



PUBLIC NOTICE

Federal Communications Commission
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DA 23-214

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COMMENT SOUGHT ON AMENDED APPLICATION OF HAMILTON RELAY, INC., FOR CERTIFICATION AS A PROVIDER OF INTERNET PROTOCOL CAPTIONED TELEPHONE SERVICE

CG Docket Nos. 03-123

Comments Due: March 29, 2023

Reply Comments Due: April 10, 2023

The Consumer and Governmental Affairs Bureau (CGB or Bureau) of the Federal Communications Commission (FCC or Commission) seeks comment on the amended application of Hamilton Relay, Inc. (Hamilton), for full certification as a provider of Internet Protocol Captioned Telephone Service (IP CTS) supported by the Interstate Telecommunications Relay Services Fund (TRS Fund).¹

Hamilton has redacted portions of its application for which it requests confidential treatment. Access to the redacted material is governed by the Third Protective Order in this docket.²

¹ See Application of Hamilton Relay, Inc. for Certification as a Provider of Internet Relay Services and Internet Protocol Captioned Telephone Services, CG Docket Nos. 03-123 and 10-51 (filed Dec. 5, 2011) (Hamilton Application), <https://www.fcc.gov/ecfs/document/6016877168/1> (redacted); Sixth Amendment to Application of Hamilton Relay, Inc. for Certification as a Provider of Internet Protocol Captioned Telephone Services, CG Docket Nos. 10-51 and 03-123 (filed July 9, 2021) (6th Amendment), [https://www.fcc.gov/ecfs/file/download/DOC-5ea328d572c00000-A.pdf?file_name=Hamilton%20ASR-only%20\(Sixth\)%20Amendment%20-%20Redacted%20version.pdf](https://www.fcc.gov/ecfs/file/download/DOC-5ea328d572c00000-A.pdf?file_name=Hamilton%20ASR-only%20(Sixth)%20Amendment%20-%20Redacted%20version.pdf) (redacted); Seventh Amendment to Application of Hamilton Relay, Inc. for Certification as a Provider of Internet Protocol Captioned Telephone Services, CG Docket Nos. 10-51 and 03-123 (filed Mar. 24, 2022) (7th Amendment), https://www.fcc.gov/ecfs/file/download/DOC-5fef9732a0400000-A.pdf?file_name=Hamilton%20Seventh%20Amendment%20to%20IP%20CTS%20certification%20application.pdf. Hamilton, which began providing IP CTS prior to the Commission's adoption of the current certification rule, has interim eligibility to provide TRS Fund-supported IP CTS using communication assistants. See *Structure and Practices of the Video Relay Service Program*, CG Docket No. 10-51, Second Report and Order and Order, 26 FCC Rcd 10898, 10922, para. 59 (2011) (allowing a previously eligible applicant for certification to remain eligible pending Commission action on its application). Hamilton also has been granted conditional certification to provide fully automatic (ASR only) IP CTS. See *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, CG Docket No. 03-123, Memorandum Opinion and Order, DA 22-442, paras. 5, 22 (Apr. 20, 2022). That conditional certification expires April 19, 2024.

² See *Misuse of Internet Protocol (IP) Captioned Telephone Service; Structure and Practices of the Video Relay Service Program; Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, CG Docket Nos. 13-24, 10-51, and 03-123, Order and Third Protective Order, 33 FCC Rcd 6802, 6803, para. 4 (CGB 2018).

Filing Requirements. Interested parties may file comments on Hamilton’s amended application on or before the dates indicated on the first page of this document.³ All filings must reference CG Docket No. 03-123. Comments may be filed using the Commission’s Electronic Comment Filing System (ECFS).⁴

- 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. If more than one docket or rulemaking number appears in the caption of this proceeding, filers must submit two additional copies for each additional docket or rulemaking number.
 - Filings can be sent by hand or messenger delivery, 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.
 - Currently, the Commission does not accept any hand delivered or messenger delivered filings as a temporary measure taken to help protect the health and safety of individuals, and to mitigate the transmission of COVID-19. In the event that the Commission announces the lifting of COVID-19 restrictions, a filing window will be opened at the Commission’s office located at 9050 Junction Drive, Annapolis Junction, Maryland 20701.⁵
 - Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9050 Junction Drive, Annapolis Junction, MD 20701.
 - U.S. Postal Service first-class, Express, and Priority mail may be addressed to 45 L Street, NE, Washington, DC 20554.
 - During the time the Commission’s building is closed to the general public and until further notice, if more than one docket or rulemaking number appears in the caption of a proceeding, paper filers need not submit two additional copies for each additional docket or rulemaking number; an original and one copy are sufficient.

Ex Parte Requirements. The proceeding this Notice initiates shall be treated as a “permit-but-disclose” proceeding in accordance with the Commission’s *ex parte* rules.⁶ 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

³ See 47 CFR §§ 1.1, 1.45, 1.49.

⁴ *Electronic Filing of Documents in Rulemaking Proceedings*, GC Docket No. 97-113, Report and Order, 13 FCC Rcd 11322 (1998).

⁵ See *FCC Announces Closure of FCC Headquarters Open Window and Change in Hand-Delivery Policy*, Public Notice, 35 FCC Rcd 2788 (OMD 2020).

⁶ 47 CFR §§ 1.1200 *et seq.*

to Commission 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.

Accessible Materials. 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 Consumer and Governmental Affairs Bureau at (202) 418-0530.

For further information, please contact Ross Slutsky by e-mail at Ross.Slutsky@fcc.gov. Individuals who use videophones and are fluent in American Sign Language (ASL) may call the FCC's ASL Consumer Support Line at (844) 432-2275.