

SUPPORTING STATEMENT

A. Justification

The Commission is submitting this information collection to the Office of Management and Budget (OMB) to extend the information collection requirements under OMB Control Number 3060-1150.

1. Section 225 to the Communications Act of 1934, as amended (Act), requires that:
 - (a) The Commission ensure that telecommunications relay services (TRS) are available, to the extent possible and in the most efficient manner, to persons with hearing or speech disabilities in the United States;¹ and
 - (b) TRS provide the ability for an individual who is deaf, hard of hearing, deaf-blind, or who has a speech disability to engage in communication with one or more individuals in a manner that is functionally equivalent to voice communication services.²

In the *1991 TRS Implementation Order* (document FCC 91-213), the Commission adopted rules governing the TRS program and procedures for each state TRS program³ to apply for initial Commission certification and renewal of Commission certification of each state program.⁴

Internet-Based TRS

In March 2000, the Commission recognized Video Relay Service (VRS) as a form of TRS.⁵ VRS requires a video link using a broadband Internet connection between the VRS user and the communication assistant (CA). During the call, the CA communicates in American Sign Language (ASL) with the VRS user and by voice with the hearing person. As a result, the conversation between the end users occurs in near real time.

In April 2002, the Commission also recognized Internet Protocol Relay (IP Relay) service as a form of TRS.⁶ IP Relay permits an individual with a hearing or speech disability to communicate in text using an Internet Protocol-enabled device via the Internet, rather

¹ 47 U.S.C. § 225(b)(1).

² 47 U.S.C. § 225(a)(3).

³ Unless otherwise stated, references to state TRS programs will include the 50 states and 6 territories that may have TRS programs.

⁴ *Telecommunications Services for Individuals with Hearing and Speech Disabilities, and the Americans with Disabilities Act of 1990*, Report and Order and Request for Comments, 6 FCC Rcd 4657 (1991) (*1991 TRS Implementation Order*).

⁵ *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, Report and Order and Further Notice of Proposed Rulemaking, 15 FCC Rcd 5140, 5152-54, paras. 21-27 (2000) (referring to VRI, which later became known as VRS); 47 CFR § 64.601(43) (defining VRS).

Telecommunications Relay Services Certification Applications and Video Relay Service Compliance Requirements, CG Docket Nos. 03-123 and 10-51

than using a text telephone (TTY) and the public switched telephone network (PSTN).

In January 2007, the Commission added Internet Protocol Captioned Telephone Service (IP CTS) as a form of Internet-based TRS (iTRS) eligible for compensation from the Interstate TRS Fund.⁷ IP CTS is a form of captioned telephone relay service (CTS) where the connection carrying the captions between the relay provider and the user is via the Internet, rather than the PSTN. An individual who can speak but who has difficulty hearing over the telephone uses a telephone and an IP-enabled device to simultaneously listen to the other party and read captions.

On July 28, 2011, the Commission released the *VRS Certification Order* (document FCC 11-118) adopting a new modified certification process for iTRS providers to ensure that iTRS providers receiving certification are qualified to provide iTRS in compliance with the Commission's rules, and to eliminate waste, fraud and abuse through improved oversight of such providers.⁸

Pursuant to the *VRS Certification Order*, the Commission requires each iTRS provider to obtain certification from the Commission in order to be eligible to receive compensation from the Fund; requires each VRS applicant for Commission certification to lease, license or own, as well as operate, essential facilities associated with TRS call centers and to employ interpreters to staff those centers as of the date of the application; and requires each iTRS applicant for certification to submit specific types of documentary evidence of its ability to comply with all of the Commission's rules. The Commission also adopted rules governing on-site visits by Commission staff to the premises of applicants for certification and iTRS providers after they are certified and revised the Commission's rules governing renewal applications, annual compliance reports, and notifications of substantive iTRS program changes filed by certified providers. In addition, in the *VRS Certification Order*, the Commission requires prior approval and notifications to consumers of voluntary interruptions of VRS service of 30 minutes or longer and notification to the Commission of all involuntary interruptions of iTRS service.

Section 64.606(g) of the Commission's rules requires iTRS providers to file annual reports demonstrating that they are in compliance with section 64.604 of the rules. The *VRS Certification Order* includes an interim rule requiring all applicants and providers of iTRS to certify, under penalty of perjury, that their certification applications and annual compliance reports are truthful, accurate, and complete and to include in their annual reports updates to the information and documentation that was submitted with their applications for certification.

⁶ *Provision of Improved Telecommunication Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities; Petition for Clarification of WorldCom, Inc.*, Declaratory Ruling and Second Further Notice of Proposed Rulemaking, 17 FCC Rcd 7779, 7779, para. 1 (2002); 47 CFR § 64.601(19) (defining IP Relay).

⁷ *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities; Internet-Based Captioned Telephone Service*, Declaratory Ruling, 22 FCC Rcd 379, 388, para. 22 (2007) (*2007 IP CTS Declaratory Ruling*); 47 CFR § 64.601(17) (defining IP CTS).

⁸ *Structure and Practices of the Video Relay Service Program*, Second Report and Order and Order, 26 FCC Rcd 10898 (2011) (*VRS Certification Order*).

Telecommunications Relay Services Certification Applications and Video Relay Service Compliance Requirements, CG Docket Nos. 03-123 and 10-51

On October 17, 2011, the Commission released the *VRS Certification Reconsideration Order* (document FCC 11-155),⁹ modifying the documentation that iTRS providers must include in their applications for certification.

In the *2013 VRS Reform Order* (document FCC 13-82), the Commission made permanent the interim rule adopted in the *VRS Certification Order* requiring all applicants and providers of iTRS to certify, under penalty of perjury, that their certification applications and annual compliance reports are truthful, accurate, and complete.¹⁰

The *1991 TRS Implementation Order*, the *VRS Certification Order*, the *VRS Certification Reconsideration Order*, and the *2013 VRS Certification Reform Order* contain the following information collection requirements:

A. State Relay Program Certification Applications

Section 64.606(a)(1), (b)(1) and (c)(1) of the Commission's rules requires that the documentation for each application and renewal application for certification of a state TRS program be submitted in narrative form, and clearly describe the state program and the procedures and remedies for enforcing the state program requirements. The Commission shall certify the state program if the Commission determines that the documentation:

- (i) Establishes that the state program meets or exceeds the operational, technical, and functional minimum standards contained in section 64.604 of the Commission's rules;
- (ii) Establishes that the state program makes available adequate procedures for enforcing the state program requirements as well as informational materials on state and Commission complaint procedures; and
- (iii) Establishes that the state program does not conflict with federal law where the state program exceeds minimum standards.

B. Internet-Based TRS Provider Certification Applications

Section 64.606(a)(2), (b)(2) and (c)(2) of the Commission's rules requires that an applicant for certification or renewal of certification to provide iTRS must include in its application:

- (1) Full and detailed information that shows its ability to comply with the Commission's rules. Applicants must provide a description of the forms of iTRS to be provided and a detailed description of how the applicant will meet all non-waived mandatory minimum standards applicable to each form of iTRS offered,

⁹ *Structure and Practices of the Video Relay Service Program*, Memorandum Opinion and Order, Order, and Further Notice of Proposed Rulemaking, 26 FCC Rcd 14895 (2011) (*VRS Certification Reconsideration Order*).

¹⁰ *Structure and Practices of the Video Relay Service Program; Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, Report and Order and Further Notice of Proposed Rulemaking, 28 FCC Rcd 8618 (2013) (*2013 VRS Reform Order*).

**Telecommunications Relay Services Certification Applications and Video Relay Service
Compliance Requirements, CG Docket Nos. 03-123 and 10-51**

including documentary and other evidence. In the case of VRS, such documentary and other evidence must demonstrate that the applicant leases, licenses or has acquired its own facilities; operates such facilities associated with TRS call centers; and employs CAs, on a full- or part-time basis, to staff such call centers as of the date of the application. Such evidence shall include but not be limited to:

- (a) for VRS applicants operating five or fewer call centers within the United States, a copy of each deed or lease;
- (b) for VRS applicants operating more than five call centers within the United States, a copy of each deed or lease for a representative sampling of five call centers, together with a list of all other call centers that they operate that includes the address, the number of CAs and CA managers, and the name and contact information of the manager(s) at the center;
- (c) for VRS applicants operating call centers outside of the United States, a copy of each deed or lease;
- (d) where applicable, a description of the technology and equipment used to support call center functions—including, but not limited to, automatic call distribution, routing, call setup, mapping, call features, billing for compensation from the TRS Fund, and registration—and for each core function of each call center for which the applicant must provide a copy of technology and equipment proofs of purchase, leases or license agreements (including a complete copy of each lease or license agreement for automatic call distribution), and a statement whether such technology and equipment is owned, leased or licensed (and from whom, if leased or licensed);
- (e) for all applicants, a list of individuals or entities that hold at least a 10 percent equity interest in the applicant, have the power to vote 10 percent or more of the securities of the applicant, or exercise de jure or de facto control over the applicant; a description of the applicant's organizational structure; and the names of its executives, officers, members of its board of directors, general partners (in the case of a partnership), and managing members (in the case of a limited liability company);
- (f) for all applicants, a list of the number of applicant's full-time and part-time employees involved in iTRS operations, including and divided by the following positions: executives and officers; video phone installers (in the case of VRS), CAs, and persons involved in marketing and sponsorship activities;
- (g) for all applicants, copies of employment agreements for all of the provider's employees directly involved in TRS operations, executives and CAs, and a list of names of employees directly involved in TRS operations, need not be submitted with the application, but must be retained by the applicant and submitted to the Commission upon request; and
- (h) for all applicants, a list of all sponsorship arrangements relating to iTRS, and

**Telecommunications Relay Services Certification Applications and Video Relay Service
Compliance Requirements, CG Docket Nos. 03-123 and 10-51**

a description of any associated written agreements (copies of all such arrangements and agreements must be retained by the applicant and submitted to the Commission upon request).

- (2) A description of the provider's complaint procedures.
- (3) A statement that the provider will file annual compliance reports demonstrating continued compliance with the Commission's rules.
- (4) A certification from the chief executive officer (CEO), chief financial officer (CFO), or other senior executive with first-hand knowledge of the accuracy and completeness of the information provided that all application information required under the Commission's rules and orders has been provided, and that all statements of fact, as well as all documentation contained in the application submission, are true, accurate, and complete.

C. Notification of Service Cessation

The *VRS Certification Order* requires that a provider applying for certification give its customers at least 30 days' notice that the provider will no longer provide service if the Commission determines that the applicant's certification application does not qualify for certification under section 64.606(a)(2) of the Commission's rules.¹¹

D. Suspension or Revocation Proceeding

Section 64.606(e) of the Commission's rules provides for suspension or revocation of a state relay program's or an iTRS provider's certification if after notice and an opportunity to be heard, the Commission determines that such certification is no longer warranted. The Commission may require submission of documentation demonstrating ongoing compliance with the Commission's rules.

E. Notification of Substantive Change

Section 64.606(f) of the Commission's rules requires state relay programs and VRS and IP Relay providers to notify the Commission of substantive changes to their TRS programs within 60 days of when they occur and to certify that they continue to meet the Commission's minimum standards after implementing the change.

F. Submission of Annual Report and Compliance Plan

- (1) Section 64.606(g)(1)-(2) of the Commission's rules requires each iTRS provider to submit an annual report demonstrating that it is in compliance with section 64.604 of the Commission's rules. The report must update the information included in its certification application and include updated documentation and a summary of the updates, or certify that there are no changes to the information and documentation since the last application for certification or renewal or the last annual report. The CEO, CFO, or other senior executive with first-hand knowledge of the accuracy and completeness of the information provided must certify that all information required under the Commission's rules and orders has

¹¹ *VRS Certification Order*, 26 FCC Rcd at 10922, para. 59.

**Telecommunications Relay Services Certification Applications and Video Relay Service
Compliance Requirements, CG Docket Nos. 03-123 and 10-51**

been provided, and that all statements of fact and all documentation contained in the report are true, accurate, and complete.

- (2) In addition, section 64.606(g)(3) of the Commission's rules requires VRS providers to include with their annual reports a compliance plan describing the provider's policies, procedures, and practices for complying with the requirements of section 64.604(c)(13), which prohibits VRS providers from engaging in any practice that causes or encourages, or that the provider knows or has reason to know will cause or encourage false or unverified claims for compensation, unauthorized use of VRS, the making of VRS calls that would not otherwise be made, or the use of VRS by persons who do not need the service. These plans include a description of audit processes used to ensure the accuracy and completeness of the minutes submitted to the TRS Fund administrator and a description of all policies and practices that the provider follows to prevent waste, fraud and abuse of the TRS Fund. Pursuant to section 64.603(g)(4), if the Commission determines that the compliance plan is inadequate, the Commission will direct the VRS provider to submit an amended compliance plan.

G. Service Interruptions

- (1) Section 64.606(h)(2) of the Commission's rules requires that a VRS provider seeking to voluntarily interrupt service for a period of 30 minutes or more first obtain Commission authorization by submitting a written request to the Commission's Consumer and Governmental Affairs Bureau (CGB) at least 60 days prior to any planned service interruption, with detailed information of: (i) its justification for such interruption; (ii) its plan to notify consumers about the impending interruption; and (iii) its plans for resuming service, so as to minimize the impact of such disruption on consumers through a smooth transition to the temporary service being obtained from another provider, and restoration of the VRS provider's service at the completion of such interruption.
- (2) With respect to unforeseen iTRS service interruptions, or in the event of a VRS provider's voluntary service interruption of less than 30 minutes in duration, section 64.606(h)(3) of the Commission's rules requires that the provider submit a written notification to CGB within two business days of the commencement of the service interruption, with an explanation of when and how the provider has restored service or the provider's plan to do so imminently. In the event the provider has not restored service at the time such report is filed, the provider must submit a second report within two business days of the restoration of service with an explanation of when and how the provider has restored service.
- (3) For unforeseen iTRS service interruptions, or in the event of a VRS provider's voluntary service interruption of less than 30 minutes in duration (as discussed above), section 64.606(h)(3) also requires that the provider notify consumers on an accessible website, and ensure that the information is updated in a timely manner.

These information collections do not affect individuals or households, and thus, there are not impacted under the Privacy Act.

Telecommunications Relay Services Certification Applications and Video Relay Service Compliance Requirements, CG Docket Nos. 03-123 and 10-51

2. The 1991 TRS Implementation Order, the VRS Certification Order, the VRS Certification Reconsideration Order, and the 2013 VRS Certification Reform Order adopt mandatory reporting requirements for state relay programs offering traditional TRS, speech-to-speech relay service, and captioned telephone service and for providers and applicants offering and seeking to offer iTRS such as VRS, IP Relay and IP CTS. The purpose of these requirements is to:
 - (a) Ensure that state relay programs comply with the Commission's rules and orders, including the mandatory minimum standards set forth in section 64.604 of the Commission's rules;
 - (b) Ensure that the certified providers are qualified to provide iTRS in compliance with the Commission's rules and orders, including the mandatory minimum standards set forth in 47 CFR § 64.604, and
 - (c) Determine whether applicants to provide iTRS are eligible to receive compensation from the Interstate TRS Fund.

These requirements also help the Commission and TRS Fund Administrator oversee iTRS in an effective manner; detect and deter the misuse of relay services and the billing of illegitimate minutes to the Fund; minimize waste, fraud and abuse through improved oversight of such providers; and further the Commission's goals of ensuring that iTRS is available to, and used by, the full spectrum of eligible users, encouraging innovation, and efficiently providing service.

3. At this time, the Commission is not considering the use of improved information technology for these information collections.
4. The information is not duplicated elsewhere.
5. There is no significant economic impact on small businesses or small entities.
6. If the collections were not conducted, or conducted less frequently, the Commission and Fund administrator would have less of a basis to ensure compliance with the Commission's rules and to detect and prevent waste, fraud, and abuse in the provision of iTRS, and the public would have less of a basis to rely on the quality of relay services.
7. Applications for certification to provide iTRS and receive compensation from the Interstate TRS Fund are filed on a one-time basis; applications to renew iTRS provider and state relay program certifications are filed every five years; iTRS provider compliance reports are filed annually; and iTRS provider notifications of cessation of service and state relay program participation in suspension or revocation proceedings happen on occasion infrequently. Although notifications of substantive change occur on occasion, it is possible that an iTRS provider may have substantive changes more often than quarterly. However, the Commission and the TRS Fund administrator need to know of such substantive changes to better administer the TRS program. Based on past experience, iTRS providers often file notifications of unforeseen service interruptions with the Commission and post the information on their websites more often than quarterly. However, the Commission, the TRS Fund administrator, and consumers need to know of service interruptions because consumers are not receiving service during such service interruptions, and the Commission needs the

Telecommunications Relay Services Certification Applications and Video Relay Service Compliance Requirements, CG Docket Nos. 03-123 and 10-51

information so that it can determine whether to take any action to remedy service interruptions.

8. Pursuant to 5 CFR § 1320.8(d) of the Commission's rules, the Commission published the 60-day notice on January 30, 2018, seeking comment from the public on the information collection requirements contained in this Supporting Statement. No PRA comments were received from the public.
9. No payment or gift will be given to respondents.
10. The TRS Fund Administrator keeps confidential all data that is obtained from iTRS providers, and does not disclose such information in company-specific form unless directed to do so by the Commission.
11. This information collection does not address any private matters of a sensitive nature.
12. The following represents estimates of the burden hours for the collection of information as required by the rules adopted in the *1991 TRS Implementation Order*, the *VRS Certification Order*, the *VRS Certification Reconsideration Order*, and the *2013 VRS Certification Reform Order*.

COMPONENTS FOR REPORTING REQUIREMENTS

A. State Relay Certification Applications
47 CFR § 64.606(a)(1), (b)(1), (c)(1)

ANNUAL NUMBER OF RESPONDENTS: 56

The Commission estimates that there will be 56 respondents (50 states and 6 territories) who would submit state relay certification applications.

ANNUAL NUMBER OF RESPONSES: 56

States must renew their certifications once every 5 years. For the purposes of this information collection, the Commission treats this requirements as a one-time requirement for each respondent during the three-year period of this renewal. Thus, the number of responses is 56.

ANNUAL BURDEN HOURS: 840 hours

The Commission estimates that respondents will require 15 hours to complete the certification application.

15 hours/respondent x 56 respondents = 840 hours

ANNUAL IN-HOUSE COST: \$61,488.00

The Commission assumes that respondents will use in-house personnel whose pay is comparable to senior level federal employees (GS-15/5) at \$73.20/hour to complete the application for certification.

Telecommunications Relay Services Certification Applications and Video Relay Service Compliance Requirements, CG Docket Nos. 03-123 and 10-51

840 hours x \$73.20/hour = \$61,488.00

Although respondents will incur the burdens estimated in this section on a one-time basis, for purposes of cumulative burden estimates, these one-time estimates are annualized over the three-year period for which the Commission seeks approval for this collection. Therefore:

ANNUALIZED NUMBER OF RESPONSES = 56 responses / 3 years = 18.67 (rounded to 19) responses/year

ANNUALIZED BURDEN HOURS = 840 hours / 3 years = 280 hours/year

ANNUALIZED IN-HOUSE COST = \$61,488.00 / 3 years = \$20,496.00/year

B. Internet-Based TRS Provider Certification

47 CFR § 64.606(a)(2), (b)(2), (c)(2)

ANNUAL NUMBER OF RESPONDENTS: 16

The Commission estimates that there are 16 iTRS providers (respondents), as follows:

- 1 respondent provides IP CTS and IP Relay;
- 4 respondents provide IP CTS only;
- 5 respondents provide VRS only; and
- 6 respondents will apply to provide iTRS. Of the 6 respondents, as many as 5 respondents will apply to provide IP CTS, and 1 respondent will apply to provide VRS. We estimate that each of these 6 providers will provide only one service each.

ANNUAL NUMBER OF RESPONSES: 17

The number of responses for each respondent will depend on the number of iTRS services provided by each respondent.

(1 respondent providing two forms of iTRS) + (15 respondents providing 1 form of iTRS) = 2 responses + 15 responses = 17 responses

ANNUAL BURDEN HOURS (ONE-TIME BURDEN): 520 hours

The Commission estimates that respondents will require approximately 25 hours per form of iTRS (except for VRS) to complete the application for certification pursuant to the requirements listed above in 1(B), to demonstrate their ability to comply with the Commission's rules.

In the case of VRS, the Commission estimates that respondents will require an additional 20 hours for the additional requirements that apply only to VRS applicants, as listed above in 1(B).

Telecommunications Relay Services Certification Applications and Video Relay Service Compliance Requirements, CG Docket Nos. 03-123 and 10-51

These applications will be completed on a one-time basis.

Thus, the burden hours are:

$(10 \text{ non-VRS responses} \times 25 \text{ hours/response}) + (6 \text{ VRS responses} \times (25 \text{ hours/response} + 20 \text{ additional hours/response})) = 250 + 270 = 520 \text{ hours}$

ANNUAL IN-HOUSE COST: \$38,064.00

The Commission assumes that respondents will use in-house personnel whose pay is comparable to senior level federal employees (GS-15/5) at \$73.20/hour to complete the application for certification.

$520 \text{ hours} \times \$73.20/\text{hour} = \$38,064.00$

ANNUALIZED BURDENS: Although respondents will incur the burdens estimated in this section on a one-time basis, for purposes of cumulative burden estimates, these one-time estimates are annualized over the three-year period for which the Commission seeks approval for this collection. Therefore:

ANNUALIZED NUMBER OF RESPONSES: 17 responses / 3 years = 5.67 responses/year (rounded up to 6 responses per year)

ANNUALIZED BURDEN HOURS: 520 hours / 3 years = 173.33 hours/year (rounded to 173 hours per year)

ANNUALIZED IN-HOUSE COST: \$38,064.00 / 3 years = \$12,688/year

C. Notification of Service Cessation¹²

ANNUAL NUMBER OF RESPONDENTS:

1 iTRS provider respondent¹³

The Commission estimates that up to 1 respondent will be required to give its customers at least 30 days' notice that the provider will no longer provide service should the Commission determine that the applicant's certification application does not qualify for certification.

ANNUAL NUMBER OF RESPONSES:

$1 \text{ response/respondent} \times 1 \text{ respondent} = 1 \text{ response}$

ANNUAL BURDEN HOURS (ONE-TIME BURDEN): 2 hours

The Commission estimates each respondent will require approximately 2 hours to notify its customers of the forthcoming service cessation.

¹² *VRS Certification Order*, 26 FCC Rcd at 10922, para. 59.

¹³ This number of respondents is already included in 12(B), *supra*.

Telecommunications Relay Services Certification Applications and Video Relay Service Compliance Requirements, CG Docket Nos. 03-123 and 10-51

2 hours/response x 1 response = 2 hours

ANNUAL IN-HOUSE COST: \$146.40

The Commission assumes that respondents will use in-house personnel whose pay is comparable to senior level federal employees (GS-15/5) at \$73.20/hour to notify their customers of the forthcoming service cessation.

2 hours x \$73.20/hour = \$146.40

ANNUALIZED BURDENS:

Although respondents will incur the burdens estimated in this section on a one-time basis, for purposes of cumulative burden estimates, these one-time estimates are annualized over the three-year period for which the Commission seeks approval for this collection. Therefore:

ANNUALIZED NUMBER OF RESPONSES:

1 response / 3 years = 0.33 responses/year (rounded up to 1 response)

ANNUALIZED BURDEN HOURS:

2 hours per response / 3 years = .667 hours/year (rounded to 1 hour)

ANNUALIZED IN-HOUSE COSTS:

\$146.40 / 3 years = \$48.80/year

D. Suspension or Revocation Proceeding
47 CFR § 64.606(e)

Section 64.606(e) provides the procedures for TRS certifications to be suspended or revoked. The Commission estimates that there will be up to 1 suspension or revocation proceeding per year.

ANNUAL NUMBER OF RESPONDENTS: 1

1 out of 72 covered entities (56 state programs + 16 iTRS providers) = 1 respondent¹⁴

ANNUAL NUMBER OF RESPONSES: 1 response

ANNUAL BURDEN HOURS: 20 hours

The Commission estimates that the state program or iTRS provider subject to the suspension or revocation proceeding will use in-house personnel for 20 hours to coordinate a response with outside counsel.

20 hours/response x 1 response = 20 hours

¹⁴ This number of respondents is already included in 12(A) or (B), *supra*.

**Telecommunications Relay Services Certification Applications and Video Relay Service
Compliance Requirements, CG Docket Nos. 03-123 and 10-51**

ANNUAL IN-HOUSE COST: \$1,464.00

The Commission estimates that the state program or iTRS provider will use in-house personnel whose pay is comparable to senior level federal employees (GS-15/5) at \$73.20/hour to coordinate a response with outside counsel.

20 hours x \$73.20/hour = \$1,464.00

E. Notification of Substantive Change
47 CFR § 64.606(f)

ANNUAL NUMBER OF RESPONDENTS:

Section 64.606(f) provides the procedures for state TRS programs and VRS and IP Relay providers to notify the FCC of substantive changes.

5 out of 56 states and territories + 7 VRS and IP Relay providers = 12 respondents¹⁵

ANNUAL NUMBER OF RESPONSES: 19

The Commission estimates that of the 56 states and territories, on average there will be a total of 5 notifications of substantive change each year, and of the 7 VRS and IP Relay respondents, on average there will be a total of 14 notifications of substantive change each year.

5 on occasion change notification each year (on average) + 14 on occasion change notifications each year (on average) = 19 responses/year

ANNUAL BURDEN HOURS: 38 hours

The Commission estimates that the respondents will use in-house personnel for 2 hours to provide each notification of substantive change.

19 changes notifications/year x 2 hours/change notification = 38 hours

ANNUAL IN-HOUSE COST: \$2,781.60

The Commission estimates that the respondents will use in-house personnel whose pay is comparable to senior level federal employees (GS-15/5) at \$73.20/hour to notify the FCC of substantive changes.

38 hours x \$73.20/hour = \$2,781.60

F. Submission of Annual Report and Compliance Plan
47 CFR § 64.606(g)

¹⁵ The number of respondents is included in 12(A)-(B), *supra*.

**Telecommunications Relay Services Certification Applications and Video Relay Service
Compliance Requirements, CG Docket Nos. 03-123 and 10-51**

(1) *Submission of Annual Report*
47 CFR § 64.606(g)(1)-(2)

The annual reporting requirement applies to each of the iTRS providers.

ANNUAL NUMBER OF RESPONDENTS: 16 iTRS providers¹⁶

ANNUAL NUMBER OF RESPONSES: 17

The Commission estimates that there will be 1 report filed by each iTRS provider that provides only 1 form of iTRS, and 2 reports filed by the sole iTRS provider that provides 2 forms of iTRS.

$(15 \text{ respondents} \times 1 \text{ respondent}) + (2 \text{ responses} \times 1 \text{ respondent}) + = 17 \text{ responses/year}$

ANNUAL BURDEN HOURS: 340 hours

The Commission estimates that each respondent will require approximately 20 hours to complete each annual report.

$17 \text{ responses} \times 20 \text{ hours/response} = 340 \text{ hours}$

ANNUAL IN-HOUSE COST: \$24,888.00

The Commission assumes that respondents will use in-house personnel whose pay is comparable to senior level federal employees (GS-15/5) at \$73.20/hour to: (i) complete the report that include updates to the information that was provided in the original application.

$340 \text{ hours} \times \$73.20/\text{hour} = \$24,888.00$

(2) *Submission of Compliance Plan*
47 CFR § 64.606(g)(3)-(4)

ANNUAL NUMBER OF RESPONDENTS:

The compliance plan requirement applies only to the 6 VRS provider respondents.¹⁷

ANNUAL NUMBER OF RESPONSES: 7

The Commission estimates that each VRS provider will submit 1 compliance plan, and that 1 provider would be requested to resubmit its compliance plan.

$(1 \text{ initial response/provider} \times 6 \text{ VRS providers}) + (1 \text{ resubmission} \times 1 \text{ VRS provider}) = 7 \text{ responses}$

ANNUAL BURDEN HOURS: 105

¹⁶ The number of respondents is included in 12(B), *supra*.

¹⁷ The number of respondents is included in 12(B), *supra*.

**Telecommunications Relay Services Certification Applications and Video Relay Service
Compliance Requirements, CG Docket Nos. 03-123 and 10-51**

The Commission estimates that each respondent will take approximately 15 hours to complete a compliance plan, and if required, to resubmit a compliance plan.

7 responses x 15 hours/response = 105 hours

ANNUAL IN-HOUSE COST: \$7,686.00

The Commission assumes that respondents will use in-house personnel whose pay is comparable to senior level federal employees (GS-15/5) at \$73.20/hour to complete the submission of the compliance report.

105 hours x \$73.20/hour = \$7,686.00

Cumulative Totals for Annual Report and Compliance Plan:

TOTAL ANNUAL NUMBER OF RESPONDENTS: 16¹⁸

TOTAL ANNUAL NUMBER OF RESPONSES: 17 + 7 = 24 responses/year

TOTAL ANNUAL BURDEN HOURS: 340 + 105 = 445 hours

**TOTAL ANNUAL IN-HOUSE COSTS: \$24,888.00 + \$7,686.00 =
\$32,574.00**

G. Service Interruptions

47 CFR § 64.606(h)(2)-(3)

(1) *Prior Authorization for Voluntary Interruption of Video Relay Service*
47 CFR § 64.606(h)(2)

ANNUAL NUMBER OF RESPONDENTS:

This rule applies to the 6 VRS provider respondents.¹⁹

ANNUAL NUMBER OF RESPONSES: 6

The Commission estimates that these providers will each seek prior authorization for a voluntary interruption of service approximately 1 time per year.

6 respondents x 1 response/year = 6 responses

ANNUAL BURDEN HOURS: 6 hours

The Commission estimates that each respondent will require approximately 1 hour to complete the submission of a written request for authorization for a voluntary interruption of service.

¹⁸ The number of respondents is included in 12(B), *supra*.

¹⁹ The number of respondents is included in 12(B), *supra*.

**Telecommunications Relay Services Certification Applications and Video Relay Service
Compliance Requirements, CG Docket Nos. 03-123 and 10-51**

6 responses/year x 1 hour/response = 6 hours/year

ANNUAL IN-HOUSE COST: \$439.20

The Commission assumes that respondents will use in-house personnel whose pay is comparable to senior level federal employees (GS-15/5) at \$73.20/hour to complete the submission of a written request for authorization for a voluntary interruption of service.

6 hours/year x \$73.20/hour = \$439.20

(2) Reporting of Unforeseen Service Interruptions for Video Relay Service
47 CFR § 64.606(h)(3)

ANNUAL NUMBER OF RESPONDENTS:

This rule applies to the 6 VRS provider respondents.²⁰

ANNUAL NUMBER OF RESPONSES: 96

The Commission estimates that the 6 VRS providers will each be required to submit a written notification to CGB within two business days of when a service interruption first occurred due to unforeseen circumstances, with an explanation of how the provision of its service had been restored or will be restored imminently. The Commission estimates that each respondent will experience approximately 15 service interruptions per year, of which approximately 1 service interruption per provider will require the filing of a follow-up report within two business days of the restoration of service.

(6 VRS providers x 15 reports per year) + (6 VRS providers x 1 follow-up report per year) = 90 + 6 = 96 responses

ANNUAL BURDEN HOURS: 96 hours

The Commission estimates that each respondent will require approximately 1 hour to complete the submission of a written notification to CGB within two business days of when the service interruption first occurred due to an unforeseen circumstance and approximately 1 hour to complete the submission of a follow-up report.

(6 VRS providers x 15 reports per year x 1 hour) + (6 VRS providers x 1 follow-up report per year x 1 hour) = 90 hours + 6 hours = 96 hours

ANNUAL IN-HOUSE COST: \$7,027.20

The Commission assumes that respondents will use in-house personnel whose pay is comparable to senior level federal employees (GS-15/5) at \$73.20/hour to complete the submission of a written notification to CGB.

96 hours x \$73.20/hour = \$7,027.20

²⁰ The number of respondents is included in 12(B), *supra*.

**Telecommunications Relay Services Certification Applications and Video Relay Service
Compliance Requirements, CG Docket Nos. 03-123 and 10-51**

- (3) *Website Posting for Service Interruptions for iTRS Providers*
47 CFR § 64.606(h)(3)

ANNUAL NUMBER OF RESPONDENTS:

This rule applies to all iTRS providers. The Commission estimates that 16 respondents will provide notification of service interruptions to consumers on an accessible website in a timely manner.²¹

ANNUAL NUMBER OF RESPONSES: 240

The Commission estimates that the 16 providers will each post 15 notifications per year.

16 providers x 15 notifications = 240 responses

ANNUAL BURDEN HOURS: 120 hours

The Commission estimates each respondent will require approximately 0.5 hours (30 minutes) to post each notification on an accessible website.

0.5 hour/response x 240 responses = 120 hours

ANNUAL IN-HOUSE COST: \$8,784.00

The Commission assumes that respondents will use in-house personnel whose pay is comparable to senior level federal employees (GS-15/5) at \$73.20/hour to provide notifications of temporary service interruptions to consumers on an accessible website.

120 hours x \$73.20/hour = \$8,784.00

Cumulative Totals:

TOTAL ANNUAL NUMBER OF RESPONDENTS: 15

9 existing Internet-based TRS providers + 3 certified providers +3 parties = **15²² respondents**

TOTAL ANNUAL NUMBER OF RESPONSES: 91 responses/yr

TOTAL ANNUAL BURDEN HOURS: 418.50 (419 hrs/yr rounded)

TOTAL ANNUAL "IN-HOUSE" COSTS: \$28,658.07

²¹ The number of respondents is included in 12(B), *supra*.

²²

**Telecommunications Relay Services Certification Applications and Video Relay Service
Compliance Requirements, CG Docket Nos. 03-123 and 10-51**

TOTAL BURDENS

BURDEN	RESPONDENTS	ANNUAL RESPONSES	ANNUAL HOURS	ANNUAL IN- HOUSE COST
A. State Relay Certification Applications	56	19	280	\$20,496.00
B. Internet-Based TRS Provider Certification	16	6	173	\$12,688.00
C. Notification of Service Cessation	(included in B above)	1	1	\$48.80
D. Suspension or Revocation Proceeding	(included in A and B above)	1	20	\$1,464.00
E. Notification of Substantive Change	(included in A and B above)	19	38	\$2,781.60
F. Submission of Annual Report and Compliance Plan	(included in B above)	24	445	\$32,574.00
G. Service Interruptions	(included in B above)	342	222	\$16,250.40
TOTAL	72	412	1,179	\$86,302.80

13. For items A through B and D through G above, the Commission estimates that the state relay programs and iTRS providers will incur *de minimis* costs for preparing certification applications, notifications of service cessation, notifications of substantive changes, annual reports and compliance plans, and notifications to the Commission and consumers of service interruptions.

For item D – Suspension or Revocation Proceeding, the Commission estimates that for the one such proceeding each year, one respondent would employ an outside attorney for 80 hours at a rate of \$300 per hour, for a total cost of:

$$80 \text{ hours} \times \$300/\text{hour} = \$24,000.00$$

**Telecommunications Relay Services Certification Applications and Video Relay Service
Compliance Requirements, CG Docket Nos. 03-123 and 10-51**

TOTAL ANNUAL COSTS:

Total Start-up Costs: \$0

Total Operation, Maintenance, and Purchase of Service Costs: \$24,000/year

14. The Commission believes that the costs to the Federal government emanating from these information collections will involve:

- (a) Initial staff review of certification applications, annual reports, notifications of substantive change, and notifications of service interruptions (items A, B, E, F, and G above); and staff involvement in a suspension or revocation proceeding (item D). The Commission estimates that it will use staff attorneys at the GS-14/5 level (\$62.23/hour) to review this information and that the time required will be approximately 16 hours per month, or 192 hours annually.

$$16 \text{ hours/month} \times 12 \text{ months/year} \times \$62.23 / \text{hour} = \$11,948.16$$

- (b) Senior staff review of issues identified and escalated from the initial staff review of information contained in these submissions. The Commission estimates that it will use staff attorneys at the GS-15/5 level (\$73.20/hour) to review escalated issues and that the time required will be approximately 18 hours per month, or 216 hours annually.

$$18 \text{ hours/month} \times 12 \text{ months/year} \times \$73.20/\text{hour} = \$15,811.20$$

Total Cost to the Federal Government

Initial Staff Review	\$ 11,948.16
Senior Staff Review	<u>\$ 15,811.20</u>
TOTAL COST	\$ 27,759.36

15. The Commission has re-evaluated the information collection requirements contained in this document and makes the following program changes to include in this collection the following certification regulations that have been in existence for over 25 years in another collection: *state relay certification applications, suspension or revocation proceedings, and notifications of substantive change*. Therefore, the Commission has added the following burdens: **+56 annual number of respondents, +39 annual number of responses, +338 annual burden hours, and +\$24,000 annual cost**. In sum, the program changes to OMB's inventory are as follows: +56 respondents, from 15 to **71 annual number of respondents**, +39 responses, from 91 to **130 annual number of responses**, +338 hours, from 419 to **757 annual burden hours**, and +\$24,000 cost, from \$0 cost to **\$24,000 annual cost**.

The Commission makes the following adjustments to this information collection: **+1** respondent, from 71 to **72** annual number of respondents, **+282** responses, from 130 to **412** annual number of responses, and **+422** hours, from 757 to **1,179** annual burden hours.

16. There are no plans to publish the results of the collection of information.

17. The Commission is not seeking approval not to display the expiration date for OMB approval of these collections of information.

**Telecommunications Relay Services Certification Applications and Video Relay Service
Compliance Requirements, CG Docket Nos. 03-123 and 10-51**

18. There are no exceptions to the Certification Statement.

B. Collections of Information Employing Statistical Methods

The Commission does not anticipate that the collection of information will employ statistical methods.