

PUBLIC NOTICE



FEDERAL COMMUNICATIONS COMMISSION
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DA 02-3409

News media information 202/418-0500

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Released: December 13, 2002

Interstate Telecommunications Relay Service (TRS) Fund Advisory Council Files Proposed Guidelines for the Recovery of Costs Associated with Internet Protocol Relay Services

CC Docket No. 98-67

Comment Date: February 7, 2003
Reply Comment Date: March 10, 2003

In this Public Notice, the Wireline Competition Bureau seeks comment on proposed guidelines for the recovery of costs from the Interstate TRS Fund associated with Internet Protocol telecommunications relay services ("IP Relay"). The Interstate TRS Fund Advisory Council (Council) filed the proposed guidelines with the Commission on October 9, 2002, in accordance with the Commission's direction in an April 2002 Declaratory Ruling and Further Notice of Proposed Rulemaking (FNPRM).¹

In the Declaratory Ruling, the Commission found that IP Relay falls within the statutory definition of TRS and that such services are eligible to recover their costs in accordance with Section 225 of the Communications Act of 1934, as amended. Because there is currently no automatic means for determining whether a call made via IP Relay is intrastate or interstate, the Commission authorized recovery of all costs of providing IP Relay from the Interstate TRS Fund pending a determination regarding a permanent IP Relay cost recovery methodology. The Commission accordingly directed the Interstate TRS Fund Advisory Council to submit proposed cost recovery guidelines for IP Relay no later than October 22, 2002.² The Commission directed the Council to consider the record from the Declaratory Ruling in formulating the proposed guidelines, and indicated that the public would have an opportunity to comment on the proposed guidelines before the Commission gave final approval to the guidelines.³

¹ Provision of Improved Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities, Petition for Clarification of WorldCom, Inc., CC Docket No. 98-67, *Declaratory Ruling and Second Further Notice of Proposed Rulemaking*, 17 FCC Rcd 7779 (2002).

² *Id.* at 7786, para. 23.

³ *Id.*

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 on the proposed guidelines on or before **February 7, 2003**. Reply comments may be filed on or before **March 10, 2003**. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies.⁴

Comments filed through the ECFS can be sent as an electronic file via the Internet to <<http://www.fcc.gov/e-file/ecfs.html>>. Generally, only one copy of an electronic submission must be filed. If multiple docket or rulemaking numbers appear in the caption of this proceeding, however, commenters must transmit one electronic copy of the comments 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 for e-mail comments, commenters should send an e-mail to <ecfs@fcc.gov>, and should include the following words in the body of the message, "get form <your e-mail address>." 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. Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. Please be advised that we continue to experience delays in receiving U.S. Postal Service mail. The Commission's contractor, Vistrionix, Inc., will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, N.E., 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 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 12th Street, SW, Washington, D.C. 20554. All filings must be addressed to the Commission's Secretary, Marlene H. Dortch, Office of the Secretary, Federal Communications Commission.

Parties also must send three paper copies of their filing to Sheryl Todd, Telecommunications Access Policy Division, Wireline Competition Bureau, Federal Communications Commission, 445 12th Street, S.W., Room 5-B540, Washington, D.C. 20554. In addition, commenters must send diskette copies to the Commission's copy contractor, Qualex International, Portals II, 445 12th Street, S.W., Room CY-B402, Washington, D.C. 20054.

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

For further information, contact Andy Firth, Telecommunications Access Policy Division, Wireline Competition Bureau, at (202) 418-2694, TTY (202) 418-0484, e-mail: afirth@fcc.gov.

⁴ See *Electronic Filing of Documents in Rulemaking Proceedings*, 63 Fed. Reg. 24121 (1998).