



PUBLIC NOTICE

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NOTICE OF TEMPORARY EXTENSION OF CERTIFICATION OF PURPLE COMMUNICATIONS, INC. AS A PROVIDER OF INTERNET PROTOCOL CAPTIONED TELEPHONE RELAY SERVICE

CG DOCKET Nos. 03-123 & 10-51

By the Acting Chief, Consumer and Governmental Affairs Bureau:

By this Public Notice, the Consumer and Governmental Affairs Bureau (Bureau) announces that it temporarily extends, until February 11, 2014, the certification period for Purple Communications, Inc. (Purple) to provide Internet Protocol captioned telephone service (IP CTS)¹ and to receive compensation from the Interstate TRS Fund (Fund) for the provision of this service.²

On November 14, 2008, the Bureau granted Purple certification for the provision of IP CTS.³ This certification has been in effect for a period of five years, and is set to expire on November 13, 2013. On March 8, 2011, Purple Communications, Inc. (Purple) filed an application for Commission recertification as a provider of video relay service (VRS) and Internet Protocol relay service (IP Relay),

¹ The Communications Act of 1934, as amended, defines telecommunications relay services (TRS) as:

... telephone transmission services that provide the ability for an individual who is deaf, hard of hearing, deaf-blind, 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.

47 U.S.C. § 225(a)(3) (as amended by the Twenty-First Century Communications and Video Accessibility Act of 2010 (CVAA), Pub. L. No. 111-260, § 103(b), 124 Stat. 2751, 2755 (2010); Pub. L. No. 111-265 (technical amendments to CVAA)). IP CTS is a form of TRS designed to allow people with hearing loss to speak directly to another party on a telephone call and to simultaneously listen to the other party and read captions of what that party is saying over an IP-enabled device. *See* 47 C.F.R. § 64.601(16).

² The Fund currently compensates eligible providers of IP CTS based on the Multistate Average Rate Structure (MARS) methodology. *See* 47 C.F.R. § 64.604(c)(5)(iii). The Commission is reviewing the appropriate methodology for determining IP CTS rates and any grant or extension of certification is subject to a change of rate methodology or rates that may come about as a result of this review. *Misuse of Internet Protocol (IP) Captioned Telephone Service; Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, CG Docket Nos. 13-24 & 03-123, Report and Order and Further Notice of Proposed Rulemaking, FCC 13-118, ¶¶ 111-127 (rel. August 26, 2013) (*IP CTS Reform Order*).

³ *Notice of Certification of GoAmerica, Inc., as a Provider of Internet Protocol Captioning Telephone Service (IP CTS) Eligible for Compensation from the Interstate Telecommunications Relay Service (TRS) Fund*, CG Docket No. 03-123, Public Notice, 23 FCC Rcd 17055 (2008) (The company name changed from GoAmerica, Inc. to Purple Communications, Inc. on January 10, 2008 as part of the merger arrangement).

eligible for compensation from the Fund.⁴ On October 5, 2011, Purple amended its application to include a request for recertification as an IP CTS provider.⁵ The Bureau granted Purple conditional certification for the provision of VRS and IP Relay on January 4, 2012, but declined to take action on Purple's request for IP CTS recertification, advising Purple to file for IP CTS recertification closer to the expiration date of its IP CTS certification.⁶

On August 14, 2013, Purple filed a further amendment to its application for IP CTS recertification.⁷ The Bureau requires additional time to evaluate Purple's application for recertification and compliance with the Commission's rules. We therefore temporarily extend for a period of 90 days, up to and including February 11, 2014, Purple's IP CTS certification.

We remind Purple of its continuing obligation to meet or exceed the requirements set forth in the Commission's rules and orders, including all operational, technical, and functional TRS standards.

This temporary extension is effective upon release of this Public Notice.

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For further information, please contact Gregory Hlibok, Consumer and Governmental Affairs Bureau, Disability Rights Office, at (202) 559-5158 (voice/videophone), (202) 418-0431 (TTY), or e-mail at Gregory.Hlibok@fcc.gov.

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⁴ Purple Communications, Inc., *Application for Re-Certification as an Eligible VRS and IP Relay Provider*, CG Docket No. 03-123 (filed Mar. 8, 2011), amended on November 7, 2013 (Purple Recertification Application). *See generally* 47 C.F.R. § 64.606; *Structure and Practices of the Video Relay Service Program*, CG Docket No. 10-51, Second Report and Order and Order, 26 FCC Rcd 10898 (2011) (*iTRS Certification Order*).

⁵ Purple Communications, Inc., Amendment to Application for Re-Certification as an Eligible Relay Provider (filed Oct. 5, 2011) (Purple Recertification Amendment). Purple filed further amendments to its application on November 18, 2011, and December 27, 2011.

⁶ *Notice of Conditional Certification of Purple Communications, Inc., as a Provider of Internet Protocol Relay (IP Relay) and Video Relay Service (VRS) Eligible for Compensation from the Interstate Telecommunications Relay Service (TRS) Fund*, CG Docket No. 03-123, Public Notice, 27 FCC Rcd 112 (2012) (*2012 Purple Public Notice*).

⁷ Purple Communications, Inc., *Amendment to Internet-Based TRS Recertification Application Purple Communications, Inc.*, CG Docket No. 03-123 (filed August 13, 2013).