

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

In the Matter of)
Telecommunications Relay Services and)
Speech-to-Speech Services for Individuals with)
Hearing and Speech Disabilities)
Misuse of Internet Protocol (IP) Captioned)
Telephone Service)
Mezmo Corporation d/b/a InnoCaption)
Certification to Provide Internet Protocol)
Captioned Telephone Service (IP CTS))
CG Docket No. 03-123
CG Docket No. 13-24

ORDER

Adopted: December 9, 2022

Released: December 9, 2022

By the Chief, Consumer and Governmental Affairs Bureau:

I. INTRODUCTION

1. The Consumer and Governmental Affairs Bureau (Bureau) grants Mezmo Corporation (dba InnoCaption) (InnoCaption) full certification of eligibility to receive compensation from the Interstate Telecommunications Relay Services (TRS) Fund for the provision of Internet Protocol Captioned Telephone Service (IP CTS).1 InnoCaption is currently conditionally certified to provide IP CTS using either communication assistants (CAs) or only automatic speech recognition (ASR).2 This grant of full certification authorizes the provision of IP CTS, for a five-year period, through December 8, 2027.3

1 TRS are "telephone transmission services that provide the ability for an individual who is deaf, hard of hearing, deaf-blind, or who has a speech disability" to communicate with others via wire or radio "in a manner that is functionally equivalent to the ability of a hearing individual who does not have a speech disability." Id. § 64.601(a)(42). The TRS Fund compensates eligible providers of Internet-based and interstate TRS for their reasonable costs of providing these services. See 47 CFR § 64.604(c)(5)(iii). IP CTS, a form of TRS, "permits an individual who can speak but who has difficulty hearing over the telephone to use a telephone and an internet Protocol-enabled device via the internet to simultaneously listen to the other party and read captions of what the other party is saying. With IP CTS, the connection carrying the captions between the relay service provider and the relay service user is via the internet, rather than the public switched telephone network." 47 CFR § 64.601(a)(22).

2 See Notice of Conditional Grant of Application of Miracom USA, Inc., for Certification as a Provider of Internet Protocol Captioned Telephone Service Eligible for Compensation from the Telecommunications Relay Services Fund, CG Docket Nos. 03-123, 10-51, and 13-24, Public Notice, 29 FCC Rcd 5105 (CGB 2014) (Conditional Grant) (IP CTS with CAs); Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities, CG Docket Nos. 13-24 and 03-123, Memorandum Opinion and Order, 35 FCC Rcd 14193 (CGB 2020) (ASR-Only Certification).

3 InnoCaption's conditional certification to provide ASR-only IP CTS expires December 11, 2022. ASR-Only Certification, 35 FCC Rcd at 14203, para. 25.

II. BACKGROUND

A. The Certification Process

2. The Commission's certification process for Internet-based TRS providers is set forth in section 64.606 of our rules and was established to ensure that providers receiving TRS Fund compensation are qualified to provide service in compliance with the TRS rules.⁴ Under section 64.606(b), applicants must submit specific documentation to the Commission (described further below), and certification shall be granted upon a determination that the provider will meet all applicable mandatory minimum TRS standards and has adequate procedures and remedies for ensuring compliance with Commission rules.⁵

3. The Commission may grant conditional certification where additional time is needed to complete evaluation of an applicant's qualifications or verify information contained in the application.⁶ After certification, Internet-based TRS providers must file annual reports updating the information in their application to demonstrate continuing compliance with the Commission's mandatory minimum TRS standards.⁷ Each provider also must include within its annual report a compliance plan describing the provider's policies and procedures for complying with Commission rules prohibiting IP CTS providers from engaging in the unauthorized and unnecessary use of IP CTS.⁸

B. InnoCaption's Eligibility for IP CTS Certification

4. InnoCaption initially applied for certification to provide IP CTS in November 2011 and was granted conditional certification for CA-based IP CTS on May 13, 2014.⁹ On March 13, 2020, InnoCaption amended its application to request approval to provide fully automatic IP CTS in addition to, and in combination with, its CA-assisted service.¹⁰ On December 11, 2020, the Commission granted

⁴ See 47 CFR § 64.606; *Structure and Practices of the Video Relay Service Program*, Second Report and Order, 26 FCC Rcd 10898, 10902-03, paras. 8-9 (2011) (*2011 Internet-based TRS Certification Order*).

⁵ 47 CFR § 64.606(b)(2); *2011 Internet-based TRS Certification Order*, 26 FCC Rcd at 10909-13, paras. 23-34; see also *Structure and Practices of the Video Relay Service Program et al.*, CG Docket Nos. 10-51 *et al.*, Memorandum Opinion and Order, Order, and Further Notice of Proposed Rulemaking, 26 FCC Rcd 14895 (2011) (clarifying and modifying the certification requirements adopted in the *2011 Internet-based TRS Certification Order*).

⁶ *2011 Internet-based TRS Certification Order*, 26 FCC Rcd at 10914-15, para. 37. Such conditional certifications are granted without prejudice to the Commission's final determination of the applicant's qualifications and thus preserve the Commission's ability to fully review an application for certification on the merits. *Id.* at 10914, para. 37; see also *Conditional Grant*, 29 FCC Rcd at 5107.

⁷ 47 CFR § 64.606(g).

⁸ See *id.* § 64.604(c)(13).

⁹ Miracom USA, Inc., Application of Miracom USA, Inc. for Certification to Provide IP Captioned Telephone Service, CG Docket No. 03-123 (filed Nov. 23, 2011). See 47 CFR § 64.606 (specifying rules for certification of iTRS providers). See *Conditional Grant*, 29 FCC Rcd at 5107. That grant of conditional certification contained no expiration date.

¹⁰ Amendment to Application of Mezmo Corporation for Certification as a Provider of IP Captioned Telephone Services, CG Docket Nos. 13-24 and 03-123 (filed Mar. 13, 2020) (March 2020 Amendment), https://ecfsapi.fcc.gov/file/10313420020708/FINAL_Amendment%20to%20InnoCaption%20Application_%2003.13.2020.pdf. When an applicant is conditionally certified to provide Internet-based TRS, the original application remains in pending status until full certification is granted. See *2011 Internet-based TRS Certification Order*, 26 FCC Rcd at 10914-15, para. 37; see also *Conditional Grant*, 29 FCC Rcd at 5111; *ASR-Only Certification*, 35 FCC Rcd at 14193, para. 2. On October 1, 2020, InnoCaption filed a supplement to its amendment with additional information regarding its ASR-only service. Supplement to Amendment of Application of Mezmo Corporation for Certification as a Provider of IP Caption Telephone Services, CG Docket Nos. 13-24 and 03-123 (filed Oct. 1, 2020) (InnoCaption Supplement), <https://ecfsapi.fcc.gov/file/1001106028181/ASR%20Supplement%20->

(continued....)

InnoCaption conditional certification to provide ASR-only IP CTS for a two-year period, expiring on December 11, 2022.¹¹ Since 2016, InnoCaption has filed annual reports to demonstrate compliance with the rules and to update the information contained in its pending applications for full certification.¹²

5. On September 12, 2022, InnoCaption filed a renewed application for full certification as an IP CTS provider, or, in the alternate, timely extension of InnoCaption's existing conditional certification to provide ASR-only IP CTS.¹³ On October 12, 2022, the Bureau sought comment on InnoCaption's September 2022 Application.¹⁴ No party filed comments or replies.

III. DISCUSSION

6. InnoCaption's September 2022 Application provides all the information and documentation required by the Commission's certification rules, including: (1) a description of the services to be provided;¹⁵ (2) a detailed description of how InnoCaption will meet all non-waived mandatory minimum standards applicable to IP CTS;¹⁶ (3) a description of InnoCaption's organizational structure, including the names of its 10 percent or more equity interest holders, the names of persons with the power to vote 10 percent or more of the securities of InnoCaption, and the names of its executives, officers and members of its board;¹⁷ (4) a confidential list of the number of its full-time and part-time employees involved in InnoCaption's IP CTS operations by position;¹⁸ (5) a confidential list of all sponsorship arrangements relating to the provision of Internet-based TRS;¹⁹ (6) a description of InnoCaption's complaint procedures;²⁰ (7) a statement that InnoCaption will file annual compliance reports demonstrating continued compliance with the rules;²¹ and (8) a certification by InnoCaption's

[%20Final%20Redacted%20-%2010.01.2020.pdf](#) (redacted); *see also* Substitute Supplement to Amendment to Application of Mezmo Corporation for Certification as a Provider of IP Captioned Telephone Services, CG Docket Nos. 13-24 and 03-123 (filed Dec. 3, 2020) (InnoCaption Substitute Supplement) (withdrawing confidentiality request for confidential treatment of certain material included in the InnoCaption Supplement). In this Order, references in the text to the "amendment" include both the InnoCaption Amendment and the later-filed InnoCaption Supplement.

¹¹ *See ASR-Only Certification*, 35 FCC Rcd at 14202-03, paras. 21, 25.

¹² *See* InnoCaption Annual TRS Report and CPNI Filing, CG Docket No. 03-123 (filed June 17, 2022); InnoCaption Annual TRS Report and CPNI Filing, CG Docket No. 03-123 (filed June 16, 2021); InnoCaption Annual TRS Report and CPNI Filing, CG Docket No. 03-123 (filed July 7, 2020); InnoCaption Annual TRS Report, CG Docket No. 03-123 (filed July 15, 2019); InnoCaption Annual Compliance Report, CG Docket No. 03-123 (filed Sept. 24, 2018); InnoCaption Annual Compliance Report, CG Docket No. 03-123 (filed Sept. 22, 2017); InnoCaption Annual Compliance Report, CG Docket No. 03-123 (filed Sept. 24, 2016).

¹³ *See* Internet-Based TRS Certification Application of Mezmo Corporation for Full Certification to Provide Internet Protocol Captioned Telephone Service, CG Docket Nos. 03-123 and 10-51 (filed Sept. 12, 2022) (September 2022 Application), <https://www.fcc.gov/ecfs/document/10912237476222/1> (redacted).

¹⁴ *Comment Sought on Application of Mezmo Corporation dba InnoCaption for Full Certification as a Provider of Internet Protocol Captioned Telephone Service*, CG Docket Nos. 03-123 and 13-24, Public Notice, DA 22-1087 (Oct. 12, 2022).

¹⁵ September 2022 Application at 4-5; *see also* 47 CFR § 64.606(a)(2)(i).

¹⁶ September 2022 Application at 5-18; *see also* 47 CFR § 64.606(a)(2)(ii).

¹⁷ September 2022 Application at 18-19; *see also* 47 CFR § 64.606(a)(2)(ii)(B).

¹⁸ September 2022 Application at 19; *see also* 47 CFR § 64.606(a)(2)(ii)(C).

¹⁹ September 2022 Application at 19-20; *see also* 47 CFR § 64.606(a)(2)(ii)(E).

²⁰ September 2022 Application at 20; *see also* 47 CFR § 64.606(a)(2)(iii).

²¹ September 2022 Application at 20; *see also* 47 CFR § 64.606(a)(2)(iv).

CEO confirming the accuracy and completeness of the information contained in the application.²²

7. Based on our review and investigation of the September 2022 Application, the applications previously filed, InnoCaption's annual reports, and other relevant information regarding InnoCaption's actual provision of IP CTS, we find that InnoCaption will provide IP CTS in compliance with the applicable mandatory minimum TRS standards.²³ We also find that InnoCaption makes available adequate procedures and remedies for compliance with such minimum standards and the requirements of section 64.606. Therefore, we certify InnoCaption as eligible to receive compensation from the Fund for the provision of IP CTS using CAs and ASR. This certification shall remain in effect for a period of five years.²⁴

8. We emphasize that InnoCaption must continue to operate in compliance with all relevant Commission rules and orders. As with other grants of TRS certification, the Commission reserves the right to conduct ongoing monitoring of the operations of InnoCaption to ensure continuing compliance and to review any additional documentation necessary to ascertain the veracity of the assertions made in its applications and updates.²⁵ The Commission also reserves the right to investigate compliance by InnoCaption with the Commission's rules and orders and to take enforcement action for past or future violations, including suspension or revocation of this certification, if circumstances warrant.²⁶ This may include unannounced on-site visits to InnoCaption's headquarters, offices, or call centers for the purpose of ensuring continued compliance with the certification requirements and the Commission's rules.

9. We remind InnoCaption that, pursuant to section 64.606(c)(2) of the Commission's rules, a provider seeking renewal of its certification must submit the required documentation at least 90 days prior to the expiration of its current certification.²⁷

IV. PROCEDURAL MATTERS

10. *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 or call the Consumer and Governmental Affairs Bureau at 202-418-0530.

11. *Additional Information.* For further information regarding this item, please contact Joshua Mendelsohn at (202) 599-7304 or by e-mail at Joshua.Mendelsohn@fcc.gov, or Ike Ofobike at (202) 744-3916 or by e-mail at Ike.Ofobike@fcc.gov. Individuals who use videophones and are fluent in American Sign Language (ASL) may call the FCC's ASL Consumer Support Line at (844) 432-2275.

V. ORDERING CLAUSES

12. IT IS ORDERED that, pursuant to the authority contained in sections 4(i) and 4(j) and 225 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i), 154(j) and 225, and sections 0.141 and 0.361 of the Commission's rules, 47 CFR §§ 0.141, 0.361 and 1.3, this Order IS ADOPTED.

²² September 2022 Application at 23; *see also* 47 CFR § 64.606(a)(2)(v).

²³ Other relevant information includes, but is not limited to, audit reports, complaint logs, call record and speed of answer compliance data, certifications, and performance testing reports.

²⁴ *See* 47 CFR § 64.606(c)(2). Accordingly, InnoCaption's new certification will expire on December 8, 2027.

²⁵ *See Internet-based TRS Certification Order*, 26 FCC Rcd at 10900, para. 2.

²⁶ *See* 47 CFR § 64.606(e)(2).

²⁷ 47 CFR § 64.606(c)(2).

13. IT IS FURTHER ORDERED that this Order SHALL BE EFFECTIVE upon release.

FEDERAL COMMUNICATIONS COMMISSION

Alejandro Roark
Chief
Consumer and Governmental Affairs Bureau