



PUBLIC NOTICE

Federal Communications Commission
445 12th St., S.W.
Washington, D.C. 20554

News Media Information 202 / 418-0500
Internet: <http://www.fcc.gov>
TTY: 1-888-835-5322

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**NOTICE OF CERTIFICATION OF GOAMERICA, INC., AS A PROVIDER OF INTERNET
PROTOCOL CAPTIONING TELEPHONE SERVICE (IP CTS) ELIGIBLE FOR
COMPENSATION FROM THE INTERSTATE TELECOMMUNICATIONS RELAY SERVICE
(TRS) FUND**

CG DOCKET NO. 03-123

By the Chief, Consumer and Governmental Affairs Bureau:

On May 1, 2008, GoAmerica, Inc. (GoAmerica) filed an application for certification¹ as a provider of Internet Protocol Captioning Telephone Service (IP CTS) eligible for compensation from the Interstate Telecommunications Relay Services (TRS) Fund (Fund)² pursuant to the TRS provider certification rules.³ GoAmerica's application is granted.

On January 11, 2007, the Commission released the *IP CTS Declaratory Ruling*, which recognized IP CTS as a form of TRS eligible for compensation from the Fund.⁴ In the *IP CTS Declaratory Ruling*, the Commission also stated that common carriers desiring to offer IP CTS may become eligible to receive compensation from the Fund by seeking certification from the Commission pursuant to the TRS provider certification rules.⁵ Under these rules, a provider seeking certification must submit documentation to the Commission setting forth, in narrative form:

¹ GoAmerica, *Application by GoAmerica, Inc. for Amendment of Its Telecommunications Relay Services Certification to Include Certification as a Provider of IP Captioned Telephone Service*, CG Docket No. 03-123 (May 1, 2008) (*GoAmerica Application*).

² TRS, created by Title IV of the Americans with Disabilities Act of 1990 (ADA), enables an individual with a hearing or speech disability to communicate by telephone or other device through the telephone system with a person without such a disability. See 47 U.S.C. § 225(a)(3) (defining TRS); 47 C.F.R. § 64.601(21). Eligible providers receive compensation from the Interstate TRS Fund for the provision of various forms of TRS, including IP CTS. See 47 C.F.R. § 64.604(c)(5)(iii).

³ See *Telecommunications Relay Services for Individuals with Hearing and Speech Disabilities*, Report and Order and Order on Reconsideration, CG Docket No. 03-123, 20 FCC Rcd 20577 (Dec. 12, 2005) (*TRS Provider Certification Order*); 47 C.F.R. § 64.606 (formerly 47 C.F.R. § 64.605).

⁴ See *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities; Internet-based Captioned Telephone Service*, CG Docket No. 03-123, Declaratory Ruling, 22 FCC Rcd 379 (Jan. 11, 2007) (*IP CTS Declaratory Ruling*). IP CTS is a form of captioned telephone service that transmits the captions between the relay provider and the user via the Internet, rather than the Public Switched Telephone Network (PSTN).

⁵ *Id.*, 22 FCC Rcd at 390-91, paras. 27-28; see 47 C.F.R. § 64.606.

(i) A description of the forms of TRS to be provided ...; (ii) A description of how the provider will meet all non-waived mandatory minimum standards applicable to each form of TRS offered; (iii) A description of the provider's procedures for ensuring compliance with all applicable TRS rules; (iv) A description of the provider's complaint procedures; (v) A narrative describing any areas in which the provider's service will differ from the applicable mandatory minimum standards; (vi) A narrative establishing that services that differ from the mandatory minimum standards do not violate applicable mandatory minimum standards; (vii) Demonstration of status as a common carrier; and (viii) A statement that the provider will file annual compliance reports demonstrating continued compliance with these rules.^[6]

The rules further provide that after review of the submitted documentation, the Commission shall certify that the provider is eligible for compensation from the Fund if the Commission determines that the certification documentation:

(i) Establishes that the provision of [service] will meet or exceed all non-waived operational, technical, and functional minimum standards contained in § 64.604; (ii) Establishes that the ... provider makes available adequate procedures and remedies for ensuring compliance with the requirements of this section and the mandatory minimum standards contained in § 64.604, including that it makes available for TRS users informational materials on complaint procedures sufficient for users to know the proper procedures for filing complaints; and (iii) Where the TRS service differs from the mandatory minimum standards contained in § 64.604, the ... provider establishes that its service does not violate applicable mandatory minimum standards.^[7]

We have reviewed the *GoAmerica Application* pursuant to these rules. We conclude that GoAmerica has sufficiently demonstrated that its provision of IP CTS will meet or exceed all operational, technical, and functional TRS standards set forth in the Commission's rules, 47 C.F.R. § 64.604; that it makes available adequate procedures and remedies for ensuring compliance with applicable Commission rules; and that to the extent GoAmerica's service differs from the mandatory minimum standards, the service does not violate the rules.

We grant GoAmerica's application subject to compliance with applicable TRS rules.⁸ This certification shall remain in effect for a period of five years from the release date of this *Public Notice*.⁹ Within ninety days prior to the expiration of this certification, GoAmerica may apply for renewal of its IP CTS provider certification by filing documentation in accordance with the Commission's rules.¹⁰

⁶ 47 C.F.R. § 64.606(a)(2)(i)-(viii).

⁷ 47 C.F.R. § 64.606(b)(2)(i)-(iii).

⁸ See 47 C.F.R. § 64.606(e)(2) (Commission may require certified providers to submit documentation demonstrating compliance with the mandatory minimum standards). Also, GoAmerica must file an annual report with the Commission documenting that they are in compliance with Section 64.604. 47 C.F.R. § 64.606(g). The first such report shall be due one year after the release date of this *Public Notice*, and subsequent reports shall be due each year thereafter.

⁹ See 47 C.F.R. § 64.606(c)(2).

¹⁰ See *id.*

A copy of GoAmerica's application is available for public inspection and copying during regular business hours at the FCC Reference Information Center, Portals II, 445 12th Street, SW., Suite CY-A257, Washington, D.C. 20554, (202) 418-0270. The full text of this *Public Notice* is similarly available for public inspection or copying. These documents may also be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc. (BCPI), Portals II, 445 12th Street, SW., Room CY-B402, Washington, D.C. 20554. Customers may contact BCPI at their web site: www.bcpweb.com or by calling 1-800-378-3160. A copy of GoAmerica's application may also be found by searching on the Commission's Electronic Comment Filing System (ECFS) at <http://www.fcc.gov/cgb/ecfs> (insert CG Docket No. 03-123 into the Proceeding block).

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For further information, please contact Gregory Hlibok, Consumer & Governmental Affairs Bureau, Disability Rights Office, at (800) 311-4381 (voice), (202) 418-0431 (TTY), or e-mail at Gregory.Hlibok@fcc.gov.

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