

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)	
)	
Revisions to Reporting Requirements Governing)	WT Docket No. 17-228, 17-123
Hearing Aid-Compatible Mobile Handsets)	
)	

**REPLY COMMENTS OF
HEARING LOSS ASSOCIATION OF AMERICA
TELECOMMUNICATIONS FOR THE DEAF AND HARD OF HEARING, INC.
THE DEAF AND HARD OF HEARING CONSUMER ADVOCACY NETWORK
NATIONAL ASSOCIATION OF THE DEAF
DEAF/HARD OF HEARING TECHNOLOGY RERC**

Hearing Loss Association of America (“HLAA”), Telecommunications for the Deaf and Hard of Hearing, Inc. (TDI), the Deaf and Hard of Hearing Consumer Advocacy Network (DHHCAN), and the National Association of the Deaf (NAD) collectively, “Consumer Groups,” and the Deaf/Hard of Hearing Technology RERC (Gallaudet RERC) submit the following Reply Comments in response to Comments filed regarding the Notice of Proposed Rulemaking regarding Revisions to Reporting Requirements Governing Hearing Aid-Compatible Mobile Handsets issued by the Federal Communications Commission (“FCC” or “Commission”), WT Docket No. 17-228, 17-123.

In our filed Comments, Consumer Groups and the Gallaudet RERC indicated that we find the current reporting requirements for Non-Tier I Service Providers to be both useful and necessary. We believe reporting requirements should stay in place. We also indicated that we would not be opposed to working with the Commission and industry to modify existing requirements to streamline the filings for Service Providers.

Comments filed by CTIA and CCA (the Associations) indicate that their member companies have a “long track record of supporting the Commissioner wireless HAC policies” and “have worked with Consumer Groups to find consensus solutions to enhance HAC-compliant wireless handset offerings”¹. We agree the Associations have worked together with Consumer Groups and the Gallaudet RERC recently on the HAC Consensus Agreement and earlier with the Alliance for Telecommunications Industry Solutions’ Incubator Solutions Program #4 – Hearing Aid Compatibility (ATIS HAC Incubator) that resulted in an Agreement that made it clear that hearing aid interference and lack of access to handsets by people with significant hearing loss was a serious problem faced by consumers. In fact, included in the ATIS HAC Incubator Agreement was a provision to “Require Carriers and manufacturers regularly to report on the availability of products.”² The Agreement went on to say that “...the Commission should continue to monitor the market, *thereby fostering compliance* with its HAC regulations and allowing it to review industry developments to determine whether further modifications are necessary.”(emphasis added)³ Then as now, it was clear that until we reach the time the Commission requires all handsets to be hearing aid compatible, there is a need to ensure that benchmarks are reached continually and consistently. In fact, without the involvement of the Commission at each incremental step of the way, Consumer Groups and the Gallaudet RERC are not convinced that the progress we have seen to date on HAC phones would have happened at all.

¹ Comments of CTIA and Competitive Carriers Association at 2.

² Supplemental Comments of the Alliance for Telecommunications Industry Solutions’ Incubator Solutions Program #4 – Hearing Aid Compatibility, WT Docket No. 06-203, June 25, 2007, at 4.

³ *Ibid.* at 11.

Consumer Groups and the Gallaudet RERC note that AT&T, a Tier I service provider, filed comments in this proceeding suggesting ways to streamline the burden of filing Form 655.⁴ The Comments by the Associations suggest the FCC’s Portal itself is part of the problem, indicating it is “too complicated, outdated and unwieldy”⁵. As we stated in our Comments, Consumer Groups and the Gallaudet RERC are not opposed to finding ways to streamline Form 655. It may well be the FCC and those who are required to file these forms should work together to find a way to make this process easier. But we should be careful not to throw out the baby with the bathwater. Even if Form 655 is burdensome to file, as industry contends, there is no reason to abandon the procedure that the ATIS HAC Incubator worked hard to develop, that all parties agreed to, and the Commission adopted.

We also note several Comments by industry filers are in favor of adopting a certification process to replace Form 655⁶. We repeat here as in our Comments that an overall certification of compliance is simply not adequate at this time. As long as Service Provider websites are not accurate, complete or up to date, these reports are the one way, the only way, accurate information is made available to both consumers and the Commission. A certification is simply no substitute for the information required until such time that the Commission requires 100% of handsets to be HAC.

The Association’s Comments would have us believe that by having several sources of information about handsets, including the Commission’s Accessibility Clearinghouse, GARI and CTIA’s AccessWireless.org, they have done enough. In fact, the Commission’s website is a good source of information that provides a direct link to the Reports generated by Form 655. CTIA’s website does lead to the GARI site, which we discussed in our Comments is another good source

⁴ Comments of AT&T at 8.

⁵ Comments of CTIA and the Competitive Carriers Association at 7.

⁶ Comments of AT&T at 8; CTIA and the Competitive Carriers Association at 9

of information about handsets. However, it does nothing to help someone living in a rural area learn what is being provided at the local level by their own Service Provider. The Associations' Comments also indicate that CTIA's AccessWireless.org site links to service providers.⁷ AccessWireless.org provides links to eight (8) service providers, only two of which are Non-Tier I service providers.⁸ We would argue that is simply not enough information to help all consumers living across the country in rural areas.

We note that filers representing smaller, Non-Tier I carriers are convinced that compliance can be determined by their websites and enforced via consumer complaints.⁹ As we noted in our comments, these websites are not reliable, may or may not contain much if any of the needed information¹⁰, and consumer complaints are simply not a reliable indicator of compliance¹¹.

Conclusion

The Commission has not yet required Non-Tier I Service Providers to ensure that all handsets are HAC. The Commission does require Non-Tier I Service Providers websites to include information about HAC phones. Yet we know that not all Non-Tier I Service Providers have accurate, complete and up to date information about HAC phones on their websites. Some contain no information at all. If so simple a requirement has not been met, how can we be sure that benchmarks will be met if there is no reporting requirement to the Commission? We urge the Commission to find a way to make Form 655 less burdensome to Service Providers and still provide needed information about HAC handsets.

Thank you for this opportunity to provide these Reply Comments.

⁷ Comments of Comments of CTIA and the Competitive Carriers Association at 5.

⁸ <http://www.accesswireless.org/Find/Carriers-Services.aspx> 11/24/2017.

⁹ Comments of Rural Wireless Carriers at 2, Blooston Rural Carriers at 3.

¹⁰ Comments of Consumer Groups and Gallaudet RERC pp. 2-4.

¹¹ *Ibid.*, pp. 6-7.

Respectfully submitted,

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