



**Sprint Nextel**

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**Garnet Goins**

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**BY FEDERAL EXPRESS**

September 6, 2007

Honorable Catrice C. Williams  
Secretary  
Department of Telecommunications and Cable  
One South Station  
Boston, MA 02110

RE: D.T.C. 07-04 -- Verizon New England Inc. d/b/a Verizon Massachusetts, Re: Request for Proposal to provide Dual Party Relay Services in Massachusetts

Dear Secretary Williams,

Please find enclosed for filing an original and a copy of Sprint Communications Company, L.P.'s written comments concerning the reasonableness of Verizon Massachusetts' draft RFP in the above-referenced docket.

Please return a filed-stamped copy of the Comments to me in the enclosed self-addressed, postage-prepaid envelope. Thank you for your attention to this matter. If you have any questions concerning this request, please do not hesitate to contact me at (703) 433-4248.

Sincerely,

Garnet M. Goins

Enclosures

cc: Lindsay Deroche

**COMMONWEALTH OF MASSACHUSETTS**  
**DEPARTMENT OF TELECOMMUNICATIONS AND CABLE**

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Verizon New England Inc. d/b/a Verizon Massachusetts,  
Re: Request For Proposal To Provide Dual Party Relay  
Services in Massachusetts

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D.T.C. 07-04

**OPENING COMMENTS OF SPRINT COMMUNICATIONS COMPANY, L.P**

**I. INTRODUCTION**

Pursuant to the August 14, 2007 Notice of Hearing in regards to Verizon New England Inc. d/b/a Verizon Massachusetts (“Verizon’s”) draft Request for Proposal (“RFP”) to provide Dual Party Relay Services (“DPRS”), Sprint Communications Company, L.P. (“Sprint”) hereby submits written comments to the Department of Telecommunications and Cable (“DTC”) concerning the reasonableness of the RFP.

As you are probably aware, Sprint currently services as the Telecommunications Relay Service (“TRS”) provider in over thirty jurisdictions within the United States, as well as in Puerto Rico, New Zealand and to the federal government. Within each of these jurisdictions, Sprint appreciates the importance in providing this valuable service to the deaf and hard-of-hearing community. As a relay service provider, Sprint has an obligation to continuously improve the service that it offers and to bring new products to the marketplace at a competitive rate so that relay users can fully enjoy their benefits. This practice is in keeping with the philosophy espoused by the Federal Communications Commission (“FCC”) in its TRS

implementation orders<sup>1</sup> and at the same time advances the objectives of the Americans with Disabilities Act (“ADA”) of 1990, as codified in Section 225 of the Communications Act.<sup>2</sup> To further these goals and provide Massachusetts consumers with all forms of TRS at competitive pricing, Sprint recommends certain modifications to the RFP. Sprint has reviewed the draft RFP and submits the following comments.

## II. DISCUSSION

### A. The DTC Should Remove the Provisions Requiring Disclosure of Terms and Conditions of Subcontracts

Due to confidentiality provisions within Sprint’s contracts with subcontractors, it is prohibited from disclosing to third parties details of the terms and conditions of such contracts, including costs charged to other states as well as the pricing that Sprint negotiates with its various subcontractors. Moreover, such requirement would place Sprint at a competitive disadvantage to its competitor, Verizon. As you are aware, Sprint competes with Verizon on multiple facets within the telecommunications industry. Any disclosure of Sprint’s pricing, proprietary contracts and other business practices should not be disclosed to competitors and Verizon is one of Sprint’s biggest competitor within the Northeast region. Therefore, Sprint respectfully requests the following requirements/provisions be removed:

- Statement of Work (“SOW”) Appendix 1, 3.0 Service Standards Section 3.1 Scope of Service, paragraph 3 “The Bidder will demonstrate how the costs charged to Massachusetts compare to those charged to other states under Contract with the Bidder, and will disclose any increased costs being passed on the Contact Bidder by their subcontractors”.

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<sup>1</sup> See e.g., *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, ¶ 2 (1991) (First Report and Order).

<sup>2</sup> 47 U.S.C. § 225.

- TRS Program Cover Letter-Article I; Section D. “Method of Response Submission”; 8th Para. - “Verizon policy, consistent with that of many corporations, does not permit our acceptance of the proprietary information of others except under written agreement. Therefore, no specifications, drawings, sketches, models, samples, tools, computer programs, technical information, or data written, oral or otherwise, furnished by you to Verizon hereunder or in contemplation hereof shall be considered by you to be confidential or proprietary. Failure to comply with our policy can result in the disqualification of your RFP response.”
- TRS Program Cover Letter -Article IV “Response Submission Requirements”; Section A - “Subcontractors” - “The Bidder must include a copy of any proposed subcontracts with the proposal.”

**B. Portions of the RFP should be Further Clarified so Bidders Understand the Meaning of Certain Terms**

- Regarding the SOW Appendix 1, 4.4 Facilities and Equipment, please define what “Fast Type is”.
- Regarding the SOW Appendix 1, 5.1 - Providing Qualified Staff – Does this apply to other personnel overseeing the MA Relay contract, such as the Sprint Relay Point of Contact or Account Manager assigned to MA Relay, or does this apply only to Call Center employees?
- Regarding SOW Appendix 1, 5.7 D. # 6 - Interaction with Users, Would meeting these requirements conflict with 4.7.C.F.R §64.404 (2) (ii) “An STS CA may facilitate the call of an STS user with a speech disability so long as the CA does not interfere with the independence of the user, the user maintains control of the conversation, and the user does not object”?

**C. The RFP Should Be Clarified to Permit the TRS Provider to Oversee the MA TRS Outreach Program**

In the SOW, Appendix 2, Outreach Program, it refers to a Public Relations Firm so it is unclear whether the RFP is intended that the TRS provider would not oversee the Massachusetts TRS outreach program. Sprint has successfully overseen the state TRS outreach program in multiple jurisdictions, including large states such as New York. Sprint believes the Commonwealth would receive more competitive pricing if the TRS provider is permitted to conduct its own outreach program.

D. The RFP Should Clarify the State's Intention to Provisioning of Captioned Telephone Services

There are numerous references to Captioned Telephone Services ("CapTel") in both SOW Appendix 1 and SOW Appendix 2 related to marketing, reporting, etc.; however there is no requirement to provide CapTel. The RFP should clarify the Commonwealth's intention and requirement.

Sprint recommends that the RFP include provisions for the TRS provider to offer CapTel if the law permits. CapTel is an innovative form of TRS that permits deaf and hard-of-hearing individuals to receive word-for-word captions of their telephone conversations on a specially-equipped captioned telephone while simultaneously hearing what the other party is saying.<sup>3</sup> As you are aware, CapTel is currently a proprietary technology available only through one company, Ultratec, Inc. with specialized agents located in Wisconsin. This means that all CapTel calls are routed through call centers in Wisconsin. As a result, in order for the TRS provider to offer CapTel to Massachusetts residents, it must route calls to centers located in Wisconsin. Any requirement to provide CapTel service should account for this fact.

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<sup>3</sup> CapTel permits deaf or hard of hearing users to fully maximize their residual hearing, thereby allowing them to hear the person they are speaking with (however much they may hear) and read the captions on their phone at the same time. This is the key difference between CapTel and traditional TRS voice-carry-over ("VCO") service. CapTel is one step closer to functional equivalency, as it does not take away sound from the user, but instead adds the captioned word to support what is heard. With the CapTel service, there is no direct interaction with the operator. Users are more in control of the call and can communicate more naturally. A CapTel telephone call begins when the CapTel user picks up her/his CapTel handset and directly dials the number of the person they are calling. At the same time, the CapTel phone automatically dials the CapTel toll free number. The user's local exchange carrier carries the toll-free call to the CapTel center located in Wisconsin. The Wisconsin center's distributor routes the CapTel call to the next available CapTel agent. All of this occurs within an average of two seconds. The CapTel agent's station acquires the user's serial number of its specially-equipped captioned telephone, out-dial number, and carrier of choice automatically and makes the out-dial call without agent interaction using the registered carrier of choice (default is Sprint). The call arrives at the called party's number and conversation begins. There is no relay announcement made or interaction with the operator. Parties are able to interrupt each other and conduct a natural conversation unlike with the traditional VCO.

E. A Network Solution of Call-Centers Throughout the United States is a More Efficient and Cost Effective Method of Serving Telecommunications Relay Users, than Providing a Telecommunication Relay Service Through a Call-Center in Massachusetts:

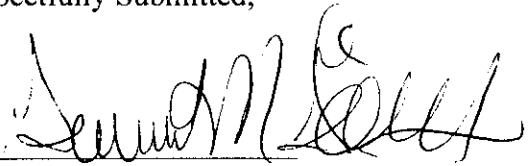
Section 4.2 of the RFP states: "Each Bidder shall provide a telecommunications relay service from a center located within the Commonwealth of Massachusetts." The RFP language in Section 4.2 mirrors language in Massachusetts General Law Chapter 166 Section 15E. Sprint respectfully submits there are opportunities to provide better service to relay service users, greater efficiencies and resulting savings through the use of all of Sprint's call-centers.

Sprint currently offers a network solution of call-centers throughout the United States in which calls are routed in the most efficient manner to account for traffic peaks and valleys and the availability of operators ("Network Solution"). Users of relay services taking advantage of Sprint's Network Solution receive the same quality of service users would experience through a single in-state call center. In fact, with quite literally multiple call-centers factored in, the call efficiencies can be better due to reduced potential for waiting during peak times. Moreover, a Network Solution permits TRS providers to offer relay services at lower rates because it is a more cost-efficient method, in turn reducing costs for the Commonwealth in offering this service. Additionally, by permitting providers to provide service through a Network Solution, more providers are able to participate in the bidding process, which increases the likelihood of receiving more competitive pricing for desired services. Therefore, a Network Solution is a more cost-effective and better approach than imposition of an in-state call-center. To this end, Sprint recommends that the RFP clarify that "bidders shall provide a telecommunications relay service from a center located within the Commonwealth of Massachusetts to the extent required by law." Sprint also recommends the Commonwealth make any statutory changes necessary to take advantage of greater Network Solution efficiencies.

### III. CONCLUSION

Sprint appreciates the opportunity in submitting comments to the RFP. With that, Sprint requests that the DTC implement the above noted modifications and clarifications described above, which will provide more clarity to the RFP and give bidders the opportunity to more competitively price for TRS services. The DTC should implement these modifications consistent with the principles and spirit espoused by the ADA of offering the most innovative products and services to the deaf and hard-of-hearing a community.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Garnet Goins", written over a horizontal line.

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Dated: September 6, 2007