

**CONCURRING STATEMENT OF
COMMISSIONER MICHAEL J. COPPS**

Re: *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, Memorandum Opinion and Order, CG Docket 03-123

It is axiomatic that those who have access to communications technologies will get ahead in our society while those who don't are in serious jeopardy of being left behind. The Americans with Disabilities Act recognized this fundamental point when it required that persons with disabilities have access to facilities that are "functionally equivalent" to those facilities used by those without disabilities. This simple, if inelegant, term actually constitutes a civil right that has enabled millions of Americans with disabilities to fully utilize their talents and make tremendous contributions to our communities.

Essential to the success of those with hearing disabilities are telecommunications relay services (TRS) that enable them to communicate by phone or video to employers, doctors, family and friends. I concur in this decision because I believe that the TRS compensation system as it exists today is far less than transparent. The lack of consistent, clear and fully transparent rules make it difficult for the Commission to administer the program accurately while at the same time causing tremendous economic uncertainty for providers who want to develop and implement business plans to serve the hearing disabled. All this raises my biggest concern that, at the end of the day, it is the consumers who will suffer perhaps because they do not know that video relay service is available or because a provider chooses not to serve a community altogether.

This Order falls short by not tackling the larger problem of setting out transparent rules that everyone – providers and the FCC – can follow. I hope that the Commission undertakes such a rulemaking shortly so that we can answer the call for reliable, rational, and transparent TRS compensation rules.