



# PUBLIC NOTICE

Federal Communications Commission  
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DA 19-847

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**CONSUMER AND GOVERNMENTAL AFFAIRS BUREAU SEEKS COMMENT ON THE  
REQUEST BY CONVO COMMUNICATIONS, LLC FOR CLARIFICATION OF SECTION  
64.604(c)(8)(v) OF THE COMMISSION'S RULES**

**CG Docket Nos. 10-51 and 03-123**

**Comment Date: September 30, 2019**

**Reply Comment Date: October 15, 2019**

The Consumer and Governmental Affairs Bureau (Bureau) of the Federal Communications Commission (Commission) seeks comment on a petition filed by Convo Communications, LLC (Convo) for expeditious clarification of the rule prohibiting video relay service (VRS)<sup>1</sup> providers from offering incentives to VRS users to register for or use the VRS provider's service.<sup>2</sup> Specifically, Convo states that, in adopting section 64.604(c)(8)(v), the Commission drew a distinction "between the gifting of non-service related equipment, which the Commission prohibits as an impermissible inducement, and the gifting of service-related equipment, which the Commission states is permissible at least under some circumstances."<sup>3</sup> Convo seeks clarification of (1) the test that should be used to distinguish between service-related and non-service-related equipment; and (2) the circumstances, if any, under which section 64.604(c)(8)(v) of the Commission's rules prohibits providers from giving away service-related equipment as an inducement for users to port their VRS telephone numbers.<sup>4</sup>

*Filing Requirements.* Interested parties may file comments on or before the date indicated on the first page of this document.<sup>5</sup> All filings must reference CG Docket Nos. 10-51 and 03-123. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS).<sup>6</sup>

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<sup>1</sup> VRS is a form of telecommunications relay service that allows people with hearing or speech disabilities who use sign language to communicate with voice telephone users through video equipment. The video link allows the Communications Assistant (CA) to view and interpret the party's signed conversation and relay the conversation back and forth with a voice caller. 47 CFR § 64.601(a)(47).

<sup>2</sup> Request of Convo for Expeditious Clarification of 47 C.F.R. § 64.604(c)(8)(v), CG Docket Nos. 10-51 and 03-123 (filed Aug. 19, 2019) (Convo Petition); *see also* 47 CFR § 64.604(c)(8)(v) ("A VRS provider shall not offer or provide to any person or entity any form of direct or indirect incentives, financial or otherwise, for the purpose of encouraging individuals to register for or use the VRS provider's service.").

<sup>3</sup> Convo Petition at 8; *see also Structure and Practices of the Video Relay Service Program; Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, CG Docket Nos. 10-51 and 03-123, Report and Order and Further Notice of Proposed Rulemaking, 34 FCC Rcd 3396, 3414-17, paras. 33-37 (2019).

<sup>4</sup> *See* Convo Petition at 17.

<sup>5</sup> *See* 47 CFR §§ 1.1, 1.45, 1.49.

<sup>6</sup> *Electronic Filing of Documents in Rulemaking Proceedings*, GC Docket No. 97-113, Report and Order, 13 FCC Rcd 11322 (1998).

- Electronic Filers: Comments may be filed electronically using the Internet by accessing ECFS: <https://www.fcc.gov/ecfs/>.
- Paper Filers: Parties who choose to file by paper must file an original and one copy of each filing.
- Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.
  - All hand-delivered or messenger-delivered paper filings for the Commission's Secretary must be delivered to FCC Headquarters at 445 12th Street, SW, Room TW-A325, Washington, DC 20554. The filing hours are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes and boxes must be disposed of before entering the building.
  - Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9050 Junction Drive, Annapolis Junction, MD 20701.
  - U.S. Postal Service first-class, Express, and Priority mail must be addressed to 445 12th Street, SW, Washington DC 20554.

*Ex Parte Rules.* The proceeding this Notice initiates shall be treated as a "permit-but-disclose" proceeding in accordance with the Commission's *ex parte* rules.<sup>7</sup> Persons making *ex parte* presentations must file a copy of any written presentation or a memorandum summarizing any oral presentation within two business days after the presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentation must (1) list all persons attending or otherwise participating in the meeting at which the *ex parte* presentation was made, and (2) summarize all data presented and arguments made during the presentation. If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenter's written comments, memoranda or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during *ex parte* meetings are deemed to be written *ex parte* presentations and must be filed consistent with rule 1.1206(b). In proceedings governed by rule 1.49(f) or for which the Commission has made available a method of electronic filing, written *ex parte* presentations and memoranda summarizing oral *ex parte* presentations, and all attachments thereto, must be filed through the electronic comment filing system available for that proceeding, and must be filed in their native format (*e.g.*, .doc, .xml, .ppt, searchable .pdf). Participants in this proceeding should familiarize themselves with the Commission's *ex parte* rules.

*People with Disabilities.* 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 Bureau at 202-418-0530 (voice) or 202-418-0432 (TTY).

*Additional Information.* For further information regarding this Notice, please contact Michael Scott, Disability Rights Office, Consumer and Governmental Affairs Bureau, at 202-418-1264 or by e-mail to [Michael.Scott@fcc.gov](mailto:Michael.Scott@fcc.gov).

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<sup>7</sup> 47 CFR §§ 1.1200 *et seq.*