

February 8, 2019

VIA ELECTRONIC FILING

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 Twelfth Street, SW
Washington, DC 20554

Re: Ex Parte Presentation, *Improvements to Benchmarks and Related Requirements Governing Hearing Aid-Compatible Mobile Handsets*, WT Docket No. 15-285.
Joint Consensus Proposal – Year Two Discretionary Update

Dear Ms. Dortch,

Competitive Carriers Association, CTIA, the Hearing Loss Association of America, the National Association of the Deaf, Telecommunications for the Deaf and Hard of Hearing, and the Telecommunications Industry Association (“Signatories”), representing people who use hearing aid devices and the wireless industry, submit this *ex parte* letter to update the Federal Communications Commission (“Commission”) on progress made in calendar year 2018 toward creating a stakeholder task force to recommend to the Commission whether 100 percent hearing aid compatibility (“HAC”) is achievable for wireless handsets (“HAC Task Force”). The HAC Task Force, which stems from a Joint Consensus Proposal adopted in the Commission’s 2016 *Report and Order*,¹ will be charged with recommending to the Commission whether a 100 percent HAC deployment benchmark is achievable considering both technical and market conditions.²

As the Signatories explained in the Year One Discretionary Update,³ the Order was the culmination of months of respectful engagement between the wireless industry and consumer

¹ See *Improvements to Benchmarks and Related Requirements Governing Hearing Aid-Compatible Mobile Handsets*, Report and Order, 31 FCC Rcd 9336 (2016) (“Order”).

² The HAC Task Force is intended to include “representatives of consumers who use hearing aid devices, research and technical advisors, wireless industry policy and technical representatives, and hearing aid manufacturers” and consider, among other things, whether 100 percent compatibility is achievable; whether deployment benchmarks could rely in part or in whole on alternative hearing aid compatibility technologies; the definition of HAC for purposes of compliance with the Commission’s rules; whether 100 percent compliance could be satisfied through innovative approaches; and how to ensure the rules effectively aid consumers and reflect the unique needs of both nationwide and non-nationwide wireless service providers. *Id.*

³ See Letter from Rebecca Murphy Thompson, Competitive Carriers Association, Barbara Kelley, Hearing Loss Association of America, Scott K. Bergmann, CTIA, Claude Stout, Telecommunications for

groups. Indeed, for years the wireless industry and the deaf and hard of hearing community have worked collaboratively to advance access for people who use hearing aid devices and, as a result of this collaboration and industry innovation, the majority of wireless handsets offered by manufacturers and service providers today are HAC-compliant.⁴

Consistent with the Commission's request for discretionary updates on the status of implementation of the HAC Task Force, the Signatories here report that, in 2018, industry stakeholders and advocates for consumers with hearing loss made significant progress toward implementation of the HAC Task Force. Most notably, the parties worked together to develop and release a Request for Information to solicit a partner, facilitator, and convener ("Administrator") for the HAC Task Force, which will help manage and lead the consensus-based HAC Task Force process. The Signatories worked collaboratively for several months to develop the Request for Information, which was released on August 29, 2018 and which was designed to identify an Administrator with technical, legal, and administrative expertise.⁵ Among other things, the Request for Information sought a description of the respondent's organization, including relevant experience managing a multistakeholder process; a commitment for the duration of the HAC Task Force process; information regarding relevant current and anticipated staff, along with projected costs; information regarding the respondent's ability to retain proprietary information and ensure meetings are accessible; a description of the respondent's experience in standards and/or policy development, and expertise regarding HAC, consumer technologies, consumer advocacy communities, and other relevant subject matter areas; an explanation of how the respondent would ensure balanced participation; and disclosure of any actual, possible, or perceived conflicts of interest. Responses were received on November 30, 2018.

The Signatories continue to believe that the Commission should balance the goal of HAC for all wireless handsets with the goal of encouraging innovations that can benefit all consumers. We are pleased to submit this voluntary second update to the Commission and commit to continuing to engage in thoughtful, productive discussions in order to effectuate our shared commitment to providing accessible wireless products and services to all Americans, including people who use hearing aid devices.

the Deaf and Hard of Hearing, Inc., Cinnamon Rogers, Telecommunications Industry Association, and Howard A. Rosenblum, National Association of the Deaf, WT Docket No. 15-285 (filed Jan. 11, 2018).

⁴ See, e.g., *Revisions to Reporting Requirements Governing Hearing Aid-Compatible Mobile Handsets*, Report and Order, WT Docket No. 17-228, FCC 18-167, ¶¶ 11, 37 (rel. Nov. 16, 2018).

⁵ See Letter from Rebecca Murphy Thompson, Competitive Carriers Association, Barbara Kelley, Hearing Loss Association of America, Scott K. Bergmann, CTIA, Claude Stout, Telecommunications for the Deaf and Hard of Hearing, Inc., Cinnamon Rogers, Telecommunications Industry Association, and Howard A. Rosenblum, National Association of the Deaf, WT Docket No. 15-285 (filed Aug. 29, 2018).

Pursuant to Section 1.1206(b) of the Commission's rules, a copy of this letter is being electronically submitted into the record of this proceeding. Please do not hesitate to contact the undersigned with any questions.

Sincerely,

/s/ Courtney Neville

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