

**M E M O R A N D U M**

**Date** : March 12, 2026

**To** : The Commission  
(Meeting of March 19, 2026)

**From** : Ella Krainsky, Legal Division  
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**Subject** : Ratification of Off-Agenda Approval to File Reply Comments at the  
Federal Communications Commission in Response to the  
Commission’s Proposed Rulemaking to Modernize  
Telecommunications Relay Services

**REQUESTED COMMISSION ACTION:** On March 3, 2026, Legal Division received off-agenda approval from the Litigation Subcommittee to file Reply Comments before the FCC. Legal Division filed the Reply Comments on March 3, 2026. Legal Division requests that the Commission ratify the Litigation Subcommittee’s off-agenda approval.

**BACKGROUND:** On November 21, 2025, the FCC published a Notice of Proposed Rulemaking (NPRM), In the Matter of Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities and Speech-to-Speech and Internet Protocol (IP) Speech-to-Speech Telecommunications Relay Services.<sup>1</sup> (CG Docket Nos. 03-123 and 08-15) The FCC’s goal in this *NPRM* is to “ensure that relay services remain effective, accessible, and sustainable for individuals

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<sup>1</sup> Telecommunications relay services (TRS) are telephone transmission services that allow people who are deaf, hard of hearing, or hearing or speech impaired to communicate through wire or radio in manner that is functionally equivalent to voice communication services. 47 U.S.C. § 225(a)(3); 47 U.S.C. § 64.601(a)(48). Text telephone (TTY) is an analog service utilizing a text telephone machine to enable users to communicate with hearing users. 47 U.S.C. § 64.601(a)(49); NPRM at ¶ 5. Speech-to-speech (STS) is a telecommunications relay service that allows users with speech disabilities to communicate with voice telephone users through specially trained communication assistants. 47 U.S.C. § 64.601(a)(46).

who are deaf, hard of hearing, deafblind, or have speech disabilities, by proposing a series of reforms to transition users to Internet-based alternatives.”<sup>2</sup>

The FCC set February 2 as the filing date for opening comments and March 3 as the date for reply comments. On March 3, the Litigation Subcommittee granted Legal Division off-agenda authority to file reply comments, which we did on the same day.

**DISCUSSION:** The reply comments were to comments of the New Mexico Commission for Deaf and Hard of Hearing, the Accessibility Organizations<sup>3</sup>, and T-Mobile. The reply comments sought to respond to three questions posed by the FCC.

First, the FCC noted that TTY Relay is becoming an outdated technology and use of TTY has declined in recent years. Therefore, the FCC suggested that eliminating the requirement to provide TTY would give states flexibility to support other services, including IP-based relay services.<sup>4</sup> The CPUC reply comments agree with commenters including the New Mexico Commission, which wrote: “we fundamentally argue that regulatory modernization must be synchronized with infrastructure deployment.”<sup>5</sup> Many Californians, especially in rural, Tribal, and low-income areas, lack reliable internet service. Like New Mexico, California relies on federal programs including the Broadband Equity, Access, and Development (BEAD) initiative and the Federal Funding Account (FFA) to improve broadband infrastructure throughout the state. For states that have TRS programs approved by the FCC, we advised against eliminating the mandatory requirement that those states provision TTY-based relay service until infrastructure is adequate to support internet protocol-based alternatives. As the FCC noted, there has been a national decline in TTY use. Similarly, TTY-based relay calls in California have decreased annually, from over 1 million in 2021 to 305,388 in 2024. Despite this reduction in calls over the course of four years, the data suggests that a significant number of Californians with disabilities continue to rely on the analog-based TTY system. Therefore, the reply comments recommend that TTY-based relay services be preserved until there is adequate broadband infrastructure in all states and the last

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<sup>2</sup> NPRM at ¶ 1.

<sup>3</sup> The Accessibility Organizations include accessSOS, Association of Late-Deafened Adults (“ALDA”), Communication Service for the Deaf (“CSD”), The Conference of Educational Administrators of Schools and Programs for the Deaf (“CEASD”), Deaf Equality, Rehabilitation Engineering Research Center on Technology for the Deaf and Hard of Hearing (“DHH-RERC”), Deaf Seniors of America (“DSA”), Gallaudet University Alumni Association, Hearing Loss Association of America (“HLAA”), National Association for State Relay Administration (“NASRA”), National Hispanic Latino Association of the Deaf (“NHLAD”), TDIforAccess, Inc. (“TDI”), and Telecommunications Equipment Distribution Program Association (“TEDPA”).

<sup>4</sup> NPRM ¶ 20.

<sup>5</sup> Comments of the State of New Mexico Commission for Deaf and Hard of Hearing, CG Docket No.03-123 CG Docket No. 08-15, at 2 (filed Feb. 2, 2026).

landline user utilizing this technology can be transitioned into a modern replacement technology such as IP or wireless. This would ensure that users of TTY-based TRS would not lose the ability to contact emergency and other services.

In addition, the FCC sought comments on how to assist analog TRS users to transition to alternatives, including IP-based services. The FCC asked about developing outreach programs and whether state TRS programs could coordinate with the FCC on initiatives. The reply comments agree with comments of the Accessibility Organizations, who stressed that the FCC “must ensure sufficient outreach to current analog TRS users as well as potential TRS users.”<sup>6</sup> The reply comments discuss technology problems users experience when attempting to use outdated equipment for internet-based calls. To avoid transmission problems with analog based equipment such as a TTY, we advised the Commission to educate analog-based relay users to consider switching to Internet Protocol-based relay equipment to minimize connectivity issues. Educational efforts by the FCC could mirror those conducted by the Commission’s Deaf and Disabled Telecommunication Program (DDTP), where we hired a marketing services provider to generate awareness that landline relay phones can have compatibility problems when used over digital lines. The marketing plan included social media campaigns in several languages as well as direct mail. The CPUC comments address successes and challenges of the DDTP outreach and offered to provide input for the FCC’s education efforts.

Finally, the FCC asked for comments about whether it should authorize IP Speech-to-Speech relay service as a compensable form of TRS. The reply comments agree with the comments of T-Mobile and supported the FCC’s proposal to authorize IP STS as a compensable form of TRS due to its advantages over analog STS.<sup>7</sup> As the FCC noted, there are a number of benefits of IP technology that can be leveraged by IP STS “such as enhanced call privacy, improved real-time quality and efficiency, and greater service reliability, which are increasingly realized through automation and over-the-top apps.”<sup>8</sup> In California, there were 19,821 STS calls made in fiscal year 2023-2024.<sup>9</sup> If IP STS were a compensable form of TRS, more relay providers would likely include this modality as part of their suite of services. This would enable user choice in that Californians using analog STS would have options to switch to an IP alternative that provides greater quality.

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<sup>6</sup> Comments of Accessibility Organizations, CG Docket No. 03-123 CG Docket No. 08-15, at ii-iii (filed Feb. 2, 2026).

<sup>7</sup> Comments of T-Mobile, CG Docket No. 03-123 CG Docket No. 08-15, at 2 (filed Feb. 2, 2026)

<sup>8</sup> NPRM ¶ 51.

<sup>9</sup> See <https://caconnect.org/wp-content/uploads/2025/03/California-Connect-Annual-Report-2023-2024-final.pdf>

**CONCLUSION:** Legal Division requests the Commission to ratify the Litigation Subcommittee's grant of off-agenda approval.

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