AMENDMENT TO APPLICATION OF AMERICAN NETWORK, INC. FOR CERTIFICATION AS A VIDEO RELAY SERVICE AND IP RELAY SERVICE PROVIDER

American Network, Inc. (“American Network”), by its counsel, hereby submits the following amendment to its application to the Federal Communications Commission (“FCC” or “Commission”), submitted on February 25, 2008, for certification that the company is eligible to receive reimbursement from the Interstate Telecommunications Relay Service (“TRS”) Fund as a provider of Video Relay Service (“VRS”) and Internet-Protocol (“IP”) Relay Service.1 By this amendment, American Network provides additional information, clarifies information already provided and seeks certification to receive reimbursement as a provider of Internet Protocol

1See 47 C.F.R. § 64.605; Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities, CG Docket No. 03-123, Report and Order and Order on Reconsideration, 20 FCC Red. 20577 (2005).
I. Additional Background

As noted in its application, American Network is well qualified to provide the services it proposes to offer. Through its affiliates EagleACD and Eagle Teleconferencing, American Network has established itself as a leading provider of IP hosted call center services and teleconferencing services. As a group, the Eagle/American Network companies provide Internet access bandwidth, hosted automatic call distribution services, and hosted PBX services via both dedicated IP connections and hosted network address translation ("NAT").

By way of additional background, EagleACD is a service of EagleIP, LLC, headquartered in New York City – with multiple sales centers in the United States, Spain and India. Since EagleACD’s introduction in May 2004, it has experienced explosive growth as a solutions provider for global call centers. Its unique approach allows organizations of any size, to offer VOICE ACD, WebCHAT and Email-ACD – over both a Public Switched Telecommunication Network ("PSTN") or a Voice-Over Internet Protocol ("VoIP") – at no-entry cost. EagleACD offers services on a global level, while still maintaining servers in the United States. In addition, most of EagleACD’s services can be deployed in a few days, without any up-front capital costs.

Eagle Teleconferencing is a full service conferencing solutions company dedicated to providing quality conference calls at competitive pricing. In business since 1986, Eagle provides the most advanced services in communications technologies. Eagle Teleconferencing has 14,000 ports strategically located throughout the United States and has expanded services internationally to include the United Kingdom, Italy, Germany and France, with a worldwide capacity of over
25,000 ports.

The Eagle companies’ management team is comprised of individuals with vast experience and backgrounds in the fields of information technology, telecommunications, marketing, and sales. Its telecommunications team alone has over 100 years of combined experience in competitive local exchange carrier ("CLEC"), long distance, audio, video, web-conferencing, VoIP, call centers and Internet service provider services.

II. Call Handling

As noted in its initial application, American Network initially intends to provide TRS services through a contractor with significant experience in provision of IP based TRS services.\textsuperscript{2/}

In particular, American Network has already entered into an agreement with [REDACTED], an experienced provider of call handling services. [SENTENCE REDACTED] American Network’s agreement with [REDACTED] extends for a period of three (3) years, after which it may be renewed for an additional one-year term. During the term of its agreement with [REDACTED], American Network expects to actively evaluate whether it will establish its own call center, continue to use [REDACTED] or establish a call center in conjunction with [REDACTED] or another service provider. In any event, American Network -- and not [REDACTED] -- will be fully responsible for meeting all of the obligations imposed by the FCC’s rules regarding the provision of IP based TRS services.\textsuperscript{3/}

\textsuperscript{2/} As noted above and discussed more completely below, American Network hereby requests certification as a provider of IP CTS. As a matter of convenience, American Network refers to the three services it intends to provide -- IP Relay, VRS and IP CTS -- as IP based TRS services.

\textsuperscript{3/} In particular, under American Network’s agreement with [REDACTED], American Network is responsible for seeking reimbursement from the National Exchange Carrier Association ("NECA").
III. Complaint Procedures

In its initial application, American Network stated that it would provide for consumer complaints through an online form to be made available on the Internet web portal for the IP based TRS services it will offer. In addition to providing for complaints through an online form, American Network will also establish procedures for accepting complaints by mail and over the phone (with CA assistance as appropriate). Information regarding the address to which complaints should be sent will be available on the company's web site and from CAs. In addition, CAs will be instructed to assist consumers make complaints either through the web based complaint portal or by mail to a compliance officer or designee. In the event that a consumer does not wish to use the web based complaint portal or send a complaint by mail, CAs will be trained to summarize consumer complaints (including all relevant contact information from the consumer, as appropriate) and transmit those complaints to the compliance officer or designee.

IV. Cost Submissions

To the extent not clear from its original application, American Network hereby certifies that it will comply with all of the relevant provisions of Section 64.604(c)(5). In particular, American Network hereby certifies that it will provide true and accurate data and other historical, projected and state rate related information reasonably requested by NECA necessary to determine TRS fund revenue requirements and payments, as specified in Section 64.604(c)(5)(iii)(C), unless those obligations are otherwise waived or modified for providers of IP based TRS services.
V. Emergency Call Handling

In its initial application, American Network noted that the Commission had waived the requirement under Section 64.604(a)(4) of the rules for immediate routing of emergency calls for IP based TRS services. American Network stated that it was committed to implementing calling services for its IP based TRS services when it becomes technically feasible to do so. American Network also noted that it would include a notice on its web site and in promotional materials explaining the limitations of IP based TRS services for placing emergency calls. American Network notes that on March 19, 2008, the FCC released a Report and Order adopting emergency call handling requirements for IP based TRS providers. Accordingly, American Network hereby certifies that it will comply with the provisions of newly designated Section 64.605 of the rules, when those rules become effective.

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5/ American Network notes that on March 19, 2008, the FCC issued a Public Notice soliciting comments on the feasibility of establishing a global, uniform ten digit telephone numbering system for VRS and other forms of IP based TRS services. *Consumer & Governmental Affairs Bureau Seeks to Refresh Record on Assigning Internet Protocol (IP)-Based Telecommunications Relay Service (TRS) Users Ten-Digit Telephone Numbers Linked to North American Numbering Plan (NANP) and Related Issues*, Public Notice, 23 FCC Rcd. 4727 (2008). While the Public Notice does not impose any current obligations on IP based TRS providers, American Network hereby certifies that it will comply with any such numbering obligations imposed in the future.
VI. **IP CTS**

American Network intends to provide any form of IP based TRS services permitted by the FCC. Today, those forms of IP based TRS are IP Relay, VRS and IP CTS. American Network neglected to specify, in its initial application, that it sought authority to receive reimbursement from NECA as a provider of IP CTS. American Network hereby amends its initial request and seeks such authority. All of American Network’s assertions in its initial application (as amended herein), with respect to VRS and IP Relay are incorporated here with respect to its IP CTS request, except as follows:

- **Forms of TRS to be Provided** -- In its initial application, American Network stated that it would provide all non-waived forms of VRS and IP Relay Services. Similarly, American Network will provide all non-waived forms of IP CTS services. American Network notes that the FCC’s January 2007 Declaratory Ruling specifically exempts providers of IP CTS services from providing certain services and complying with certain technical requirements.  

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6/ American Network notes that Hawk Relay, LLC (“Hawk Relay”) submitted a request that the FCC clarify that IP Speech-to-Speech Relay Service (“IP STS”) is a form of TRS. Hawk Relay, LLC Request for Expedited Clarification for the Provision and Cost Recovery of Internet Protocol Speech to Speech Relay Service, CC Docket No. 03-123 (filed Dec. 21, 2007). American Network submitted Reply Comments in support of the Hawk Relay request. If the FCC grants Hawk Relay’s request, American Network expects to seek authority to provide IP STS.

7/ Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities, Declaratory Ruling, 22 FCC Rcd. 379, ¶¶ 29-31 (2007). In addition to waiver of the requirement to provide certain services (such as Speech-to-Speech services) that are also waived for VRS and IP Relay Services, the Declaratory Ruling also waives for IP CTS the requirement to provide outbound 711 calling. Id. ¶ 30. In addition to waiver of certain technical requirements (such as three-way calling) that are also waived for VRS and IP Relay Services, the Declaratory Ruling also waives for IP CTS technical requirements for CA gender preference, handling calls in ASCII and Baudot formats, and certain rules applying to CA typing competency and ability to refuse sequential calls. Id. In a December 26, 2007 Order,
Handling of Emergency Calls -- As noted above, American Network's initial application stated that the Commission waived for IP based TRS services the requirement under Section 64.604(a)(4) of the rules for immediate routing of emergency calls. Based on recent changes to the FCC's rules, American Network will provide emergency call handling for its IP CTS (and other IP based TRS) services.

VI. Conclusion

As demonstrated above, American Network meets all of the regulatory requirements for certification to receive reimbursement from the Interstate TRS Fund for provision of VRS and IP Relay Services. American Network therefore respectfully requests the Commission's expeditious grant of such certification.

Respectfully Submitted,

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the FCC permitted the waivers of the speed dialing (for VRS) and three-way calling (for VRS and IP relay) to expire on January 1, 2008. Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities, Order, 22 FCC Rcd. 21869 (2007). The waiver for the speed dialing requirement for VRS was later extended to April 30, 2008. Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities, Order, 23 FCC Rcd. 124 (2008). While American Network will, therefore provide speed dialing (for VRS) and three way calling (for VRS and IP relay), those obligations remain waived for IP CTS.