

Before the  
Federal Communications Commission  
Washington, D.C. 20554

In the Matter of )  
 )  
Disabilities Rights, Inc. ) File No. TRS-98-1  
 v. )  
Sprint Relay )  
 )  
 )

ORDER

Adopted: May 25, 2000 Released: May 30, 2000

By the Chief, Telecommunications Consumer Division, Enforcement Bureau:

I. INTRODUCTION

1. In this Order, we dismiss a complaint filed against Sprint Relay (Sprint) by Disabilities Rights, Inc. (DRI) alleging violations of section 225 of the Communications Act of 1934, as amended,<sup>1</sup> and section 64.604(b)(5)m of the Commission’s rules.

2. In the complaint, DRI alleges that Sprint’s interstate relay systems have no mechanism or capability to connect Baudot TTY machines with personal computers that have ASCII modems.<sup>2</sup> According to DRI, “nearly all personal computers have modems that can transmit and receive ASCII, but nearly all such modems are not capable of communicating with Baudot terminals.”<sup>3</sup> DRI argues that because many relay users rely on Baudot TTY machines, Sprint is violating its duty under section 225 of the Act and section 64.604(B)(3) of the Commission’s rules.<sup>4</sup> DRI seeks a Commission order directing Sprint to offer “communications between ASCII

<sup>1</sup> 47 U.S.C. § 225. This section, *inter alia*, directs the Commission to ensure that telecommunications relay service (TRS) is available, to the extent possible and in the most efficient manner, to individuals with hearing and speech disabilities in the United States. The section further provides that all common carriers must provide TRS in compliance with the regulations prescribed by the Commission. The Commission’s regulations implementing section 225 are set forth in 47 C.F.R. §§ 64.601 – 64.608.

<sup>2</sup> DRI Complaint at 2. Baudot is a seven-bit code, only five of which are information bits. Baudot is used by some text telephones to communicate with each other at a 45.5 baud rate. 47 C.F.R. § 64.601(3). ASCII is an acronym for American Standard Code for Information Interexchange, which employs an eight-bit code and can operate at any standard transmission baud rate including 300, 1200, 2400, and higher. 47 C.F.R. § 64.601(2).

<sup>3</sup> DRI Complaint at 3.

<sup>4</sup> 47 C.F.R. § 64.604(b)(5) (TRS rules are not intended to discourage or impair the development of improved technology that fosters the availability of telecommunications to persons with disabilities).

and Baudot terminals and computers as part of its relay system.”<sup>5</sup>

3. After due consideration of this matter, we dismiss DRI’s complaint. Sprint asserts correctly that the Commission has not previously required relay providers to offer protocol conversion services that would enable communications between Baudot TTY machines and personal computers.<sup>6</sup> Although the Commission concluded recently that section 225 does not prohibit it from requiring relay services to accommodate access to enhanced or information services,<sup>7</sup> we do not believe that a requirement that relay providers offer ASCII/Baudot protocol conversion for connecting TTY machines to personal computers can be properly established in the limited context of DRI’s complaint. We note that the record in this matter consists solely of DRI’s 4-page complaint and Sprint’s 5-page answer, neither of which attaches affidavits or other supporting documentation. In any event, we conclude that the issues raised in the complaint have broad, industry-wide implications that are more appropriately addressed in the Commission’s pending CC Docket No. 98-67 proceeding, in which all interested parties will have the opportunity to participate. We note that in that proceeding, the Commission specifically asked for comments on emerging and existing technologies that the Commission “has not yet fully evaluated for inclusion in relay service,” among them new transmission protocols for TTYs.<sup>8</sup>

4. Accordingly, IT IS ORDERED THAT, pursuant to Section 225 of the Act, 47 U.S.C. § 225, and Sections 0.111 and 0.311 of the Commission’s rules,<sup>9</sup> the above-captioned complaint filed by Disabilities Rights, Inc. IS DISMISSED.

FEDERAL COMMUNICATIONS COMMISSION

Catherine W. Seidel, Chief  
Telecommunications Consumer Division  
Enforcement Bureau

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<sup>5</sup> DRI Complaint at 3.

<sup>6</sup> Sprint Answer at 3.

<sup>7</sup> *Telecommunication Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, CC Docket No. 98-67, Report and Order and Further Notice of Proposed Rulemaking, FCC No. 00-56 (rel. March 4, 2000) (*Report and Order and Further Notice*).

<sup>8</sup> *Report and Order and Further Notice* at ¶ 138.

<sup>9</sup> 47 C.F.R. §§ 0.111, 0.311.