

UNITED STATES OF AMERICA

FEDERAL COMMUNICATIONS COMMISSION

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CONSUMER ADVISORY COMMITTEE MEETING

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THURSDAY,
NOVEMBER 20, 2003

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The meeting convened at 9:00 a.m. in Room TW-C305 of the Federal Communications Commission, 445 12th Street, S.W., Washington, D.C., SHIRLEY L. ROOKER, Chair, presiding.

CAC MEMBERS PRESENT:

- SHIRLEY L. ROOKER, Chair
- THOMAS ALLIBONE
- MATTHEW D. BENNETT
- DEBRA BERLYN
- DAVID BRUGGER
- DIANE BURSTEIN
- ANNETTE CLECKNER
- JIM CONRAN
- CINDY COX
- MICHAEL F. DeICASINO
- MIKE DUKE
- LARRY GOLDBERG
- JOSEPH GORDON
- SUSAN GRANT
- DAVID HOROWITZ
- CHERYL JOHNSON
- BRENDA KELLY-FREY
- KAREN KIRSCH

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CAC MEMBERS PRESENT (Continued):

JEFFREY KRAMER
REBECCA LADEW
RONALD MALLARD
SUSAN PALMER-MAZRUI
DAVID POEHLMAN
MARK PRANGER
JOY M. RAGSDALE
EUGENE SEAGRIFF
DONALD SNOOP
BYRON ST. CLAIR
CLAUDE STOUT
RICHARD T. ELLIS
ANDREA WILLIAMS
DIXIE ZIEGLER (present telephonically)

ALSO PRESENT:

JONATHAN S. ADELSTEIN, Commissioner, FCC
PATTY BANNIER, Hamilton Relay Services
CLAY BOWEN, Virginia Relay
AMY BROWN, Legal Adviser
PAM GREGORY, Chief, Disability Rights Office,
Consumer Information Bureau
CHRISTOPHER LIBERTELLI
Senior Legal Adviser, FCC
KRIS MONTEITH, Associate Bureau Chief for
Intergovernmental Affairs, Consumer and
Governmental Affairs Bureau, FCC
K. DANE SNOWDEN, Chief, Consumer and
Governmental Affairs Bureau, FCC
PAM STEWART, Maryland Relay
KAREN PELTZ-STRAUSS, Powrie V. Doctor Chair
for Deaf Studies, Gallaudet University
THOMAS WYATT, Deputy Bureau Chief, Consumer
and Governmental Affairs Bureau, FCC

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I-N-D-E-X

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1 P-R-O-C-E-E-D-I-N-G-S

2 (9:01 a.m.)

3 WELCOME AND CALL TO ORDER

4 CHAIRPERSON ROOKER: If we could join
5 around the table? We have a very packed day, as
6 usual. I would also like to express some thanks to
7 people. The National Association of Broadcasters we
8 would like to thank for lunch and breakfast.
9 Breakfast is certainly good. So if lunch is equal to
10 that, we're in good shape here.

11 Also I would like to thank Betty Thompson
12 and the other FCC staffers who made this meeting
13 possible. Of course, that would not happen at all
14 without Scott Marshall, bless his heart. I know he
15 just gets so mad at me every time I say that.
16 Nevertheless, it's true because he does all the work.
17 He really does. Amy Brown is also doing a great
18 thing. Thanks from us for keeping us legal, making
19 sure we're not doing something that's wrong.

20 In addition to that, Verizon and MCI have
21 very generously donated teleconferencing services for
22 the working groups. We would like to thank them. We

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1 appreciate that very much because you really have made
2 the facilitating of the working groups so much easier
3 for us.

4 We have a new representative, some changes
5 in our membership from the National Urban League,
6 Michele Moore, but, unfortunately, Michelle could not
7 be with us today. Joining us instead is her
8 alternate, Lisa Malone. Lisa, where are you? Is she
9 here yet? Well, we hope she is going to be. I think
10 she is going to be joining us a little later. And
11 Stephen Gregory is no longer a member of the
12 committee.

13 I also would like to say that it has been
14 very gratifying to see the work that has been going on
15 in the working groups. You were called to the working
16 groups for a reason, obviously, because you have been
17 doing a lot of work. There has been a lot of
18 activity, a lot of discussion, teleconferencing,
19 e-mails, and then recommendations that have come out
20 of it that will be presented today.

21 There are a few of you who have not joined
22 a working group. I strongly encourage you to do so

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1 because without your participation in a working group,
2 you really are missing out on a lot of what is going
3 on in the committee. Let Scott know so that you can
4 be plugged in to the meetings that take place and so
5 that you will be getting all of the information in the
6 e-mails. Your participation is so important. I just
7 can't stress that enough.

8 Now I am going to turn this over to Scott,
9 who has some information that you need t pay careful
10 attention to because it has to do with a drill that is
11 going on here today.

12 MR. MARSHALL: Thank you, Shirley.

13 MEETING LOGISTICS

14 MR. MARSHALL: Good morning, everybody,
15 and welcome. Several quick announcements. As you
16 know from our agenda, we will be breaking out into the
17 working group sessions at the end of this hour.

18 We do have cart services and sign language
19 interpreters for all of those breakout sessions. By
20 the way, to the working group chairs, we can provide
21 you with an uncorrected transcript of your
22 discussions. However, we have assisted listening

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1 devices only here in the commission meeting room,
2 where the TRS group will be meeting, and in one other
3 working group room. It's an interference issue. And
4 that's due to the proximity of the rooms here today
5 that we are using. We can only run two assisted
6 listening device systems at one time.

7 So it would be very helpful to us if you
8 could identify yourself to us at this point if you
9 plan to attend the broadband working group, the
10 consumer complaints and outreach working group, or the
11 ancillary services working group and if you need an
12 assisted listening device. If you could raise your
13 hand and let us know what group so that we can set up
14 that equipment between now and 10:00 o'clock?
15 Anybody? Shirley?

16 CHAIRPERSON ROOKER: We have Joe, Rebecca.
17 Who else?

18 MR. MARSHALL: Keep in mind that if you're
19 going to be in the TRS group, you are not going to
20 have a problem. It's going to be right here. And we
21 are equipped in this room.

22 CHAIRPERSON ROOKER: I've got you and Joe.

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1 MEMBER GORDON: I think I would go to the
2 consumer complaint meeting if you can have assisted in
3 that.

4 MR. MARSHALL: Okay.

5 MEMBER GORDON: The word "complaint" is
6 what I am doing now.

7 CHAIRPERSON ROOKER: Which group?

8 MEMBER GORDON: Consumer complaint.

9 MR. MARSHALL: Fine.

10 MEMBER GORDON: Is that okay, Scott?

11 MR. MARSHALL: Fine.

12 MEMBER GORDON: Thank you.

13 MR. MARSHALL: And, Rebecca, you are going
14 to stay here or you are going someplace?

15 MS. LADEW (via interpreter): I will be
16 here.

17 CHAIRPERSON ROOKER: Okay. That solves
18 that problem.

19 MR. MARSHALL: I hope you got that
20 information. It's the Consumer and outreach group
21 that needs the portable assisted listening device
22 equipment.

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1 Everyone has been very conscious of
2 security after 9/11. That's certainly true here at
3 this agency. This morning there will be a
4 shelter-in-place drill taking place during our
5 meeting.

6 The shelter-in-place procedures are
7 designed to protect you, our guests, and our staff in
8 the unlikely event of a chemical or biological threat.
9 Basically, the building shuts down and people are
10 directed to designated shelter areas throughout the
11 building.

12 This morning, though, in order not to
13 interrupt this meeting, what we would like you to do,
14 we plan to adjourn the first session, Thomas Wyatt, at
15 about 9:45. We would like you to then quickly, as
16 quickly as possible, move to the breakout rooms. We
17 will have staff available to show you the way.
18 They're just across the hall, actually, and down the
19 corridor. Of course, if you're in the TRS group, you
20 stay right here. There are also signs on the rooms as
21 well.

22 We would like you to get in those rooms as

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1 quickly as possible and stay there for the duration of
2 the drill. The drill will occur at about 10:05. And
3 you'll hear a couple of announcements over our public
4 address system.

5 Please do not be alarmed by this. It's
6 only a drill. Go about your business in the usual
7 way. Keep working in your working groups. And there
8 should be no problem.

9 Then we would like to see you back here at
10 noon in the commission meeting room for lunch and our
11 luncheon presentation with Andrea Williams from CTIA.
12 Does anybody have any questions about the
13 shelter-in-place drill? Somebody said "Scott."
14 David, go ahead.

15 MEMBER POEHLMAN: I just want to know the
16 break, then, is it 9:45?

17 MR. MARSHALL: We will be adjourning at
18 9:45 to go to the breakout sessions, correct.

19 MEMBER POEHLMAN: At least one of us will
20 need to jump outside for a few minutes. And I didn't
21 know if that would interfere with the drill thing or
22 not.

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1 MR. MARSHALL: I would like you to go if
2 you at all possibly could go directly to your room
3 because the corridors are going to be very mobbed
4 during this drill process, we believe, because people
5 can't use the elevators and it's going to be a
6 challenge.

7 MEMBER BERLYN: Scott, it's Debbie Berlyn.

8 MR. MARSHALL: Hi, Debbie.

9 MEMBER BERLYN: Hi. Question. I don't
10 know if this is the appropriate time, but if you
11 belong to two groups --

12 MR. MARSHALL: You would have to make a
13 hard choice, Debbie.

14 MEMBER BERLYN: Is there any way that you
15 can? Is there a point at which we can go from one
16 group to the other during that period of time?

17 MR. MARSHALL: You certainly could after
18 the half-hour drill time if you wanted to float
19 between two groups. That's certainly your option. We
20 would like you to stay in one spot during the
21 shelter-in-place drill.

22 MEMBER BERLYN: Okay.

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1 MR. MARSHALL: Anything else?

2 (No response.)

3 MR. MARSHALL: And, of course, restrooms
4 are right out this door to my right and down the hall
5 to the left. They haven't moved since last time, I'm
6 happy to say. I guess that's it. Back to you,
7 Shirley. Thanks.

8 CHAIRPERSON ROOKER: Brenda, did you have
9 a comment?

10 MEMBER KELLY-FREY: This is Brenda
11 Kelly-Frey.

12 MR. MARSHALL: Hi, Brenda.

13 MEMBER KELLY-FREY: Hi, Scott. Just
14 wondering, since the TRS working group has also been
15 asked to consider homeland security as part of our
16 job, would it be possible for someone from the working
17 group to kind of observe what's going on with the
18 sheltering in place so that we can possibly include
19 some of the things that we have learned from the
20 sheltering in place here at the FCC in our suggestions
21 to the homeland security for disabled individuals?

22 MR. MARSHALL: I guess I'm not clear about

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1 your question, Brenda. We do have procedures in place
2 for our employees and guests with disabilities if this
3 were an actual emergency. We have special procedures
4 today because of this meeting going on in terms of
5 what we're doing in order not to disrupt the meeting.

6 MEMBER KELLY-FREY: I'm just wondering.
7 I think it would be very beneficial to see to maybe
8 meet with the people who do this, who have done this
9 drill, to just kind of find out what accommodations
10 were made or will be necessary for us to include in
11 our homeland security recommendations in the future.

12 MR. MARSHALL: Sure. I think we can work
13 that out.

14 MEMBER KELLY-FREY: Okay.

15 MR. MARSHALL: Yes. After the fact, I
16 think we can work that out without a problem.

17 MEMBER KELLY-FREY: Okay. Great. Thanks.

18 MR. MARSHALL: Just remind me. Okay?

19 MEMBER KELLY-FREY: Thanks.

20 MR. MARSHALL: All right. Anything else?

21 (No response.)

22 MR. MARSHALL: All right. Really back to

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1 you this time, Shirley.

2 CHAIRPERSON ROOKER: All right. Another
3 reminder. We are being televised. So behave
4 yourselves. Also I would like to ask you to please
5 sign in the registration sheet -- I believe it's out
6 in the hallway -- so that we have a record of your
7 being here.

8 With that, it gives me great pleasure to
9 introduce our first speaker because I think that we
10 have been asked that he come and speak to us again.
11 So, Thomas, you must have done something right the
12 first time.

13 We're delighted to have Thomas Wyatt, who
14 is the deputy bureau chief, who oversees the consumer
15 complaint and inquiry process. He has graciously
16 agreed to come back today, as requested by the
17 consumer complaints working group, which is chaired by
18 Joy Ragsdale.

19 Thomas, welcome.

20 (Applause.)

21 MR. WYATT: Thank you, Shirley.

22 THE LIFE OF A COMPLAINT

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1 MR. WYATT: It's good to be here. Scott
2 informed me that I have a little less time than I had
3 planned for. So I intend to keep my remarks fairly
4 brief. I'm sure Scott will see to that.

5 Also I believe you should have a copy of
6 my slide presentation in your packet. So that may
7 help speed us along as well.

8 I would like to talk about our consumer
9 center operations and then more specifically about the
10 informal complaint process. I believe some of you
11 have indicated that you want to understand the process
12 from beginning to end a little better. So I intend to
13 focus on the consumer complaint process.

14 My slides aren't up yet. There they are.
15 The second slide. Okay. Well, our consumer centers.
16 You have heard us say this before. Our consumer
17 centers are typically the consumer's first point of
18 contact with the FCC.

19 They operate in two locations: here in
20 D.C. and in Gettysburg, Pennsylvania. They really
21 operate virtually as one because they share schedules.
22 They don't duplicate any work. Really, they do the

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1 same functions in both centers. So there's really no
2 duplication. It's virtually one center, but we refer
3 to them as two.

4 We have about 72 consumer advocacy and
5 mediation specialists, or CAMS, as we call them, that
6 handle the telephones, that handle the complaints, and
7 respond to consumer inquiries.

8 We also have a distribution center that
9 supports the complaints process by sorting and
10 scanning the incoming mail. That's a pretty major
11 challenge given the amount of mail that we get from
12 time to time.

13 I want to talk a little about training as
14 well. I believe that was a question someone had about
15 training for the CAMS. Joe has probably had one of
16 the toughest jobs at the commission in my assessment.
17 He's required to have a pretty broad knowledge of
18 various commission rules and policies. As you might
19 imagine, that's a pretty major undertaking, but we try
20 to provide substantive training on a regular basis for
21 the CAMS.

22 For example, when the recent do not call

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1 requirements came out, we had some pretty in-depth
2 training for the CAMS on those requirements and how
3 they needed to handle consumer inquiries and
4 complaints.

5 We are also doing it with what is local
6 known affordability. So that is something we put a
7 lot of emphasis on. When there is a major initiative
8 by the commission, we try to make sure that the CAMS
9 receive substantive training on those requirements.

10 We also have a practice of sending out
11 daily e-mails on hot topics and special items of
12 interest. We also conduct in-depth monthly group
13 training on current policy issues.

14 Another thing we do is we put a lot of
15 emphasis on team building. So we have team-building
16 training as well to make sure that we're working as a
17 group. It's very important. We have a lot of diverse
18 issues to deal with. And we need to make sure that
19 we're all working together so that we get it right.

20 We also have research training for the
21 camps periodically as well. It's important that they
22 understand how to get at information that consumers

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1 need. Again, with the volume of the work that comes
2 out of the commission, it's important that they have
3 the ability to track that information down and provide
4 it to consumers.

5 Finally, we put a lot of emphasis on
6 customer service because consumers expect and demand
7 excellent service. I don't need to tell you all that
8 because you deal with consumers and you know that they
9 expect and demand excellent service. That's pretty
10 challenging sometimes because we will get calls and
11 consumers will want something that we practically are
12 not able to deliver, but we try to inform them of that
13 in a very nice way. Sometimes that doesn't even help.

14 So if we can go to the next slide, I
15 wanted to talk about the consumer center workload. We
16 divide the workload into two basic groups. Basically
17 it's the real-time work. That's the phone call.

18 When the phone rings, we have to answer
19 it. And we try to answer it as quickly as possible.
20 I don't have any available stats today, but generally
21 we answer the phone within 30 seconds in most cases.
22 I don't have the specific stats on that, but we do a

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1 good job of answering the phone very quickly. On
2 average, our CAMS take close to about 30,000 telephone
3 calls a month. That's speaking directly to the
4 consumer.

5 The next category, follow-on work we call
6 it, and that's the work that follows on after the
7 real-time work is done. Usually after a phone call,
8 there's some information that the consumer has
9 requested or the consumer has filed a complaint. So
10 that has to be processed into our system and has to be
11 worked.

12 Sometimes the CAMS will be required to
13 gather information and send out information. So
14 that's the work that falls on after the initial
15 contact with the consumer.

16 E-mail is a big part of that. We average
17 about close to over 15,000 e-mail a month as well.
18 These are e-mail that the CAMS are required to respond
19 to, usually within two days. Sometimes it takes a
20 little longer depending on the complexity, but we try
21 to respond to e-mail within two days of receipt.

22 We also get quite a bit of paper through

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1 the mail, paper complaints and inquiries. We receive
2 probably close to 9,000 of those each month.

3 So let's go to the next slide. I want to
4 keep going here. I wanted to talk about the informal
5 consumer complaints. I think I have sort of preached
6 this over and over again, but we really put a lot of
7 emphasis on this face.

8 An informal complaint can be filed by any
9 reasonable means. What I have listed here on this
10 slide is the most used means: toll-free call, voice
11 TTY. When someone calls in a complaint, that
12 complaint is manually entered into our database by the
13 CAMS while she is on the phone. Once that complaint
14 is in the system, then it can be processed by the
15 CAMS.

16 E-mail is normally efficient because we
17 can scan our menu into the database. Personal mail
18 probably presents the biggest challenge because we
19 have to scan that into our database. Our distribution
20 center does that, but sometimes the mail is not in
21 real good shape. So it requires some extra work to
22 get it into the system, and the same thing with fax.

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1 Sometimes fax communications aren't real legible and
2 we have to really work with those to get those in.

3 The internet is probably the easiest
4 method of getting a complaint to us from our
5 perspective because we can get that complaint directly
6 into our database from the internet. So it's really
7 an efficient way of getting the complaint to us.

8 The next slide I am going to go to is to
9 talk about the informal complaint process. I have a
10 flow chart here on these next two slides that
11 describes the process.

12 As I said earlier, any reasonable means to
13 file a complaint, let's say if someone files one via
14 the toll-free call, that complaint is processed and
15 logged into our tracking system, the same with e-mail,
16 personal mail, fax, and internet complaints.

17 Once they're logged into the system, the
18 CAMS then evaluate the content and jurisdiction we
19 have over the subject matter of the complaint. If the
20 content is not okay, then usually we try to obtain
21 additional information from the consumer.

22 If there's a jurisdiction problem, we

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1 refer the consumer to another agency. It could be a
2 state or federal agency. Sometimes we refer to the
3 enforcement division for their expert review of it as
4 well.

5 Let's say that if the content and
6 jurisdiction are okay, then, if you go to the next
7 slide, the complaint is usually forwarded to the
8 company or companies involved, usually within 20 days.

9 Martha is in the audience. I am looking
10 to her to confirm because I don't want to say
11 something that's really off base, but I believe we do
12 a pretty good job of getting complaints to the
13 carriers now, maybe within 20 days, Martha. Once it's
14 into our system, we can get it to the carrier within
15 20 days. And we're trying to improve that even.

16 We started a project a little over a year
17 ago electronically serving complaints on some
18 carriers; actually, some of the carrier
19 representatives here.

20 I believe the process is still working
21 pretty well. We're always looking to refine it. And
22 we hope to be able to refine it more very soon. But

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1 that works very well because we can get it to the
2 carrier sooner. They can address it sooner. And the
3 consumer is happy sooner because the carriers do a
4 real good job of making the consumer happy. So we
5 really want to see that process up.

6 Let's say we have the complaint. Whatever
7 means it got to us, we process it into our system. We
8 determined that it can be served. We served it. And
9 we get a response.

10 We reply to the response. Say the
11 complaint is satisfied. Well, we typically close it
12 because we don't do much more with the complaint,
13 although it could be subject to further review by the
14 Enforcement Bureau for some possible violation, but we
15 basically close it out once we hear from the carrier
16 and the consumer that it has been satisfied.

17 If it is not satisfied -- and I really
18 want to emphasize these points because I think there
19 is some misunderstanding about our informal complaint
20 process. It's really not designed to produce a
21 decision on the merits. We really try to facilitate
22 some of the resolution for the individual consumer.

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1 So if it's not satisfied, we may mediate
2 on behalf of the consumer. That might be a phone call
3 to Mike, for example, asking if they could take a
4 second look at it because we think there may be a
5 problem. Usually the companies are pretty good about
6 doing that. So we really try to facilitate some
7 resolution for the consumer.

8 Sometimes we will even require that
9 companies provide us additional information. So, for
10 example, if someone gives us a response that says,
11 "Well, we look at the complaint, and it's not valid,"
12 we don't usually view that as a legitimate response."
13 We expect some explanation of the situation and how
14 the company handled it. So we may go back and ask for
15 more information if we get that kind of response from
16 the company.

17 We also advise the complainant of options
18 because, again, we don't issue decisions on the
19 merits. If a consumer expects us to issue a written
20 decision that says, "Based on these facts, there was
21 or was not a violation of this particular rule or
22 order of the commission, they're not going to get that

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1 via the informal complaint process." But we'll
2 explain to them what their options are.

3 Under the commission's regulatory scheme
4 for common carriers, that option is to file a formal
5 complaint. So we provide detailed information about
6 how to pursue a formal complaint.

7 If I can sort of go to the last slide, I
8 guess, we want to talk a little bit about the
9 difference between inquiry and the complaint because
10 I get that question a lot.

11 As you can see from the slide, inquiry is
12 basically a communication to one of our consumer
13 centers seeking information about an issue or problem.

14 If the consumer doesn't name a company and
15 ask for relief from that company, we generally don't
16 view that as a complaint. Complaints are any
17 correspondence, communication to the consumer centers
18 by or on behalf of a consumer which alleges a
19 violation and seeks relief.

20 So if a consumer calls, writes, or
21 e-mails, whatever, and says, "In my dealings with X
22 company, I experienced this problem. And I think it

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1 was wrong, and this is the relief I want," then that
2 is definitely a consumer complaint. We forward that
3 to the company, which has the 30 days to respond.

4 I would point out that -- I alluded to
5 this earlier -- the companies that we serve complaints
6 on generally do a good job of addressing those
7 complaints. We did an informal study a little while
8 ago that showed about 80 percent of the complaints
9 that we serve are resolved to the satisfaction of the
10 consumer. I think that's a pretty good ratio.

11 We recognize there are at least 20 percent
12 of consumers who may not be satisfied, but, again, the
13 process is designed to facilitate informal resolution
14 on behalf of the consumer. I think it does a pretty
15 good job of accomplishing that.

16 So we are very pleased and proud of the
17 process. We are looking to refine it all the time.
18 We are always looking for suggestions on how to make
19 it better. We have regular discussions with the
20 companies that we serve complaints on to make sure
21 that we're not burning their systems and that we're
22 working together to really make it a full and

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1 effective process.

2 So that essentially describes the
3 complaint process. And I guess I will open it up to
4 questions if you have any. Yes?

5 MEMBER HOROWITZ: Tom?

6 MR. WYATT: Yes?

7 MEMBER HOROWITZ: I'm just wondering. Do
8 you log these complaints as to the subject matter?

9 MR. WYATT: Yes, we do.

10 MEMBER HOROWITZ: Are those put on the Web
11 site?

12 MR. WYATT: Well, we issue what we call a
13 quarterly statistical report on top consumer
14 complaints and inquiries. That report only lists the
15 top consumer complaints received for the previous
16 quarter.

17 We don't routinely put all of the
18 complaint categories on the internet, but that
19 quarterly report is available on the internet. As a
20 matter of fact, I am hoping that we will have one
21 coming out today.

22 MEMBER HOROWITZ: This is just my feeling.

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1 I feel that is really a good guide for people who are
2 looking at the Web site to know percentages of
3 complaints that come about certain issues -- it could
4 be from home phones to cell phones to whatever -- and
5 break those out. And it would also be something that
6 would really be interesting to the media because the
7 media is always looking for the top ten this and the
8 top ten that, but just to get an idea of what people
9 are really complaining about.

10 MR. WYATT: That is something we are
11 considering. As I said earlier, right now we are
12 focusing on the top categories. We are looking at
13 possibly broadening the scope of the report to include
14 some additional categories, but that is something that
15 we would appreciate some more comments on. It's
16 something maybe we will be able to do in the future.

17 CHAIRPERSON ROOKER: Okay. We have a lot
18 of questions. I saw Joe Gordon's hand first. Let me
19 just remind us, say who you are. But before you start
20 talking, hold your hand up so the people in the booth
21 can find you.

22 MEMBER GORDON: All right. I'm Joe Gordon

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1 from the League for Hard of Hearing. We represent a
2 large population of consumers that use telephone
3 really and watch closed captioning. I have a question
4 or I need some advice.

5 Many times consumers would like to write
6 a letter to the cable company, the TV company,
7 telephone company, and not write a letter complaining
8 to the FCC. They don't get a response. When they
9 write a letter to the FCC, they do get a response.
10 How can we solve that problem that we get an answer
11 from the company? Should we write to the company and
12 copy the FCC?

13 The big thing is specifically with, say,
14 closed captioning and television. If a consumer
15 writes to the cable company saying, "Why was there no
16 captioning?" they are not going to reply. If they
17 write a letter to the FCC saying, "There was no
18 captioning," they will get some acknowledgement. How
19 can we solve that problem?

20 MR. WYATT: And that's been a longstanding
21 problem. I think I alluded to this earlier. Most
22 companies are usually good about getting back to

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1 consumers.

2 We recognize that consumers don't always
3 get the response they want or expect. And we need to
4 encourage consumers to copy the company when they send
5 a letter to us because I think that does get their
6 attention. They're maybe more likely to respond
7 directly to the consumer. So the consumer has
8 indicated their intent that they have sent this to the
9 FCC.

10 Our goal is to make sure that the
11 consumers do get that response, which is why the
12 informal complaint process is so important because if
13 the consumer wants a response from the company and
14 they send us a complaint, we will facilitate that
15 process and make sure there is a response.

16 Oftentimes the company is in a much better
17 position to resolve something than we are. Just
18 facilitating that dialogue really speeds the process
19 up.

20 CHAIRPERSON ROOKER: Okay. I'm going to
21 try to get you in the order that I saw your hands.
22 David, I think you're next. I see you, David. Okay.

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1 MEMBER POEHLMAN: This is David Poehlman
2 with the American Council of the Blind. Hello,
3 everyone.

4 Thomas, thank you very much for presenting
5 this very clear road map and a very clear distinction
6 between an inquiry and an informal complaint. This is
7 something that a lot of people get confused about, as
8 you said.

9 I have a couple of real kind of logistical
10 kinds of questions. You say that e-mail can be
11 scanned in. Does that mean it's printed and then
12 scanned or does that mean that there is some other
13 process that you're referring to as scanning?

14 MR. WYATT: I believe that we print it and
15 then scan it. Usually the copies are very legible.
16 They're much easier to scan in. I believe that's the
17 process.

18 We're looking at ways now to actually not
19 have to scan it in but actually be able to input it
20 into our system without that process, but that's
21 something that we have in the works and hope to have
22 it available in the not-too-distant future.

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1 MEMBER POEHLMAN: That's going to actually
2 be part of my follow-up, and that is it's kind of
3 hard, I guess, sometimes to verify the authenticity or
4 genuinity of an e-mail. So I imagine you get a lot of
5 throw-aways. I'm sure you have something in place
6 that kind of helps screen that, but I'm sure it makes
7 your job really tough.

8 You alluded to the possibility of having
9 a way to encode the e-mail directly. Would one
10 possible solution be to send an e-mail form back to
11 the originator and have them like fill it in in an
12 e-mail and return it? Anyway, that's just an off
13 side.

14 I also was interested in the statistics of
15 the types of the media of the communications with the
16 FCC. I noticed that e-mail is -- what is it? --
17 practically double what paper is. I find that very
18 interesting.

19 MR. WYATT: Yes. E-mail has become very
20 prevalent. I mean, we're getting a lot of e-mail.
21 And the number is always going up. E-mail is also a
22 way for a lot of people to really get a point across

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1 to the commission.

2 I'll give you an example. We have been
3 receiving a lot of e-mail recently about the Golden
4 Globe award program. During that program, -- you all
5 might be familiar with it -- someone used the "f" word
6 in describing his experience at the Golden Globe
7 awards.

8 A lot of people were really outraged that
9 that was broadcast. So we've gotten a lot of comments
10 and complaints from consumers about the use of the "f"
11 word on the broadcast.

12 Most of them have come in via e-mail. We
13 get a lot of phone calls, but a lot of them have come
14 in via e-mail. It was thousands and thousands of them
15 in a very short period of time. So e-mail is a very
16 prevalent tool that consumers have at their disposal.

17 We recognize that. Our job is to be
18 poised and prepared to take that e-mail and work with
19 it effectively.

20 CHAIRPERSON ROOKER: Thank you, Thomas.

21 MEMBER POEHLMAN: Thank you.

22 CHAIRPERSON ROOKER: This side over here

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1 seems to have a lot of questions. I saw your hand
2 first. Go right ahead. Start at the end and work
3 your way up. Tell us your name. Okay.

4 MEMBER ALLIBONE: I'm Tom Allibone. I've
5 got a question for you. In my real life, I am
6 actually a consultant representing consumers. I have
7 filed on behalf of a number of consumers complaints
8 with the FCC over the past years.

9 It seems that the treatment or the process
10 -- okay? You did a very high level of review today of
11 the process and without a lot of details. I can tell
12 you that as a consultant, for example, something is
13 falling through the cracks in the informal complaint
14 process.

15 Definitely there is not a feedback loop.
16 And, in fact, even the consumers I represented also
17 did not get adequate feedback. So I want to bring
18 that to your attention, at least, if it has not been
19 brought up before in the past.

20 The second thing is more of a comment.
21 Okay? I have utilized your CAMS on a number of
22 different occasions to inquire. Quite frankly, part

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1 of what I do in my investigations, I am kind of
2 testing the waters all the time to see exactly what
3 you know and what you don't know.

4 I have to tell you that it's been kind of
5 hit and miss. I understand it's a tall task, you
6 know, in this new world order to be kind of an expert
7 in many, many areas, but what concerns me is that in
8 this new world of deregulation, of long distance and
9 local all coming back together again, phone bills are
10 more complex and confusing than ever, when consumers
11 bring complaints to you -- and I'll give you just a
12 real simple example.

13 A complaint comes forward where I'm being
14 billed, I discover, for a dial tone line that I
15 haven't had for 20 years. On the surface, it would
16 appear that that complaint may be better served going
17 back to the local/state public utility commission.
18 But, in fact, the way that the phone lines are
19 structured these days, there are multiple charges
20 associated with that dial tone line, as you know. And
21 many of those charges are regulated by the Federal
22 Communications Commission.

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1 I am just curious. Out of the statistics
2 that you gather and you capture, when you are making
3 a determination of what goes back to the state and
4 where you have jurisdiction there are these gray
5 areas. There are very important gray areas.

6 I asked a question of one of your folks
7 several months ago. I said, "Does anybody in the FCC
8 actually track the number of FCC subscriber line
9 charges that are being billed to nonexistent lines?"
10 It's kind of a squirrely question to ask.

11 The reason I was asking that question is
12 because that same complaint goes back to the state
13 public utilities. You find out that a consumer has
14 been paying for a nonexistent line for 20 years and
15 this money has been collected. Okay? I am just
16 curious, things like that.

17 It's just one example. How are you making
18 the tough call on some of these cases that could have
19 state implications and FCC implications? And how are
20 you really sharing that data?

21 MR. WYATT: You pointed up a challenge
22 that we have. I mean, these are the tough issues.

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1 Some of the things you pointed out are issues that
2 most attorneys here wouldn't be able to answer in
3 response to the initial phone call. They require some
4 amount of analysis.

5 I think our process is not structured
6 towards having expertise on the phone. We have people
7 that are knowledgeable about tracking down information
8 to give the information back to the consumers, but we
9 don't have so-called experts on the phone who are able
10 to answer really tough questions sometimes.

11 A lot of them are really tough. Frankly,
12 we sometimes get the jurisdictional calls wrong. But
13 we work with our state counterparts to try to make
14 sure that we get it right. We're always looking to
15 improve that process. And that's why comments like
16 yours are always appreciated, because it tells us that
17 we need to work harder and figure out how to do things
18 better.

19 So I welcome those comments. I know I am
20 not really answering your question, but it's a tough
21 question. I don't have a ready answer for it. We
22 will look at the process, the types of complaints that

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1 you describe. We do get them, and we try to make sure
2 that we have jurisdiction before we put any obligation
3 on the companies to respond to us.

4 I mean, it's not our role to require the
5 companies to respond to matters that are more properly
6 within the jurisdictions of the states. So we try to
7 do a good job of getting things to the state.
8 Sometimes they'll send them back. And then the
9 consumer may be left in the lurch a little bit.

10 We try to figure out an answer eventually
11 and get it back to the consumer. It's not a perfect
12 process but one that I think if we keep working to
13 make it better and keep our focus on serving the
14 consumer, we will get it right.

15 CHAIRPERSON ROOKER: Okay. Let's work our
16 way up the table. I think there were some hands. Who
17 was the next person? Susan?

18 MEMBER GRANT: Good morning. Susan Grant
19 from the National Consumers League.

20 CHAIRPERSON ROOKER: Put your hand up,
21 Susan, so she can see you.

22 MEMBER GRANT: I have a two-part question

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1 about inquiries. If a consumer contacts the FCC about
2 an industry-wide problem or perceived gap in the FCC
3 rules and doesn't name a specific company, is that
4 considered an inquiry, rather than a complaint?

5 Secondly, do you track inquiries to see
6 what people are asking about, which might be useful in
7 terms of developing consumer education programs as
8 well as looking at whether or not, in fact, there are
9 systemic problems in telecommunications that might
10 need to be addressed in a policy way.

11 MR. WYATT: In response to your last
12 question, absolutely. We track inquiries very
13 closely. It's something that we put a lot of emphasis
14 on because the other bureaus rely on us to provide
15 them that information about what consumers are
16 inquiring about because the inquiries often point up
17 a problem or an issue that needs to be addressed in
18 some regulatory fashion or in some other fashion.

19 So it also points up the need for us to do
20 more outreach because if consumers are calling us with
21 a lot of questions about a matter, it tells us that
22 we're not getting good information out. So we use

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1 that information to develop outreach materials and to
2 improve our fact sheets so that we can better educate
3 consumers.

4 Regarding your first question, generally
5 no. We don't generally treat that as a complaint. If
6 they're pointed up in industry-wide, what they view as
7 an industry-wide problem, we don't generally track
8 that as a complaint.

9 We track that as an inquiry, although if
10 we get enough of those, those are given a lot of
11 attention as well because we have enough of those. It
12 tells us that there is something that we may need to
13 address.

14 CHAIRPERSON ROOKER: Okay. Thank you.
15 Claude, I think you were next. No? Okay. Is there
16 any other one? All right. Joe, you have had one
17 question already. I've got to give Larry and then Joy
18 a chance. Sorry about that. He's pouting.

19 MEMBER GOLDBERG: Hi. This is Larry
20 Goldberg from WGBH in Boston Media Access Group. I
21 had a question about both the reporting and
22 potentially the policy decisions made on the volume of

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1 these complaints.

2 I am an avid reader of the daily digest
3 and see a tremendous number of particularly slamming
4 complaints that are received and resolved. These are
5 basically complaints made and decisions made based on
6 the volume of the complaints, the top ten list also.

7 I know there are a lot less complaints
8 about access issues. It's very hard for you to make
9 any decisions based on the quality of a complaint,
10 instead of quantity, but because there are so few
11 access complaints, it's a smaller population,
12 communications problems are endemic, I am concerned
13 that all of those access issues are getting sort of
14 buried.

15 Certainly in the quarterly report, you
16 won't see them in the top ten often. Sometimes you
17 will. But there's a difference between a two-dollar
18 overcharge in your phone bill and the fact that there
19 were no captions during an emergency, for instance.
20 I know that's a quality issue.

21 I think a lot of the disability access
22 complaints are really played down significantly.

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1 MR. WYATT: If I can come in next, I would
2 like to differ with you. By all means, are they
3 varied. I think we probably scrutinize access
4 complaints as much or more than any other complaints.

5 You mentioned that we don't get as many.
6 That's very true. We don't get a lot of access
7 complaints, but we do scrutinize them. We share
8 information with the Enforcement Bureau. We have a
9 telephone accessibility specialist whose primary job
10 is to really zero in on those complaints and identify
11 issues that might require some explanation.

12 I personally have been involved in
13 mediating some access complaints over the past year.
14 That tells you as well that we take them very
15 seriously. And if there are issues raised that
16 require more attention within the bureau, then they
17 certainly receive it.

18 So the fact that they don't appear on the
19 quarterly report as one of the top categories by no
20 means reflects the seriousness with which they take
21 them.

22 CHAIRPERSON ROOKER: Joy, I think you were

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1 next.

2 MEMBER RAGSDALE: Good morning. Joy
3 Ragsdale with the Office of People's Counsel,
4 representing NASUCA, state utility consumer advocates.

5 I have several questions, the first one in
6 regards to the jurisdiction. How do you guide the
7 consumer in understanding where they should go to file
8 their complaint?

9 NASUCA is also interested in establishing
10 a point-to-point relationship with FCC, not
11 representatives at the call center but key staff
12 members where we can help guide our consumers without
13 having to go through the normal process.

14 My local office, the Office of People's
15 Counsel for D.C., we have a good relationship with
16 Martha Contee. So we are able to call her directly.
17 And some of the other member offices would also like
18 to establish that type of relationship across the
19 country. So that's I guess a two-part question.

20 MR. WYATT: Well, we really try to put a
21 lot of information in our fact sheets that really draw
22 the line in terms of what should come to us and what

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1 should go to the states. We are always looking to
2 improve those fact sheets.

3 We also post information on the internet.
4 And we also supply our CAMS with scripts that they can
5 use in responding to questions along jurisdictional
6 lines.

7 It's a challenge because there are so many
8 overlapping areas. It's tough to sort them out
9 sometimes, but what we try to do is make sure that our
10 fact sheets are as clear as possible. We have
11 information on the internet. Consumers can access
12 that and make a decision about where to go.

13 We also try to make sure that we can
14 facilitate the exchange of information between us and
15 our state counterparts. So, for example, if we
16 receive a complaint that we think belongs to a state,
17 then we know who at that state to contact and send
18 that complaint to. So we try to speed the process
19 along. Sometimes we'll tell the consumer, "You should
20 go there" or sometimes we'll take the complaint and
21 actually send it there on a consumer's behalf. That
22 works as well.

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1 So it's a challenge. And I think the key
2 is to try to get good information out to consumers,
3 make sure that the CAMS are able to answer questions
4 about jurisdiction and direct the complaints
5 accordingly.

6 MEMBER RAGSDALE: So you said you would
7 send it to the commissions as your counterpart or
8 would you also be interested in sending it to the
9 NASUCA offices or other consumer advocate offices?

10 MR. WYATT: We try to ascertain what other
11 agency organization has some control or involvement
12 with the complaints. Once we identify who the best
13 party is to handle the complaint, our goal is to get
14 it to that party, so not necessarily a state
15 commission. It could be another state agency. For
16 example, local franchising authorities receive a lot
17 of referrals from us on cable-related complaints.

18 CHAIRPERSON ROOKER: Joe, if you have a
19 short follow-up? Stick your hand up.

20 MEMBER GORDON: Joe Gordon, League for
21 Hard of Hearing. I would imagine you get a lot of
22 complaints that are not under your jurisdiction, but

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1 do you ever write a letter of concern?

2 I'm specifically speaking about TV Guide,
3 which we all know no longer publishes "CC," "Closed
4 Captioning," in their TV Guide, which is really
5 something nobody understands. If you get complaints
6 on that and TV Guide doesn't fall under your
7 jurisdiction, would you ever write a letter of concern
8 about something like that?

9 MR. WYATT: Let me answer that this way.
10 That would be a call that would be made by probably
11 someone well above me because clearly we have no
12 jurisdiction over TV Guide. I mean, who am I to call
13 them and even give them a recommendation? That's
14 something that I would imagine that if the commission
15 is inclined to do it, it would be a decision made by
16 someone much higher than me.

17 this whole thing we typically don't do.
18 We don't have jurisdiction. I mean, we don't inure,
19 if I can use that word, to areas where we clearly
20 don't have a jurisdiction because there are a lot of
21 people that don't appreciate that.

22 And we have so many areas where we do have

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1 jurisdiction that it's somewhat of a resource issue
2 for us as well.

3 CHAIRPERSON ROOKER: Thomas, thank you
4 ever so much for being with us. Obviously everyone
5 has enjoyed having you again.

6 (Applause.)

7 CHAIRPERSON ROOKER: I'm sorry. Thomas,
8 can we bring you back? I'm sorry. Susan, I totally
9 missed your hand. Please forgive.

10 MEMBER PALMER-MAZRUI: Okay. This is
11 Susan Palmer-Mazrui for Cingular Wireless. I
12 apologize for making you come back.

13 I was wondering if there was a possibility
14 of addressing some of Larry's concerns. I know in
15 terms of numbers the complaints won't be in the top
16 ten for accessibility or other pertinent issues.

17 I'm wondering if there could be a section
18 that would talk about concerns or trends or issues
19 that might highlight the dedication that your staff
20 has on the issue and that as well on a daily release
21 that that goes out because I think that there really
22 hasn't been a lot of information. It may be resolved,

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1 but you might prevent some complaints if companies and
2 organizations know that you're looking into it and
3 taking steps to resolve things.

4 MR. WYATT: I think that's something that
5 we can consider doing. I don't know whether that's
6 something that would come out of one of the working
7 groups, their recommendations, but we're certainly
8 willing to take that up as a recommendation and see
9 what we can do with it. I think it would have some
10 value to consumers. So I'm certainly more than
11 willing to take that up.

12 It's a clarification question for Scott.
13 Scott, is that something that would come to us as a
14 recommendation?

15 MR. MARSHALL: I'm sorry, Thomas. What
16 was the question again?

17 MR. WYATT: Expanding the scope of our
18 quarterly report to include complaints that don't fall
19 within the top categories?

20 MR. MARSHALL: Sure. Yes. That certainly
21 would fall into the consumer complaints outreach and
22 education working group's purview.

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1 MR. WYATT: Again, I would be happy to
2 take that recommendation and work with it.

3 CHAIRPERSON ROOKER: Debbie, if your
4 question is very fast? It's got to be fast.

5 MEMBER BERLYN: I hope so. I just wanted
6 to ask what you do to anticipate a new and high volume
7 of complaints that might be on the horizon. For
8 example, on the eve of the implementation of wireless
9 LNP, actually wireline LNP, I'm just wondering if you
10 have taken any steps to anticipate complaints on that?

11 MR. WYATT: Oh, boy, have we.

12 CHAIRPERSON ROOKER: There is your answer.

13 MR. WYATT: We learned many hard lessons
14 over the years. We know now that we need to prepare
15 when there's a major initiative launched by the
16 commission because consumers are going to call us,
17 they're going to e-mail us, and they're going to write
18 us. We need to be prepared to take that
19 correspondence and deal with it.

20 So we've had very detailed training for
21 our CAMS. We have talked extensively with our
22 colleagues in the Wallace Bureau to make sure that we

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1 understand what we should be saying to consumers.

2 We've talked to some of our counterparts
3 in industry about issues and how they're going to deal
4 with them so that we can be as consistent as possible
5 so that we'll know where to steer consumers as well
6 because our goal is to really get consumers an answer.
7 And if we know where to send them out to companies,
8 then that really helps our process.

9 CHAIRPERSON ROOKER: Thank you ever so
10 much for coming back.

11 (Applause.)

12 CHAIRPERSON ROOKER: Just a reminder, the
13 drill starts at five after 10:00. You need to be in
14 your rooms. You cannot go visit other groups while
15 that process is going on for about a half an hour.
16 After that, if you want to sit in on several of the
17 other working groups, you can do that.

18 Does anyone have any questions before we
19 break?

20 (No response.)

21 CHAIRPERSON ROOKER: You will be back here
22 at 12:00 o'clock for lunch. As far as where you're

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1 going?

2 MR. MARSHALL: The rooms are right out
3 this door to my right and down the corridor. They are
4 on either side of the corridor. There is signage
5 there for each group. And we have FCC staff that will
6 be able to direct you as well. Again, the TRS group
7 will stay right here. And the other three working
8 groups will adjourn to those rooms. It's 402 and 445
9 B and C are the actual room numbers.

10 CHAIRPERSON ROOKER: Okay. Thank you
11 much. We will be back here at noon.

12 (Whereupon, at 9:49 p.m., the foregoing
13 matter was recessed, to reconvene at
14 12:00 noon the same day.)

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1 A-F-T-E-R-N-O-O-N S-E-S-S-I-O-N

2 (12:11 p.m.)

3 CHAIRPERSON ROOKER: If everyone would
4 come back to the table, please? We've got an
5 interesting presentation during lunch. I appreciate
6 your courtesy in doing that. Hint, hint.

7 It gives me a great pleasure to turn the
8 CAC over to Andrea Williams, who is one of our
9 members, who is going to talk about some new
10 developments. I am going to let you just take it from
11 there, Andrea.

12 MEMBER WILLIAMS: Okay. Thank you,
13 Shirley.

14 PRESENTATION: VOLUNTARY CONSUMER INFORMATION CODE

15 MEMBER WILLIAMS: first of all, I wanted
16 to thank Shirley and Scott for giving CTIA the
17 opportunity to talk about some of the things that we
18 are doing with respect to wireless consumer
19 complaints, how we are trying to make it better for
20 our consumers.

21 And what I am going to talk about today is
22 the CTIA consumer code for wireless service and also

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1 let you know where we are on wireless number
2 portability. As we all know, that's four days away.
3 And we will let you know where we are.

4 One of the things that we wanted to do
5 when CTIA was developing a consumer code for wireless
6 services, we are trying to find as many opportunities
7 as we can to get the word out to consumers, what it
8 is, what they can expect.

9 We thought it would be great to have the
10 consumer advisory committee make a presentation to
11 members since you represent some of the largest
12 consumer advocacy groups as well as some of the state
13 agencies that deal with consumers and as a vehicle to
14 really help us get the word out to consumers so that
15 they can get information so that they can make
16 informed choices about their wireless services.

17 On September 9th, 2003, we, CTIA, publicly
18 announced the consumer code for wireless service. And
19 we unveiled what we call the official seal of
20 wireless-quality consumer information. What I am
21 going to tell you about a little bit, what the purpose
22 is and also in terms of what the purpose of the seal

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1 is, this program that CTIA has developed has been over
2 a year in developing.

3 Really, it started, I would say, almost
4 two years ago with a phone call from Thomas Wyatt and
5 Martha Contee to me saying, "We see a trend in
6 wireless complaints. Come over. Let's talk about it
7 and see where we're going."

8 The research director, myself came over.
9 We had a meeting with Thomas and Martha showing us
10 where they had seen a spike in number of wireless
11 complaints. Around that time, also things were
12 happening on the Hill and in California and other
13 states in terms of wireless services and getting
14 information to consumers.

15 So what we did, as CTIA always does, we go
16 to the heads of our member companies, which are
17 presidents and CEOs, and say, "How can we help our
18 customers understand better how to make informed
19 choices about wireless services?"

20 Believe me, when you get six major
21 competitors sitting in a room trying to reach some
22 consensus, it's not easy. To say that we have come

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1 this far in a year, believe me, someone called me.
2 They said, you know, "Andrea, I'm going to give you
3 sainthood for hurting CAS. It's called sainthood for
4 hurting wireless members."

5 We realize that as a growing industry --
6 and right now, as many of you know, we have
7 experienced a fantastic growth, particularly in the
8 last couple of years.

9 What we are seeing is over 115 million
10 subscribers. The interesting thing, even though we
11 have a large number and we continue to grow, we are
12 finding that per capita, our wireless complaints have
13 fallen or are holding steady based on our meetings,
14 the information that we are getting from the FCC.

15 We realize as a growing industry that we
16 also have a responsibility to consumers. What we are
17 trying to do with the code is to help consumers better
18 understand what they can expect from the wireless
19 service provider. It's the wireless industry I feel
20 that is making an important statement about our
21 commitment to our customers and to service quality.

22 There are three basic tenets of the code.

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1 First is to provide consumers with information to help
2 them make informed choices in selecting wireless
3 services, help ensure that consumers understand their
4 wireless service and rate plans, and to continue
5 offering wireless services that meet consumers' needs.

6 What we did in terms of looking at what
7 should be in this consumer code for wireless service,
8 there are basically ten points. There is a handout
9 that sort of gives you -- I am just going to go
10 through basically the basic what the ten points are,
11 but there is more information in terms of defining and
12 explaining each of those ten points.

13 What we did with the help of the FCC in
14 terms of they provided us with some of the informal
15 complaints as well as the inquiries and also talking
16 to some of the state consumer agencies and even some
17 of the consumer advocacy groups, trying to identify
18 what were some of the issues of greatest concerns to
19 consumers.

20 And we found that they would basically fit
21 in three areas. First was how rates and terms of
22 service are disclosed, including clear service area

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1 maps and addressing termination rights and privacy
2 concerns.

3 What we came up with, again, is this
4 ten-point consumer code for wireless service,
5 disclosed rates and terms of service to consumers,
6 make available maps showing where service is generally
7 available, provide contract terms to customers, and
8 confirm changes in service, allow a trial period for
9 new service, -- and as part of the code, the trial
10 period is a minimum of 14 days -- provide specific
11 disclosures in advertising, separately identify
12 carrier charges from taxes on billing statements,
13 provide customers a right to terminate services for
14 changes to contract terms, provide ready access to
15 custom service, promptly respond to consumer inquiries
16 and complaints received from governmental agencies,
17 and abide by policies for protection of consumer
18 privacy.

19 When we launch this, you will find that
20 many of the nation's large carriers are implementing.
21 Some already have fully implemented. Some are still
22 in the process.

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1 For example, Alltel; ATT Wireless;
2 Cingular; Verizon; Nextel; Sprint PCS; for those of
3 you in the Midwest, U.S. Cellular; T-Mobile; U.S.A.,
4 all of them have adopted these principles of the code,
5 not only our large carriers but we're also finding
6 many, many of our small carriers are also adopting the
7 code. Again, we're still in implementation stages.
8 So you are going to probably see what I will next show
9 you as a seal on various Web sites.

10 This is a seal of wireless quality
11 consumer information. You've heard that saying, "Look
12 for the seal." That's what we want customers and
13 consumers to do, is look for the seal of wireless
14 quality consumer information.

15 Not everyone gets to use a seal. What the
16 seal does, it marks a carrier's voluntary
17 participation in CTIA's voluntary consumer information
18 code program. And it signifies that the carrier
19 supports not only the basic tenets of the code but
20 also that they adopt the principles, disclosures, and
21 practices that are outlined in the ten-point that you
22 just saw, and that they are fully implemented, those

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1 practices, throughout their operations.

2 So you can imagine for nationwide
3 carriers, this has been a tremendous process for them
4 over the last couple of months, particularly if they
5 wanted to use a seal.

6 At CTIA, with any type of seal, there is
7 always the question, "Well, how can you assure that
8 people are going to stay in compliance?" What we have
9 done, we have set up an annual certification process,
10 which is handled by CTIA's legal department, Mike also
11 and me.

12 In order to be awarded use of the seal,
13 the company has to adhere to all ten points of the
14 consumer code for wireless services, not just one or
15 whatever they feel like; all ten.

16 They have to certify to us in writing that
17 they have adopted and have fully implemented the code
18 throughout their operations. Usually that requires a
19 signature from someone in senior management at the
20 president/CEO level or senior vice president/executive
21 vice president.

22 What we have is an annual recertification.

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1 If you're not in compliance with the code, you will
2 not be permitted to display the seal. I can tell you
3 just from the three months of the program being
4 launched publicly, the carriers, the seal has become
5 very much a competitive issue among them.

6 I get calls from my members saying, "Well,
7 you know, so and so member has a seal. And did you
8 see their coverage map? You need to take a look at
9 this, Andrea" or I'll have carriers even saying,
10 "Well, we were the first one to be certified. So we
11 get to use the seal first."

12 So it's having the impact that we had
13 hoped it would. And it's making them aware, our
14 members aware, that this is going to be an area where
15 they are going to be competing for consumers. And it
16 makes good business sense to voluntarily adopt the
17 code.

18 Because we are a trade association, it is
19 a voluntary process. One of the interesting things I
20 found out last week was that in I think one of the ETC
21 proceedings, the carrier, one of the requisites that
22 is being required in order to get ETC status, said

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1 they have to adopt the code, the CTIA consumer code
2 for wireless service, in order to gain ETC status.

3 At CTIA, we feel that is a major, major
4 event because what that says to us is that on a
5 federal level, we're being recognized that this is
6 something good for consumers as well as for carriers.
7 If you want ETC status, adopt the code.

8 In terms of if you want more information
9 on the consumer code for wireless service, you can go
10 to CTIA's Web site. I am going to see if this works.
11 It should come up. Well, while we're waiting,
12 basically if you go to CTIA's Web site, there is a
13 display of the seal. When you click that on, there is
14 all of the information. Most of this is information,
15 what you have in your handouts in terms of the
16 consumer codes. There's Q&A's.

17 At any rate, in terms of those of you who
18 have consumer advocacy groups and state consumer
19 advocacy agencies, if you like for CTIA to come and
20 talk to your groups about the code of consumer
21 wireless, the consumer code for wireless service, we
22 would be happy to do so.

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1 It's important that we get this
2 information out to consumers. Feel free to link your
3 constituents, your clients, the public, whoever you
4 deal with, to our site where they can get information.

5 Eva Won, who is dealing with the state
6 level on these issues, she is the contact person at
7 CTIA or you can always call me. Everyone here I think
8 knows where they can reach me.

9 Shirley, do you want me to divide this up
10 in terms of taking questions on this and then talk
11 about wireless number portability?

12 CHAIRPERSON ROOKER: Why don't we take
13 questions on your code because I have one?

14 MEMBER WILLIAMS: Sure.

15 CHAIRPERSON ROOKER: I like what you're
16 saying. The question that I have for you is when,
17 let's say, I as a consumer go to a retailer of
18 wireless phones and services. What is their
19 obligation to provide me with this information? You
20 are talking about the major carriers; correct?

21 Let's suppose I go to a small company that
22 is a seller of these services.

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1 MEMBER WILLIAMS: Well, the wireless
2 consumer code, we only represent carriers. And we do
3 have some members who are -- well, just one, really,
4 Virgin Mobile U.S.A. This is not something that we
5 have heard yet.

6 I think what you are talking about is the
7 retail distribution program, like the Best Buys and
8 the Radio Shacks.

9 CHAIRPERSON ROOKER: Yes, or small vendors
10 who also sell phones.

11 MEMBER WILLIAMS: Like kiosks in the mall?

12 CHAIRPERSON ROOKER: Yes, whatever,
13 whatever size they might be.

14 MEMBER WILLIAMS: Right. We would love to
15 have them. Would they participate? Right now the
16 code is just being launched and implemented in the
17 carriers' stores. Unfortunately, we do not have, the
18 trade association does not have, a relationship with
19 those entities.

20 CHAIRPERSON ROOKER: The company
21 ultimately is going to have me as a customer, one of
22 your wireless carriers, right? So would the carrier

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1 then send me the information on the ten points and
2 deal with me directly?

3 MEMBER WILLIAMS: Yes. You can go
4 directly.

5 CHAIRPERSON ROOKER: I may not get it from
6 this independent retailer, but I would get it from the
7 carrier?

8 MEMBER WILLIAMS: Yes.

9 CHAIRPERSON ROOKER: Okay.

10 MEMBER WILLIAMS: Any carrier who
11 voluntarily is participating. And, as I said, on
12 their Web site, you have a seal. I wanted to show you
13 what some of the carriers have also put out, brochures
14 with this information as well. All you have to do is
15 call their customer service. They'll send you the
16 information you need.

17 CHAIRPERSON ROOKER: Why don't we see?
18 Susan has a question and then Debra. Oh, she has a
19 follow-up to mine if you don't mind.

20 MEMBER BERLYN: Thank you.

21 Wouldn't this code be on information when
22 you go to purchase your wireless phone?

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1 MEMBER WILLIAMS: It is really up to the
2 carriers in terms of how they display the information.
3 Some carriers I know -- Susan, I hope you don't mind
4 if I pick on you -- Cingular. When you go to
5 Cingular's Web site, there's a seal there. You click
6 it on. And up comes the information on the ten-point
7 program.

8 Cingular also has in their stores at the
9 point of display information about the code. Also in
10 their advertising, they have, in fact, said, you know,
11 first nation carrier to be certified to use the seal.
12 And it has a number there where you can call to get
13 additional information about the code.

14 We wanted to also make the code in terms
15 of how they use the seal flexible so they could use it
16 in their advertising, their marketing, if they want to
17 use it in their radio ads, if they wanted to use it in
18 their television ads.

19 You have to remember we're dealing with
20 not only nationwide carriers but also small carriers,
21 rural carriers, and the goal here was to make it broad
22 enough so everyone could use it. Sometimes you have

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1 different needs. So that was quite a challenge.

2 CHAIRPERSON ROOKER: All right. Susan?

3 MEMBER GRANT: I have not only a question
4 but just to follow-up on Debra's point. I think the
5 point that she was making was that for the disclosure
6 parts of the code, those are only meaningful if
7 they're before the transaction has been completed, not
8 afterwards.

9 MEMBER WILLIAMS: Yes. That's why in your
10 information there is some more information in terms of
11 what that entails in terms of disclosure. Each of the
12 carriers had decided how they are going to disclose
13 those terms and conditions.

14 It may be, for example, some carriers have
15 decided to do it when you purchase your Cingular
16 phone, your Cingular service. You get all of this
17 information in terms of what the ten-point code is,
18 who you can call, and things of that nature.

19 So it's really allowing the carrier the
20 flexibility.

21 MEMBER GRANT: Okay. Well, actually, that
22 wasn't my comment or question, but I just wanted to

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1 put that out. So here's my comment and question.

2 The comment is that National Consumers
3 League has a very popular brochure, "Going Wireless,"
4 which we developed with a grant from Sprint. We are
5 revising it slightly because of number portability and
6 also translating it into Spanish. If that is
7 something that your members would be interested in
8 using as an educational tool for consumers, we would
9 love to talk to you about that.

10 My question is, in regard to the bullet
11 point in the code about abiding by privacy policies,
12 what privacy policies are those? Does CTIA have a
13 privacy policy that --

14 MEMBER WILLIAMS: These are the privacy
15 policies that each of the companies have developed for
16 their own companies. As you know, because you're
17 dealing with a lot of the subscriber information; for
18 example, even in wireless, there are certain ways that
19 we have to handle customer proprietary network
20 information, CPNI. What that is saying that you agree
21 that you are abiding by the CPNI rules, whatever state
22 rules that there may be in terms of privacy, whatever

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1 your own company policies may be in terms of privacy
2 issues.

3 MEMBER GRANT: Okay. Thank you.

4 CHAIRPERSON ROOKER: Okay. I think we're
5 going to have to move on. Maybe we can hold the
6 questions until your next presentation and then if
7 it's appropriate if you've got time.

8 MEMBER WILLIAMS: Okay.

9 CHAIRPERSON ROOKER: Because we want to
10 get people a little bit of a break before we start our
11 1:00 o'clock program.

12 MEMBER WILLIAMS: Right. Wireless number
13 portability or, as we at CTIA know it as, a lot of
14 sleepless nights lately.

15 CHAIRPERSON ROOKER: Say that again.

16 MEMBER WILLIAMS: A lot of sleepless
17 nights lately. We have four days to launch on
18 November the 24th. I think this has been one of the
19 most labor-intensive processes that we have been
20 working on, particularly in terms of our networks,
21 doing the appropriate testing, and getting technically
22 what needs to be done to make this as smooth and

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1 seamless as possible for customers.

2 Basically, as we define wireless number
3 portability, it means keeping your existing phone
4 number and choosing the new carrier to provide your
5 service.

6 We have over the months been working on
7 what we call wireless-to-wireless porting in terms of
8 taking your number from one wireless provider to
9 another. Just last week we got an order from the FCC
10 what I call explaining the rules of the road with
11 respect to inter-carrier from wireline to wireless.
12 I'll talk about that a little more in just a moment.

13 As you know, starting Monday, wireless
14 number portability is going to be available in the 100
15 largest metropolitan areas nationwide. This is going
16 to be one of our challenges we know in terms of the
17 top 100 MSAs. There are various definitions floating
18 around in terms of what constitute the top 100 MSAs.

19 Again, as I said, we have been working
20 24/7 for months now trying to make this as pleasant
21 and smooth as possible for consumers. And, again,
22 this sort of dovetails into our whole overall consumer

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1 information program in terms of helping our customers
2 understand and prepare for in this instance the
3 porting process.

4 What we have done at CTIA, we launched a
5 consumer Web site. Let's see if we can try this again
6 now. Hopefully this one will work. There it goes.
7 What it does is it explains the meaning for consumers
8 in terms of what it means for number portability and
9 available, again, in the top 100 MSAs. As you can
10 see, we have over here a map. We've got to give them
11 a list.

12 The most important thing is that it
13 provides what we consider are very good consumer tips
14 and frequently asked questions on what they should
15 know if they plan to change their number, move their
16 number from one wireless service to another.

17 I know we are sort of short on time, but
18 I just want to give you an idea of some of the things
19 that it tells consumers, like explaining how you can't
20 take your number if you live in California and you
21 want to port your number to D.C. Well, you can't take
22 the same number because it's not within a local area.

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1 We have some issues again with the
2 wireline, what we call intermodal porting in terms of
3 what do you consider local in terms of I guess the
4 best way, what we call rate centers. And that's an
5 issue that hopefully the FCC is going to resolve for
6 us by Monday; if not, maybe the courts.

7 Also, in terms of what you should bring
8 with you, knowing your current contract, finding a new
9 phone and a new plan that fits for you. We also want
10 to go to consumer tips. Well, that's taking too long.
11 A copy of the consumer tips is in your brochure.

12 What I think we are trying to help
13 consumers understand is what is happening behind the
14 scenes in terms of yes, this is a complicated process.
15 What we are hearing from a number of analysts is that
16 we can anticipate 15 to 20 million porting requests
17 within the next 10 months. The concern is, especially
18 within the next week, how many of those 15 to 20
19 million people will be moving.

20 Also in the site, we have basically a
21 step-by-step process that explains to consumers what
22 they can anticipate. This is what I show people in

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1 terms of this is what is happening behind the scene
2 when you want to port your number. And, as you can
3 imagine, any break or any glitch in one aspect of
4 those arrows can create some glitches.

5 We anticipate yes, there are going to be
6 some glitches the first couple of weeks. And we are
7 doing our best, believe me, to work with our customers
8 and work through those glitches. Our brethren over on
9 the wireline side, we have learned some things from
10 them in terms of managing customers' expectations,
11 which we know is going to be a challenge.

12 In terms of the industry readiness, we
13 have been testing our systems, our networks carrier to
14 carrier in terms of wireless to wireless carrier.

15 At this point we have what we call in the
16 wireless world network lockdown. And that means that
17 after November 18th no additional software can be put
18 into the networks. So it is what it is, the network,
19 at this point.

20 There is a lot of training going on in
21 terms of customer service and sales staff. I just
22 found out last night from my sister, who works for

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1 Nextel in human resources. She said, "Oh, I went to
2 my number portability training today."

3 And I said, "You're in human resources."
4 She said, "Everybody in Nextel has number portability
5 training." And she said, "Oh, don't worry." She
6 said, "I understand all of our competitors are doing
7 the same thing, too."

8 The other readiness in terms of consumer
9 education, CTIA's easy porting Web site is one thing
10 that we are doing as a trade association; also, each
11 of the carriers has on their Web sites or you call
12 their customer service, have information to help
13 consumers to understand what the porting process is.

14 We also had a meeting last week with
15 Thomas and Martha in terms of what we can anticipate
16 in terms of some of the glitches, where some of the
17 problems may be so we can anticipate educating with
18 their respect CAMS, their customer service people and
19 those particular problems that may come up.

20 CTIA is a trade organization. We continue
21 to monitor the testing on a daily basis. And we're
22 keeping our members informed of any developments with

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1 respect to inter-carrier communications for the
2 process.

3 I must tell you because of the lateness of
4 FCC's order with respect to wireline to wireless
5 porting, it has not been as fully tested, I would say,
6 as wireless to wireless because there were some things
7 that we really still needed some guidance from the
8 FCC.

9 Wireless industry, we are planning, anyone
10 who comes to us with a wireline phone number and they
11 want a port, we're going to be there ready to help
12 them.

13 Basically, here are some of the challenges
14 that we foresee over the next couple of months,
15 particularly the first two weeks of implementation.
16 One is managing consumer expectations.

17 To give you a class example, this morning
18 I was coming over in the cab. The taxi driver said to
19 me, "Oh, where are you from?"

20 I said, "Trade association."

21 "Oh, wireless?"

22 I said, "Yes."

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1 He said, "Oh, I'm going to be able to move
2 my number." He said, "I already know what service
3 provider I'm going to."

4 I said, "Well?"

5 He said, "Do you think it's going to be
6 easy?"

7 I said, "Well, we're going to try to make
8 it easy." And I said, "What carrier are you going
9 to?"

10 And he said, "Well, I'm going from carrier
11 A to carrier B." I can't tell you because both of
12 them are my members.

13 Well, carrier A has one type of digital
14 technology that's, say, CDMA. Carrier B has another
15 type of different technology that's, say, GSM. I
16 said, "Well, you know, you may have to get a new
17 phone."

18 "No. I want to keep my same phone."

19 I said, "Well, you have two different
20 digital technologies. And the phones are not going to
21 work. The same phone is not going to work on both
22 systems."

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1 He said, "Oh. So I'm going to have to buy
2 a new phone. I didn't plan on that. I'm glad you
3 told me that. I don't know. Well, do you think
4 they'll give me a deal?"

5 I said, "Hey, I don't know. You have to
6 talk to them about that."

7 And then there's also in terms of early
8 termination of contracts, that's why we tell you
9 please, please, please read your contracts because
10 just because you have the opportunity to port, you
11 need to understand that if you decide to leave a
12 carrier, say you have a one-year contract and your one
13 year is not up, you may have to pay early termination
14 fees in accordance with the contract.

15 The other issue in terms of managing
16 consumer expectations is how long the process is going
17 to take. As I said, I showed you that chart before.
18 One glitch can create a problem. We're going to try
19 our best to get the porting process done within two
20 and a half hours, but it may be longer.

21 One of the things that came up at our
22 executive committee meeting was in terms of business

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1 customers. For the wireless industry, say, for
2 example, -- I'll use my husband's company --
3 Bridgestone Firestone has an account with, let's say
4 -- I'm going to pick on you -- Nextel and my husband
5 decides he wants to change his service from Nextel to
6 Cingular. Well, he is not the customer. Bridgestone
7 Firestone is.

8 So he may go into a store saying,
9 "Cingular, here is my number. Port it." Well, he is
10 not going to be able to because in terms of
11 authorization, Cingular is not going to be able to
12 move that individual because the customer is
13 Bridgestone Firestone.

14 So helping consumers to manage their
15 expectations, again, we are going to be ready as much
16 as we can be. We do expect glitches, you know, but
17 we'll work through them.

18 CHAIRPERSON ROOKER: Andrea, I think we're
19 going to have to call it a halt. I'll give you
20 another minute.

21 MEMBER WILLIAMS: Okay. In terms of some
22 of the other challenges, I have them listed here. I

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1 think in terms of the fringe counties, again, that's
2 a top 100 MSA issue. We're finding that depending on
3 if you use OMB or if you use Census Bureau, the top
4 100 MSA may vary from one carrier to another.

5 So carrier A may say, you know, "Howard
6 County is in the Washington, D.C. area, top 100 MSAs,"
7 and another carrier may say, "Well, no, not according
8 to the Census Bureau." So we expect some problems
9 there as well and also with retail distribution
10 outlets.

11 Again, you have your Best Buys, your Radio
12 Shack. As you know, with a competitive wireless
13 industry, they're selling five, six different service
14 providers' services and may not have the level of
15 knowledge as a store would have, what I call a
16 carrier-owned store. So we're expecting some
17 challenges there.

18 CHAIRPERSON ROOKER: Thank you ever so
19 much. I appreciate it very much.

20 MEMBER WILLIAMS: Okay.

21 CHAIRPERSON ROOKER: We have a ten-minute
22 break. You need to be back here at 1:00 o'clock

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1 promptly.

2 MEMBER WILLIAMS: Thank you very much.

3 CHAIRPERSON ROOKER: Thank you.

4 MEMBER WILLIAMS: And if anyone has any
5 questions, I'm here.

6 (Applause.)

7 (Whereupon, the foregoing matter went off
8 the record at 12:50 p.m. and went back on
9 the record at 1:08 p.m.)

10 CHAIRPERSON ROOKER: Please, if I could
11 have your attention? We have some guests with us, and
12 we would like to welcome them. So, please, if you
13 could take your chairs, we would really appreciate
14 that.

15 It gives me a great deal of pleasure to
16 welcome I believe the newest commissioner to the FCC,
17 Commissioner Jonathan Adelstein. We're lucky to have
18 you with us here. Thank you for joining us.

19 (Applause.)

20 MR. ADELSTEIN: Thanks for having me. I
21 just wanted to thank you all for all the work you do
22 on behalf of all of my colleagues. I know how much

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1 time and effort you put into these issues.

2 It means a lot to us. For example, we're
3 really looking forward to hearing what you have to say
4 on the TRS working group report. That's going to I
5 think form a basis for our actions.

6 We're hoping to move quickly on that
7 because we take the kind of work that you do extremely
8 seriously. We're hoping, for example, on the TRS to
9 try to get an item moving early next year. Your input
10 on that is going to be the basis for our items.

11 Just know that what you're doing here is
12 going to see the light of day, that we are going to
13 move on it. Things like this are so crucial in the
14 context of homeland security and the need for all
15 Americans to have all the protections that they
16 deserve.

17 So it's wonderful to be here. I see that
18 we have ARP here today. Reading the headlines this
19 morning, I think this is a safe haven for you.

20 (Laughter.)

21 MR. ADELSTEIN: You are all welcome here.
22 And we really do appreciate all the work that you do.

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1 I just wanted to let you know that we take it so
2 seriously and that we plan to actually act on it and
3 to thank you for your time and your dedication to
4 serving us with nothing but the goodness of your
5 hearts and knowing that you're doing the right thing
6 for your country and to help us to do the right thing
7 for the consumers, who are also the most important
8 constituency that we serve.

9 Our job, we have a telecommunications act.
10 In the Telecommunications Act of '34, we focused on
11 the public interest over 100 times. So it forms the
12 very essence of what Congress intended us to do. And
13 the public interest is shaped by what best serves
14 consumers.

15 So this is a crucial activity that you're
16 involved in, and we really appreciate all your help
17 and your input. So thank you for being here.

18 CHAIRPERSON ROOKER: Thank you so much.
19 We really appreciate it.

20 (Applause.)

21 CHAIRPERSON ROOKER: Do you want to take
22 a couple of questions? Do you have time to take

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1 questions, a couple?

2 MR. ADELSTEIN: Sure. If there is
3 anything that you would like me to respond to, I would
4 be happy to. I don't want to impede your work, but is
5 there anything on your minds?

6 (No response.)

7 CHAIRPERSON ROOKER: Thank you so much.

8 MR. ADELSTEIN: All right. Well, thanks
9 for --

10 CHAIRPERSON ROOKER: We really appreciate
11 your being here.

12 MR. ADELSTEIN: Sure.

13 CHAIRPERSON ROOKER: I would like to take
14 this opportunity to welcome Dane Snowden, who is the
15 chief of the Consumer and Governmental Affairs Bureau
16 and a familiar face to all of us. Welcome, Dane.

17 (Applause.)

18 MR. SNOWDEN: Hello, hello. I thank you
19 very much, Commissioner Adelstein.

20 INTRODUCTION OF THE CHAIRMAN AND COMMISSIONERS

21 MR. SNOWDEN: It's good to be back here
22 with you guys. It's been a little while. I apologize

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1 for being a little bit tardy. I was on a phone call
2 dealing with some local number portability issues, and
3 I saw Andrea's presentation from my office. So good
4 job, Andrea. I won't belabor some of those points.

5 Before I got into some of my comments
6 today, I wanted to introduce two members from the
7 commission as well, Christopher Libertelli, who is the
8 chairman's senior legal adviser. You all may
9 recognize Chris used to be a legal adviser in the
10 Wireline Competition Bureau, and he moved up to the
11 chairman's office and now has assumed the ranks as
12 being the senior legal adviser. So he keeps all of us
13 in line. Jennifer Manner, who is a legal adviser to
14 Commissioner Kathleen Abernathy. They wanted to come
15 down and show their thanks and appreciation for all
16 that you all do in serving on this committee.

17 I wanted to join Commissioner Adelstein
18 and others in saying welcome and thank you very much.

19 UPDATE ON THE CONSUMER &
20 GOVERNMENTAL AFFAIRS BUREAU

21 MR. SNOWDEN: It's been a very busy time
22 since the last time you all were here. We've gotten

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1 a lot of things done, as you might imagine.

2 Of course, I would be remiss if I didn't
3 mention the TCPA and what we have done with the
4 national do not call registry. As you know, this has
5 gone back and forth. As we like to say, we are
6 cautiously optimistic that the 54 million Americans
7 who signed their name up on that list will be proven
8 right and will be allowed to have this list and this
9 registry stay in business, as it is right now.

10 As you know, the registry and the issue of
11 the constitutionality of it involved many courts.
12 And, of course, as I said earlier, it involved a
13 district court judge, two federal courts, two federal
14 agencies, United States Supreme Court, the White
15 House, and the U.S. Congress.

16 An interesting fact is that the U.S.
17 Congress when the constitutionality of the do not call
18 list was called in question, the United States
19 Congress acted the quickest they have ever acted in a
20 peacetime setting ever. So that tells you, I think,
21 our folks on the Hill realize that the Americans
22 across the country wanted this list, they need this

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1 list, and they are going to get this list according to
2 what we are doing and what they are doing as well.

3 I did want to mention some outreach
4 activities that we have been working on here at the
5 commission. In August, we launched, the chairman
6 launched, a rule, outreach initiative, where we are
7 looking at ensuring that Americans across the country,
8 particularly in rural America, have access to
9 telecommunications services that so many of us who
10 live in urban areas have.

11 Just a couple of weeks ago, we launched a
12 telemedicine effort, where we went down to the
13 University of Virginia and saw firsthand how the goals
14 of universal service, that fee we all pay on our
15 telephone bill, how it's being put to use in rural
16 America, ensure that medical attention is given to
17 those Americans who live in rural America, the same
18 levels that they are giving to all of us in urban
19 areas. So we are very excited about that.

20 Part of that initiative will be doing more
21 outreach events in rural America, partnering with the
22 Appalachian regional council and other members in

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1 rural America. We are going to look at the delta
2 communities; the breadbasket area; and, of course,
3 Alaska and our tribal partners as well. So there is
4 a lot of activity coming from the commission on that.

5 We also had an E911 coordination
6 initiative, which was in October. This is an
7 important initiative because we believe and the
8 chairman has said it quite clearly that if you pay on
9 your wireless bill for E911 every month, you should
10 have it.

11 And so the commission, the chairman is
12 using his bully pulpit to galvanize and pull and
13 coordinate all of the parties together because we
14 don't regulate all of the parties who are involved in
15 the E911 process. So we want to make sure that what
16 we can do as our part is pulling everyone together.

17 We recently had the governors' designees
18 from across the country come and participate with us,
19 talk about the issue, and what are the challenges that
20 we're seeing that are being faced with having
21 deployment with E911.

22 We like to tell consumers, quite candidly,

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1 decide on a carrier based on their E911 service. That
2 is very important. Use that as a discriminate point
3 of why you're going to purchase a particular product.
4 So we'll have more coordination issues in 2004, but
5 rest assured this is a priority for the commission as
6 we move forward.

7 Finally, I would be remiss if I didn't at
8 least mention local number portability, which is the
9 topic du jour, which seems to be more the topic of the
10 month. I don't know how to say "month" in French, but
11 topic of the month. I can say mesa, which is in
12 Spanish.

13 We are very excited about this, the
14 chairman on down. We are leading our own. Along with
15 the members of the industry, I know CTIA is involved
16 is involved in this as well. We are leading our own
17 campaigning, making sure that people are aware about
18 what the options are about local number portability.

19 This is a great, great thing for the
20 American consumer. Consumers wants it. I know there
21 might be some, even some in this room, -- I'm not sure
22 -- who might contest our rules, but rest assured the

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1 commission will stand to fight any legal opposition
2 that comes toward us because this is something that we
3 think is right.

4 It's good for competition. It's good for
5 consumers. And I have to say it's also good for the
6 industry as a whole because it will make the industry
7 be more competitive and fight for your business. And
8 I think that's good ultimately for the American
9 consumer.

10 In conjunction with the local number
11 portability, we, of course, have launched some of our
12 fact sheets and our checklists of what consumers
13 should know. We, of course, are very clear in the
14 sense that we understand that this is going to be a
15 bumpy road over the next couple of months as we roll
16 out local number portability, but we also know that we
17 have got to start somewhere. And we're starting on
18 November 24th.

19 The chairman, some of us, you see, were a
20 little tired. We have been up since 4:00 this morning
21 doing a satellite media tour that the chairman led
22 getting across the whole country talking about local

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1 number portability to various television stations.

2 He did that, and he is committed to that
3 because he wants to make sure: one, people know what
4 is coming; and, two, what they need to do. I think
5 Andrea talked about this a little earlier, about some
6 of the steps that consumers should do.

7 One, in particular, we like to say is read
8 your contract beforehand and if you do decide to port,
9 bring a telephone bill with you because it makes the
10 porting process go so much smoother.

11 We are very excited about a lot of the pro
12 consumer initiatives that we have taken since your
13 last meeting. We look forward to your guidance, your
14 thoughts, and your comments as we go forward.

15 I would like to say before I close and
16 take some questions the work that you all have done,
17 when I got a briefing from my staff on the working
18 groups, I just want to say thank you and commend you
19 for your good work.

20 As some of you know, I joined the
21 commission about three years ago, when we had CDTAC
22 and now CAC. Quite candidly, -- and I don't mean to

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1 talk out of school here, but, quite candidly, this
2 committee was finding its way. I can tell you now by
3 looking at the great work that is being done, this
4 committee has found its way and is doing the work that
5 the commission needs it to do as we go through and
6 navigate some of these prickly issues, these technical
7 issues, but these very important issues.

8 So I want to thank the working groups for
9 all of their hard work. And, of course, you're not
10 off the hook. So we hopefully will continue. Please
11 note that our sincere thanks from the chairman on down
12 for the good work that you all have been doing, I know
13 on your own time, not just when you're here but when
14 you're outside this building.

15 So, again, I thank you for that, and I
16 will be more than happy to answer any questions you
17 have before I have to go back upstairs.

18 Yes, ma'am?

19 MEMBER RAGSDALE: Hello. Joy Ragsdale
20 from NASUCA.

21 Can you tell us more about the satellite
22 media tour?

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1 MR. SNOWDEN: Sure. It's a process where
2 you can get the biggest bang for your buck in a way.
3 We started this morning. The chairman had to be there
4 bright and early. We started at 6:00-something, first
5 interview. Literally you do a series of about 30-some
6 odd interviews across the country talking about the
7 same issue.

8 Basically TV stations log in through the
9 satellite and start asking the chairman questions.
10 Bless his heart, he had to answer the same question
11 probably over and over and over and over and over
12 again, but he got it down. I'll tell you that.

13 It is a great thing. It allows us to
14 reach as many Americans as we possibly can. We
15 targeted the 100 markets, the 100 markets that the LNP
16 is rolling out first. That was intentional because we
17 wanted to make sure people in those markets who can
18 get it right now are aware of what the process is.
19 And so it's our way of trying to reach out to
20 consumers more and more as we go forward with these
21 consumer-type issues.

22 You will see us doing things like this or

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1 something similar to this when we have consumer-type
2 issues, when we talk about the triennial review. It's
3 not something that most Americans understand or care
4 about, although it is important in terms of what
5 happens in the telecom world for them.

6 We want to make sure we can get out there
7 on these consumer issues. We didn't necessarily have
8 to do them on the do not call because I think the
9 media did a very good job of covering this issue.

10 We believe that, as you have seen in some
11 accounts in the industry as well, on local number
12 portability as of Monday, we will see more and more
13 media outlets taking the lead in the bandwagon of
14 sharing this information with consumers across the
15 board.

16 So that's what happens. It's a great
17 thing. It's not an easy thing. I will say that. And
18 the chairman was a trooper for doing it because it's
19 a long day. As you know, as I said earlier, we got up
20 at 4:00 in the morning to make sure we were there on
21 time.

22 MEMBER RAGSDALE: Is it a taped show?

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1 MR. SNOWDEN: No. They're live programs.
2 The way the media works is that obviously they do a
3 live segment first. And then they will package it and
4 show it throughout.

5 I'm sure a lot of stations will run it
6 again on Monday because we did, of course, show it
7 here in this market, in Washington, and run it across
8 the country, Minneapolis, Philadelphia, North
9 Carolina. Again, I've been up since 4:00. So I am
10 kind of blurring my states right now, but it was
11 across the country.

12 Any other questions? Yes?

13 MEMBER GOLDBERG: Larry Goldberg here.

14 Can you tell me, do you know what the
15 status is of the FCC's reauthorization on the Hill?

16 (Laughter.)

17 MR. SNOWDEN: Didn't you hear me say I got
18 up at 4:00 this morning?

19 (Laughter.)

20 MR. SNOWDEN: I believe it is in the
21 omnibus bill right now and it is not out of committee
22 just yet. So we are still waiting to hear, and we are

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1 eagerly anticipating that we would get what we need so
2 we can keep moving. We're optimistic. Put it that
3 way.

4 MEMBER WILLIAMS: Can you hear me?

5 MR. SNOWDEN: Yes.

6 MEMBER WILLIAMS: Dane, I know that over
7 the last couple of months, you all, particularly your
8 bureau, has been doing a lot of work with respect to
9 tribal nations. I'm wondering how receptive and
10 effective you found the work in terms of the forums,
11 the different forums, you have been having and are
12 they well-attended?

13 MR. SNOWDEN: That's a great question, and
14 it's not a plan. I'm glad you asked that question.

15 MEMBER WILLIAMS: No.

16 MR. SNOWDEN: You allowed me to give a
17 commercial without having to pay for it.

18 As some of you may know, when Chairman
19 Powell became the chairman, one of the things he said
20 to me directly was we need to do more with our Indian
21 relations.

22 We have a responsibility, a

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1 government-to-government responsibility, with our
2 tribal nations. There are about 550 tribal nations
3 across the country.

4 So we have embarked on a very aggressive
5 plan to reach out to tribal communities. Recently, in
6 September, members of my staff and the Wireline
7 Competition Bureau and International Bureau, we all
8 traveled to Alaska because we are looking at the
9 unique issues that relate to the individual tribes and
10 also relate to different geographical regions
11 throughout the country that deal with tribes.

12 No one tribe is alike. At one point in
13 the commission, we had the idea of having a massive
14 meeting with all of the tribes coming together. And
15 as we talked to the tribes, we realized that they are
16 at different stages of development and growth.

17 Some tribes have their own
18 telecommunications facilities. Some are trying to
19 figure out how to get their schools up and running.
20 So when you have those two vast differences between
21 the tribes, we needed to come up with something new,
22 something different.

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1 And so we have launched our Indian
2 telecommunications initiative. The goal behind it is
3 to bring some of the programs that the commission has;
4 for example, the expanded lifeline linkup program that
5 is only available to individuals on reservations.
6 We're making sure people are aware of those programs.
7 We're also bringing the commission to them.

8 It's interesting as you look at the
9 various tribes around the country and the various
10 stages of development that they're in. We want to
11 make sure that they have access to the commission.
12 And we have been doing that.

13 So the answer to your question about how
14 effective it has been, I am probably not the best
15 person to ask, but I will tell you my opinion. I
16 think it has been very effective, but we have a lot
17 more work to do. And we are committed to doing that
18 work in the months and years to come here at the FCC.

19 Any other questions?

20 (No response.)

21 MR. SNOWDEN: With that, again, all the
22 best for a successful meeting. I thank you again for

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1 making your way here. And if there is any time you
2 are here in town, even if you are not here for a
3 meeting, please let us know. We will be more than
4 happy to sit down and talk with you.

5 I know I see some of you somewhat on a
6 regular basis. I see Claude in front of me. So I
7 look forward to seeing more of you more often. And I
8 hope you all have a wonderful Thanksgiving and safe
9 travels back to your homes.

10 Thank you.

11 CHAIRPERSON ROOKER: Dane, thank you.

12 MR. SNOWDEN: Thank you.

13 (Applause.)

14 CHAIRPERSON ROOKER: We really do
15 appreciate the time you give to us, Dane. Thank you
16 ever so much.

17 I would just like to ask Chris and
18 Jennifer if they want to say any words or anything.
19 Jennifer I believe has left, but, Chris, thank you.
20 Chris Libertelli, as you just heard, who is from
21 Chairman Powell's office, welcome. Chris?

22 MR. LIBERTELLI: Thank you very much. I

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1 won't take up much of your time. Jennifer did have to
2 go upstairs because she had an outside meeting, but I
3 wanted to come down and just echo what Dane had said
4 and thank you very much for coming here and expending
5 your efforts. I know the companies that are
6 represented here do this as a matter of largesse. And
7 we appreciate your efforts.

8 I also did want to say that the chairman's
9 office is working closely with Dane's shop on some of
10 the TRS issues that I know the task force is working
11 on. We hope to move those recommendations into
12 action, as Commissioner Adelstein said, in the
13 beginning of 2004.

14 So I thank you for those efforts. Good
15 luck with today's meeting. And if there's anything
16 the chairman's office can do to help you with your
17 efforts, please don't be shy and let us know. Thank
18 you.

19 CHAIRPERSON ROOKER: Thank you very much.

20 (Applause.)

21 CHAIRPERSON ROOKER: I do have a few
22 announcements and a little bit of housekeeping to make

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1 I promised to make. We will be taking requests for
2 cabs at the break. So don't let me forget to do that,
3 those of you who want to get a cab.

4 Also, I just want to tell you that the FCC
5 has some new fact sheets on the Web. So you may want
6 to look them up at fcc.gov. There's quite a list of
7 things.

8 As a matter of fact, I have some of them
9 here somewhere if I could find them, but, of course,
10 I can't, not when I need it. That's what you get when
11 you have a pile of paper in front of you.

12 Here we go. The fact sheets include
13 digital radio, do not call, homeland security,
14 wireless number portability, digital phone and people
15 with hearing disabilities calling 911 from a wireless
16 phone, DTV, and closed captioning. And that's just a
17 sampling. So you may want to go visit.

18 Another thing that I want to tell you, you
19 may be getting a call from the General Accounting
20 Office. As far of their requirements and as they
21 normally do, they are doing a study of all of the FCC
22 federal advisory committees. Of course, that's what

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1 we are.

2 So you may be contacted to learn about
3 your experiences on the CAC, which is a normal thing.
4 This is part of GAO's responsibility to keep oversight
5 over these committees. So don't be alarmed. Answer
6 any questions that they might have. And do say good
7 things about your experience here.

8 Some other items. Our next meeting -- we
9 have a question, David? I'm sorry.

10 MEMBER POEHLMAN: Shirley, I hate to ask
11 this, but is there any way we can get that phone
12 number so that we can be sure to answer the phone,
13 those of us who have caller ID who don't answer
14 telephone calls from numbers we don't know, or would
15 they be kind enough to leave a message so we can call
16 them back and talk to them?

17 CHAIRPERSON ROOKER: I suspect if they
18 want you, David, they will leave you a message.

19 MEMBER POEHLMAN: I don't know.

20 CHAIRPERSON ROOKER: I think they'll get
21 you. They'll get you, David, we promise. It's
22 unlikely that you will get a call, but I just want you

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1 to know that if you do, that is what is going on. So
2 don't be alarmed about it.

3 As you know, the next meeting is scheduled
4 for the 26th of March. The day before, the FCC is
5 hosting a summit meeting of the stakeholders with
6 regards to the needs of people with disabilities
7 during a disaster or terror attack.

8 Now, I know that this was discussed
9 somewhat during the TRS working group. And what they
10 are looking for is what to do in terms of emergencies.

11 This meeting is going to take place the
12 day before the regular CAC meeting. Then the
13 recommendations that come out of that 25th meeting
14 will be considered by us on the 26th as part of our
15 agenda. So you will have those agenda items will be
16 added. They have to be on the agenda, but we don't
17 know what the items will be. So they will be up for
18 discussion and recommendations for the commission.

19 I really want to thank Brenda Kelly-Frey
20 for her taking the lead in a lot of this. She has
21 been one of the guiding lights behind the summit
22 meeting, and we are really appreciative of that.

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1 TRS working group will be taking the lead
2 in terms of participating in the summit meeting. I
3 suspect if others of you are interested, that you
4 would be welcome to join it if you're not on the TRS
5 working group. But, anyway, that's kind of the story
6 there.

7 Also, another item -- and if you have
8 agenda items that you would like to suggest for the
9 March 26th meeting, just to let you know, you have got
10 to get it to us at least six weeks in advance because
11 that's so we can meet the requirements of the Federal
12 Register.

13 So if you've got some thoughts in your
14 mind that you want something to put on the agenda for
15 the 26th of March, you have got to let us know as soon
16 as possible, really, because the agenda gets really
17 cram-packed and there's not always room. So do
18 forgive us if we can't accommodate your request for
19 any particular item. Sometimes we just have already
20 made the plans. Anyway, the sooner you let us know,
21 the better.

22 Now to get on to our next order of

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1 business. Does anyone have any questions on anything?

2 Yes, Joe?

3 MEMBER GORDON: Can you give me some more
4 information on the meeting on the 25th? Is it in this
5 room, the hours?

6 CHAIRPERSON ROOKER: I don't have that
7 information. Scott, do you have it?

8 MR. MARSHALL: I can give you a little
9 information.

10 CHAIRPERSON ROOKER: Here we go.

11 MR. MARSHALL: Hi. This is Scott
12 Marshall.

13 Joe, this is still in the planning stage.
14 I suspect it will be an all-day meeting on the 25th.
15 And it would be here in this room.

16 MEMBER GORDON: Thank you.

17 MR. MARSHALL: Okay.

18 CHAIRPERSON ROOKER: Okay. Any other
19 questions? Are we okay?

20 (No response.)

21 CHAIRPERSON ROOKER: All right. Well,
22 then let's just get right to the order of business,

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1 which is to hear from our working groups. I want to
2 say again how really excited I am and Scott is and, as
3 you can hear, from the commission at the work that is
4 being done by the working groups.

5 I mean, it really is a very important
6 process that we have been going through. And you all
7 have done a great job. And it's because of you and
8 your leaders. So we really thank you.

9 We're going to start out. What we're
10 going to do, this is what we're going to have happen.
11 We're going to have working group recommendations.
12 And after each of those, we will take it either as a
13 whole or if you feel that it's important that we
14 divide up the recommendations into separate items,
15 they will be voted on. They will either be voted up
16 or down as to whether or not they will be presented to
17 the commission as a recommendation of the entire CAC.

18 Does anybody have any questions about that
19 process?

20 MEMBER POEHLMAN: We can have a
21 discussion, right?

22 CHAIRPERSON ROOKER: Oh, we may let you

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1 talk a little bit, David, yes. Yes, we are going to
2 definitely have discussion. I cannot believe this
3 group wouldn't have discussion.

4 Well, let's start out. We are going to
5 start out with the TRS working group, which, as you
6 may recall, has been asked by the FCC to make comments
7 on the TRS. So we're going to have that. Brenda
8 Kelly-Frey is the chair.

9 Brenda? Thank you again, Brenda, for all
10 the work you have been doing.

11 And you do have summaries of these in your
12 agenda in your folder.

13 WORKING GROUP RECOMMENDATIONS AND PROGRESS REPORTS

14 TRS WORKING GROUP

15 MEMBER KELLY-FREY: Good afternoon,
16 everyone.

17 CHAIRPERSON ROOKER: And I should just
18 explain something. I'm sorry to interrupt you. Each
19 working group has a half an hour. So we have to get
20 to the issues, and then we have to get to the
21 discussion, and then we have to get to the vote. So
22 we do have a jam-packed half-hour.

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1 I will give you a little leeway because I
2 am looking at the clock because I know it's not right
3 at 1:30. And I'm sorry. I really forgot my whip
4 today to get everybody in line.

5 MEMBER KELLY-FREY: Start?

6 CHAIRPERSON ROOKER: Go.

7 MEMBER KELLY-FREY (via interpreter):
8 Okay. First of all, I want to thank the FCC and
9 Chairman Powell for inviting us and providing us the
10 opportunity to make recommendations from NASRA, the
11 National Association of State Relay Administration,
12 and TRS industry consumer action network, as well as
13 the consumers.

14 We would like to thank the members of the
15 working group, Becky Ladew, Stephen Gregory, Claude
16 Stout, Pam Stewart, Clay Bowen, Dixie at Hamilton, and
17 Patty Banner, and also Joe Gordon.

18 The objective of the TRS working group
19 was: first of all, to address public access issues
20 for TRS information and networks, to determine whether
21 the FCC has the authority or the jurisdiction over the
22 TRS national network and outreach, and also the

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1 mechanism established for the network and outreach.

2 Considerations given to TRS include as a
3 priority restoration in emergency situations,
4 providing the framework for the FCC's summit to be
5 able to focus on homeland security issues.

6 And Clay will also be speaking about
7 addressing the public access to TRS information and
8 network.

9 MR. BOWEN: I'm Clay Bowen with Virginia
10 Relay. Brenda and I were asked to present a workshop
11 on national outreach at the National Association of
12 State Relay Administration's conference in September.

13 We had worked on this prior to the FCC
14 NPRM on national outreach. So we decided to take that
15 workshop as an opportunity to get feedback from the
16 membership, from the consumers, from the vendors, and
17 from the other stakeholders that were in attendance at
18 the NASRA conference.

19 We thought this would be an excellent
20 vehicle to get feedback from a very diverse group, all
21 of which are involved in TRS, and get answers to the
22 specific questions that were addressed to this group

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1 in the NPRM earlier this summer.

2 Our workshop was scheduled for 45 minutes.
3 We went almost an hour and 15 minutes before we were
4 cut off. Dixie Ziegler of Hamilton and I stayed on
5 stage for almost an additional half-hour. We got a
6 lot of information to bring back.

7 We summarized that information. And we
8 presented it at the workgroup meeting, the CAC
9 workgroup meeting on TRS, in September. To summarize
10 that real quickly, these are specific responses to
11 questions that were in the FCC NPRM.

12 Approximately ten percent of outbound
13 calls result in hangups. We found that no state or no
14 provider actually tracked the number of hangup calls.
15 The ten percent figure was based on anecdotal
16 information that we receive from state relay managers
17 and from CAs themselves.

18 We also found out that we could not
19 determine that any far-reaching outreach efforts
20 existed in the states. There were certainly states
21 that had outreach programs, but they were specific to
22 that state.

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1 Outreach activities were also maybe
2 specific to a provider, meaning a particular provider,
3 such as Sprint or Hamilton, would provide information
4 or outreach to those states which they provided
5 services to, but there were no nationwide efforts of
6 a particular relay vendor for outreach.

7 What came up, which was also referenced in
8 the NPRM, was the information that's in the front of
9 all telephone directories. This is perhaps the most
10 common form of outreach that is out there. However,
11 there are problems with that, too.

12 The language that's in the phone books is
13 not standardized. It's different in different areas
14 of the country, even in different areas of the state.
15 It's sometimes not understandable. But it's most
16 often discounted by businesses, by the hearing
17 population as TRS being a service only for the deaf.
18 And it's not considered a part of a business or an
19 employment opportunity or another way to communicate
20 for the hearing population as well.

21 Based on these recommendations, the TRS
22 work group would like to recommend to the full CAC

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1 committee that a coordinated information and outreach
2 program can achieve a national consciousness on the
3 use and benefits of TRS. And that's their
4 recommendation to this committee.

5 In our research, we found that the state's
6 programs, as I had said, were either specific to a
7 state, specific to a relay provider, or we found one
8 example very close to home, that back last year,
9 Maryland produced a series of commercials on relay
10 that were specific to Maryland.

11 However, DeVanie and Associates, the
12 company, the marketing company, that produced those
13 commercials, also made a generic version of that same
14 commercial that spoke only of state, your state relay
15 center, your state relay provider. Therefore, it
16 became a commercial that could be used by more than
17 one state.

18 Virginia as well as Montana and some other
19 states took advantage of that. We purchased the
20 rights to that commercial. Our state did not have to
21 pay the development cost, the production costs.

22 It was a very good deal, thanks to

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1 Maryland relay, for us. You will note at the end --
2 we are going to show those commercials right now --
3 that these commercials had a space for a tag line that
4 any state could use for this generic commercial. So
5 if we could show those commercials right now?

6 (Whereupon, a videotape was played.)

7 MEMBER KELLY-FREY: Accommodation of those
8 is now in the legislation. And there is regulatory
9 action guiding us to determine the results for the
10 FCC's work that we currently have the authority and
11 jurisdiction to be able to establish and identify a
12 funding mechanism for a national network program. And
13 here are some of the examples.

14 We have section 255 communication
15 amendment, the House of Representatives report on ADA,
16 section 4-I of the Communication Act of 1934, specific
17 court cases related to interpreting and the FCC
18 responsibility or jurisdiction as being expansive on
19 that, previous involvement with consumer networks and
20 outreach, and education programs.

21 For example, we have things such as the do
22 not call list. That is one way that the FCC is

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1 advertising. Another example would be outreach to the
2 tribal nations.

3 Another one we recently heard of this
4 morning is the satellite media tour by Chairman
5 Powell. So that's really cool. So why not look at
6 that for TRS? Think about it.

7 Now, next the FCC has asked us to decide
8 if the FCC has the authority over the national network
9 campaign. And we would recommend yes, the FCC does
10 have the authority based on the other prior examples
11 that we have shown you.

12 And the funding for the national outreach
13 campaign can be done through TRS contributions from
14 the various carriers and their customers and various
15 other funding mechanisms that exist within the FCC's
16 responsibility.

17 We have met with NASRA as a committee.
18 And, as Clay mentioned, they are recommending, first
19 of all, what you just saw and the TRS funding to be
20 used for this as well as for national outreach
21 programs.

22 Also, we should establish a separate

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1 advisory board to help the FCC to be able to set up
2 national outreach campaigns. We can help to develop
3 an RFP to recommend and perhaps hiring a professional
4 marketing firm under the FCC as well as a special and
5 separate board to be established.

6 And the TRS working group offers our
7 experience and expertise in the selection of the
8 process for the board members to establish that new
9 advisory board.

10 And our suggestion for the composition of
11 that new advisory board on the network marketing we
12 feel should be as follows. There should be two deaf;
13 two hard of hearing; two hearing; one speech-impaired
14 people who have hard of hearing as well as children of
15 deaf adults, otherwise known as CODAs. We should have
16 a deaf-blind participant. We should have participants
17 from the relay industry, two participants; as well as
18 two from NASRA; one from an administrative position in
19 terms of the interstate funding; and a representative
20 also from the local exchange carriers, or LECs.

21 So that would be a 16-member group for the
22 advisory board. And that should be sufficient to be

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1 able to provide information, assistance, and advice to
2 the FCC to be able to select a marketing company and
3 proceed with that goal.

4 MR. BOWEN: There is already an interstate
5 TRS advisory council that makes recommendations on the
6 funding from the TRS interstate fund. Their expertise
7 lies in relay and relay products and in funding for
8 relay.

9 Both NASRA and the workgroup felt that
10 there needed to be a separate, as Brenda has just
11 described, advisory council with the expertise in
12 marketing or marketing to consumers or marketing to
13 the general public. That's why we decided not to
14 include that in the existing interstate TRS fund
15 advisory council.

16 So if this is accepted by the CAC as well
17 as the FCC, the interstate fund provider would then
18 have two advisory councils: one to oversee funding
19 issues for TRS, one to oversee outreach.

20 MEMBER KELLY-FREY: Okay. And then next
21 we would like the FCC to consider TRS as a vital
22 service to the deaf and hard of hearing community.

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1 Therefore, we believe that we should have
2 telecommunications services as priority established
3 for relay.

4 And TSP was established in 1988. At that
5 time, there was no relay. Relay came about about
6 1991. So relay was not included in the current TSP
7 plan. And we feel that that is very valuable for
8 restoration for the relay so that deaf people will be
9 able to get telephone service on an equal and fast
10 level, basically equal to hearing people.

11 The recommendations for the TRS workgroup
12 include that there be a call center. The relay center
13 will be selected as determined. And the TRS call
14 center will be designated as a key telecommunication
15 facility in America and will receive top priorities
16 for restoration in consideration if there is in the
17 event of bad weather or an act of terrorism. That's
18 looking at emergency situations.

19 We are also discussing that it would be
20 extremely beneficial for the individual states and for
21 their TRS providers to establish some kind of
22 operation plan for TSP, for their facilities with

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1 their local PSAPs, 911 centers, and LECs.

2 We also recommend that the FCC host a
3 summit to address the different homeland security
4 issues related to people with disabilities. We would
5 recommend that the FCC host a two or three-day summit
6 to address those concerns, especially considering
7 those related to deaf and hard of hearing individuals
8 as well as other people who have disabilities.

9 So it would actually be two separate
10 summits: one that would be an all-day summit focusing
11 on the hard of hearing and deaf issues. And the other
12 would also be an all-day summit focusing on other
13 disability groups.

14 The deaf group has communication issues
15 that are very unique to that group; whereas, hearing
16 people with other disabilities do not have problems
17 with communications in the event of an emergency. So
18 we feel that it is very important to have a separate
19 day for each of those.

20 And so then there would be one final day
21 where both groups would combine and have
22 representatives from each participating to present to

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1 the full committee for homeland security individuals.

2 That day I believe Scott mentioned would
3 be like the 25th of March, for one day prior to the
4 next full CAC meeting on March 26th.

5 We also suggest that different
6 representatives from the disability groups participate
7 in the panel after they have already had their
8 pre-summit meetings to be able to hear the various
9 perspectives and concerns and issues from the
10 different disability groups.

11 We also would like to suggest establishing
12 some kind of mechanism for ongoing consultation to the
13 homeland security group for new issues, problems,
14 concerns that come up in the future.

15 We don't want to be a one-time summit
16 where we consider concerns have been heard and then
17 drop it. We know that more things will be coming up
18 in the future.

19 Also this morning the TRS working group,
20 when we met, there were some new guests that joined
21 us. And we discussed the video relay services. After
22 that meeting, we believe that there are different

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1 issues related to video relay service that do not have
2 the same type of problems within the TRS, including
3 ethical concerns, funding, setting up the calls, the
4 role of the video relay operator, -- the TRS operator
5 is a different type of role -- the impact on the
6 supply and availability of the interpreters.

7 Once VRS expands, they are going to be
8 using a lot of skilled interpreters. So what is going
9 to happen to the consumers in everyday life that need
10 interpreters in the workplace, doctor appointments,
11 you name it? Will we have enough interpreters for
12 that need, one-on-one meetings, and so forth?

13 We also need to determine minimum
14 certification for video operators and what that is and
15 how that will happen as well as numerous other issues
16 that can be coming up as we go along because it is a
17 very new technology and people love it.

18 And that is the end of my presentation.
19 I would like to thank you for letting me go over my
20 time a bit.

21 CHAIRPERSON ROOKER: You actually haven't
22 exceeded your time.

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1 MEMBER KELLY-FREY: Oh, I haven't yet?

2 Really?

3 CHAIRPERSON ROOKER: You have done all
4 right.

5 MEMBER KELLY-FREY: Can we advance now?

6 CHAIRPERSON ROOKER: No, you can't talk
7 more.

8 MEMBER KELLY-FREY: Oh, well.

9 CHAIRPERSON ROOKER: Actually, I think if
10 we can discuss it, it's an excellent presentation,
11 Brenda. Thank you ever so much, really excellent.

12 I guess the first question that I have of
13 the group is to decide whether or not we look at these
14 recommendations as a whole or whether there are some
15 that you feel need to be broken out and voted on up or
16 down separately.

17 So, keeping that in mind, I have people
18 who are here. I saw Eugene's hand first and then
19 Susan. And then do we have somebody else? Okay.
20 Eugene, do you have a question or whatever?

21 MEMBER SEAGRIFF: Yes. Thank you for the
22 presentation, Brenda. It was excellent.

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1 I want a clarification on two issues. One
2 is on the advisory council, there was some mention of
3 input from marketing people, but I think you really
4 want to have some on the team from the get-go so you
5 can carefully select your marketing company. That may
6 be useful.

7 MEMBER KELLY-FREY: I think there was a
8 bit of a misunderstanding in that. What we are
9 suggesting is that those people who are on that
10 advisory committee be subject matter experts on the
11 marketing and outreach, in addition to their own
12 expertise or experience in terms of the providers and
13 the deaf consumers, but also be aware of that and the
14 funding issues.

15 MEMBER SEAGRIFF: My second area of
16 confusion was related to the telecommunication service
17 priority. I'm not sure of what the existing hierarchy
18 is and then, therefore, where in the existing
19 hierarchy you are suggesting TRS be put.

20 MEMBER KELLY-FREY: We as the working
21 group have suggested that we be put at an equal level
22 to the LECs for priority telephone to have restoration

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1 of phone service.

2 If a hearing person has the ability to be
3 able to make a phone call after an emergency situation
4 has occurred, then we expect that a deaf person should
5 be able to have the equivalent telephone access.

6 MR. BOWEN: Just one thing that we added
7 in discussion on that, Eugene, was that right now
8 relay is not even on the radar screen when it comes to
9 priority restoration.

10 And relay to deaf and hard of hearing is
11 dial tone. And as dial tone is reestablished for the
12 hearing community, it should also have a priority for
13 the deaf community.

14 CHAIRPERSON ROOKER: Okay. Susan?

15 MEMBER PALMER-MAZRUI: Thank you for doing
16 a lot of work. It is really clear that the group has
17 done a tremendous amount of activity on this issue.

18 In terms of the emergency servicing, there
19 is one thing that was said that I want to make sure is
20 not put into writing in the way that I heard it
21 anyway, which was that people with disabilities other
22 than hearing disabilities don't have communication

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1 issues. I think what was meant was have different
2 communication issues. So I just want to make sure
3 that that is reflected in anything in writing.

4 MEMBER KELLY-FREY: I think that is
5 exactly right, Susan. Thank you, Susan. Yes, you are
6 correct in the way that that was misinterpreted. Yes.

7 CHAIRPERSON ROOKER: Okay. We have
8 another question. David?

9 MEMBER POEHLMAN: Hi. This is David
10 Poehlman, American Council of the Blind.

11 Short one for a change. The information
12 about the summits and the way it is ultimately being
13 divided up, one of the things that caught me as I was
14 reading through this and listening to what was being
15 said is that there would be a summit for the deaf and
16 a summit for everybody else.

17 The question that came to my mind was that
18 there are hearing people who have communications
19 problems that are similar to the deaf, as is
20 illustrated with the use of the TRS systems.

21 So would those people also not be part of
22 the issues for the deaf summit that you are going to

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1 hold?

2 MEMBER KELLY-FREY: I'm not really sure I
3 clearly understand your point, David. Can you give me
4 an example of who you might be referring to?

5 MEMBER POEHLMAN: People with speech
6 communication problems are going to have difficulty
7 communicating in the same ways that people who are
8 hearing-impaired are going to have difficulty
9 communicating. The TRS centers should be up and
10 running as part of priority restoration for them for
11 the reasons as they need to be up and running for
12 people who are hearing-impaired.

13 You already acknowledged this. So I was
14 wondering why the statement that people with hearing
15 impairments would be for one summit and the other
16 summit would be everybody else.

17 MEMBER KELLY-FREY: I think perhaps we may
18 be mixing two different things here: first of all,
19 talking about telephone service priority, or TSP, for
20 restoration of the relay so that it would be equal to
21 any telephone service restoration for hearing people;
22 and then in a separate issue, we would be talking

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1 about a summit related to the homeland security
2 issues, where we feel that communication issues are a
3 problem for deaf people, who cannot hear what is being
4 announced on the radio or sometimes captions are not
5 happening on television or sometimes maybe there is a
6 power outage and then deaf people have no way to get
7 the information.

8 Hearing people who have a speech
9 disability can still receive the information and hear
10 what is happening on the radio or on the television,
11 but deaf people are stuck in the dark, so to speak.

12 MEMBER POEHLMAN: Oh, I see. So you're
13 saying the telephone communication is not part of the
14 discussion for the summit. It's only information
15 dissemination that you're talking about.

16 MEMBER KELLY-FREY: Well, it can be
17 inclusive of all of that, but we're happy to get any
18 comments or feedback from any disability group to be
19 included. What will happen is on the final day, we
20 will have a full summit with the combination of
21 participants, hearing, deaf, disabilities in general,
22 to discuss all the issues on the table and their

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1 individual concerns.

2 MEMBER POEHLMAN: Okay. Well, thanks for
3 clearing that up.

4 CHAIRPERSON ROOKER: Claude, I think we
5 will give you the last question. Okay.

6 MEMBER STOUT (via interpreter): Yes.
7 This is Claude speaking.

8 From that summit, I think that the people
9 with hearing disabilities as well as people with other
10 disabilities will be able to discuss what more
11 recurring issues we have.

12 In relation to her experience and comments
13 about electricity going off, we can not see captions
14 on the news then. And then we can't use our
15 computers, and we can't get information from the
16 internet.

17 And so, of course, if we go to drive in
18 our car, we can't listen to the radio in the car. So
19 now, as the laws are currently written, TVs have to be
20 13 inches or above to include the caption chip. And
21 we would like to see the law or the FCC make an effort
22 to determine if that is reasonable and if the

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1 producers of TVs that are smaller, if they can and if
2 they have like a battery, have that come with captions
3 so that people are armed with more power or if they're
4 on the road and can't use the radio, they could turn
5 on a battery-powered TV with captions included and see
6 what is going on with relation to the given emergency.

7 So the goal is that we hope with the FCC
8 and industry and government to be able to develop
9 increasing capability and to plan and resign to the
10 concerns and to handle the emergencies as they occur.

11 MEMBER KELLY-FREY: And other thing that
12 I would like to add as Sue McNeil, she can answer any
13 of your questions about the homeland security issues
14 because she is the deputy to Kris Monteith. So also
15 --

16 CHAIRPERSON ROOKER: We're running pretty
17 late here, folks.

18 MEMBER KELLY-FREY: I would also like to
19 thank Tom Chandler for being able to come today and be
20 willing to listen to our report. So thank you.

21 CHAIRPERSON ROOKER: Just a couple of
22 items before we begin a general discussion, we are

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1 going to set up a new working group -- we will talk
2 about that in a little bit -- to meet the homeland
3 security issues that you have suggested. Brenda,
4 thank you very much.

5 Also, the items in your packet for
6 discussion from the TRS working group, there are some
7 additions, as you have just heard about the summit
8 meeting and a couple of other things. Those things we
9 can vote on now, but we will need to get from Brenda
10 her slides so that they can be included for the
11 commission.

12 So now my first question to you is, do you
13 feel comfortable with accepting the things that the
14 TRS working group has proposed or do you want some
15 particular items of discussion? Susan?

16 MEMBER PALMER-MAZRUI: I would like to put
17 it all together, but I would like to discuss a few
18 things first.

19 CHAIRPERSON ROOKER: Okay.

20 MEMBER PALMER-MAZRUI: I think I would
21 feel comfortable with some discussion first.

22 CHAIRPERSON ROOKER: Okay. Well, all

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1 right. Does anyone else also want to discuss items?
2 Let me just get a sense of what time we are going to
3 have here. Andrea also. Okay.

4 One of the working groups has generously
5 given us some extra time. We can cancel the break.
6 So there are your choices. So let's start with
7 Susan's comments. Then we'll go to Andrea. Then
8 we'll see if there's enough of a consensus that we can
9 take a vote.

10 MEMBER PALMER-MAZRUI: I like the idea of
11 having the summit. I am concerned about isolating it
12 to people with hearing disabilities, although I
13 understand functionally why that is the case.

14 I do have concerns that one of the issues
15 from consumers that I have worked with around the FCC
16 is a sense that maybe there's more concern, certainly
17 because of the regulatory issues in the past and some
18 of the legal things, that they're only concerned about
19 those disabilities. I don't believe that that is the
20 case.

21 I don't think anybody here at the table
22 believes that that is the case. My concern is that

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1 coming out with this and saying this is first maybe
2 lend some credence or encourage people to think along
3 those lines. And I was wondering if the group would
4 consider a general disability one.

5 Obviously it's going to be heavily
6 weighted toward hearing disabilities because of the
7 issues that Claude mentioned, but I think if it is
8 open and the agenda is open, that may help a little
9 bit in terms of outreach to other communities as well,
10 even if it is two days broken up into some other
11 means. So I was wondering if that was a possibility.

12 CHAIRPERSON ROOKER: If I can answer that,
13 I think what Brenda has proposed -- and correct me,
14 Brenda, if I am wrong here -- is that we have two
15 days, one day with the deaf community and the other
16 day with the homeland security issues for members of
17 groups with other disabilities. So that we're looking
18 at then coming together on the third day.

19 MEMBER PALMER-MAZRUI: Yes, I do
20 understand that. I am just saying that if that is the
21 case, then I am concerned with the PR issue, really.

22 CHAIRPERSON ROOKER: Oh, you mean the PR

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1 issue for TRS?

2 MEMBER PALMER-MAZRUI: No. For the FCC.

3 CHAIRPERSON ROOKER: Oh, I see. Okay.

4 MEMBER PALMER-MAZRUI: If you do one
5 first, it looks like it's more important. And that's
6 the only thing. If it's mixed in some way -- and I
7 understand the issue with transportation and other
8 things.

9 I am just wondering if the group is
10 willing to write it up some other way just to make it
11 seem as though it's more across this vote,
12 all-inclusive, although certainly I understand that
13 some of the issues are certainly more heavily in terms
14 of the deaf and hard of hearing.

15 CHAIRPERSON ROOKER: Okay. We have got a
16 lot of hands up on this issue. I think I saw Patty
17 first. Then, David, I will come to you.

18 MS. BANNIER: This is Patty Bannier.

19 I just think I want to clarify. I can see
20 your concern about having one meeting one day and a
21 second meeting on a different day. It certainly could
22 be that both groups meet at the same time.

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1 The importance was that all of the various
2 disability groups had an opportunity to really hash
3 out what their specific concerns were so that they
4 weren't overlooked.

5 So if there was one day where the
6 deaf/hard of hearing group got together specifically
7 to address those issues, at the same time other
8 disability groups could get together and discuss their
9 concerns, then they could meet together and be more
10 solid on the specifics of what is involved before they
11 would go to meet with any technology provider or start
12 to determine what needs to happen to resolve it and
13 what is the best way to do it.

14 Would you agree with that, Brenda?

15 CHAIRPERSON ROOKER: Susan, does that
16 address some of your concerns?

17 MEMBER PALMER-MAZRUI: I think if you're
18 talking about also having dates available when you're
19 talking about it or there are other things because I
20 think the response could very easily be, yes, we will
21 have that meeting, maybe they will have something
22 later. I think we just have to be really sensitive to

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1 some of the concerns in other groups.

2 CHAIRPERSON ROOKER: If I understand it
3 correctly, what Patty is saying is to have them both
4 on the same day.

5 MEMBER PALMER-MAZRUI: That would address
6 my concerns, but also I think --

7 CHAIRPERSON ROOKER: Yes. That's what she
8 was saying. She was saying to have the two groups
9 meeting on the same day and then coming together on a
10 second day, which really makes sense, coming together
11 on the second day to address issues of common concern
12 and your unique concerns. Does that address your
13 issues?

14 MEMBER PALMER-MAZRUI: Yes.

15 CHAIRPERSON ROOKER: All right. Now let
16 me see. I've got some other hands here. David?

17 MEMBER POEHLMAN: This is David Poehlman,
18 American Council of the Blind, again.

19 That once again whittled me down to
20 something short. I propose for the sake of marketing
21 that we call this something like consumer
22 telecommunications homeland security summit or event

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1 or whatever you want to call it. And then we can
2 bring everything in and set it up the way we need to.

3 I think, for example, one day with two
4 tracks and another day with everybody coming together
5 may be a good idea. We may just find we need three
6 tracks.

7 The only reason that I mention this is
8 because if we open it up in such a fashion as we have,
9 advocacy organizations, consumers themselves, various
10 groups that deal with various issues that are
11 concerned with the kinds of things that are going to
12 be dealt with concerning homeland security, that we
13 can get a lot of good momentum.

14 I just want to say that this discussion
15 again and this report have pointed out once again my
16 request and my continued cry for captioned radio.

17 Thank you very much.

18 CHAIRPERSON ROOKER: Okay. And, Claude,
19 you had a comment.

20 MEMBER STOUT: Yes. Let's call March 25th
21 the summit. And any meeting prior to that, let's not
22 call it a summit. It will just be a meeting of the

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1 working group because you may have the one group
2 involved with people with hearing disabilities and
3 another group involving individuals with other
4 disabilities.

5 And that way when we all meet together, we
6 can see where it is we have common concerns and issues
7 and where they might be different. So that way we can
8 put it all together.

9 And then when CAC has their meeting on the
10 26th, we can address all the issues as needed so that
11 they are all issues for people with disabilities, not
12 making such a distinct separation. That way we can
13 avoid the mentality of one size fits all because that
14 is not what we are functioning on.

15 We need to address as much as possible
16 issue by issue because of the various disability
17 groups' concerns. So we want to start with that and
18 then go from there.

19 CHAIRPERSON ROOKER: Thank you, Claude.
20 I think you put that extremely well. That's a very
21 well-thought-out approach. I think that that is very
22 true. It would not be called a summit.

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1 Can we put those issues aside in terms of
2 what we call it and the structure and then vote on the
3 content of what was presented here today as to whether
4 or not we want to make these recommendations to the
5 FCC? Is this okay to move ahead? Is everybody
6 comfortable? All right. Then can we put it to a
7 vote?

8 Do we want to accept the recommendations
9 proposed by the TRS working group? May I see a show
10 of hands for?

11 (Whereupon, there was a show of hands.)

12 CHAIRPERSON ROOKER: Well, I don't have to
13 count. I think that's unanimous.

14 Thank you, Brenda, very, very much.

15 (Applause.)

16 CHAIRPERSON ROOKER: We do need, Brenda,
17 copies of your slides so that we can have all of the
18 recommendations in writing. Okay?

19 And now we are going to the broadband
20 working group. Larry Goldberg has been doing a
21 wonderful job. Larry, the floor is yours.

22 MEMBER GOLDBERG: Thanks. If you don't

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1 mind, I will just sit over here and do the report from
2 here.

3 BROADBAND WORKING GROUP

4 MEMBER GOLDBERG: It's a fairly simple
5 report. It's a very big and meaty issue: broadband.
6 It's broad, and it's slippery. You have an excellent
7 group that really is giving each other very good,
8 respectable hearings to each other's issues.

9 We have been fishing around a little bit
10 for what our particular role and recommendations could
11 be. If you remember, we started with a panel here --
12 I guess it was at our last meeting -- which aired a
13 lot of really good viewpoints on particularly the
14 issues of level playing field and regulation in the
15 field of broadband.

16 Our ongoing discussions on the phone and
17 in person had us batting back and forth what exactly
18 we could do to add to the record on broadband, which
19 has been discussed quite a bit in public, quite a bit
20 at the FCC.

21 The various issues that we have brought up
22 and some draft recommendations came down eventually to

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1 what you have in your package today, but we have even
2 more yet coming.

3 What is interesting is that because issues
4 of regulation and marketplace versus regulation are
5 sometimes contentious, we wanted to try to come up
6 with something that was very consensus-oriented
7 without backing away from making a statement on the
8 issue because we're all very strong proponents of
9 making sure that broadband is available to anyone who
10 wants it and accessible to anyone who wants it.

11 So with that said, after a number of
12 drafts, we looked at what we could say that would add
13 to the record. Should we suggest more study? Should
14 we suggest that maybe consumer information could be
15 better written and the consumers could be better
16 educated?

17 And then, all of a sudden, the voice over
18 IP issue raised itself up as one of the hottest
19 immediate issues in the world of broadband and one
20 that hasn't yet generated such a large public record
21 where maybe we could add something to it.

22 At virtually the same moment, the FCC

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1 announced that they were going to have a notice of
2 proposed rulemaking, that they were going to have a
3 voice over IP summit. And we felt like we should at
4 least point up some of the issues we wanted to make
5 sure the FCC was going to address in this summit and
6 in the NPRM.

7 At that point, the chairman issued his
8 announcement about the summit and all of our issues or
9 most of our issues that we wanted to make sure were
10 taken up or named.

11 One thing that was not specifically named
12 in the release was access for people with
13 disabilities, which certainly raised a concern. And
14 so we added that to our recommendation.

15 I have just learned that it's confirmed
16 that at the December 1st summit, there will be a
17 representative to talk about disability issues and
18 access to voice over IP. So we feel pretty confident
19 that before we have even released this publicly or
20 voted on it, most of what we would like to recommend
21 has already been accepted.

22 I think it would still be a fairly strong

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1 voice to have the entire CAC recognize that. I'm not
2 sure whether I need to read this full recommendation
3 through. It was all sent to you in advance. And you
4 have got it in various formats.

5 It's mostly raising the issue that within
6 the broadband world, voice over IP is a new service
7 that is being offered over the changing world of
8 broadband. Though it's new, it has a potential to
9 become a widely used service, offers all kinds of
10 benefits but raises questions about the impact it will
11 have on consumer issues.

12 As new services like voice over IP blur
13 the legal distinctions between communications
14 services, it is important to identify consumer
15 protections.

16 We then recognized Chairman Powell's
17 stated agenda for the upcoming forum and subsequent
18 NPRM, "to explore the best means to achieve important
19 health, safety, and welfare policy objectives, such as
20 E911, universal service, and homeland security." We
21 urge the commission to also pay close attention to the
22 additional issue of access for people with

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1 disabilities.

2 An interesting addition to that is that we
3 stressed that these consumer protections can and
4 should be addressed, regardless of the ultimate
5 regulatory treatment of voice over IP, which means
6 either through voluntary means, marketplace issues, or
7 regulation, we feel strongly these issues must be
8 recognized.

9 I have a further report from today's
10 meeting, but if we would like to take up this
11 particular recommendation first, we could do that.

12 CHAIRPERSON ROOKER: Larry, I want to make
13 certain that we know exactly what we are talking about
14 here. So what you are really suggesting that we vote
15 on is identifying the consumer concerns in terms of
16 the changing communications market, that we recognize
17 the chairman's statement and objectives and support
18 and strongly encourage that they be followed, and also
19 to pay close attention to the issues for the
20 disability community.

21 MEMBER GOLDBERG: Right.

22 CHAIRPERSON ROOKER: Now, if there

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1 anything else that I have missed?

2 MEMBER GOLDBERG: Just the final statement
3 that we are making it additional that consumer
4 protection should be addressed, regardless of --

5 CHAIRPERSON ROOKER: Oh, yes. Okay.

6 MEMBER GOLDBERG: -- how voice over IP is
7 treated, particularly on the issue of is it an
8 information service, is it a telecommunications
9 service. Regardless of whether that's determined, it
10 still should be addressed.

11 CHAIRPERSON ROOKER: Okay. All right.
12 Yes, you're right. All of this is in the information
13 that we distributed. All right. We can open the
14 floor for discussion. Yes, Brenda?

15 MEMBER KELLY-FREY: Hi. This is Brenda
16 Kelly-Frey representing NASRA.

17 Larry, as you just said in your report,
18 the OIP is growing and is projected as becoming a
19 major future telephony service. You may or may not be
20 aware that TRS and 911 services have surcharges
21 attached to the telephone bills to pay for TRS as well
22 as for 911 and E911.

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1 I want the group to also consider the
2 ramifications of that TRS funding that happens to be
3 based on land line phones as well.

4 MEMBER GOLDBERG: We absolutely recognized
5 all of that within our group and realized that our
6 group wasn't able to recommend that it be explicitly
7 not included, but it absolutely has to be part of the
8 record in the upcoming forum and in the ongoing NPRM.

9 So we all recognize those are two of the
10 big issues. And that's why we made sure that it was
11 added to the agenda but couldn't conclude where it
12 should go, either way.

13 MEMBER KELLY-FREY: Right.

14 MEMBER GOLDBERG: We don't feel it's
15 appropriate. Does that state the sense of the group
16 well enough?

17 CHAIRPERSON ROOKER: Okay. And we had
18 Donald. I think you put your hand up.

19 MEMBER SNOOP: Larry put it very
20 succinctly.

21 CHAIRPERSON ROOKER: Okay. What is the
22 other discussion that we have?

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1 (No response.)

2 CHAIRPERSON ROOKER: Oh, my goodness. You
3 are going to get us back on track? I can't believe
4 it. Somebody wants to take a break. Okay.

5 Then shall we have a show of hands as to
6 whether we accept the proposal from the broadband
7 working group and present it to the FCC?

8 (Whereupon, there was a show of hands.)

9 CHAIRPERSON ROOKER: You all are
10 unbelievable. That's great work. Thank you, Larry
11 and your groups. We really appreciate it.

12 (Applause.)

13 MEMBER GOLDBERG: And you'll be hearing
14 from us further shortly about our next issues and our
15 next recommendations.

16 CHAIRPERSON ROOKER: Okay. Well, I like
17 that, too. Thank you very, very much.

18 We have done a lot of work in this last
19 hour or so. We have a 15-minute break. Did you hear
20 that, folks, 15-minute break?

21 (Whereupon, the foregoing matter went off
22 the record at 2:26 p.m. and went back on

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1 the record at 2:45 p.m.)

2 CHAIRPERSON ROOKER: I think it's
3 appropriate right now to talk about setting up a new
4 working group. That would be the working group that
5 would address the disability issues that we discussed
6 other than the deaf issues relative to homeland
7 security. Is that right? Am I correct?

8 Is anybody interested in setting up a
9 group like this and working on it and then giving
10 input to the committee? Larry?

11 MEMBER GOLDBERG: I just have a question.
12 The FCC does have a network security and homeland
13 security advisory committee already. Some disability
14 advocates are on that committee. So I'm just
15 wondering how that meets up with what this group would
16 do.

17 I know AFB is represented and others on
18 captioning issues and things like that.

19 CHAIRPERSON ROOKER: I can't answer that.
20 Can you answer it, Scott?

21 MR. MARSHALL: No, but we will investigate
22 it. No, I can't answer that, Larry, at the moment.

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1 I know that there are some disability organizations
2 involved with the homeland security policy council,
3 which is another federal advisory committee here. But
4 I am sure that as this thing develops, we will be able
5 to coordinate because there has been some information
6 shared to date.

7 Is Sue McNeil here? She might be able to
8 address it. I can't.

9 CHAIRPERSON ROOKER: I don't see her.

10 MR. MARSHALL: I am sure we will take that
11 all into account, Larry.

12 CHAIRPERSON ROOKER: Nevertheless, that
13 still brings me back to my original question, who
14 would be interested in serving on a separate working
15 group that would address other homeland security
16 issues, other than the deaf issues? I see Mike. We
17 see Rebecca.

18 MR. MARSHALL: Mike as in Duke.

19 CHAIRPERSON ROOKER: Mike as in Duke.

20 MR. MARSHALL: Okay.

21 CHAIRPERSON ROOKER: Rebecca. Mike
22 DelCasino. Anyone else? Mark Pranger. Susan, not

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1 Susan Grant, Susan Mazrui. Who else has got a hand up
2 over there?

3 Claude, do you have a question or you want
4 to serve on something? Did you have a question? Oh,
5 I'm sorry. Okay. You have to be careful when you
6 stick your hand in the air. I call on you.

7 Anyone else?

8 (No response.)

9 CHAIRPERSON ROOKER: Okay. So we've got
10 the beginnings of a working group here. Thank you all
11 very much. We'll get you set up into an e-mail list.
12 And maybe somebody will volunteer to be the chair of
13 it.

14 MR. MARSHALL: And David was which David?

15 CHAIRPERSON ROOKER: Which David? David
16 who? Was there a David who volunteered?

17 MR. MARSHALL: I wrote "David" down. No?

18 CHAIRPERSON ROOKER: No. Mark Pranger.

19 MR. MARSHALL: Okay. Review: Mike;
20 Larry; Rebecca; Mike Duke, that is; Mike DelCasino;
21 Mark; and Susan. Is that correct?

22 CHAIRPERSON ROOKER: Yes. Mike Duke and

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1 DelCasino.

2 MR. MARSHALL: Okay. Got it.

3 MEMBER GOLDBERG: Scott, this is Larry.

4 I don't think I volunteered. I was just asking a
5 question before.

6 CHAIRPERSON ROOKER: Yes.

7 MR. MARSHALL: Oh, you didn't volunteer?

8 MEMBER GOLDBERG: No, no. Thank you
9 anyway.

10 MR. MARSHALL: You see, that's the
11 problem. All right. Got you off, got you off.

12 CHAIRPERSON ROOKER: Now, who have we got?
13 Show the hands again.

14 (Whereupon, there was a show of hands.)

15 CHAIRPERSON ROOKER: We've got Mike Duke,
16 Mike DelCasino, Mark Pranger, Rebecca, and Susan.

17 Okay. Good. That's great. Thank you all very much.

18 MR. MARSHALL: Yes.

19 CHAIRPERSON ROOKER: Then let's move on to
20 our next working group, the consumer outreach,
21 education and complaints working group, which is
22 chaired by Joy Ragsdale. Again, Joy, thank you all so

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1 much for your work. And you're going to start this
2 off.

3 CONSUMER COMPLAINTS, OUTREACH, EDUCATION AND
4 PARTICIPATION WORKING GROUP

5 MEMBER RAGSDALE: Today we're going to
6 give a presentation of the consumer outreach,
7 complaint, education and participation working group.

8 Because of the size of the group and the
9 number of issues involved, we after the April meeting
10 divided into three small groups. Consumer complaints
11 is chaired by Mike DelCasino. Consumer outreach
12 issues are chaired by Debra Berlyn. And modernizing
13 the FCC and addressing electronic access issues is
14 chaired by Susan Mazrui.

15 We are going to have a brief progress
16 report given by Debra and Susan. However, our
17 recommendations that will be presented to date for
18 voting will be given by Mike DelCasino on behalf of
19 the consumer complaints group.

20 We have met with several FCC staff members
21 over the course of six months. Louis Sigalos and his
22 staff have met with many of our members and gave us a

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1 full presentation, which Debra will speak in detail
2 about in a few moments.

3 We have also met with various groups of
4 the Electronics Express and section 508 compliance
5 unit, also the webmaster, which Susan Mazrui will give
6 you further details about that in her report.

7 However, in some of our discussions, we
8 also determined that we did not have the expertise in
9 our group on the whole to address Indian and tribal
10 issues. So we presented to Vernon James whether he
11 would be interested in heading up another subworking
12 group. He is not here today. And we have not heard
13 from him to confirm that. But that is something under
14 discussion.

15 So at this moment, I would like to turn
16 over the mike to Debra, who will give a report on our
17 further activities for this year.

18 MEMBER BERLYN: Thanks, Joy. Let me just
19 start out by thanking you, Joy, for the outstanding
20 work you do in managing a group that has such a broad
21 set of issues to deal with. Our subworking group --
22 I guess that's what we call ourselves -- addresses

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1 consumer outreach and education. And after our first
2 meeting, we recognize the need to find out what the
3 FCC was already doing in terms of outreach and
4 education.

5 So, as Joy mentioned, we had a meeting in
6 early August with the Division of Consumer Outreach
7 that is headed by Louis Sigalos. He brought some of
8 his staff together with us. Joy has I believe
9 distributed a full report on our meeting with all the
10 discussion points.

11 One thing that our subgroup has recognized
12 is that the FCC has come excellent information. In
13 fact, if you go out to the lobby area, you will notice
14 that there are some wonderful fact sheets there with
15 all sorts of information for consumers about wireless
16 phone service, slamming, et cetera.

17 The question I think that our group needs
18 to address is how can we get that good information
19 into the hands of all consumers, particularly
20 consumers who are in areas where they may not have
21 easily accessible internet Web site service, where
22 they can download this information.

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1 So there are several issues: one, how do
2 we let consumers know this information is out there;
3 and then how do we make sure that we get this
4 information in the hands of all consumers.

5 In our discussion, one of the issues that
6 was brought up by the Consumer Outreach Division of
7 the FCC was a limitation in funding resources for them
8 to accomplish all of the tasks that we would ideally
9 like them to and they themselves want to. So that is
10 always in the back of our minds, what can we do with
11 limited resources that the FCC has.

12 As you will see, we talked about some
13 efforts they have made to get on the road, again
14 limited by funding resources, but they have gone to
15 schools in the areas. They have gone to do a
16 roundtable at the Public Utility Commission in
17 Pennsylvania. They worked with seniors at a
18 discussion in, I believe it was, Las Vegas, Nevada.

19 So they have themselves tried to do some
20 outreach. And we support them and want to work with
21 them in figuring out ways in which they can do more of
22 that.

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1 Our group today discussed kind of the
2 second step to that, which is what are the best means
3 for getting information out there. We discussed ways
4 in which we can perhaps work with the FCC to build a
5 database that they are working on of all the contacts
6 that they have, where they could immediately send
7 information over the internet to a set of contacts.
8 And then those contacts would then distribute the
9 information for them.

10 And some of those groups we want them to
11 include are libraries and community centers as well as
12 perhaps other organizations. We will be working with
13 them in the future to help them build that database.

14 The other thing we want to try and do is
15 to get together with the Office of Media Relations and
16 the Outreach Division and talk about ways in which
17 this information could be placed in community
18 newspapers. Perhaps we discuss a monthly column or a
19 bimonthly column that would address some key outreach
20 issues for consumers, education issues for consumers.

21 So, with that in mind, what we are going
22 to work toward for perhaps our March meeting is a

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1 plan, working closely with the Outreach Division and
2 the Office of Media Relations to work on a plan, for
3 doing some of these consumer outreach activities.

4 Thank you.

5 MEMBER PALMER-MAZRUI: First of all, I
6 would like to say that I am one of the co-chairs of
7 the modernizing the FCC working group. Claude Stout
8 and David Poehlman are also working on this as
9 co-chairs. I invite them to interrupt and correct me
10 at any time.

11 What we tried to do is look at some of the
12 efforts the agency has done to go along with the
13 modernizing efforts that have been taking place over
14 a lot of different federal agencies. In particular,
15 we looked at Web access and information, how is that
16 being shared with those outside the Beltway, and
17 efforts along the lines of training.

18 We recently had a meeting with the
19 webmaster, the manager for EDOCS, and the manager for
20 the electronic filing system. That was very
21 productive.

22 Prior to the meeting, we had an

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1 opportunity with a lot of input from members of the
2 working group. Larry Goldberg, for example, and David
3 Poehlman, and Claude Stout were some of the ones who
4 did a quick overview of the accessibility of the Web
5 site. And there were areas of concern.

6 There were areas that were done very well,
7 and that's one of the things we said things are great
8 and commendable, efforts that have been done to
9 clearly follow 508 guidelines. And there are areas,
10 let's say, that have opportunities for growth.

11 So the inconsistency was one of the things
12 that was of concern. We found that our initial
13 thoughts about improving the access on the Web site,
14 both usability and accessibility, were really
15 consistent with what the Department of Justice was
16 making recommendations on across the board for all
17 agencies.

18 So what we are in the process right now of
19 doing is we have drafted some initial recommendations
20 from the working group. We have just gotten comments
21 back. We should have that circulated out to the
22 larger subcommittee and then the full committee before

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1 the next meeting and would like to be on the agenda
2 for the next meeting to talk about those
3 recommendations.

4 You will all have an opportunity to
5 comment, make improvements, and provide feedback on
6 this effort prior to the meeting as well as during the
7 next meeting if we are put on the agenda as requested.

8 Does anybody have questions?

9 (No response.)

10 MEMBER PALMER-MAZRUI: Okay.

11 MEMBER RAGSDALE: Mike?

12 MEMBER DelCASINO: Good afternoon. I am
13 Mike DelCasino. I am happy to be able to present the
14 recommendation from the complaints subworking group of
15 our working group.

16 I want to do a couple of things before I
17 actually launch into that. First is I want to thank
18 the group members for their literally tireless
19 efforts.

20 What you have in front of you is a
21 one-page recommendation, but I assure you that we had
22 four or five meetings, -- I can't remember exactly how

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1 many -- each of which were two and a half or so hours
2 in length.

3 So we had a tremendous amount of
4 discussions and sharing of thoughts and ideas. I want
5 to thank and commend our working group members for
6 that.

7 The second thing I would like to do is I
8 would like to thank two folks from the commission's
9 CGB staff, Martha Contee and Cynthia Brown, who also
10 participated in most of the meetings that this working
11 group had.

12 I think of particular note in that regard,
13 the recommendation that we have, as we will talk about
14 in a minute, has got a fairly narrow focus, but our
15 discussions over all those meetings were very broad
16 and covered lots of areas of the complaint process.

17 Interestingly, as a result of some of that
18 conversation, Martha and Cynthia actually took some
19 things back and have already made some minor
20 modifications and changes to the complaint process and
21 to the commission's Web site. So that kind of
22 demonstrates that just discussing these things tends

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1 to lead to some improvements.

2 The third thing I guess I would like to
3 say is that while this particular recommendation has
4 a few new thoughts and suggestions, I think it is
5 largely an expansion of a lot of the very good work
6 that the commission has already begun to do, a lot of
7 which you heard about today, some of which Dane
8 mentioned this afternoon that we weren't even aware
9 of. So the point here is really that we think we have
10 a couple of suggestions that will enhance a lot of the
11 work that the commission is already currently doing.

12 The last point I think I want to make --
13 and then we can talk about the recommendation itself
14 -- is to say that this particular group's work I think
15 is very far from done. We surfaced a lot of things in
16 our discussions.

17 As a result of that discussion, we seemed
18 to focus around outreach and settled on bringing
19 before you today this particular recommendation. But
20 I think you will see as we move forward that this
21 complaint working group will be back to you with some
22 additional recommendations regarding complaints.

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1 You have all seen the recommendation.
2 It's not quite a page long. I don't know as there is
3 much point in reading through it. Let me just comment
4 that it is outreach-focused.

5 Our recommendation here to the commission
6 is to expand and elaborate on some of the activities
7 that they already have in place. We request that they
8 use the resources that are available to them that they
9 are currently funding through the universal service
10 fund to enhance their outreach efforts regarding a
11 consumer complaint and also to think about or test the
12 possibility of using some of the newer technologies to
13 do that. And they are kind of outlined here.

14 So utilize libraries, utilize
15 universities, utilize the school systems, utilize
16 conference calls. They do town meetings, for example.
17 If it's possible to arrange to have that town meeting
18 webcast, you could expand the scope of the population
19 that gets to hear that message; similarly, with
20 something as simple as arranging for a conference call
21 at a meeting where some subgroup of people can dial
22 into the meeting and hear the message. Our group

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1 thinks that that would enable the outreach to get to
2 a larger portion of the population.

3 I guess let me leave it at that and ask if
4 anybody has any particular questions or ask the other
5 working group members if I left anything out and they
6 want to add to it, please do that.

7 CHAIRPERSON ROOKER: Do we have any
8 comments or questions for Mike?

9 (No response.)

10 CHAIRPERSON ROOKER: You just covered it
11 all, Mike. They're just stunned. I can't believe
12 this group doesn't have a question. Oh, we did with
13 David.

14 Thank you, David, for saving us.

15 MEMBER DelCASINO: Are you sure you want
16 to thank him?

17 CHAIRPERSON ROOKER: Well, we'll wait.

18 MEMBER POEHLMAN: Hello. This is David
19 Poehlman with the American Council of the Blind.

20 Since nobody else volunteered to come
21 forward, I thought I would see if I could cobble
22 something together to say or to ask.

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1 I have actually been looking at this
2 recommendation and looked at it several times in
3 e-mail and in Braille here. I am trying to find out
4 if we have left anything out in the way of
5 communications. I am not sure that we have, but I am
6 wondering if we take a look at the suggested modes of
7 delivery, if there isn't something that we might want
8 to add.

9 I think at one point during our group's
10 discussions, I had suggested adding something like
11 "and others" or something like that to this list.
12 It's a great list, but I don't know if we left
13 anything out. So I just thought I would mention that.

14 CHAIRPERSON ROOKER: So you would just say
15 that we would be leaving this open for other avenues
16 of consumer outreach?

17 MEMBER POEHLMAN: Yes. I would say "and
18 others" or something like that.

19 CHAIRPERSON ROOKER: Okay. Do we have any
20 other comments or discussions? Okay, Larry.

21 MEMBER GOLDBERG: I'm interested in the
22 use of all of these educational institutions as

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1 vehicles for outreach and complaints, particularly
2 public schools.

3 I know in public broadcasting, we make a
4 huge effort to create materials for use in schools.
5 And I don't know if the FCC actually has, like many
6 sites, the kids' site or the kids' zone for FCC
7 issues.

8 It might sound dry, but, in fact, the
9 technologies are fascinating to kids and whether the
10 creation of materials and, therefore, matching class
11 projects to have the class together file complaints or
12 communicate with the FCC.

13 It's sort of touched on in the first
14 bullet point. I don't know if the FCC has done that
15 yet or not.

16 CHAIRPERSON ROOKER: They do. Scott is
17 telling me that they do. Scott, do you want to talk
18 to him about it?

19 MR. MARSHALL: Hi, Larry. Scott Marshall.

20 We do have a parents' page that is up and
21 running at the moment. I believe that we also have a
22 kids' page that is under development.

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1 CHAIRPERSON ROOKER: Okay. Do we have any
2 other questions or comments?

3 (No response.)

4 CHAIRPERSON ROOKER: Okay. Then we'll
5 vote it. We'll take a vote on whether or not to
6 recommend to the commission the suggestions, the
7 recommendations made by the subgroup of the sub of the
8 group. Long titled group here. The consumer group.
9 Let's just make it a short title.

10 Anyway, may I see a show of hands of
11 people who would like to make this recommendation to
12 the commission?

13 (Whereupon, there was a show of hands.)

14 CHAIRPERSON ROOKER: Well, once again, you
15 all are breaking records today. That was a unanimous
16 vote. Thank you very much. So we shall make that
17 recommendation to the commission, as you suggested.
18 Thank you all very much. Joy, group, thank you. We
19 really appreciate that.

20 Then moving right along here, we will go
21 to Eugene Seagriff with the ancillary services working
22 group.

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1 MEMBER SEAGRIFF: Thank you, Shirley, and
2 thank you all for allowing us some time on the agenda
3 today.

4 ANCILLARY SERVICES WORKING GROUP

5 MEMBER SEAGRIFF: Our working group
6 consists of Karen Kirsch, Diane Burstein, Vernon
7 James, Byron St. Clair, Dave Poehlman, Mike Duke,
8 Larry Goldberg, and myself.

9 We were studying if there were any issues
10 related to the ancillary services in the current
11 proceedings that the FCC is considering. We held a
12 number of conference calls and plenty of e-mail
13 traffic to discuss these issues.

14 With Scott's help, we were able to have
15 briefings by FCC experts in several areas to inform
16 our discussions. For example, Steve Broeckaert
17 briefed us on plug and play. Rick Chessen briefed us
18 on DTV. And Ed DeLaHunt briefed us on digital radios.
19 So those were the three areas that we were looking at.

20 We determined that there were not any
21 issues related to ancillary services in these areas
22 that CAC could address in the form of recommendations

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1 to the commission. That was our opinion.

2 However, we felt there is a much wider
3 group here available to us, and we didn't want to take
4 these things off the table entirely without at least
5 flagging them for you and letting you know what a
6 couple of the things that we found were.

7 First is related to DTV. In DTV, as in
8 analog TV, there are cable must-carry requirements for
9 program-related material. There are a few things that
10 are specifically called out as examples of
11 program-related material, but one of them that is not
12 included is material currently contained in the analog
13 SAP that may be considered program-related.

14 So the only debate we were having is,
15 well, gee, should that stuff have been specifically
16 called out as part of the program-related material or
17 not?

18 We didn't feel strongly that this should
19 be a recommendation, but we wanted to get some
20 feedback from the wider group before we shelved it.

21 Does anyone have any comments or ideas on
22 that issue?

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1 MEMBER SNOOP: This is Don Snoop. Are you
2 talking specifically on the SAP issue between analog
3 and digital?

4 MEMBER SEAGRIFF: Yes. As Diane can
5 explain much more eloquently than I can, there's not
6 really going to be SAP per se on DTV, but the material
7 that is currently in the analog SAP if it's considered
8 program-related, should that be specifically called
9 out in the must-carry portion of DTV?

10 CHAIRPERSON ROOKER: You're losing me with
11 all of these initials. I am assuming DTV is digital
12 television. What is SAP? Don't tell me it's me.

13 MEMBER SNOOP: Secondary program so that
14 you can actually --

15 CHAIRPERSON ROOKER: What is it?

16 MEMBER SNOOP: Secondary audial program so
17 that you can actually push a button on your TV set and
18 you can get a second audio. Sometimes it will be in
19 Spanish. Sometimes it will be --

20 CHAIRPERSON ROOKER: Okay. Thank you very
21 much.

22 MEMBER SEAGRIFF: Sometimes it's used for

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1 a description for the blind as well.

2 CHAIRPERSON ROOKER: David?

3 MEMBER POEHLMAN: Yes. David Poehlman
4 with the American Council of the Blind.

5 The reason why we are sort of putting this
6 out on the table, this particular one, is because we
7 understand that there is some discussion already
8 underway concerning this and we didn't know if we
9 should put it forward as a recommendation.

10 We would like to hear from you all about
11 this and some of the other things that we had.

12 MEMBER SEAGRIFF: Okay. I'll take that as
13 it's not a big deal to anybody. We didn't think so,
14 but we wanted to make sure. It was really a semantic
15 thing about whether we should call this particular
16 item out in the must-carry or not.

17 Program-related materials are called out
18 in must-carry. And we kind of thought that was
19 sufficient, but we wanted to get a wider input before
20 we shelved it.

21 A second issue is related to plug and
22 play. Plug and play is about enabling cable-ready

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1 digital television sets essentially. Part of the plug
2 and play report and order mention that there would,
3 could, and should be consumer disclosures about what
4 people should expect to happen and how it is supposed
5 to work.

6 Right now those are just pretty much vague
7 and have to be hashed out. We didn't feel like the
8 CAC should get involved in hashing that out or spell
9 out what we felt should be in there, but we wanted to
10 get an opinion from the wider group on that issue as
11 well.

12 Should we take a more active role in
13 suggesting how the disclosure issue should play out?

14 MEMBER SNOOP: I have an opinion. Plug
15 and play, right now there's a number of things. It's
16 like a two-edged sword.

17 CHAIRPERSON ROOKER: Donald Snoop.

18 MEMBER SNOOP: Oh, I'm sorry. Yes.

19 In other words, right now the cable
20 industry, the CEA, the consumer communications
21 electronics, have come to an agreement to have all of
22 these cable-ready TV sets, have it so the customer can

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1 just plug in a cable and have it work for the most
2 part if you're a cable TV customer. It does exclude
3 direct TV. It does exclude other technologies. And
4 that has already been bantered about a number of times
5 by the FCC.

6 Is it negative? No. From a consumer
7 perspective, should we be addressing it? We probably
8 should keep it on our radar screen only because of the
9 fact that there are a number of consumers a couple of
10 years down the road when this becomes a reality.

11 You may walk in and buy a TV set, be it
12 DirectTV or Dish subscriber network or another
13 technology, thinking that it is going to work and find
14 out it actually doesn't. So it may be something you
15 might want to keep on the radar screen.

16 MEMBER SEAGRIFF: We're not saying that in
17 the future, as circumstances change, we wouldn't
18 revisit an issue or take further action.

19 MEMBER SNOOP: Right.

20 MEMBER SEAGRIFF: What we said is at this
21 time, we didn't feel there were any concrete
22 recommendations we could make.

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1 MEMBER SNOOP: Okay.

2 CHAIRPERSON ROOKER: Shirley Rooker.

3 Is it possible that this technology at
4 some point will if you have Dish or DirectTV be
5 available? I don't know that much about the technology.

6 MEMBER SNOOP: It's hard to say at this
7 point because the press releases, almost on a weekly
8 basis, press releases are going back and forth as to
9 what is happening, what the objections are, and things
10 of that nature. So it's playing itself out.

11 I'm sure at some point there will be
12 because it's a numbers game. There are millions of
13 people with DirectTV and Dish Network along with cable
14 customers. So at some point I think they are going to
15 have to. I don't think it's something that we have to
16 engineer, but I think from a consumer standpoint, I
17 think we need to keep it on the radar screen.

18 CHAIRPERSON ROOKER: It seems to me like
19 what you are saying is there is a consumer education
20 aspect attached to this --

21 MEMBER SEAGRIFF: Oh, absolutely.

22 MEMBER SNOOP: -- educating the consumers

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1 that the TV that they think they are going to go plug
2 in and play may not.

3 MEMBER SNOOP: Right.

4 MEMBER SEAGRIFF: The plug and play order
5 from the FCC includes a provision that disclosures
6 must be made so that customers are not mislead or
7 misunderstood. Our discussion was, should we insert
8 our committee into that proceeding or not?

9 CHAIRPERSON ROOKER: I see.

10 MEMBER SEAGRIFF: And our feeling at the
11 time was not.

12 Last but not least, -- and I know I am the
13 only thing between us and the end of the day -- is
14 digital radio. It seems that digital radio is still
15 in its formative stages. It's not fully codified and
16 defined.

17 It seems that multiple data streams will
18 be possible, but it's not clear that there are any
19 plans to include things like radio reading services or
20 other services in those data streams.

21 We weren't sure even if the FCC had a
22 mechanism for encouraging such usage of the bandwidth

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1 or not and whether it was going to really go one way
2 or the other in the future. Anyway, the crystal ball
3 wasn't working so well.

4 We felt that we would table it, but we
5 wanted to also bring that to your attention beforehand
6 as well.

7 CHAIRPERSON ROOKER: Okay. Do we have any
8 comments or questions? Claude?

9 MEMBER STOUT: Yes. I just wanted to drop
10 a thought off to your group. I wanted to bring up the
11 digital radio, to keep that in mind. If there is any
12 possibility that we could enjoy captioned radio while
13 we are driving in the car or while we are using a
14 global positioning system, we could see the caption,
15 just keep that in mind. We would like to see that
16 happen.

17 CHAIRPERSON ROOKER: Okay.

18 MEMBER SEAGRIFF: We'll keep that in mind.
19 I'm not sure if that's an area the FCC can really deal
20 with either.

21 MEMBER STOUT: I think people in Japan are
22 using captioned radio technology if I understand

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1 correctly, but maybe that's something that could be
2 investigated and looked into.

3 MEMBER GOLDBERG: I think that Eugene's
4 point is we might not be able to encourage that
5 someone start such a service, but we will want to keep
6 our eye on the technology so it can be supported.
7 There is nothing about the technology that would
8 prevent anyone from providing captioned audio of any
9 sort. And that's where we will keep our eye on it
10 because I don't know that any of us are yet fully
11 informed about the capabilities and limitations of
12 digital radio.

13 MEMBER SEAGRIFF: Right. And that is
14 still forming. But since there should or could be
15 multiple data streams in a digital world, anything can
16 be put in that data stream theoretically.

17 So, Claude, to your point, there are
18 really two sides to that problem. One is the ability
19 of the radios themselves to play and decode the
20 captions, if you will, which I imagine is probably
21 possible because all the satellites, radio systems
22 show you the artist and title and that kind of thing.

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1 However, the other side of the coin is
2 getting the content captioned. That's a content
3 creation issue, which is a very difficult challenge to
4 solve.

5 CHAIRPERSON ROOKER: David?

6 MEMBER POEHLMAN: I just wanted to add to
7 Eugene's excellent report -- David Poehlman again with
8 the American Council of the Blind -- that during our
9 call on digital radio, some of these issues were
10 raised.

11 The thing that we are talking about here
12 basically, though, is that FCC right now is basically
13 concerned with helping to get digital radio up and
14 running. They did that by licensing a company I
15 understand to provide the licensing and carrier
16 services and that sort of thing. It's one company
17 that is doing it for all the facilities out there.
18 And now they're involved.

19 They have been involved in the testing and
20 the rollout and that sort of thing of that kind of
21 thing. And then they're also involved with making
22 sure that transmitters and so forth are in compliance

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1 with FCC regulations.

2 There is a lot of interesting stuff,
3 actually, in digital radio. For example, one thing
4 that you will want to know when you go out to buy your
5 digital radio set in a few years, don't be afraid to
6 go out and buy one because let's say that there are 10
7 or 15 stations in your market and only 2 of them are
8 digital. That's okay. You're not going to lose the other
9 11 or 12 or whatever because you will still be able to
10 pick up the analog signal from your digital set.

11 So I would encourage you in a few years
12 when you start seeing them show up in the stores and
13 they are cheap enough to buy, go out and grab one.
14 It's going to be very exciting.

15 With regarding to captioned radio,
16 something I have been pushing for for a while, I asked
17 about this and some other things we asked about, the
18 radio sets themselves, you know, what they're going to
19 look like, what their interfaces are going to be. And
20 it's really too early for some of this information to
21 be available.

22 That was also the sense that I got about

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1 captioned radio, not impossible. Somewhere down the
2 line, it may happen, but it's just too early to tell.

3 CHAIRPERSON ROOKER: Thank you, David. I
4 really did not know that you could pick up analog on
5 a digital radio. That's good information.

6 MEMBER POEHLMAN: There aren't many of
7 them out there yet, but when there are.

8 CHAIRPERSON ROOKER: When there are.

9 MEMBER SEAGRIFF: That's the conclusion of
10 my report. I would like to thank all the working
11 group members for their help and support and
12 participation. I feel my role is just to keep all of
13 these bright and active people engaged and to take a
14 lot of notes. So thank you all for your work.

15 CHAIRPERSON ROOKER: Keep them working.
16 Thank you very much, Eugene. I really appreciate it.

17 I think we have looked at our working
18 groups. We have come up with some very excellent
19 things today. Congratulations to all of you for your
20 hard work.

21 I also wanted to put a question to you.
22 Do you think that we're addressing all of the issues

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1 that are of concern to you? Do you feel that we need
2 other working groups? That's something you don't
3 necessarily have to answer today, but I would like for
4 you to think about it because there are so many things
5 that concern us that we want to make sure that we are
6 being inclusive with everyone.

7 We do have the working group that Vernon
8 James heads up that we hopefully will get something
9 from. Am I correct, Scott?

10 MR. MARSHALL: Scott Marshall.

11 He had expressed an interest in the
12 possibility of a rural issues, Native American group.
13 I have not heard back from him about that. So I don't
14 know what the status is currently. So that may be
15 coming. If I do get something, I will send it out on
16 the list to ascertain if anybody is interested in
17 pursuing that.

18 It might very well fit with the
19 commission's rural initiative that Dane mentioned
20 earlier this afternoon.

21 CHAIRPERSON ROOKER: Okay. Then I would
22 ask of you, as I said, to think about what we're

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1 discussing and if you feel that there are gaps and
2 things that we need to bring up.

3 COMMENTS FROM THE PUBLIC;

4 WRAP-UP; FUTURE MEETINGS

5 CHAIRPERSON ROOKER: I don't have any
6 other items of business except for our public, opening
7 for the public. Scott, do you have other information?

8 MR. MARSHALL: Except to ask if you
9 haven't signed the registration form, it should be in
10 the room here. Please do so or at least see me.
11 Especially if you haven't spoken at the meeting, I
12 don't know that you're here.

13 CHAIRPERSON ROOKER: He does not look at
14 your hand waving. Right?

15 Okay. Well, Debra?

16 MEMBER BERLYN: Yes. I just wanted to
17 make a general comment -- this is Debbie Berlyn --
18 before we go to the public comments. I found this
19 format very helpful. I would like to encourage Scott
20 and you, Shirley, to include an opportunity for us to
21 deliver reports and work together, perhaps not at the
22 length we did today but at our next meetings.

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1 CHAIRPERSON ROOKER: Yes. Thank you.
2 Yes. We agree with you. We feel it's very
3 productive. It's very productive because you all as
4 working groups have done your job. So it wouldn't
5 have been otherwise. We would have been sitting here
6 looking at each other going, "What do we talk about
7 now?" So thank goodness for you working, industrious
8 people.

9 It's my pleasure to open the discussion to
10 the public members who are attending here today and to
11 invite you for your comments, questions, or concerns.
12 Do we have anyone who wants to address any issues to
13 the committee?

14 (No response.)

15 CHAIRPERSON ROOKER: Well, then if not,
16 we're going to end early for a change. I would like
17 to thank all of you for making it such a wonderful
18 meeting, look forward to seeing you in March, and also
19 to wish you all a very happy Thanksgiving and happy
20 holiday. So, anyway, thank you very much.

21 (Whereupon, at 3:25 p.m., the foregoing
22 matter was adjourned.)

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