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**VIA E-MAIL ([clerksoffice@puc.nh.gov](mailto:clerksoffice@puc.nh.gov))**

Chairman Daniel C. Goldner  
New Hampshire Public Utilities Commission  
21 S. Fruit Street, Suite 10  
Concord, New Hampshire 03301

Re: DT 23-060 T-Mobile USA, Inc. Petition for Termination of Captioned Telephone Service

Dear Chairman Goldner:

I am writing on behalf of T-Mobile USA, Inc. (“T-Mobile”) in connection with T-Mobile’s June 8, 2023 filing with the New Hampshire Public Utilities Commission (“PUC” or the “Commission”) requesting approval of the discontinuation of T-Mobile’s Captioned Telephone Service (“CapTel” or “CTS”) beginning September 30, 2023.

On June 23, 2023, the Commission issued a Procedural Order in which it requested that the New Hampshire Department of Energy (“DOE” or the “Department”) “provide its legal opinion as to whether the Commission is required to review and approve T-Mobile’s petition to terminate CTS in light of the DOE’s evident concurrent jurisdiction over the TRS program in New Hampshire under RSA 374-22-p and allied statutes.” The Procedural Order stated “*if the DOE concludes that the Commission is required to act on T-Mobile’s petition, the DOE’s filing should include its initial statement of position on the petition*” (Emphasis added).

On July 7, 2023, the DOE filed its response (the “DOE Letter”). The DOE noted that its “jurisdiction over relevant telecommunications services is limited and well-defined.”<sup>1</sup> The DOE concluded that “the Department does not have jurisdiction to decide T-Mobile’s petition concerning CTS.”<sup>2</sup> Although the DOE did not directly answer the question posed in the Procedural Order as to whether the Commission is required to act on T-Mobile’s petition, it

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<sup>1</sup> DOE Letter at 1.

<sup>2</sup> *Id.* at 2.

Chairman Daniel C. Goldner  
July 12, 2023  
Page 2

offered its position regarding T-Mobile's request.<sup>3</sup> T-Mobile respectfully submits that some perspective would be helpful to evaluate its proposal to cease the CapTel service offering.

States are not required to provide Captioned Telephone Service in order to maintain state program certification. In its 2018 IP CTS modernization and reform item, the FCC indicated in a footnote that "although CTS is not currently required for state program certification, this form of CTS, like all other forms of TRS, is subject to the FCC's minimum TRS standards when provided through state programs."<sup>4</sup>

The type of service currently provided by T-Mobile Accessibility in New Hampshire is an analog, wireline-based service. There are several alternative options for customers other than a state wireline analog service. Those options include:

1. CapTel phones will still function as amplified phones after CapTel service ends. If the user has enough residual hearing, he/she can rely on call amplification.
2. Users can replace their analog CapTel phone with internet captioned telephone service, or "IP CTS." There are many IP CTS providers, some that provide IP CTS phones at no charge, or can provide IP CTS through a mobile device application. The user can get an internet CapTel phone at no charge from many providers listed on the FCC website: <https://www.fcc.gov/ipcts-providers>
3. T-Mobile IP Relay: Two-Line Voice Carry Over (2LVCO) – While using the IP Relay Service, 2LVCO allows a VCO user to speak directly to their caller and the Communications Assistant types everything heard back to the VCO user. More information: [https://www.tmobileaccess.com/sites/default/files/508\\_ip-relay-2-line-vco-booklet.pdf](https://www.tmobileaccess.com/sites/default/files/508_ip-relay-2-line-vco-booklet.pdf).
4. The Commission can work with Hamilton Telephone to provide analog CapTel in New Hampshire. Several other Commissions have shifted to Hamilton as T-Mobile is moving to cease providing CapTel service throughout the country.

New Hampshire mirrors the national trend in that the number of analog Captioned Telephone users is steadily declining, with only 11 users remaining in the state. Accordingly, it makes more sense to allow the few affected customers to avail themselves to one of the alternatives referenced above.

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<sup>3</sup> *Id.*

<sup>4</sup> Report and Order, Declaratory Ruling, Further Notice of Proposed Rulemaking, and Notice of Inquiry, FCC Red. 18-79 at para. 111, fn. 318 (June 8, 2018), available at [https://docs.fcc.gov/public/attachments/FCC-18-79A1\\_Rcd.pdf](https://docs.fcc.gov/public/attachments/FCC-18-79A1_Rcd.pdf).

Chairman Daniel C. Goldner

July 12, 2023

Page 3

Thank you for your consideration. Please contact the undersigned should you have any questions or need additional information.

Very truly yours,

David W. Bogan

DWB/

cc: Service List (via email)  
Michelle Painter Lama, T-Mobile USA, Inc. (via email)