

**Before the
Federal Communications Commission
Washington, D.C. 20554**

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| In the Matter of |) | |
| |) | |
| Revisions to Reporting Requirements |) | WT Docket No. 17-228 |
| Governing Hearing Aid Compatible Mobile |) | |
| Handsets |) | |

COMMENTS OF THE RURAL WIRELESS ASSOCIATION, INC.

The Rural Wireless Association, Inc. (“RWA”)¹ files these comments in response to the Federal Communications Commission’s (“FCC” or “Commission”) Notice of Proposed Rulemaking seeking comment on the potential elimination of wireless hearing aid compatibility (“HAC”) reporting requirements for non-nationwide service providers.² RWA strongly supports elimination of the HAC reporting requirement for non-nationwide carriers.

I. HAC Reporting Requirements are Extremely Burdensome for Small Carriers.

As RWA has previously noted, the annual HAC reporting requirements have proven to be extremely problematic for small carriers.³ These requirements cause RWA members and other small carriers to spend substantial resources throughout the calendar year attempting to ascertain

¹ RWA is a Washington, DC – based trade association that ensures wireless carriers with fewer than 100,000 subscribers have a strong voice in our nation’s capital. RWA’s members have joined together to speed the delivery of new, efficient, and innovative communications technologies to underserved rural communities across the United States of America. RWA’s members are comprised of both independent wireless carriers and wireless carriers that are affiliated with rural telephone/broadband companies that are passionate about ensuring rural America is not left behind.

² *Revisions to Reporting Requirements Governing Hearing Aid-Compatible Mobile Handsets*, [Notice of Proposed Rulemaking](#), WT Docket No. 17-228, FCC 17-123 (rel. Sept. 27, 2017) (“*NPRM*”).

³ *Amendment of the Commission’s Rules Governing Hearing Aid-Compatible Mobile Handsets, Improvements to Benchmarks and Related Requirements Governing Hearing Aid-Compatible Mobile Handsets*, [Comments](#) of the Rural Wireless Association, Inc., WT Docket No. 07-250, WT Docket No. 15-285, (Jan. 28, 2016).

the HAC status of various handsets, which due to the lack of a universal reliable database of handset HAC ratings, requires the continuous review of multiple resources. Because of the need to report on HAC handset inventories on a month-by-month basis, the amount of work to aggregate the data is substantial. In the *NPRM*, the Commission asked whether 2.5 hours is an accurate estimate of the time needed to complete the report. This estimate severely underestimates the time it takes small companies to complete the report. Many RWA members are forced to have an employee devote several weeks annually to tracking HAC ratings, a considerable burden for small companies with few employees. RWA members then typically require from six to sixteen hours to complete the report.

II. Handset Information is Readily Available From Other Sources.

Data from small carrier HAC reports is not necessary to meet the goals of the HAC reporting requirements – “providing information to the public, assisting efforts to verify compliance, and monitoring the general state of hearing aid-compatible handset deployment.”⁴ Non-nationwide service providers are already required to list all hearing aid-compatible handsets and their ratings on their web sites and to make all such handset models available for consumer testing in their retail outlets. These requirements ensure that relevant information is provided to the public and available to verify compliance. The general state of HAC handset deployment can be assessed through a review of the reports of device manufacturers.

HAC reports are not necessary for the Commission to enforce its substantive HAC requirements. These requirements can be enforced against non-nationwide carriers through the Commission’s informal complaint process.

⁴ *NPRM* at par. 9.

III. Alternative Measures Posed by the *NPRM* Would Not Substantially Reduce the Burdens Imposed on Non-Nationwide Carriers.

The *NPRM* proposes a number of alternative ways to streamline HAC reporting requirements. None of these alternatives will significantly reduce the burdens imposed by HAC reporting requirements on small carriers. While requiring that reports be filed every three years would reduce burdens on carriers during non-reporting years, they would still remain substantial during the years when reports would be required. Moreover, due to staffing turnover, reporting burdens could be considerably greater when new employees have to develop reports without the guidance of departed staff.

The *NPRM* asks whether service providers should continue to be required to report certain data elements. Specifically, it questions whether carriers should continue to be required to provide the model number and FCC ID directly associated with each model that they are reporting, together with the M and T ratings that each such model has been certified as achieving under the ANSI C63.19 standard and whether the reports should continue to include the air interface(s) and frequency band(s) over which each reported handset model operates. While eliminating the need to report any particular data element would result in some reduction of the workload faced by small providers and preparing the report, RWA notes that each and every one of the currently required data elements requires reporting carriers to work with vendors to obtain and verify the requisite information and/or seek out the information from independent sources. The experience of RWA members has been that vendors have typically been extremely unreliable in providing accurate information. Ultimately, any streamlined reporting obligations will result in a minimal reduction in reporting burdens.⁵

⁵ RWA does not oppose the alternative carrier size definition contained in the *NPRM*. The Commission asks whether the scope of an exemption from the reporting requirements could be

IV. Any Deregulatory Changes Adopted by the Commission in this Rulemaking Should Go into Effect Immediately.

If the Commission eliminates the HAC reporting requirement for non-nationwide carriers as urged herein, the Commission should make such change effective immediately. Given the burden of the reporting requirements on small carriers, RWA also urges the Commission to delay the 2018 HAC reporting deadline until after the conclusion of this proceeding.

V. Conclusion.

The annual HAC reporting requirement has long posed a substantial burden for small wireless carriers. Given its extremely limited utility, and alternative sources of the same information, RWA believes it is long past the time to eliminate this outdated requirement.

Respectfully submitted,

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based on the number of subscribers and apply if a provider offers service to no more than, for example, 500,000 subscribers. While RWA supports an exemption applicable to non-nationwide service providers, it does not oppose an alternate definition that would apply the exemption to service providers with fewer than 500,000 subscribers.