



NATIONAL ASSOCIATION OF THE DEAF

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 FEDERAL COMMUNICATIONS COMMISSION
 OFFICE OF THE SECRETARY

Ms. Magalie R. Salas
 Secretary
 Federal Communications Commission
 445 12th Street, S.W., TW-A325
 Washington, D.C. 20554

Re: FCC Public Forum on 711 Access to
 Telecommunications Relay Services - Ex Parte Comments
 CC Dkt. No. 92-105 ✓

Dear Ms. Salas:

Enclosed please find one original and four copies of comments filed by the National Association of the Deaf in preparation for the upcoming Forum on 711 access to telecommunications relay services, to be held September 8, 1999.

Sincerely,

Karen Peltz Strauss
 Legal Counsel for Telecommunications Policy

Enclosures

cc: Anna Gomez, Chief, Network Services Division
 Helene Shrier Nankin, Network Services Division
 David Ward, Network Services Division
 Meryl Icove, Disabilities Issues Task Force
 Pam Gregory, Disabilities Issues Task Force

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agencies, filed comments requesting the FCC to direct the Administrators of the North American Numbering Plan Administration to reserve N-1-1 codes for access to relay services. Among these national consumer organizations was the National Association of the Deaf.

On October 1, 1993, NCLD and Telecommunications for the Deaf, Inc. subsequently submitted a petition for rulemaking before the FCC, again urging the assignment of N-1-1 codes for TRS. Sometime after consumers filed the FCC petition, Hawaii and Canada began using the 7-1-1 code for relay access (for technical reasons, Hawaii has required dialing a "1" before the three digit code). In addition, as a result of proceedings initiated by information providers seeking to utilize N-1-1 codes for access to information services, in the mid-1990's, a number of other state regulatory commissions decided to set aside this code for TRS, pending the outcome of the FCC's N-1-1 proceeding.

On February 19, 1997, the FCC granted the NCLD petition, directing Bellcore to assign 7-1-1 for nationwide access to TRS. Even though this FCC action directed 7-1-1 to be reserved for TRS access, only Bell Atlantic has since adopted this code on a regional basis.

Common carriers are required under Title IV of the Americans with Disabilities Act (ADA) to provide TRS throughout their calling areas. For the most part, they fulfill this obligation through state-operated TRS programs. Each of the 50 states and United States territories have independently developed these programs, resulting in a myriad of 7 to 11 digit relay telephone numbers across the nation. This has made access to TRS difficult, if not impossible, when relay callers travel across state borders. Use of the 7-1-1 code simplifies access to TRS because it is faster and easier to remember than 7-10 digit numbers and, if adopted nationwide, would alleviate the confusion that currently exists when travelling. In addition,

because 7-1-1 dialing shortens the number of digits needed, it brings relay services a step closer to meeting the ADA's mandate for relay calls to be functionally equivalent to voice telephone services.

The NAD wishes to applaud the Commission for allocating 711 access for TRS, and for holding this Forum to facilitate implementation of 711. Use of the 7-1-1 code to access relay services has been a huge success in the two locations where it has been implemented for some time - Hawaii and Canada. It is already beginning to achieve the same success in Maryland. By eliminating the difficulties that individuals now have with respect to finding relay numbers when they travel from state to state, and by reducing the number of digits needed for accessing relay services, 7-1-1 is helping to make relay access convenient, fast, and uncomplicated. As a result, its use not only improves access to TRS, but also encourages use of TRS by deaf, hard of hearing, speech impaired, and hearing people.

On May 20, 1998, the FCC released a Notice of Proposed Rulemaking designed to improve TRS throughout our nation.¹ The NAD is encouraged by the fact that in response to that proceeding, not a single commenter opposed the decision to assign the 711 code for TRS, and virtually all agreed that implementation of this access code could occur within the FCC's proposed three year time frame.² It is with optimism, then, that we expect the September 8th

¹ *In the Matter of Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities, Notice of Proposed Rulemaking*, CC Dkt. No. 98-67 (May 20, 1998) (NPRM).

² For example, Ameritech noted that such access can be implemented at a reasonable cost, "without the need to develop new arrangements or software, to deploy a significant amount of new equipment, or to make major network reconfigurations." Comments of Ameritech at 4-5. Similarly, the Pacific Telesis Group (Pacific) commented that "it will be relatively easy to design 711 to permit a customer to dial those digits and be connected to the state-approved TRS provider." Comments of Pacific at 2. GTE stated that the implementation of its N11 codes in

Forum to provide the impetus for the remaining common carriers to swiftly implement 711 in their service areas.

III. 711 in a Competitive Environment

In the FCC's NPRM on 711, the Commission explained that common carriers have generally complied with the provisions of Title IV of the ADA through single vendors, competitively selected in each of the states. In recent years, however, there has been a gradual shift from the single relay provider model, to competition among several providers within the relay market. Already, AT&T, Sprint, and MCI compete for customers in the interstate market; intrastate competition is next to follow. In addition, California offers its residents their choice of relay provider for intrastate services.

Both consumers and industry are eager to see increased competition among relay providers, so that consumers may choose their own service providers on an individualized basis. Increased competition can open the door to new product and services innovation and improved relay quality. Relay competition, also called multivendoring, follows the competitive trends encouraged in the Telecommunications Act of 1996. It promises to offer relay consumers choice in the relay features that may suit them best, discourages monopolistic arrangements, and encourages telecommunications providers to consistently improve their services in their efforts to

Hawaii "incurred minor costs and was completed in a relatively short time." Comments of GTE at 3. MCI reported that use of 711 for TRS access is "not an issue," and that even where a local service provider may not have the switching capability to route TRS calls made through 711 dialing, "this hurdle is easily overcome . . . by either reprogramming the switches or by use of a remote call forwarding mechanism to route a call to the proper location, without it even touching the service provider's actual switch. The end office serving the user could then route the call to the appropriate access tandem." Comments of MCI at 3. Finally, US West simply concluded that "[d]eploying switch-based 711 dialing to TRS centers would be feasible in virtually all switches today." Comments of US West at 3

win new customers. Even the FCC has acknowledged that “the greatest benefits of TRS will be realized when vendors directly compete for TRS consumers.” NPRM ¶65.

Implementation of the 711 code should be completed in a manner that maintains and fosters relay competition. For example, the new 711 code could be used much in the same way that callers now use “Dial-One Service” for their long distance carriers. Application of this paradigm could allow a TRS customer to pre-subscribe to a relay vendor from a home or business. The pre-subscription of one’s relay service provider should not, however, automatically be tied to one’s chosen long distance carrier. Consumers may prefer the particular features of one provider for relay use and those of a different carrier for long distance service. When away from home or the office, consumer should also have the option of dialing a different number or additional code to reach a particular provider, much in the same way that the public now has the opportunity to “dial around” to one’s long distance carrier of choice through a 10XXX or similar telephone code (e.g., through a calling card).

Commenters to the Commission’s NPRM on this subject reported that routing all 711 calls from a subscriber’s telephone to the subscriber’s preferred TRS provider can be accomplished through a database query initiated by an Advanced Intelligent Network (AIN). The query response would contain an 800 routing number that would correspond to the relay user’s pre-selected provider, and the call would then be routed to that provider. US West has reported that use of an AIN-based solution is feasible for most switches, and has further explained that offices without AIN capability can route their 711 calls to a tandem that has this capability.³

³ Comments of US West at 3 n.3; SWBT at 5.

We noted in our comments to the NPRM that enabling consumers to presubscribe to their preferred relay provider, while enabling these consumers to continue accessing a different provider when away from their “pre-selected phone,” will achieve the following objectives:

- Relay providers will be able to compete for individual consumer subscriptions;
- Relay providers will continue to compete for state or regional contracts, so that they could serve as the “default” TRS vendor for those regions. Travellers would then be able to simply dial 711 from any phone and be assured access to TRS anywhere in the United States;
- Relay providers will compete for business from consumers who are away from their “pre-selected phone,” as these consumers would be able to dial either one of the currently existing national 800 numbers or an alternative relay code to access that vendor.

Alternatively, 711 could provide a gateway through which customers may obtain access to multiple relay vendors on a call-by-call basis. As we noted in our comments to the FCC’s 711 NPRM, this gateway could even be used to access other disability services, such as TTY operator services and video relay services. Moreover, a gateway can also offer one means of allowing a consumer to bypass a pre-selected provider for certain calls.

We look forward to learning about the standards and protocols needed for the creation of 711 as a pre-subscription service and/or the establishment of a 711 gateway, as well as the technical feasibility of creating both of these services, at the upcoming Forum.

IV. Education and Outreach

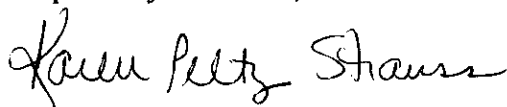
The Commission is seeking information on methods used to educate and provide technical assistance to the public about the existence of 711 access. The NAD agrees that education and outreach is critical to the successful implementation of 711. Statistics reveal that the number of TTY users utilizing relay services is leveling off. The publication of information about 711 access can only increase the number of individuals willing to use these services. Information about 711 access needs to be widespread, and to appear in mainstream mediums such as television, radio,

and newspapers. Although information in bill inserts and telephone directories is encouraged as well, only the mainstream media has the ability to reach substantial sections of the American public. Finally, we urge dissemination of this information through membership publications that reach TTY users. Individuals should also be able to retrieve notice about the availability of 711 access through directory assistance.

V. Conclusion

The NAD wishes to thank the Commission for the opportunity to submit these views and for the opportunity to participate in the upcoming 711 Forum. We stand ready to assist the Commission in whatever ways we can to expedite the implementation of 711 access nationwide.

Respectfully submitted,



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