

# CACDHH

April 28, 2008

Via E-Mail Transmission

Ms. Patty VanGerpen  
Public Utilities Commission  
500 East Capitol  
Pierre, SD 57501

RE: CACDHH, Inc. Application for Certificate of Authority

Dear Ms. VanGerpen:

Enclosed for your consideration is the original of an Application for Certificate of Authority for CACDHH, Inc. Our check in the sum of \$250 for the filing fee is being sent by first class mail. Please forward any correspondence regarding this filing, service, or notification of any proceedings to:

Debra MacLean, Chief Operating Officer  
1505 W. Court St  
Flint, MI 48503  
T. 810-239-3112  
F. 810-2391606

Respectfully,



Julie A. Miron, CAE

Enclosures

**Before the South Dakota  
Public Utilities Commission  
Pierre, SD 57501**

**In re:** )  
**Communication Access Center** )  
**For the Deaf and** )  
**Hard of Hearing, Inc. (CACDHH)** )  
)  
**For certificate of authority from the** )  
**South Dakota with the Public Utilities** )  
**Commission, pursuant to SDCL 49-31-3** )  
**and ARSD 20:10:24:02, to provide** )  
**interexchange telecommunications** )  
**services** )

CACDHH submits this application for Certificate of Authority from the State of South Dakota Public Utilities Commission in order to become eligible for reimbursement from the Interstate Telecommunications Relay Services (TRS) fund as a provider of Video Relay Service and Internet Protocol Relay.

## I. Introduction

### **CACDHH History**

CACDHH is a Michigan corporation with its principal place of business at 1505 W. Court St. Flint, Michigan, 48503.

The mission of CACDHH is to promote communication, access, and opportunity for persons who are Deaf and Hard of Hearing. CACDHH is committed to the provision of culturally competent and relevant services that include advocacy and education, community services, interpreting services, behavioral health programs, school-based services, and vocational programming. Programs and services at CACDHH are guided by the value that we place on dignity, respect, and opportunity in all aspects of our operations. Our vision is that barriers that separate Deaf and hard of hearing persons from the hearing community will be overcome through the provision of culturally relevant services and the use of state of the art technology.

CACDHH is a registered 501(c)3, tax exempt, not-for-profit organization that has been providing services and supports for Deaf people for over 40 years. When established in 1965, CACDHH provided telecommunications relay services in the form of TTY relay and was one of the first organizations of its kind in the United States.

Flint, Michigan is also home to the Michigan School for the Deaf and Blind. This positions Flint and CACDHH at the center of many facets of the Deaf community. Individuals historically came to Flint to attend school, and stayed in order to take advantage of cultural, social, higher learning, or employment opportunities.

CACDHH was founded under the name of Social Services for the Hearing Impaired, in 1965. A major technological development, the invention of the TTY in 1964, was the catalyst for the organization to form. CACDHH was founded by members of the Michigan Association for the Deaf (MAD), in order to provide Volunteer TTY relay services. A group of volunteers operated this service from the basement of an old house.

Programs and services expanded quickly, and by 1972, CACDHH was offering sign language classes, police training videos, walk-in information/referral/assistance, and a service that would become the soul of the organization, Community Interpreting.

The organization was incorporated in 1972 and established a relationship with the United Way from which it received funding. The budget was less than \$100,000. Aside from the wide variety of services that the organization would subsequently develop, Community Interpreting has been our face to the community, and the basis for our role as the competent provider of the range of services for Deaf and Hard of Hearing People.

The Rehabilitation Act of 1973 brought new expectations for entities receiving federal funding. Equal access as required by this act, brought a significant increase in the demand for sign language interpreting. The passage of this act prompted significant growth and development of the community interpreting program at CACDHH. Community interpreting services were initially provided by contract interpreters, but CACDHH hired its first 'on staff' interpreter in 1985.

The passage of the Americans with Disabilities Act (ADA) in 1990 was one of many environmental or legal factors that influenced the evolution of CACDHH. A statewide

TTY relay service (Michigan Relay) was established in 1991, and created an opportunity for the organization to invest its resources and energy in other directions. In 1993, CACDHH started its statewide interpreting project, and the name of the organization was changed to 'Statewide Services for the Hearing Impaired'.

The role of CACDHH as an advocate for the needs of Deaf and Hard of Hearing people has been highlighted in a number of ways over the years. In 1985, CACDHH played an important role in an appeals case that established fundamental requirements for the availability of interpreters in legal cases. Later, CACDHH took a leadership role in promoting community safety through the distribution of Weather Alert radios for the Deaf. The organization played a significant role in advocating for upgrades in closed captioning services with the local ABC television affiliate.

The program portfolio developed over the years, in response to market demands or advocacy initiatives. Since its formation, CACDHH has provided a variety of communication, social, community, and behavioral health programs. The organization has been an active partner with local hospitals, courts, public offices, and social service agencies in promoting access on behalf of its constituents. Most recently, CACDHH seized the many opportunities associated with rapid technological advances. Primary among these is the capacity to use internet based resources to support communication in the form of Video Relay Services (VRS), Internet Protocol Relay (IP Relay) and Video Remote Interpreting (VRI). In 2000, CACDHH began providing VRS, funded through the FCC, as a part of the North Carolina telecommunication relay program, and in 2002, CACDHH was designated as a provider in the Michigan relay program. The provision of TRS services has allowed CACDHH to dramatically expand the scope of its reach and mission impact.

## **CACDHH Telecommunications Relay Services**

### ***CACDHH Video Relay Service***

On June 6, 2002, the Michigan Public Service Commission (MPSC) adopted a Minute Order (Case No. U-13381), designating CACDHH as an eligible service provider of video relay services (VRS).

CACDHH provides VRS through the use of high speed Internet and the public switched network, enabling the deaf and hard of hearing to make telephone calls, serving videophones and computer-based videophone software. CACDHH operates 24 hours a day, seven days a week. CACDHH Video Relay Service can be accessed at this IP address through most videoconferencing units: *CACVRS.TV*

### ***CACDHH Internet Protocol Relay Service***

On February 9, 2006, the Michigan Public Service Commission (MPSC) adopted a Minute Order (Case No. U-13381), designating CACDHH as an eligible service provider of Internet Protocol Relay (IPRelay). On February 16, 2006, the MPSC Director of Regulatory Affairs notified the National Exchange Carriers Association, the Telecommunications Relay Services Fund administrator, that CACDHH had been added to the state relay service as a provider of IPRelay.

Hearing individuals, who desire to reach a deaf or hard of hearing caller, are able to dial a toll-free number to access Internet Protocol Relay service.

II. South Dakota Public Utilities Commission Certificate of Authority Application

1. The name, address, and telephone number:  
**Communication Access Center for the Deaf and Hard of Hearing, Inc.  
1505 W. Court St.  
Flint, Michigan 48503  
810-239-3112**
2. The name under which the applicant will provide these services if different than in subdivision (1) of this section:  
**None**
3. If the applicant is a corporation:
  - (A) The state in which it is incorporated, the date of incorporation, and a copy of its certificate of incorporation or, if it is an out-of-state corporation, a copy of its certificate of authority to transact business in South Dakota from the Secretary of State;  
**Incorporated in the State of Michigan, September 7, 1972  
See Exhibit 1. CACDHH Certificate of Incorporation  
See Exhibit 2. CACDHH Certificate of Good Standing, Michigan  
Department of Labor and Economic Growth  
See Exhibit 3. CACDHH Non-Stock Certificate of Authority to Transact  
Business in South Dakota, South Dakota Secretary of State**
  - (B) The location of its principal office, if any, in this state and the name and address of its current registered agent; and  
**Registered Agent in the State of South Dakota: Business Filings  
International, Inc., 319 S. Coteau St., Pierre, South Dakota 57501**
  - (C) The name and address of each corporation, association, partnership, cooperative, or individual holding a 20 percent or greater ownership or management interest in the applicant corporation and the amount and character of the ownership or management interest;  
**Not applicable – CACDHH is a private nonprofit organization.**
4. If the applicant is a partnership, the name, title, and business address of each partner, both general and limited;  
**Not applicable – CACDHH is a private nonprofit organization.**
5. A description of the telecommunications services the applicant intends to offer;  
**CACDHH provides two types of telecommunications relay services for the Deaf and Hard of Hearing; Video Relay Service (VRS), Internet Protocol Relay (IP Relay).**
6. A detailed statement of the means by which the applicant will provide its services;  
**Video Relay Service (VRS) - CACDHH provides VRS through the use of high speed Internet and the public switched network, enabling the deaf and**

**hard of hearing to make and receive telephone calls, using videophones and computer based videophone software. CACDHH operates 24 hours a day, seven days a week. CACDHH Video Relay Service can be accessed at this IP address: CACVRS.TV. When a deaf end user utilizes the service using an internet-based connection, the video interpreter will connect the end user to another end-user utilizing the PSTN. The interpreter relays the conversation in sign language for the Deaf or hard of hearing consumer. Hearing individuals may also wish to call the deaf or hard of hearing consumer using a toll-free number.**

**Internet Protocol Relay (IP Relay) - Deaf and hard of hearing consumers are able to connect to a CACDHH Communication Assistant (CA) through a mobile device with Internet connection. CACDHH, Inc. operates IP Relay services 24 hours a day, seven days a week. When an end user utilizes the service, the CA connects the end user to another end-user utilizing the PSTN. The interpreter relays the conversation by reading what the deaf end user has typed and also typing what the hearing end user has spoken. Hearing individuals may also wish to call the deaf or hard of hearing consumer using a toll-free number.**

7. The geographic areas in which the services will be offered or a map describing the service area;

**Nationwide**

8. Current financial statements of the applicant including a balance sheet, income statement, and cash flow statement; a copy of the applicant's latest annual report; a copy of the applicant's report to stockholders; and a copy of applicant's tariff with the terms and conditions of service;

**We have attached the 2006 Independent Auditor's Report. This information is being filed confidentially and CACDHH requests confidential treatment pursuant to ARSD 20:10:01:40. CACDHH requests the information be afforded permanent confidential treatment. Any inquiries to this request for confidentiality can be directed to:**

**Debra MacLean, Chief Operating Officer  
1505 W. Court St  
Flint, MI 48503  
T. 810-239-3112  
F. 810-2391606**

**E. [dmaclean@cacdhh.org](mailto:dmaclean@cacdhh.org)**

**See Exhibit 4. CACDHH 2006 Annual Independent Audit**

**End users of CACDHH services are not bound a term; and CACDHH services, VRS and IP Relay, are provided in accordance to FCC rules. CACDHH is currently reimbursed by NECA as a part of the Michigan relay service.**

**Pursuant to the Federal Communications Commission (FCC), Report and Order and Order on Reconsideration, “ In the Matter of Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities”, (Report and Order and Order on Reconsideration), CG Docket No. 03-123, [FCC 05-203](#), adopted December 8, 2005, released December 12, 2005., CACDHH is seeking FCC certification as a provider that is eligible to receive compensation from the Telecommunications Relay Service Fund, independent of its participation as a part of the Michigan relay service.**

9. The names, addresses, telephone number, fax number, E-mail address, and toll free number of the applicant's representatives to whom all inquiries must be made regarding complaints and regulatory matters and a description of how the applicant handles customer billings and customer service matters;

**All inquiries should be directed to:**

**Debra MacLean, Chief Operating Officer  
1505 W. Court St  
Flint, MI 48503  
T. 810-239-3112  
F. 810-2391606**

**E. [dmaclean@cacdhh.org](mailto:dmaclean@cacdhh.org)**

**CACDHH does not bill the end user of TRS services, and receives no customer billing complaints. Complaints relating to customer service can be made via telephone at (810) 239-3112, fax at (810) 239-1606 or via the ‘customer service’ links on our website.**

**Complaints may also be sent by letter to:**

**CACDHH  
1505 W. Court St.  
Flint, MI 48503**

**The customer service department handles all types of complaints: technical, operational, industry, and miscellaneous. Each complaint is tagged open until resolution or determination that no additional action is appropriate or possible.**

**CACDHH maintains a log of all complaints and is required to submit regular complaint reports to the FCC.**

10. A list of the states in which the applicant is registered or certified to provide telecommunications services, whether the applicant has ever been denied registration or certification in any state and the reasons for any such denial, a statement as to whether or not the applicant is in good standing with the appropriate regulatory agency in the states where it is registered or certified, and a detailed explanation of why the applicant is not in good standing in a given state, if applicable;

**CACDHH has never been denied registration or certification in any state. CACDHH recognized by the Michigan Public Services Commission as a provider of Video Relay Service and Internet Protocol Relay Service. CACDHH is in good standing with the State of Michigan. See Exhibit 2, Certificate of Good Standing, Michigan Department of Labor and Economic Growth.**

11. A description of how the applicant intends to market its services, its target market, whether the applicant engages in any multilevel marketing, and copies of any company brochures used to assist in the sale of services;

**CACDHH does not engage in multilevel marketing. The organization has developed a presence on the internet, and has developed brochures to inform the public of our TRS services.**

12. Cost support for rates shown in the company's tariff for all noncompetitive or emerging competitive services;

**CACDHH services are reimbursed at a rate established by the FCC. The organization is reimbursed through the FCC TRS fund, administered by the National Exchange Carrier Association.**

13. Federal tax identification number;

**FEIN: 38-1991687**

14. The number and nature of complaints filed against the applicant with any state or federal regulatory commission regarding the unauthorized switching of a customer's telecommunications provider and the act of charging customers for services that have not been ordered;

**Not Applicable**

15. A written request for waiver of those rules the applicant believes to be inapplicable; and

**CACDHH, Inc. does not provide traditional interexchange telephone services that are charged to end-user customers and we hereby request a waiver from filing a tariff in accordance with ARSD 20:10:24:02(19). CACDHH, Inc agrees that we will not offer any telecommunication services that require payment directly from the end-user customer.**


16. Other information requested by the commission needed to demonstrate that the applicant has sufficient technical, financial, and managerial capabilities to provide the interexchange services it intends to offer consistent with the requirements of this chapter and other applicable rules and laws.

**CACDHH, Inc. has sufficient technical, financial and managerial capabilities to offer these services. CACDHH Inc. has been providing TRS in the form of VRS and IP Relay for many years and is recognized as a provider in the Michigan 'state relay service'.**



CACDHH respectfully requests the Commission to grant its application for Certificate of Authority, giving CACDHH authority to provide interexchange public telecommunication services.

**Respectfully,**

A handwritten signature in cursive script that reads "Julie A. Miron, CAE". The signature is written in black ink and is positioned above the printed name.

**Julie A. Miron, CAE**

**List of Attachments:**

1. **CACDHH Certificate of Incorporation (Formerly SSHI), Michigan Department of Commerce, September 7, 1972**
2. **CACDHH Certificate of Good Standing, Michigan Department of Labor and Economic Growth, 18 March 2008**
3. **CAC Nonprofit Certificate of Authority to Transact Business in South Dakota, South Dakota Secretary of State, 15 April 2008**
4. **CACDHH 2006 Annual Independent Audit, 29 May 2007 (CACDHH Filing Part 2 of 2)**



Lansing, Michigan

*To All To Whom These Presents Shall Come:*

*I, Richard K. Helmbrecht, Director, Michigan Department of Commerce,  
Do Hereby Certify That Articles of Incorporation of \_\_\_\_\_*

SOCIAL SERVICES FOR THE HEARING-IMPAIRED, INC.

*were duly filed in this office on the \_\_\_\_\_ 7th day of \_\_\_\_\_ September, 19 72,  
in conformity with Act 327, Public Acts of 1931, as amended.*

*In testimony whereof, I have hereunto set my  
hand and affixed the Seal of the Department,  
in the City of Lansing, this \_\_\_\_\_ 7th day  
of \_\_\_\_\_ September, 19 72*

*Richard K. Helmbrecht*  
Director

Exhibit 1: CACDHH (Formerly SSHI) Michigan Certificate of Incorporation, 7 September 1972



**Michigan Department of Labor & Economic Growth**

**Lansing, Michigan**

*This is to Certify That*

**COMMUNICATION ACCESS CENTER FOR THE DEAF AND HARD OF HEARING, INC.**

*a Michigan nonprofit corporation was validly incorporated on September 7, 1972, and said corporation is validly in existence under the laws of this state.*

*This certificate is issued pursuant to the provisions of 1982 PA 162, as amended, to attest to the fact that the corporation is in good standing in Michigan as of this date and is duly authorized to conduct affairs in Michigan and for no other purpose.*

*This certificate is in due form, made by me as the proper officer, and is entitled to have full faith and credit given it in every court and office within the United States.*



Sent by Facsimile Transmission  
950169

*In testimony whereof, I have hereunto set my hand, in the City of Lansing, this 18th day of March, 2008.*

*Andrew S. [Signature]*, Director

Bureau of Commercial Services

**Exhibit 2: CACDHH Michigan Certificate of Good Standing, 18 March 2008**

# State of South Dakota



## OFFICE OF THE SECRETARY OF STATE

### Nonprofit Certificate of Authority

ORGANIZATIONAL ID #: FN011058

I, **Chris Nelson**, Secretary of State of the State of South Dakota, hereby certify that duplicate of the Application for a Certificate of Authority of **COMMUNICATION ACCESS CENTER FOR THE DEAF AND HARD OF HEARING, INC. (MI)** to transact business in this state duly signed and verified pursuant to the provisions of the South Dakota Corporation Acts, have been received in this office and are found to conform to law.

**ACCORDINGLY** and by virtue of the authority vested in me by law, I hereby issue this Certificate of Authority and attach hereto a duplicate of the application to transact business in this state.



**IN TESTIMONY WHEREOF**, I have hereunto set my hand and affixed the Great Seal of the State of South Dakota, at Pierre, the Capital, this April 15, 2008.

*Chris Nelson*  
**Chris Nelson**  
Secretary of State

Cert of Authority Non Profit Merge.doc

**Exhibit 3: CACDHH South Dakota Nonprofit Certificate of Authority**