



# PUBLIC NOTICE

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DA 17-495

Released: May 22, 2017

## COMMISSION ANNOUNCES ENTITIES CERTIFIED TO PARTICIPATE IN THE NATIONAL DEAF-BLIND EQUIPMENT DISTRIBUTION PROGRAM FOR 12 STATES

### CG Docket No. 10-210

By this Public Notice, the Consumer and Governmental Affairs Bureau (CGB) of the Federal Communications Commission (Commission) certifies the Perkins School for the Blind as the entity to administer the National Deaf-Blind Equipment Distribution Program (NDBEDP) for the states of Indiana, Michigan, Minnesota, Mississippi, Nevada, New Mexico, Rhode Island, Virginia, Washington, and West Virginia. In addition, CGB certifies the Colorado Commission for the Deaf and Hard of Hearing to administer the NDBEDP for Colorado, and the Connecticut Tech Act Project to administer the NDBEDP for Connecticut. These certifications shall become effective July 1, 2017. On a rolling basis, CGB will release additional public notices announcing entities selected for certification under the permanent NDBEDP after reviewing applications and supplemental materials received for each state.

*Background.* Under the NDBEDP, also known as “iCanConnect,” the Commission may provide up to \$10 million annually from the Interstate Telecommunications Relay Service Fund (TRS Fund) to support local programs that distribute equipment to eligible low-income individuals who are deaf-blind, so that these individuals can access telecommunications service, Internet access service, and advanced communications services.<sup>1</sup> Since 2012, the Commission has operated the NDBEDP as a pilot program through the certification and oversight of 53 entities – one for each state, plus the District of Columbia, Puerto Rico, and the U.S. Virgin Islands.<sup>2</sup> This pilot program will end on June 30, 2017,<sup>3</sup> and the NDBEDP will become a permanent program on July 1, 2017.<sup>4</sup> In accordance with the *NDBEDP Permanent Program Order*, CGB must certify one entity for each state, the District of Columbia, Puerto

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<sup>1</sup> Twenty-First Century Communications and Video Accessibility Act of 2010 (CVAA), Pub. L. No. 111-260, 124 Stat. 2751; Pub. L. 111-265, 124 Stat. 2795 (technical corrections to the CVAA). Section 105 of the CVAA adds section 719 to the Communications Act of 1934, as amended, and is codified at 47 U.S.C. § 620.

<sup>2</sup> See *Implementation of the Twenty-First Century Communications and Video Accessibility Act of 2010, Section 105, Relay Services for Deaf-Blind Individuals*, Report and Order, 26 FCC Rcd 5640 (2011) (*NDBEDP Pilot Program Order*); *Commission Announces Launch of the National Deaf-Blind Equipment Distribution Program*, Public Notice, 27 FCC Rcd 7403 (CGB 2012); see also 47 CFR § 64.610(a)-(k).

<sup>3</sup> See *Implementation of the Twenty-First Century Communications and Video Accessibility Act of 2010, Section 105, Relay Services for Deaf-Blind Individuals*, Order, 31 FCC Rcd 6149 (2016).

<sup>4</sup> See *Implementation of the Twenty-First Century Communications and Video Accessibility Act of 2010, Section 105, Relay Services for Deaf-Blind Individuals*, Report and Order, 31 FCC Rcd 9178, 9199, para 51 (2016) (*NDBEDP Permanent Program Order*); see also 47 CFR §§ 64.6201-64.6219.

Rico, American Samoa, Guam, the Northern Mariana Islands, and the U.S. Virgin Islands, as the sole entity for that jurisdiction to receive reimbursement for NDBEDP activities from the TRS Fund.<sup>5</sup>

On February 7, 2017, CGB announced that it would accept applications until April 7, 2017, from entities that were interested in receiving Commission certification to participate in the permanent NDBEDP.<sup>6</sup> In that announcement, CGB identified the eight qualifications for certification that are required for the permanent NDBEDP.<sup>7</sup> The first seven of these apply to all applicants and require the following: expertise in the field of deaf-blindness, the ability to communicate effectively with people who are deaf-blind, sufficient staffing and facilities, experience with equipment distribution, experience training consumers how to use the distributed equipment, familiarity with covered services, and administrative and financial management experience.<sup>8</sup> The eighth qualification, which applies only to applicants that participated in the pilot program that are seeking renewal of their existing certifications, requires the ability to provide equipment and related services in compliance with the Commission's rules, as demonstrated by the applicant's past performance.<sup>9</sup> In addition, applicants for certification must disclose actual or potential conflicts of interest.<sup>10</sup>

CGB received a single application for each of the 12 states that are the subject of this public notice.<sup>11</sup> The entities that submitted 11 of these applications are currently certified to serve these 11 states under the NDBEDP pilot program. The entity serving Virginia under the pilot program did not apply for certification to continue under the permanent NDBEDP, but supports the certification application submitted by the Perkins School for the Blind, which has served multiple jurisdictions under the pilot program. Following its review of these 12 applications, CGB is satisfied that each of the applicants for these 12 states meets the criteria contained in the Commission's rules to receive certification under the permanent NDBEDP. For example, as evidenced in their applications, through the performance of their NDBEDP-related activities under the pilot program and other aspects of their enterprises that are independent of the NDBEDP, these entities have demonstrated extensive experience in providing accessible services in a manner that shows cultural awareness of the deaf-blind community and its communication needs; considerable expertise in the communications technology used by individuals who are deaf-blind; the administrative and financial management capability to manage state programs under the NDBEDP; sufficient staffing to manage these state programs; and a strong familiarity with the Commission's rules governing this program. Furthermore, as the NDBEDP certified programs for these jurisdictions, these entities will work in partnership with local agencies to meet the needs of the deaf-blind population throughout these jurisdictions. Accordingly, CGB certifies these entities to participate in the permanent NDBEDP, effective July 1, 2017, for a period of five years.<sup>12</sup>

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<sup>5</sup> 47 CFR § 64.6207; *see also* *NDBEDP Permanent Program Order*, 31 FCC Rcd at 9184, para. 9. Collectively, the entities selected to participate in the NDBEDP are referred to herein as "certified programs" or "state programs."

<sup>6</sup> *FCC Announces 60-day Period to Apply for Certification to Participate in the National Deaf-Blind Equipment Distribution Program*, Public Notice, 32 FCC Rcd 1123 (2017) (*2017 NDBEDP Application Public Notice*).

<sup>7</sup> *2017 NDBEDP Application Public Notice*, 32 FCC Rcd at 1124-26.

<sup>8</sup> 47 CFR § 64.6207(c)(1)-(7).

<sup>9</sup> 47 CFR § 64.6207(c)(8).

<sup>10</sup> 47 CFR § 64.6207(d)(1); *see also* *NDBEDP Permanent Program Order*, 31 FCC Rcd at 9190, paras. 23-24.

<sup>11</sup> Following the deadline for submitting applications, CGB released a public notice listing all of the entities that applied for NDBEDP certification. *FCC Announces Applicants for Certification to Participate in the National Deaf-Blind Equipment Distribution Program*, CG Docket No. 10-210, Public Notice, DA 17-392 (CGB Apr. 25, 2017).

<sup>12</sup> 47 CFR § 64.6207(e). A program may apply for renewal of its certification by filing a new application at least one year prior to the expiration of the certification period. *Id.*

As has been the case in the pilot program, each entity selected will have full responsibility for distributing equipment and providing related services, including outreach, assessments, installation, and training, in their state(s), either directly or through collaboration, partnership, or contract with other individuals or entities in-state or out-of-state, including other NDBEDP certified programs.<sup>13</sup> All certified programs must further comply with all of the Commission's NDBEDP rules pertaining to their participation in this program, including requirements designed to ensure the continuation of NDBEDP operations in their jurisdictions if they relinquish or do not renew their certifications or otherwise exit the program.<sup>14</sup>

**ACCESSIBLE FORMATS:** To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an e-mail to [fcc504@fcc.gov](mailto:fcc504@fcc.gov) or call the Consumer and Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (TTY).

**FOR FURTHER INFORMATION, CONTACT:** Jackie Ellington, Disability Rights Office, Consumer and Governmental Affairs Bureau, 202-418-1153, e-mail [Jackie.Ellington@fcc.gov](mailto:Jackie.Ellington@fcc.gov); or Rosaline Crawford, Disability Rights Office, Consumer and Governmental Affairs Bureau, 202-418-2075, e-mail [Rosaline.Crawford@fcc.gov](mailto:Rosaline.Crawford@fcc.gov).

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<sup>13</sup> 47 CFR § 64.6207.

<sup>14</sup> 47 CFR §§ 64.6201-64.6219; *see also NDBEDP Permanent Program Order*, 31 FCC Rcd at 9197, paras. 44-45, 9278-87, Appendix D (setting out the NDBEDP permanent program rules).