



# PUBLIC NOTICE

**Federal Communications Commission**  
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**Washington, D.C. 20554**

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## **CONSUMER & GOVERNMENTAL AFFAIRS BUREAU SEEKS TO REFRESH THE RECORD ON PETITION TO MANDATE CAPTIONED TELEPHONE RELAY SERVICE (CTS)**

**CG DOCKET NO. 03-123**

### **PLEADING CYCLE ESTABLISHED**

**Comments Due: July 27, 2009**

**Reply Comments Due: August 10, 2009**

By this Public Notice, we seek to refresh the record on a Petition for Rulemaking (*Petition*)<sup>1</sup> filed by various consumer groups in 2005 requesting that the Commission initiate a rulemaking to make Captioned Telephone Relay Service (CTS) a mandatory form of telecommunications relay service (TRS).<sup>2</sup> On June 10, 2009, some of the parties to the original *Petition* filed a supplement reiterating their request for rulemaking to make CTS a mandatory service.<sup>3</sup> We also seek comment on that filing.

Captioned telephone service is a form of TRS that permits persons with a hearing disability to simultaneously listen to what the other party is saying and read captions of what the other party is saying

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<sup>1</sup> See *Telecommunications Relay Service and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, CG Docket 03-123, Petition for Rulemaking to Mandate Captioned Telephone Relay Service and Approve IP Captioned Telephone Relay Service, filed Oct. 31, 2005, by Self-Help for the Hard of Hearing (SHHH), Alexander Graham Bell Association for the Deaf and Hard of Hearing (AG Bell), the American Academy of Audiology (AAA), American Association of People with Disabilities (AAPD), American Speech-Language-Hearing Association (ASHA), Association of Late-Deafened Adults (ALDA), Deaf and Hard of Hearing Consumer Advocacy Network (DHHCAN), League for the Hard of Hearing (LHH), National Association of the Deaf (NAD), National Cued Speech Association (NCSA), Telecommunications for the Deaf and Hard of Hearing, Inc. (TDI), California Association of the Deaf (CAD), and California Coalition of Agencies Serving the Deaf and Hard of Hearing (CCASDHH). A Public Notice was released seeking comment on the *Petition* on November 14, 2005. See *Petition for Rulemaking Filed Concerning Mandating Captioned Telephone Relay Service and Authorizing Internet Protocol (IP) Captioned Telephone Relay Service*, CG Docket No. 03-123, Public Notice, 20 FCC Rcd 18028 (Nov. 14, 2005).

<sup>2</sup> See generally 47 U.S.C. 225; 47 C.F.R. 64.601 *et seq.*

<sup>3</sup> See *Telecommunications Relay Service and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, CG Docket 03-123, Supplement to Petition to Mandate Captioned Telephone Relay Service, filed June 10, 2009, by Hearing Loss Association of America (HLAA) (formerly SHHH), AG Bell, AAA, ASHA, ALDA, DHHCAN, NAD, TDI, CAD, CCASDHH, and on additional group that was not a party to the *Petition*, Alliance for Public Technology.

on the same device.<sup>4</sup> In the *2003 CTS Order*, the Commission recognized captioned telephone service as a form of TRS eligible for compensation from the Interstate TRS Fund, but did not make it a mandatory service.<sup>5</sup> We seek to refresh the record on whether the Commission should initiate a rulemaking to mandate CTS, and also seek comment on any other related issues raised in the *Petition* and supplemental filing.

Pursuant to sections 1.415 and 1.419 of the Commission's rules, 47 C.F.R. §§ 1.415, 1.419, interested parties may file comments in this proceeding by July 27, 2009, and reply comments by August 10, 2009. When filing comments, please reference **CG Docket No. 03-123**. Comments may be filed using: (1) the Commission's Electronic Comment Filing System (ECFS), (2) the Federal Government's eRulemaking Portal, or (3) by filing paper copies. See *Electronic Filing of Documents in Rulemaking Proceedings*, 63 Fed. Reg. 24,121 (1998). Comments filed through the ECFS can be sent as an electronic file via the Internet by accessing the ECFS: <http://www.fcc.gov/cgb/ecfs/> or the Federal Rulemaking Portal: <http://www.regulations.gov>. Filers should follow the instructions provided on the website for submitting comments. If multiple docket or rulemaking numbers appear in the caption of this proceeding, commenters must transmit one electronic copy of the comment to each docket or rulemaking number referenced in the caption. In completing the transmittal screen, commenters should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions, commenters should send an e-mail to [ecfs@fcc.gov](mailto:ecfs@fcc.gov), and should include the following words in the body of the message, "get form." A sample form and directions will be sent in reply.

Parties who choose to file by paper must file an original and four copies of each filing. If more than one docket or rulemaking number appears in the caption of this proceeding, commenters must submit two additional copies for each additional docket or rulemaking number. Filings can be sent by hand or messenger delivery, by electronic media, by commercial overnight courier, or by first-class or overnight U.S. Postal Services mail (although we continue to experience delays in receiving U.S. Postal Service mail). All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission. The Commission's contractor will receive hand-delivered or messenger-delivered paper filings or electronic media for the Commission's Secretary at 236 Massachusetts Avenue, NE, Suite 110, Washington, D.C. 20002. The filing hours at this location are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of *before* entering the building. Commercial and electronic media sent by overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. U.S. Postal Service first-class mail, Express Mail, and Priority Mail should be addressed to 445 12<sup>th</sup> Street, SW, Washington, D.C. 20554.

Pursuant to section 1.1206 of the Commission's rules, 47 C.F.R. § 1.1206, this proceeding will be conducted as a permit-but-disclose proceeding in which *ex parte* communications are subject to disclosure.

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<sup>4</sup> See *Telecommunications Relay Service and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, CC Docket No. 98-67, Declaratory Ruling, 18 FCC Rcd 16121 (Aug. 1, 2003) (*2003 CTS Order*).

<sup>5</sup> See *id.*, 18 FCC Rcd at 16127, paras. 17, 19; see also *Telecommunications Relay Service 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, para. 1 n.3 (Jan. 11, 2007) (noting open issue of whether CTS should be a mandatory service). Mandatory forms of TRS must be offered by common carriers pursuant to section 225, 47 U.S.C. 225, and by state TRS programs certified under our rules. See 47 C.F.R. 64.606.

The full text of this document and copies of any subsequently filed documents in this matter will be available for public inspection and copying during regular business hours at the FCC Reference Information Center, Portals II, 445 12<sup>th</sup> Street, SW, Room CY-A257, Washington, D.C. 20554. This document and copies of subsequently filed documents in this matter may also be purchased from the Commission's duplicating contractor at Portals II, 445 12<sup>th</sup> Street, SW, Room CY-B402, Washington, DC 20554. Customers may contact the Commission's contractor at its web site [www.bcpweb.com](http://www.bcpweb.com) or by calling 1-800-378-3160.

To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an e-mail to [fcc504@fcc.gov](mailto:fcc504@fcc.gov) or call the Consumer & Governmental Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (TTY). This *Public Notice* can also be downloaded in Word or Portable Document Format (PDF) at: <http://www.fcc.gov/cgb/dro/trs.html>.

For further information, please contact Thomas Chandler, Consumer & Governmental Affairs Bureau, Disability Rights Office, at (202) 418-1475, (202) 418-0597 (TTY), or e-mail at [Thomas.Chandler@fcc.gov](mailto:Thomas.Chandler@fcc.gov).

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