

Interstate TRS Advisory Council
Meeting Minutes for April 15, 2021
Teleconference

ATTENDEES

Ron Bibler, Chair, TRS Users
Zainab Alkebsi, Vice Chair, Deaf Consumers
Shannon Smith, Vice Chair, Hard of Hearing Community
Linda Vandeloop, Secretary, Interstate Telecommunications Providers/Contributors
Honorable Tim Schram, State Representative
Al Sonnenstrahl, Deaf Consumers
Jeff Rosen, TRS Providers
Bryen Yunashko, Deafblind Consumers
Phillip Hupf, Interstate Telecommunications Providers/Contributors
Honorable Andrew Fay, State Representative
Mark Tauscher, TRS Providers
Andrew Fitzenrider, Speech disabled Community
Holly Bise, NASRA

RLSA
Dave Rolka
Bob Loube
Brenda Kelly-Frey
Garrett McGrath
Amanda Coby

FCC
Eliot Greenwald
Michael Scott

CONVENE

Chairperson Bibler greeted audience and called to order the Spring meeting of the TRS Advisory Council at 11:00 a.m. EDT.

September 14, 2020 Minutes

Jeff Rosen moved to approve the September 14, 2020 minutes as prepared. Zainab Alkebsi and Phil Hupf seconded. The minutes were approved without objection or abstention.

FCC PRESENTATION

(Eliot Greenwald and Michael Scott)

On September 30, 2020 the Commission an IP CTS ,Order, Order on Reconsideration and Further Notice of Proposed Rulemaking. The IP CTS rate for the 2-21-2022 fund year was set at \$1.30 per minute. The Commission deferred consideration of a separate rate for fully automatic IP CTS. The Commission also extended the COVID TRS waivers through February 28, 2021. The Commission denied a long standing petition for reconsideration filed by Sprint to reconsider the adoption of the interim rates for 2018-2020. In the FNRPM the commission sought comments on robust quantifiable measurements for IP CTS and CTS service quality and proposed minimum standards for caption delay, accuracy, speed of answer and guidelines for service quality testing. It also sought comment on whether to designate a third-party to conduct performance testing. The comment cycle closed on April 2nd and the Commission is reviewing.

On November 18, 2020 the Commission adopted the VRS and IP relay contribution base NPRM to expand the contribution base to include intrastate revenues. The comment period closes on May 3rd.

On December 11, 2020 CGB granted InnoCaption's application to provide fully automatic IP CTS in addition to its CA-assisted service.

On February 18, 2021 CGB again extended the COVID waivers through August 31, 2021.

On March 23, 2021 the Commission released a public notice seeking comment on a General Services Administration Petition for Waiver of user registration requirement for federal government users of IP relay and IP CTS. GSA proposed use of the enterprise registration procedure for VRS. The comment period closes April 9th.

On April 13, 2021 the CGB conditionally granted ClearCaption's application to provide IP CTS on a fully automatic basis in addition to its CA-assisted service.

On February 16, 2021 the Commission updated its hearing aid compatibility rules to include the 2019 ANSI standard for handset volume control. A 2 year transition period was adopted.

On February 26, 2021 the Commission issued a public notice announcing a June 30th deadline for applications for the National DeafBlind Equipment Distribution Program certifications covering the

full 5 year period. Applicants must demonstrate that they qualify of certification because the current 5 year certifications expire on June 30, 2022.

On March 8, 2021 the media bureau granted requests to exempt Fox News, MSNBC, CNN, and ESPN from the audio description rules finding that these networks provide less than 50 hours of prime time live and near live programming per calendar quarter. Beginning July 1, 2021, the top 5 national non-broadcast networks required to comply with the audio description rules are TLC, HGTV, Hallmark, History, and TBS.

On March 12, 2021 the Public Safety and Homeland Security Bureau released a public notice providing instructions for PSAPs planning to request delivery of RTT from wireless providers.

On March 17, 2021, the Commission adopted a Notice of Proposed Rulemaking proposing rules that mobile devices cannot opt out of receiving wireless emergency alert system alerts from the FEMA administrator. Comments are due on April 20th and reply comments are due May 4th. The Commission also issued a Notice of Inquiry seeking comment on the feasibility of sending emergency alerts over the internet. Comments are due on May 14th and reply comments are due June 14th.

On April 7, 2021 the Commission released a Public Notice inviting comments on whether there should be updates to the rules regarding implementation of the CVAA. Comments are due May 24th and reply comments are due June 21st.

ROLKA LOUBE PRERSENTATION

(Bob Loube)

MARS Based Rates

The Traditional TRS rate increased to \$4.28 per minute. The Speech to Speech rate, which is based on the TRS rate plus \$1.13 for outreach is \$5.41. Caption Telephone Services rate is \$2.40. More states are going to a fixed rate which can increase the per minute rate when volumes are falling.

IP CTS

An overview was provided of the IP CTS cost categories – facilities, CA related, non-CA relay center, indirect, depreciation, marketing, outreach, other, and 10% operating margin. Over time costs are declining.

Concern was expressed that by combining CA-supported and ASR only costs, compensation rate recommendations are lower which is causing a shift to ASR. RolkaLoubé confirmed that the rate for the next tariff year was based on CA-related costs and did not include ASR costs.

A separate ASR rate was considered but since there has not been enough data the Commission decided it was premature. Based on preliminary observation ASR may be becoming an expansion of IP CTS rather than a substitute. But more data is needed. The 2022 rate order will be the next opportunity to look at separate rates from ASR and CA-related.

The IPCTS rate will decrease to \$1.30 beginning July 1st. The rate set was high enough to cover the waiver on deafblind community outreach. The profit and operating margins based on the rate of \$1.30 per minute are calculated to be 72.4% for ASR, 27.9% for CA and approximately 30% overall.

Video Relay

Current rates and tiers in effect until June

Emergent - Less than 500,000	\$529
Tier 1: 0- 1 million	\$4.82
Tier 2: 1-2.5 million	\$3.97
Tier 3: Greater than 2.5 million	\$2.63

Video Relay includes the same cost categories as IP CTS with the exception of outreach which is not allowed for Video Relay. CA related is almost half the total cost. RolkaLoubé identified two rate structure options based on different operating margins – Operating margin for current structure equals 31.4%, Option 1 reduces tier caps all rates with an operating margin of 11.11% and Option 2 reduces tier caps and all rates except Emergent with an operating margin 10.12% which is closest to the Commission’s target. Concern was expressed by council members about the possibility of reducing the tier cap from 500,000 to 300,000. RolkaLoubé said that they were giving the Commission information about potential options consistent with their goal of a 10% operating margin.

Contribution Base

The Non-IPCTS contribution base is the international and interstate revenue, about \$45 billion with a contribution factor of 1.0%. The contribution base for IP CTS also includes the intrastate for a total of \$106 billion with a contribution factor of 0.6%.

SUBCOMMITTEE

The Council rate review subcommittee recommended that, due to the uncertainty of COVID, the IP CTS rate be frozen at \$1.41 and the VRS rates and tiers remain at current levels for the fund year beginning July 1, 2021. Ron Bibler moved; Zainab Alkebsi seconded. There was one abstention and two members not present. All other members voted aye. The motion passed.

The chair noted that the contribution factor will change if the recommendation is adopted by the Commission.

OTHER BUSINESS

Dave Rolka noted that the RolkaLoubé contract with the FCC to administer the fund has been extended for 5 years and that the FCC recently contracted with RolkaLoubé to build a centralized database for use in connection with the National Deaf-Blind Equipment Distribution Program.

The Council agreed to cancel the April Health of Fund meeting.

PUBLIC COMMENT

Mike Strecker expressed a concern that cost data used for setting the next set of rates will be skewed by the impact of COVID. If volumes don't remain high the per minute rate will be understated. Dave Rolka confirmed that they would take this into consideration when setting assumptions.

Chairperson Bibler adjourned the meeting.