call back and forth (e.g., from text to voice, and voice to text) between the calling party and called party. See 47 U.S.C. § 225(a)(3) (defining TRS); 47 C.F.R. § 64.601(a)(22). The TRS mandatory minimum standards govern the provision of relay service. See 47 C.F.R. § 64.604.

2 VRS is a form of TRS that that enables the VRS user and the CA to communicate in sign language via a video link, rather than through text. VRS presently requires a broadband Internet connection. See generally Telecommunications Relay 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, ¶¶ 21-27 (2000) (2000 TRS Report & Order) (recognizing VRS as a form of TRS); 47 C.F.R. § 64.601(a)(27) (defining VRS).

3 IP Relay is a form of TRS that permits individuals with hearing or speech disabilities to communicate in text messages via a computer (or other similar device), rather than with a teletypewriter (TTY) over the public switched telephone network (PSTN). 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 (2002) (IP Relay Declaratory Ruling) (recognizing IP Relay as a form of TRS); 47 C.F.R. § 64.601(a)(13) (defining IP Relay).

4 Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities; E911 Requirements for IP-Enabled Service Providers, CG Docket No. 03-123 and WC Docket No. 05-196, Order, 26 FCC Rcd 9449 (CGB/WCB 2011) (2011 TRS Waiver Order). Many of the waivers addressed in this proceeding were first granted at the inception of VRS and IP Relay. See e.g., Telecommunications Relay Services

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have indicated they still require a particular waiver, we extend each of the waivers for one year until July 1, 2013, or until the Commission takes further action to address these waivers on a more permanent basis, whichever occurs first.⁵ For those providers who have indicated they do not require a particular waiver, we are allowing that waiver to expire on July 1, 2012. These extensions are conditioned upon the filing of a status report due April 16, 2013, detailing the progress made in complying with the requirement to provide the following services: (1) one-line Voice Carry Over (VCO), VCO-to-TTY, and VCO-to-VCO;⁶ (2) one-line Hearing Carry Over (HCO), HCO-to-TTY, and HCO-to-HCO;⁷ (3) call release;⁸ (4) pay-per-call (900) calls;⁹ (5) types of calls;¹⁰ (6) equal access to interexchange carriers;¹¹ and (7) Speech-to-Speech (STS).¹²

2. In addition, we extend the waiver of certain mandatory minimum standards for default Internet-based TRS providers that remain unable to meet such standards for newly-registered Internet-based TRS users who port their customer premises equipment (CPE) from a former default provider.¹³

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and *Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, CC Docket No. 98-67, Order, 17 FCC Rcd 157 (2001) (waiving certain requirements for VRS); *IP Relay Declaratory Ruling*, 17 FCC Rcd at 7790-91 ¶¶ 31-32 (waiving certain requirements sua sponte). The Commission intends to initiate a rulemaking proceeding in the near future to take a more in depth look at the merits of continuing or eliminating each of these waivers.

⁵ In November 2009, Hamilton Relay, Inc., AT&T Inc., CSDVRS, LLC, Sorenson Communications, Inc., Sprint Nextel Corporation, and Purple Communications, Inc. (Petitioners) filed a “Request for Extension and Clarification of Various iTRS Waivers,” requesting the Commission to waive indefinitely many of the iTRS waivers addressed in this Order. The Commission intends to initiate a rulemaking proceeding in the near future to take a more in-depth look at the merits of continuing or eliminating each of these waivers.

⁶ See 47 C.F.R. § 64.604(a)(3)(v).

⁷ See *id.*

⁸ See 47 C.F.R. § 64.604(a)(3)(vi).

⁹ See 47 C.F.R. § 64.604(a)(3)(iv).

¹⁰ See 47 C.F.R. § 64.604(a)(3)(ii). The requirement has been waived for IP Relay as long as providers allow calls to be placed using calling cards and/or provide free long distance calls. See *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, CG Docket No. 03-123, Order, 23 FCC Rcd 18334, 18338, ¶ 12 n. 40 (CGB 2008) (*2008 TRS Waiver Order*); *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities; E911 Requirements for IP-Enabled Service Providers*, CG Docket No. 03-123 and WC Docket No. 05-196, Order, 24 FCC Rcd 14721, 14726, ¶ 15 (CGB/WCB 2009) (*2009 TRS Waiver Order*); *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities; E911 Requirements for IP-Enabled Service Providers*, CG Docket No. 03-123 and WC Docket No. 05-196, Order, 25 FCC Rcd 8437, 8443, ¶ 15 (CGB/WCB 2010) (*2010 TRS Waiver Order*); *2011 TRS Waiver Order*, 26 FCC Rcd at 9456, ¶ 16.

¹¹ See 47 C.F.R. § 64.604(b)(3). The requirement has been waived indefinitely for IP Relay. See *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, CC Docket Nos. 90-571 & 98-67, CG Docket No. 03-123, Report and Order, Order on Reconsideration, and Further Notice of Proposed Rulemaking, 19 FCC Rcd 12475, 12594, Appendix E (2004) (*2004 TRS Report & Order*).

¹² See *2000 TRS Report & Order*, 15 FCC Rcd at 5148-51, ¶¶ 14-20; see also 47 C.F.R. § 64.601(a)(20) (defining STS). The requirement has been waived indefinitely for VRS. See *2004 TRS Report & Order*, 19 FCC Rcd at 12594, Appendix E.

¹³ See, e.g., 47 C.F.R. §§ 64.604(a)(3), 64.605. We note that, most recently, the Commission raised relevant issues concerning standards for videophone equipment supplied by VRS providers in the *2011 VRS FNPRM*, which sets forth a detailed proposal for developing and maintaining VRS access technology standards designed to facilitate interoperability and portability goals. See *Structure and Practices of the Video Relay Service Program*;

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Specifically such waiver is needed when the new default provider does not have access to the technical information about the new user's CPE that would be needed to comply with these standards.¹⁴ As discussed below, the Commission issued a year-long waiver of these requirements in its December 2008 *Second Internet-based TRS Order*,¹⁵ which was extended by the Bureaus in the *2009 TRS Waiver Order*,¹⁶ *2010 TRS Waiver Order*,¹⁷ and *2011 TRS Waiver Order*.¹⁸ Consistently with the extensions of other waivers granted in this *Order*, we grant a further extension of the CPE waiver until July 1, 2013, or until the Commission addresses pending petitions regarding CPE portability, whichever comes first.¹⁹

II. BACKGROUND

3. The Commission's TRS regulations set forth operational, technical, and functional mandatory minimum standards applicable to the provision of TRS.²⁰ To be eligible for compensation from the Interstate TRS Fund, a TRS provider must offer service in compliance with all applicable mandatory minimum standards, unless they are waived.²¹ The Commission, in various orders, has waived several TRS mandatory minimum standards for VRS and IP Relay either because, as Internet-based services, it is not technologically feasible to meet the requirement or, in the case of VRS, because VRS is a video-based service and the communication is via sign language and not text.²²

4. In the *2011 TRS Waiver Order*, the Bureaus extended certain waivers until July 1, 2012.²³ As with previous extensions, the 2011 extensions of the waivers were conditioned on the filing of annual reports, due April 16, 2012, detailing the providers' progress in meeting the waived requirements and addressing whether it is necessary for the waivers to remain in effect.²⁴ In compliance with this condition,

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Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities, CG Docket Nos. 10-51 and 03-123 Further Notice of Proposed Rulemaking, 26 FCC Rcd 17367, 17390, ¶44, 17454-55, Appendix B, ¶22 (2011) (*2011 VRS FNPRM*).

¹⁴ See, e.g., 47 C.F.R. §§ 64.604(a)(3); 64.605.

¹⁵ *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities; E911 Requirements for IP-Enabled Service Providers*, CG Docket No. 03-123 and WC Docket No. 05-196, Second Report and Order and Order on Reconsideration, 24 FCC Rcd 791, 822, ¶ 68 (2008) (*Second Internet-based TRS Order*).

¹⁶ *2009 TRS Waiver Order*, 24 FCC Rcd at 14722, ¶ 2.

¹⁷ See *2010 TRS Waiver Order*, 25 FCC Rcd at 8438, ¶ 2; see also *2011 TRS Waiver Order*, 26 FCC Rcd at 9450-51, ¶ 2.

¹⁸ See *2011 TRS Waiver Order*, 26 FCC Rcd at 9459, ¶ 27.

¹⁹ As noted in the *2009 TRS Waiver Order*, several petitions have been filed by various Internet-based TRS providers regarding CPE portability. See *2009 TRS Waiver Order*, 24 FCC Rcd at 14722, n.10.

²⁰ See 47 C.F.R. § 64.604.

²¹ See, e.g., *2000 TRS Report & Order*, 15 FCC Rcd at 5158, ¶ 39. The Interstate TRS Fund compensates relay providers for their reasonable costs of providing interstate TRS and Internet-based TRS, including VRS and IP Relay. See generally *2004 TRS Report & Order*, 19 FCC Rcd at 12482-83, ¶¶ 7-8.

²² These orders are cited below in our discussion of each waived mandatory minimum standard. See also *2011 TRS Waiver Order*.

²³ See *2011 TRS Waiver Order*.

²⁴ *Id.*

providers of VRS and IP Relay filed timely reports, which provide support for the actions taken in this order.²⁵

5. Also, the Commission, in its *First Internet-based TRS Order*, adopted a uniform system for assigning users of Internet-based TRS ten-digit numbers that are linked to the North American Numbering Plan (NANP).²⁶ Consistent with Commission rules, Internet-based TRS providers were obligated to comply with existing mandatory minimum standards under the new numbering regime.²⁷ In the *Second Internet-based TRS Order*, the Commission waived certain rules for default providers that were unable to meet such standards. Specifically, a waiver was granted from the requirement to provide certain functionalities for newly-registered Internet-based TRS users who want to continue using CPE from their former default provider (*i.e.*, port their equipment to a new default provider),²⁸ this waiver was extended for six months in the *2009 TRS Waiver Order*²⁹ and subsequently extended for a year in the *2010 TRS Waiver Order and 2011 TRS Waiver Order*.³⁰ The waiver applies in cases where the new default provider does not have access to the technical information about the CPE that would be necessary in order to provide service in compliance with the standards.³¹ Such standards include operational requirements,³² emergency handling requirements,³³ and point-to-point calling as clarified in the *Second Internet-based TRS Order*.³⁴

6. The Commission held that the above waiver was necessary and in the public interest “so that Internet-based TRS providers may focus on ensuring that ten-digit numbering and E911 services

²⁵ See American Network, Inc., Waiver Status Report of American Network, Inc. (Apr. 16, 2012) (ANI Report); ASL Services Holdings, LLC, 2012 Annual Mandatory Minimum Standards Waiver Compliance Report (Apr. 16, 2012); AT&T, AT&T 2012 Annual Report on IP TRS Waivers (Apr. 10, 2012) (AT&T Report); Communication Access Ability Group, CAAG’s Status Report on Currently Waived Requirements (Apr. 16, 2012); Convo Communications, LLC, Minimum Standards Waiver Report (Apr. 16, 2012) (Convo Report); CSDVRS, LLC, Report on Waivers by CSDVRS, LLC (Apr. 16, 2012) (CSDVRS Report); Hamilton Relay, Inc., 2012 Annual Report to FCC Concerning Internet Relay and IP CTS (Apr. 16, 2012) (Hamilton Report); Healinc Telecom, LLC, 2012 Annual Mandatory Minimum Standards Waiver Compliance Report (Apr. 16, 2012) (Healinc Report); Purple Communications, Inc., Annual Report on Progress of Meeting Waived Requirements (Apr. 13, 2012) (Purple Report); Snap Telecommunications, Inc., Annual Report on Progress Toward Meeting Waived Requirements (Apr. 16, 2012) (Snap Report); Sorenson Communications, Inc., Minimum Standards Waiver Report (Apr. 12, 2012) (Sorenson Report); Sprint Nextel Corporation, FCC IP Relay Service Annual Progress Report (Apr. 16, 2012) (Sprint IP Relay Report).

²⁶ *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, 11592-93, ¶ 1 (2008) (*First Internet-based TRS Order*).

²⁷ *Id.* at 11593, ¶ 2.

²⁸ *Second Internet-based TRS Order*, 24 FCC Rcd at 822, ¶68.

²⁹ *2009 TRS Waiver Order*, 24 FCC Rcd at 14728, ¶ 21.

³⁰ See *2010 TRS Waiver Order*, 25 FCC Rcd at 8438, ¶ 2; *2011 TRS Waiver Order*, 26 FCC Rcd at 9450-51, ¶ 2.

³¹ See *Second Internet-based TRS Order*, 24 FCC Rcd at 822, ¶ 68, n.236 (citing 47 C.F.R. §§ 64.604(a)(3); 64.605).

³² 47 C.F.R. §64.604(a)(3).

³³ 47 C.F.R. §64.605

³⁴ See 47 C.F.R. §§ 64.604(a)(3); 64.605; see also *Second Internet-based TRS Order*, 24 FCC Rcd at 820, ¶ 65 (stating, “we clarify that all default providers must support the ability of VRS users to make point-to-point calls without the intervention of an interpreter. Second, we clarify that *all* providers must ensure that their devices are capable of making calls after a change in default provider, including point-to-point calls to other VRS users”).

function smoothly at this time of transition to the new ten-digit dialing system.”³⁵ The Commission further held that the waiver had no effect on the requirement that all Internet-based TRS providers share necessary information to provide service to customers who port their numbers from other providers.³⁶ The Commission encouraged Internet-based TRS providers to work together to develop standards to comply with our rules.³⁷ In the orders extending the waiver in 2009, 2010, and 2011, the Bureaus concluded that extending the waiver was in the public interest to allow time for the industry to develop standards for Internet-based TRS providers so they could comply with all mandatory minimum standards regardless of the type of CPE.³⁸ Most recently, the Commission has set forth a detailed proposal for developing and maintaining VRS access technology standards designed to facilitate interoperability and portability goals.³⁹

III. DISCUSSION

7. Generally, the Commission’s rules may be waived for good cause shown.⁴⁰ The Commission may exercise its discretion to waive a rule where the particular facts make strict compliance inconsistent with the public interest.⁴¹ In addition, the Commission may take into account considerations of hardship, equity, or more effective implementation of overall policy on an individual basis.⁴² Waiver of the Commission’s rules is therefore appropriate only if special circumstances warrant a deviation from the general rule, and such a deviation will serve the public interest.⁴³ After reviewing the submissions in this record, we find good cause to again grant the following waivers.

A. Waivers of Certain TRS Mandatory Minimum Standards for VRS and IP Relay

8. *One-line VCO, VCO-to-TTY, and VCO-to-VCO.* One-line VCO is a type of traditional TTY-based TRS that can be used by persons with a hearing disability but who can speak.⁴⁴ The VCO user speaks directly to the other party to the call, and the CA types the response back so the VCO user can read it in text. As a result, the CA does not voice any part of the conversation. The Commission waived the requirement for IP Relay providers to provide one-line VCO because the voice leg of a VCO call could not be supported over the Internet with the necessary call quality.⁴⁵ The Commission similarly

³⁵ See *Second Internet-based TRS Order*, 24 FCC Rcd at 822, ¶ 68.

³⁶ *Id.*

³⁷ *Id.*

³⁸ See *2009 TRS Waiver Order*, 24 FCC Rcd at 14729, ¶ 22; *2010 TRS Waiver Order*, 25 FCC Rcd at 8445, ¶ 21; *2011 TRS Waiver Order*, 26 FCC Rcd at 9458, ¶ 22.

³⁹ See *2011 VRS FNPRM*, 26 FCC Rcd at 17390, ¶44, 17454-55, Appendix B, ¶22.

⁴⁰ 47 C.F.R. § 1.3 (“Any provision of the rules may be waived by the Commission on its own motion . . . if good cause therefore is shown”).

⁴¹ *Northeast Cellular Telephone Co. v. FCC*, 897 F.2d 1164, 1166 (D.C. Cir. 1990).

⁴² *WAIT Radio v. FCC*, 418 F.2d 1153, 1159 (D.C. Cir. 1969); *Northeast Cellular*, 897 F.2d at 1166.

⁴³ *Northeast Cellular*, 897 F.2d at 1166.

⁴⁴ See 47 C.F.R. § 64.601(a)(29); 47 C.F.R. § 64.604(a)(3)(v). We note that the Commission has not waived the requirement that VRS and IP Relay providers provide two-line VCO. See *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, CC Docket No. 98-67, CG Docket No. 03-123, Second Report and Order, Order on Reconsideration, and Notice of Proposed Rulemaking, 18 FCC Rcd 12379, 12404-05, at ¶¶ 35-36 (2003) (*2003 TRS Report & Order*).

⁴⁵ *2011 TRS Waiver Order*, 26 FCC Rcd at 9454, ¶ 9 (extending waiver until July 1, 2012); see also *IP Relay Declaratory Ruling & Second FNPRM*, 17 FCC Rcd at 7789-90, ¶ 32 (waiving VCO requirement for IP Relay); *Provision of Improved Telecommunications Relay Services and Speech-to-Speech Services for Individuals with*

waived this requirement for VRS.⁴⁶ A VCO-to-TTY call allows a relay conversation to take place between a VCO user and a TTY user; a VCO-to-VCO call allows a relay conversation to take place between two VCO users.⁴⁷ Consistent with its treatment of the VCO requirement, the Commission waived the requirement to provide VCO-to-TTY and VCO-to-VCO calls for VRS and IP Relay.⁴⁸

9. For those providers that have indicated they still require waivers of the VCO requirements, we find good cause to extend these waivers for one year or until the Commission takes further action addressing these waivers, whichever occurs first.⁴⁹ We note that the most recent annual status reports generally reflect that although the quality of voice component of the Internet continues to improve, a majority of the VRS and IP Relay providers cannot adequately provide these services because the technology is not universally available that would enable providers to simultaneously process voice and data information on the same Internet connection in order to provide a reliable one-line VCO service.⁵⁰ Hamilton, for example, asserts that there is no commercial off-the-shelf technical solution available that would allow it to meet this requirement.⁵¹ Hamilton also points out that two-line VCO and HCO services are currently being offered by Hamilton as a workaround for this technological

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Hearing and Speech Disabilities, Order on Reconsideration, CC Docket 98-67, 18 FCC Rcd 4761, 4766-68, at ¶¶ 13-18 (2003) (*IP Relay Order on Reconsideration*) (extending waiver until January 1, 2008); *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, CG Docket No. 03-123, Order, 22 FCC Rcd 21869, 21872, ¶ 7 (CGB 2007) (*2007 TRS Waiver Order*) (extending waiver until January 1, 2009); *2008 TRS Waiver Order*, 23 FCC Rcd at 18336, ¶ 5 (extending waiver until January 1, 2010); *2009 TRS Waiver Order*, 24 FCC Rcd at 14725, ¶ 8 (extending waiver until July 1, 2010); *2010 TRS Waiver Order*, 25 FCC Rcd at 8441, ¶ 8 (extending waiver until July 1, 2011).

⁴⁶ *2011 TRS Waiver Order*, 26 FCC Rcd at 9454, ¶ 9; *see also 2004 TRS Report & Order*, 19 FCC Rcd at 12527, ¶ 135 (waiving VCO requirement for VRS until January 1, 2008); *2007 TRS Waiver Order*, 22 FCC Rcd at 21872, ¶ 7 (extending waiver until January 1, 2009); *2008 TRS Waiver Order*, 23 FCC Rcd at 18336, ¶ 5 (extending waiver until January 1, 2010); *2009 TRS Waiver Order*, 24 FCC Rcd at 14725, ¶ 7 (extending waiver until July 1, 2010); *2010 TRS Waiver Order*, 25 FCC Rcd at 8441, ¶ 8 (extending waiver until July 1, 2011).

⁴⁷ *2003 TRS Report & Order*, 18 FCC Rcd at 12403-04, ¶¶ 33-34.

⁴⁸ *2011 TRS Waiver Order*, 26 FCC Rcd at 9454, ¶ 9; *see also 2003 TRS Report & Order*, 18 FCC Rcd at 12404-05, ¶ 36 (waiving VCO-to-TTY and VCO-to-VCO requirement for VRS and IP Relay until January 1, 2008); *2007 TRS Waiver Order*, 22 FCC Rcd at 21872, ¶ 7 (extending waiver until January 1, 2009); *2008 TRS Waiver Order*, 23 FCC Rcd at 18337, ¶ 7 (extending waiver until January 1, 2010); *2009 TRS Waiver Order*, 24 FCC Rcd at 14725, ¶ 8 (extending waiver until July 1, 2010); *2010 TRS Waiver Order*, 25 FCC Rcd at 8441, ¶ 8 (extending waiver until July 1, 2011).

⁴⁹ Healinc (Healinc Report at 1) and ASL Holdings (ASL Report at 1) state that they do not require waivers of the requirements to offer one-line VCO, VCO-to-TTY, and VCO-to-VCO. Therefore, we will allow Healinc's and ASL Holdings' waivers to expire. CSDVRS reports that it can offer one-line VCO over equipment or software supplied by CSDVRS, but cannot provide it over ported equipment using the H.323 standard. CSDVRS also notes that it does not require a waiver for VCO-to-TTY or VCO-to-VCO. *See CSDVRS Report at 2-3*. Therefore, we will allow CSDVRS's waivers for VCO-to-TTY and VCO-to-VCO to expire, and will extend its waiver for one-line VCO only as to providing the service to users with non-CSDVRS-provided equipment or software. Snap!VRS states that it can handle one-line VCO calls, but cannot handle VCO-to-TTY or VCO-to-VCO consistently with maintaining adequate service. *Snap Report at 6-7*. Therefore, we will allow Snap!VRS's waiver for one-line VCO to expire and will extend its waiver for VCO-to-TTY and VCO-to-VCO.

⁵⁰ *See ANI Report at 2; AT&T Report at 2; CAAG Report at 2-3; Hamilton Report at 2-3; Purple Report at 2-3; Sorenson Report at 2-3; Sprint Report, IP Relay Service chart at 2-3. Convo Report at 2* (expects to be able to offer one-line VCO and HCO for SIP products by the end of 2012, but does not have a solution for one-line VCO and HCO for H.323 products).

⁵¹ Hamilton Report at 2.

shortcoming.⁵² Similarly, Purple notes that it has no control over the installation and configuration of CPE needed to route audible speech between personal computers and/or mobile devices and its relay centers “at a high level of quality in order to make this usable on a consistent basis.”⁵³ We find that the parties’ assertions in the record generally are sufficient to demonstrate good cause to extend these waivers to those providers that state they continue to need them. These waivers are again conditioned on the filing of a report, due April 16, 2013, addressing whether it is necessary for the waivers to remain in effect, and whether a technical fix is imminent.⁵⁴

10. *One-line HCO, HCO-to-TTY, and HCO-to-HCO.* One-line HCO is a type of traditional TTY-based TRS that can be used by persons with a speech disability but who can hear.⁵⁵ The HCO user types what he or she wishes to say to the called party, and the CA voices what the HCO user has typed. The HCO user then listens to what the called party says in response. As a result, the CA does not type any part of the conversation. For the same reason that the Commission waived the VCO requirement for IP Relay, it did so with respect to the HCO requirement.⁵⁶ The Commission similarly waived this requirement for VRS.⁵⁷ An HCO-to-TTY call allows a relay conversation to take place between an HCO user and a TTY user; an HCO-to-HCO call allows a relay conversation to take place between two HCO users.⁵⁸ Consistent with its treatment of the HCO requirement, the Commission waived the requirement to provide HCO-to-TTY and HCO-to-HCO calls for VRS and IP Relay.⁵⁹

11. Consistent with our treatment of one-line VCO, VCO-to-TTY, and VCO-to-VCO, and in light of the similar technical barriers confronting providers with respect to those waivers, for those providers that have indicated they still require waivers of the HCO requirements, we find good cause to extend the waivers of the requirements pertaining to one-line HCO, HCO-to-TTY, and HCO-to-HCO for an additional year.⁶⁰ According to their recent annual waiver reports, a majority of the VRS and IP Relay

⁵² Hamilton Report at 2.

⁵³ Purple Report at 3.

⁵⁴ See ¶ 4, *supra*.

⁵⁵ See 47 C.F.R. § 64.601(a)(9); 47 C.F.R. § 64.604(a)(3)(v). We note that the Commission has not waived the requirement that VRS and IP Relay providers provide two-line HCO. See *2003 TRS Report & Order*, 18 FCC Rcd at 12404-05, ¶¶ 35-36; note 16, *supra*.

⁵⁶ *2011 TRS Waiver Order*, 26 FCC Rcd at 9455, ¶ 11 (extending waiver until July 1, 2012) *2009 TRS Waiver Order*, 24 FCC Rcd at 14725, ¶ 10; see also *IP Relay Order on Reconsideration*, 18 FCC Rcd at 4767-68, ¶¶ 15-18 (waiving HCO requirement for IP Relay until January 1, 2008); *2007 TRS Waiver Order*, 22 FCC Rcd at 21872, ¶ 8 (extending waiver until January 1, 2009); *2008 TRS Waiver Order*, 23 FCC Rcd at 18337, ¶ 7 (extending waiver until January 1, 2010); *2009 TRS Waiver Order*, 24 FCC Rcd at 14725, ¶ 10 (extending waiver until July 1, 2010); *2010 TRS Waiver Order*, 25 FCC Rcd at 8442, ¶ 10 (extending waiver until July 1, 2011).

⁵⁷ *2011 TRS Waiver Order*, 26 FCC Rcd at 9455, ¶ 11; see also *2004 TRS Report & Order*, 19 FCC Rcd at 12527, ¶ 135 (waiving HCO requirement for VRS until January 1, 2008); *2007 TRS Waiver Order*, 22 FCC Rcd at 21872, ¶ 9 (extending waiver until January 1, 2009); *2008 TRS Waiver Order*, 23 FCC Rcd at 18337, ¶ 7, (extending waiver until January 1, 2010); *2009 TRS Waiver Order*, 24 FCC Rcd at 14725, ¶ 10 (extending waiver until July 1, 2010); *2010 TRS Waiver Order*, 25 FCC Rcd at 8442, ¶ 10 (extending waiver until July 1, 2011).

⁵⁸ *2003 TRS Report & Order*, 18 FCC Rcd at 12403, ¶¶ 31-32.

⁵⁹ *Id.* at 12404-05, ¶ 36 (waiving HCO-to-TTY and HCO-to-HCO requirement for VRS and IP Relay until January 1, 2009); *2008 TRS Waiver Order*, 23 FCC Rcd at 18337, ¶ 7, (extending waiver until January 1, 2010); *2009 TRS Waiver Order*, 24 FCC Rcd at 14725, ¶ 10 (extending waiver until July 1, 2010); *2010 TRS Waiver Order*, 25 FCC Rcd at 8442, ¶ 10 (extending waiver until July 1, 2011); *2011 TRS Waiver Order*, 26 FCC Rcd at 9455, ¶ 11 (extending waiver until July 1, 2012).

⁶⁰ Healinc (Healinc Report at 1) and ASL Holdings (ASL Report at 2) state that they do not require a waiver of the one-line HCO, HCO-to-TTY, and HCO-to-HCO requirements.. Therefore, we will allow Healinc’s and ASL

providers cannot provide these services, largely because of the same technological shortcomings that are present with VCO functions.⁶¹ These waivers are also conditioned on the filing of a report, due April 16, 2013, addressing whether it is necessary for the waivers to remain in effect.⁶²

12. *Call Release.* Call release allows a CA to set up a TTY-to-TTY call that, once established, does not require the CA to relay the conversation.⁶³ In other words, this feature allows the CA to sign-off or be “released” from the telephone line, without triggering a disconnection between two TTY users, after the CA connects the originating TTY caller to the called party’s TTY through, *e.g.*, a business switchboard. The Commission waived this requirement for VRS and IP Relay.⁶⁴

13. For those providers that have indicated they still require a waiver of the call release requirement, we find good cause to extend the waiver of this requirement for one year (or until the Commission addresses this requirement in a later proceeding, whichever comes first) due to technological infeasibility.⁶⁵ This conclusion is supported by the providers’ annual waiver reports, which illustrate that because these calls utilize both the Internet for one leg of the call and the PSTN (via TTY) for the second leg, developing processes to drop a CA from these calls raises a “host of technological challenges.”⁶⁶ For example, Hamilton explains that its Internet relay-to-TTY call architecture uses Internet protocol all the way to the workstation. Because Hamilton does not link to the PSTN, it cannot release the workstation from the IP Relay call.⁶⁷ Likewise, Purple explains that because the deaf caller to an IP Relay call does not connect to the relay center through the PSTN but rather only connects through the Internet, Purple has not been able to find a way for the CA (who is conversing with that deaf caller over the Internet) to be released from the call.⁶⁸ This waiver is also conditioned on the filing of a report, due April 16, 2013, addressing whether it is necessary for the waiver to remain in effect.⁶⁹

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Holdings’ waivers to expire. CSDVRS reports that it can offer one-line HCO over equipment or software supplied by CSDVRS, but cannot provide it over ported equipment using the H.323 standard. CSDVRS also notes that it does not require a waiver for HCO-to-TTY but still does require a waiver for HCO-to-HCO. *See* CSDVRS Report at 3-4. Therefore, we will allow CSDVRS’s waiver for HCO-to-TTY to expire, will extend its waiver for HCO-to-HCO, and will extend its waiver for one-line HCO only as to providing the service to users with non-CSDVRS-provided equipment or software. Snap!VRS states that it can handle one-line HCO calls, but cannot handle HCO-to-TTY or HCO-to-VCO consistently with maintaining adequate service. Snap Report at 6-7. Therefore, we will allow Snap!VRS’s waiver for one-line HCO to expire and will extend its waiver for HCO-to-TTY and HCO-to-HCO.

⁶¹ *See* n. 50, *supra*.

⁶² *See* ¶ 4, *supra*.

⁶³ *See 2003 TRS Report & Order*, 18 FCC Rcd at 12418-19, ¶¶ 68-69 (requiring call release as a TRS feature); 47 C.F.R. §§ 64.601(a)(6); 64.604(a)(3)(vi).

⁶⁴ *2011 TRS Waiver Order*, 26 FCC Rcd at 9455, ¶ 12; *see also 2003 TRS Report & Order*, 18 FCC Rcd at 12421, ¶ 76 (waived until January 1, 2008); *2007 TRS Waiver Order*, 22 FCC Rcd at 21873, ¶ 11 (extending waiver until January 1, 2009); *2008 TRS Waiver Order*, 23 FCC Rcd at 18337, ¶ 9, (extending waiver until January 1, 2010). *2009 TRS Waiver Order*, 24 FCC Rcd at 14726, ¶ 12 (extending waiver until July 1, 2010); *2010 TRS Waiver Order*, 25 FCC Rcd at 8442, ¶ 12.

⁶⁵ Healinc (Healinc Report at 2) and ASL Holdings (ASL Report at 3) state that they do not require a waiver of this mandatory minimum standard. Therefore, we will allow Healinc’s and ASL Holdings’ waivers to expire.

⁶⁶ *See* Sorenson Report at 3. *See also*, Hamilton Report at 3-4; Purple Report at 2; Sprint Report at 3.

⁶⁷ Hamilton Report at 3-4.

⁶⁸ *See* Purple Report at 2.

⁶⁹ *See* ¶ 4, *supra*.

14. *Pay-Per-Call (900) calls.* Pay-per-call (900) calls are calls wherein the caller pays for the call at a charge greater than the basic cost of the call.⁷⁰ The Commission waived this requirement for VRS and IP Relay.⁷¹

15. For those providers that have indicated they still require a waiver of the pay-per-call requirement, we find good cause to extend the waiver of this requirement for VRS and IP Relay for one year or until the Commission takes further action addressing these waivers, whichever occurs first.⁷² A majority of the providers' annual waiver reports reflect that they could not develop a billing mechanism that would accurately handle the charges associated with pay-per-call calls since the waiver was extended last year.⁷³ In addition, Hamilton notes that because carriers offering 900 services require the automatic number identification (ANI) of the calling party to be included in the signaling stream sent to its switch by 900 number services, it is technically infeasible for Hamilton to provide 900 services with IP relay.⁷⁴ Likewise, CSDVRS asserts that where CSDVRS is not the default provider and is merely providing dial around services for the caller, the lack of a relationship with the user, lack of automated knowledge of the caller's ANI, and no ANI to charge back means that CSDVRS is not able to charge relay users for pay-per-call services.⁷⁵ This waiver is also conditioned on the filing of a report, due April 16, 2013, addressing whether it is necessary for the waiver to remain in effect.⁷⁶

16. *Types of Calls (Operated Assisted Calls and Long Distance Calls).* Commission rules require TRS providers to handle any type of call normally handled by common carriers.⁷⁷ The requirements that VRS providers offer operator-assisted calls and bill certain types of calls to the end user were waived because providers could not determine if a VRS call was local or long distance.⁷⁸ VRS

⁷⁰ See 47 C.F.R. § 64.604(a)(3)(iv).

⁷¹ 2011 TRS Waiver Order, 26 FCC Rcd at 9455, ¶ 14; see also *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, Order, CC Docket No. 98-67, 17 FCC Rcd 157, 164, at ¶ 19 (2001) (2001 VRS Waiver Order); *IP Relay Order on Reconsideration*, 18 FCC Rcd at 4766-68, ¶¶ 13-18 (waiving this requirement for IP Relay until January 1, 2008); 2004 TRS Report & Order, 19 FCC Rcd at 12525-26, ¶¶ 130-32 (extending waiver of this requirement for VRS until January 1, 2008); 2007 TRS Waiver Order, 22 FCC Rcd at 21874, ¶ 13 (extending waiver until January 1, 2009); 2008 TRS Waiver Order, 23 FCC Rcd at 18338, ¶ 11 (extending waiver until January 1, 2010); 2009 TRS Waiver Order, 24 FCC Rcd at 14726, ¶ 14 (extending waiver until July 1, 2010) 2010 TRS Waiver Order, 25 FCC Rcd at 8443, ¶ 14 (extending waiver until July 1, 2011).

⁷² Healinc (Healinc Report at 1) and ASL Holdings (ASL Report at 2) indicate that they do not require a waiver of this mandatory minimum standard. Therefore, we will allow Healinc's and ASL Holdings' waivers to expire.

⁷³ AT&T Report at 1-2 (asserting that the establishment of a billing relationship would require providers to "make huge investments in billing and support systems, back-office personnel, training and distribution systems for generating and sending bills to users."); American Network Report at 3; CAAG Report at 3; Convo Report at 3; Hamilton Report at 4; Purple Report at 2; Snap Report at 3-4; Sorenson Report at 4; Sprint Report at 1.

⁷⁴ Hamilton Report at 4. Hamilton goes on to explain that even with implementation of ten-digit numbering for IP Relay, "significant technical hurdles" prevent it from automatically passing ANI and billing for these services. They say that without confirmation of the correct ANI, pay-per-call charges may be billed to the wrong party or fraudulently evaded.

⁷⁵ CSDVRS Report at 5.

⁷⁶ See ¶ 4, *supra*.

⁷⁷ See 47 C.F.R. § 64.604(a)(3)(ii).

⁷⁸ 2011 TRS Waiver Order, 26 FCC Rcd at 9456, ¶ 16; see also 2001 VRS Waiver Order, 17 FCC Rcd at 161, ¶¶ 9-10; 2004 TRS Report & Order, 19 FCC Rcd at 12521, ¶¶ 113-15; 2007 TRS Waiver Order, 22 FCC Rcd at 21874, ¶ 15 (extending waiver until January 1, 2009); see also 2007 TRS Waiver Order, 22 FCC Rcd at 21874, ¶ 14 n.44;

providers are required to allow calls to be placed using calling cards and/or provide free long distance during the waiver period.⁷⁹ In the *2008 TRS Waiver Order*, we also waived, on our own motion, this requirement for IP Relay “as long as the providers allow calls to be placed using calling cards and/or to provide free long distance calls.”⁸⁰

17. For those providers that have indicated they still require a waiver of the types of call requirement, we find good cause to extend the waiver of this requirement for VRS and IP Relay for one year or until the Commission addresses this requirement in a later proceeding, whichever comes first.⁸¹ The providers’ annual waiver reports reflect that their costs for developing a billing mechanism for VRS providers to offer operator-assisted calls and to bill for certain types of long distance calls remain prohibitively high. The providers state that this is because there is no existing contractual relationship between the provider and user, since one leg of the VRS call is transmitted over the Internet.⁸² Although we noted in the *2008 TRS Waiver Order* that providers will be able to determine the geographic location of both parties to the call as a result of the ten-digit numbering requirements, providers continue to report that they cannot offer operator-assisted calls or bill for long distance calls, because it would not be cost effective to set up a billing mechanism for this purpose.⁸³ Among other things, it is likely to be more costly to bill for these calls than to handle the calls for free, as has been done in the past.⁸⁴ We therefore waive this requirement for VRS and IP Relay for one year as long as providers allow calls to be placed using calling cards and/or provide free long distance calls. This waiver is also conditioned on the filing of a report, due April 16, 2013, addressing whether it is necessary for the waiver to remain in effect.⁸⁵

18. *Equal Access to Interexchange Carriers.* The TRS rules require that providers offer TRS users their interexchange carrier of choice to the same extent that such access is provided to voice users.⁸⁶ The Commission has waived this requirement for VRS providers, noting that it was not possible to determine if a call is long distance and, in any event, the providers could not automatically route the calls to the caller’s long distance carrier of choice.⁸⁷ The Commission also noted that this waiver was

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2008 TRS Waiver Order, 23 FCC Rcd at 18338, ¶ 13 (extending waiver until January 1, 2010); *2009 TRS Waiver Order*, 24 FCC Rcd at 14727, ¶ 17 (extending waiver until July 1, 2010); *2010 TRS Waiver Order*, 25 FCC Rcd at 8443, ¶ 16 (extending waiver until July 1, 2011).

⁷⁹ *2001 VRS Waiver Order*, 17 FCC Rcd at 161, ¶ 10; *2004 TRS Report & Order*, 19 FCC Rcd at 12521, ¶ 115.

⁸⁰ *2008 TRS Waiver Order*, 23 FCC Rcd at 18338, ¶ 12 n.40.

⁸¹ Healinc (Healinc Report at 2) and ASL Holdings (ASL Report at 3) indicate that they do not require a waiver of this mandatory minimum standard. Therefore, we will allow Healinc’s and ASL Holdings’ waivers to expire.

⁸² American Network Report at 3; AT&T Report at 2-3; CAAG Report at 3-4; CSDVRS Report at 5; Hamilton Report at 5-6; Snap Report at 4-5; Sorenson Report at 4-5; Sprint Report at 1. *But see* ASL Report at 2 (stating that ASL does not require a waiver); Healinc Report at 2 (stating that Healinc does not require a waiver). Although two providers assert that they no longer require a waiver, the majority of providers continue to assert the need for continuation of the waivers at this time.

⁸³ AT&T Report at 2-3; CSDVRS Report at 5; Snap Report at 4-5; Sprint Report at 1.

⁸⁴ AT&T Report at 2-3 (stating that the substantial costs of setting up a billing mechanism are not justified when compared to the minimal benefit of these features to IP Relay users, who incur no cost to make calls, including calls that might be considered long distance); Snap Report at 4-5 (stating that setting up a costly billing mechanism that has a marginal benefit would further increase the size of the TRS Fund.); Sprint Report at 1.

⁸⁵ *See* ¶ 4, *supra*.

⁸⁶ *See* 47 C.F.R. § 64.604(b)(3); *see also* *2003 TRS Report & Order*, 18 FCC Rcd at 12413-15, ¶¶ 54-61. This requirement is also called the “carrier of choice” requirement.

⁸⁷ *2011 TRS Waiver Order*, 26 FCC Rcd at 9457, ¶ 18; *see also* *2004 TRS Report & Order*, 19 FCC Rcd at 12524-25, ¶¶ 125-27 (waiving the requirement until January 1, 2008). *2007 TRS Waiver Order*, 22 FCC Rcd at 21874-75,

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contingent on VRS providers providing long distance services free of charge to the caller.⁸⁸ The Commission waived this requirement for IP Relay indefinitely.⁸⁹

19. We find good cause to extend the waiver of this requirement for all VRS providers for one year or until the Commission takes further action addressing these waivers, whichever occurs first. The providers' annual waiver reports again confirm that although providers now are able to determine whether a particular call is local or long distance, as discussed above, they do not have an established billing mechanism to charge for long distance calls.⁹⁰ For example, Snap!VRS notes that because the call from the VRS user to the provider is carried over the Internet, the provider does not necessarily know the user's identity or even the long distance nature of the call.⁹¹ Purple also notes that because its calls are assigned to a various call centers that use a mix of interexchange carriers, "it is impossible to guarantee routing of an outbound consumer call to any one particular interexchange carrier."⁹² Based on the record, we therefore extend this waiver for VRS for one year as long as the providers provide free long distance calls. This waiver is also conditioned on the filing of a report, due April 16, 2013, addressing whether it is necessary for the waiver to remain in effect.⁹³ Providers should specifically address the effect of the numbering and registered location requirements on the continuing need for this waiver.

20. *Speech-to-Speech.* In the *2000 TRS Report & Order*, the Commission recognized STS as a form of TRS and required that it be offered as a mandatory service.⁹⁴ The Commission waived this requirement indefinitely for VRS,⁹⁵ noting that STS is a speech-based service, whereas VRS is a visual service using interpreters to interpret in sign language over a video connection.⁹⁶ The requirement for IP Relay is currently waived until July 1, 2012 because of technical difficulties with respect to voice-initiated calls and the Internet.⁹⁷

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¶¶ 16-17 (extending waiver until January 1, 2009); *2008 TRS Waiver Order*, 23 FCC Rcd at 18339, ¶ 15 (extending waiver until January 1, 2010); *2009 TRS Waiver Order*, 24 FCC Rcd at 14727, ¶ 18 (extending waiver until July 1, 2010); *2010 TRS Waiver Order*, 25 FCC Rcd at 8444, ¶ 18 (extending waiver until July 1, 2011).

⁸⁸ *2011 TRS Waiver Order*, 26 FCC Rcd at 9457, ¶ 18.

⁸⁹ *IP Relay Declaratory Ruling & Second FNPRM*, 17 FCC Rcd at 7789, ¶ 31.

⁹⁰ American Network Report at 4; AT&T Report at 2-3; CAAG Report at 4; Convo Report at 4; CSDVRS Report at 6; Purple Report at 1-2; Sorenson Report at 5-6; Healinc (Healinc Report at 2) and ASL Holdings (ASL Report at 2) indicate that they do not require a waiver of this mandatory minimum standard. We note, however, that both providers indicate that they can only provide access to interexchange carriers on a non-presubscribed basis. As presubscription capability is an essential component of equal access, we do not accept these providers' claims of ability to comply; therefore, we will extend the equal access waiver for Healinc and ASL Holdings, as well as for the other providers.

⁹¹ Snap Report at 1-3.

⁹² Purple Report at 1.

⁹³ See ¶ 4, *supra*.

⁹⁴ *2000 TRS Report & Order*, 15 FCC Rcd at 5148-51, ¶¶ 14-20. STS allows persons with speech disabilities to communicate with voice telephone users through the use of specially trained CAs who understand the speech patterns of persons with disabilities and can repeat the words spoken by that person. See 47 C.F.R. § 64.601(a)(19).

⁹⁵ *2004 TRS Report & Order*, 19 FCC Rcd at 12526-27, ¶¶ 134-35 (waiving indefinitely STS requirement for VRS).

⁹⁶ *Id.*, 19 FCC Rcd at 12528, ¶ 139.

⁹⁷ *2011 TRS Waiver Order*, 26 FCC Rcd at 9458, ¶ 21; *IP Relay Order on Reconsideration*, 18 FCC Rcd at 4766-67, ¶¶ 13-14 (waiving STS requirement for IP Relay until January 1, 2008); see also *2007 TRS Waiver Order*, 22 FCC Rcd at 21875, ¶ 19 (extending waiver until January 1, 2009); *2008 TRS Waiver Order*, 23 FCC Rcd at 18340, ¶ 17

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21. We find good cause to extend the waiver of this requirement for IP Relay for an additional year until July 1, 2013, or until the Commission addresses this requirement in a later proceeding, whichever comes first. Providers continue to report that this service, like the VCO and HCO services, cannot be provided via IP Relay because providers have no control over the voice quality enabled by individual customer premises equipment.⁹⁸ This waiver is also conditioned on the filing of a report, due April 16, 2013, addressing whether it is necessary for the waiver to remain in effect.⁹⁹

B. Waiver for Default Providers Using Other Providers' CPE

22. We extend the waiver of certain mandatory minimum standards for default Internet-based TRS providers that are unable to meet such standards for newly-registered Internet-based TRS users who port their CPE from a former default provider, in those instances where the new default provider does not have access to the technical information about such CPE that would be necessary in order to comply with these standards.¹⁰⁰ Specifically, we extend the waiver for operational requirements,¹⁰¹ emergency handling requirements,¹⁰² and point-to-point calling associated with such ported equipment. As discussed above, the Commission has encouraged Internet-based TRS providers to work together to develop industry-wide standards that will facilitate compliance with our rules¹⁰³ and has set forth a detailed proposal for developing and maintaining VRS access technology standards designed to facilitate interoperability and portability goals.¹⁰⁴

23. Accordingly, consistent with the rationale in the *Second Internet-based TRS Order* and the Bureau's previous waiver extension orders, we find an extension of our waiver is in the public interest to allow more time for the industry to work on developing standards to enable Internet-based TRS providers to comply with all mandatory minimum standards regardless of the type of CPE used to access their services. We extend this waiver until July 1, 2013, or until the Commission addresses pending petitions regarding CPE portability, whichever comes first.¹⁰⁵

IV. ORDERING CLAUSES

24. Accordingly, IT IS ORDERED that, pursuant to sections 151, 225, and 251(e) of the Communications Act of 1934, as amended, 47 U.S.C. §§ 151, 225, and 251(e), and sections 0.91, 0.141,

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(extending waiver until January 1, 2010); *2009 TRS Waiver Order*, 24 FCC Rcd at 14728, ¶ 20 (extending waiver until July 1, 2010); *2010 TRS Waiver Order*, 25 FCC Rcd at 8444, ¶ 20 (extending waiver until July 1, 2011).

⁹⁸ American Network Report at 4-5; AT&T Report at 2; Hamilton Report at 2; Purple Report at 3; Sorenson Report at 7; Sprint Report at 1 (stating technology is not universally available that will allow every user to experience high quality service).

⁹⁹ See ¶ 5-6, *supra*.

¹⁰⁰ *Id.*; see also *2011 VRS FNPRM*, 26 FCC Rcd 17379, ¶ 17..

¹⁰¹ 47 C.F.R. §64.604(a)(3).

¹⁰² 47 C.F.R. §64.605

¹⁰³ See *supra* ¶¶ 5-6; see also *2009 TRS Order*, 24 FCC Rcd at 14728-29, ¶ 21, n.68; *2010 TRS Waiver Order* at 8445, ¶ 21, n.74; *2011 TRS Waiver Order*, 26 FCC Rcd at 9458, ¶ 22.

¹⁰⁴ See *VRS Structure and Practices FNPRM*, 26 FCC Rcd at 17390, ¶ 44, 17454-55, Appendix B, ¶ 32.

¹⁰⁵ We emphasize that this waiver is limited to the mandatory minimum standards set forth in the *Second Internet-based TRS Order*. See *Second Internet-based TRS Order*, 24 FCC Rcd at 822, ¶ 68 (citing 47 C.F.R. §§ 64.604(a)(3), 64.605); see also *2009 TRS Order*, 24 FCC Rcd at 14729, ¶ 22 n. 69; *2010 TRS Waiver Order* at 8445, ¶ 22, n. 75.

0.291, 0.361, and 1.3 of the Commission's rules, 47 C.F.R. §§ 0.91, 0.141, 0.291, 0.361, and 1.3, this ORDER IS ADOPTED.

25. IT IS FURTHER ORDERED that, for VRS, the waivers of the one-line VCO, VCO-to-TTY, and VCO-to-VCO; one-line HCO, HCO-to-TTY, and HCO-to-HCO; call release; pay-per-call (900) calls, types of calls, and equal access to interexchange carrier requirements are hereby extended for one year until July 1, 2013, conditioned on the filing of a report, due April 16, 2013, addressing whether it is necessary for the waivers to remain in effect.

26. IT IS FURTHER ORDERED that, for IP Relay, the waivers of the one-line VCO, VCO-to-TTY, and VCO-to-VCO; one-line HCO, HCO-to-TTY, and HCO-to-HCO; call release; pay-per-call (900) calls; types of calls, and STS requirements are hereby extended for one year until July 1, 2013, conditioned on the filing of a report, due April 16, 2013, addressing whether it is necessary for the waivers to remain in effect.

27. IT IS FURTHER ORDERED that, the waiver of certain mandatory minimum standards for default Internet-based TRS providers as set forth in the *Second Internet-based TRS Order* is hereby extended for one year until July 1, 2013, or the Commission's action, whichever is earlier.

28. IT IS FURTHER ORDERED that this *Order* shall be effective upon release.

29. 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 and 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>.

FEDERAL COMMUNICATIONS COMMISSION

Kris Anne Monteith, Acting Chief
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Sharon Gillett, Chief
Wireline Competition Bureau