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Catrice Williams, Secretary
Department of Telecommunications and Cable
Commonwealth of Massachusetts
One South Station
Boston, MA 02110

Re: D.T.C. 07-04

Dear Secretary Williams,

Verizon Massachusetts ("Verizon MA") hereby submits this letter in reply to comments¹ received by the Department of Telecommunications and Cable (the "Department") regarding the Request for Proposal ("RFP") to provide Dual Party Relay Service for Massachusetts consumers.

None of the comments provides any basis for changing the RFP and the Department should approve it as submitted².

Some of the comments address questions to the Department that are more appropriately addressed during a bidders' conference, other comments request changes in the RFP that would put it in conflict with state law, others raise issues that are focused on current and future "compliance" issues that are not the subject of the RFP. None of these comments requires response since they do not address the contents of the RFP.

¹ Comments were filed by Hamilton Telephone Company, Sprint Communications, Thomas Driscoll, Theresa Quin, Brian Ladley and Marilyn Howe (it is unclear whether Ms. Howe's comments are as an individual or as Director of Public Policy of the Massachusetts Developmental Disabilities Council).

² Some comments noted typographical errors, which Verizon MA will correct before issuing the RFP.

The comments that raise issues specific to the RFP are addressed below.

The price sheet does not indicate whether it will pay for ‘conversation minutes’ or ‘session minutes’.

The rate will be for conversation minutes.

A five- year contract is too long.

Many states are entering into five-year contracts because a five-year commitment would tend to allow for better pricing and attract more bidders.

Most “requirements” should be mandatory, not “value-added.

All FCC and State requirements are designated as “mandatory” in the RFP. Other requirements are considered to be “value-added” to allow bidders the flexibility to differentiate their services so that they can show how their proposal(s) may be better than another bidder.

There is no obligation that the Relay be fully compliant with the FCC requirements.

The RFP contains the statements that the provider must be in compliance with FCC and state requirements; see e.g. Sections 3.1, 4.4, 4.17.

It is not appropriate to ask a bidder to speculate on the cost of new requirements or new technologies. If there are new requirements, then the contract will be reopened. If there are new technologies, they may be best provided by another provider and new RFPs will be issued.

There are suggestions that the committee drafting the RFP was not diverse.

The RFP was developed by a committee appointed by the Massachusetts Commission for the Deaf and Hard of Hearing. The Commissioner worked with the Commissioners from the Massachusetts Rehabilitation Commission and the Massachusetts Commission for the blind. The committee had representation for deaf, hard of hearing (voice carryover users), deaf blind and also low vision and deaf, and speech. As a result there was representation for every constituency that uses traditional relay.

Finally, Verizon MA notes that Appendix 3 of the RFP was inadvertently omitted from the original filing. Therefore, attached is Appendix 3 which is the description of the Administrators Test Plan and Liquidated Damages.

John L. Conroy
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Attachment

cc: Service List

Appendix 3

Administrators Test Plan and Liquidated Damages

I. Overview of Test Plan

The Administrator shall be responsible for monitoring the Contractor's compliance with the service standards set forth in the Contract. This Test Plan establishes the following: (1) the testing methodology for evaluating quality of service; (2) the performance standards and measurements; and (3) the assessment of liquidated damages.

A. Testing Methodology

The Administrator will hire a team of impartial independent contract employees who will act as call monitors, call evaluators and project leader, completing 150 to 200 test calls per month through the Massachusetts Relay Center. The test team will act independently to design scripts for testing purposes. The team will not be permitted to share or consult with the Contractor in designing the test call scripts.

Call Monitors include TTY Call Monitors and Voice Call Monitors. The Voice Call Monitor will use a telephone recording device to record the voice side of the call, which includes the Relay Operator and the Voice Call Monitor. The TTY Call Monitor will provide a TTY printout, which includes the typed conversation from the TTY Call Monitor and the Relay Operator.

Call Evaluators will assess completed calls for typing speed and typing accuracy as described under Section II of this Test Plan.

The Project Leader will be responsible for the overall administration of the plan, training team members: developing test call scripts in collaboration with the Test Call Evaluators and providing a monthly report summarizing the test results.

Test calls will be placed using a scripted conversation between a TTY user and a hearing person. Twenty scripts will be developed each month, designed to test the operator ability to relay a variety of business, technical and social calls placed through a relay center. The call scripts will consist of 80% TTY originated and 20% voice originated calls.

The goal of this Test Plan is to sample as many Operators as possible each month. To meet this objective, test calls will be placed on a daily basis at various times of the day. Call Monitors will track Operator identification numbers in order to limit the number of test calls handled by one Operator to three in any given month.

Upon completion of the evaluations, the Test Call Project Leader will analyze the data and generate a monthly report summarizing the test results. A copy of that report will be provided to the Contractor and filed on a confidential basis with the Massachusetts Department of Telecommunications and Cable (Department). All supporting test data will be available for review by the Contractor at the Administrator's offices in Marlboro, MA. If liquidated damages are assessed based on the monthly test results, the Contractor may appeal the assessment to the Department.

The Contractor may share the overall findings contained in the monthly reports with all operators and supervisors. However, the contractor or its representatives may not use the results of those reports for evaluating the performance level of individual operators or supervisors.

B. REPORT SUMMARY

The Quality of Service results are derived from two sources – the test calls completed by the Test Call Monitors and Automatic Call Distributor (ACD) data provided by the Contractor.

As stated in Section 5.12 of the RFP, the Contractor is required to provide monthly Traffic Reports to the Administrator no later than 15 calendar days after the close of each month.

The monthly Test Call Summary Report will be produced by the end of the tenth workday following the receipt of ACD data.

Under the Agreement, the monthly Test Call Summary Report will consist of the following information collected from the test calls completed for the month:

1. Number of test calls evaluated
2. Number of Operators surveyed
3. Number of experienced Operators surveyed
4. Number of inexperienced Operators surveyed
5. Overall typing accuracy
6. Overall typing speed

The criteria to be used are detailed below in Section II of this Plan. The Report will include the ACD data as required in Section 5.12.G provided by the Contractor.

II. Performance Requirements and Measurements

A. Typing Accuracy

The Test Call Evaluators will analyze the TTY printout and the tape-recorded conversation to identify all misspelled words, omissions, and inaccuracies **for the entire call**.

An accuracy error does not include an operator's use of "xx" or "xxx" to correct an error. The calculation to determine typing accuracy is:

$$\frac{\text{Total Number of Words Typed Correctly}}{\text{Total Number of Words}} = \% \text{ Accuracy}$$

The percentage is rounded to the nearest tenth of a point.

The overall standard for typing accuracy is 95%. The Contractor's response to the requirements contained in Sections 5.6.G, 5.6.H, 5.6.K, 5.6.N, 5.6.O, 5.6.Q, 5.6.S, and 5.6.W of the RFP will serve as the basis for evaluating accuracy under the Addendum to the Agreement.

1. Verbatim Relay

The Operator shall type to the text based telephone device user or verbalize to the voice user exactly what is said when the call is first answered and at all times during the conversation unless either party specifically requests otherwise.

2. Explaining Relay

When the operator needs to explain relay to a hearing user, the operator shall also type "explaining relay" for the benefit of the TTY user. Conversely, when the operator needs to explain relay to a TTY user, the operator will inform the hearing user that the operator is explaining relay.

3 Third Person on Line

Operators shall indicate to either party if another person comes on the other end of the line at any time during a relay call. Examples of such instances include but are not limited to: transfers to different departments, a supervisor/manager at a place of business taking over a call, or someone picking up an extension.

4. All Comments typed

All comments directed to the voice user by the Operator shall be relayed to the text based telephone device user. These comments shall be typed in parentheses, for example:

(Reminding person to speak directly to you.). All comments directed to the Operator by the voice user shall also be relayed, for example: *Could you spell the name please?*

5. Relay in Third Person

If either party communicates in the third person, the Operator shall relay in the third person.

6. Corrections

To correct a typing error, Operators shall not backspace, but continue in a forward direction by typing "xx" or "xxx" (common TTY convention for error) and then typing the word correctly.

7. Verification of Spelling

When necessary, Operators shall verify spelling of proper nouns, numbers, and addresses that are spoken. If the operator requests spelling of a word, the operator shall type the word with spaces between each letter to indicate to the text telephone user that the spelling was requested. For example: K U M A R.

8. Relay Operator Intrusion

Operators, supervisors or managers shall not counsel, advise, or interject personal opinions, messages, observations, personal questions or additional information into any relay call. This also means the operator shall not make any value judgments on the profanity or obscenity or legality of any messages. Additionally, operators shall not hold personal conversations with anyone calling Massachusetts Relay.

B. Typing Speed

The standard for typing speed shall be sixty (60) words at entry level with as required by the FCC TRS Rules 47 C.F.R. § 64.604 (a) (1) and Section 5.4.A of the RFP.

Typing Speed is calculated by (1) Total Number of Keystrokes and (2) Total Amount of Time (minutes and seconds).

Typing Speed = Total Number of Keystrokes divided by 5
= Total Number of Words

Total Seconds divided by Total Number of Words = Words Per Minute

The Test Call Evaluators will analyze no more than two designated segment(s) per call utilizing the tape-recorded conversation and a stopwatch to calculate the Operator's typing speed by

listening to the recording for when the Operator begins and stops typing the voiced conversation. Designated segments will consist of 120 – 450 keystrokes.

If the Test Call Evaluator cannot determine the start or end of the Operator's typing, the segment will not be included for typing speed.

C. CALL ANSWER

Speed of answer by an operator prepared to place the relay call are measured from the Contractor's automated call distributor (ACD) report and should meet the requirement of 85% of all calls answered within 10 seconds on a daily basis, in accordance with Section 4.23 (C) and (D) of the RFP and FCC TRS Rules 47 C.F.R. § 64.604 b (2).

III. Assessment of Liquidated Damages

A. Typing Accuracy

The Standard typing accuracy shall be ninety-five (95) percent based on the scores of the independent testing. The Administrator may withhold from amounts payable to the vendor the amount of \$5,000.00 for each month the vendor falls below eighty five percent (85%) typing accuracy quality of service standard. If the average typing accuracy falls between 85% and 95% then the Administrator may withhold \$2,500.00.

B. Typing Speed

The standard typing speed shall be 60 words per minute based on the results of the independent testing. The Administrator may withhold from amounts payable to the vendor the amount of \$5,000.00 for each month the vendor falls below fifty-five (55) words per minute. If the average typing speed falls between 55 and 60 words per minute then the Administrator may withhold \$2,500.00.

C. Speed of Answer

Speed of answer should be measured from the vendors automated call distributor report and should meet the requirement of 85% within 10 seconds on a daily basis. Speed of Answer must be a true speed of answer and not a weighted average. Abandoned calls shall be included in the speed of answer calculation. The Administrator may withhold from amounts payable to the vendor the amount of \$1,000.00 per day with a maximum of \$5,000.00 per month.