

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

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

REPLY COMMENTS OF THE BLOOSTON RURAL CARRIERS

The law firm of Blooston, Mordkofsky, Dickens, Duffy & Prendergast, LLP ("BloostonLaw"), on behalf of its rural and independent wireless service provider clients (the "Blooston Rural Carriers"), hereby submits its reply comments on the Commission's proposal to eliminate wireless hearing aid compatibility ("HAC") reporting requirements for non-nationwide service providers.

Wireless service providers and trade groups representing a broad spectrum of competitive wireless providers and industry stakeholders have demonstrated that the Form 655 HAC reporting requirement imposes significant burdens on wireless carriers and that the information made available on the Form 655 is of little or no benefit to consumers.¹ The extent of these burdens – including the compilation of extremely granular information for dozens of handset models - far outstrips the 2.5 hour average that the FCC's Form 655 Instructions estimate it would take to compile this information. In addition to entering the data into the online HAC reporting form and dealing with frequent technical glitches during the entry process, AT&T explains that its staff spends substantially more time – approximately 50 hours annually not counting review by legal/regulatory personnel - reconfirming the HAC specific data from manufacturer websites, compiling handset specific data by month for the report, validating issues with legal and regulatory resources.² Tier II and Tier III service providers must go through these same steps when compiling device capability and offering information throughout the year

¹ See, e.g., Comments of CTIA and Competitive Carriers Association (filed Nov. 13, 2017) (CTIA/CCA Comments) at pp. 7-8; Comments of the Rural Wireless Association, Inc. (filed November 13, 2017) (RWA Comments) at pp. 1-2;

² See Comments of AT&T (filed Nov. 13, 2017) (AT&T Comments) at pp. 6-8.

for the annual HAC report, with far fewer personnel and resources. Less frequent reporting would not significantly reduce the burdens on smaller carriers during years the reports are due, and, as RWA explains, may even lead to greater burdens if there has been staff turnover.³ Streamlining the Form 655 to reduce the data elements will result in only minimal reduction of regulatory burdens to smaller carriers because small carriers must still do significant and time-consuming research to obtain and verify device capabilities with vendors, and to review this information for consistency with the FCC's records and reports previously filed by device manufacturers.

Commenters also correctly note that consumers have access to a significant amount of information about HAC-enabled devices from other sources that are far more user-friendly than Form 655 reports. In addition to service provider websites, HAC information is readily available to the public from device packaging materials, and provider-owned stores and points of sale where consumers can test handset accessibility features firsthand. Moreover, HAC information from other sources is much more accessible to consumers than when the outreach reporting obligation was initially imposed. In this regard, CTIA's "AccessWireless.org" site is a well-publicized and easy-to-use resource for the public to gather information about specific handsets that suit their unique needs. Similarly, websites such as the Commission's Accessibility Clearinghouse,⁴ and third-party websites such as the Global Accessibility Reporting Initiative ("GARI" at <https://www.gari.info/findphones.cfm>) and hearing impaired advocacy groups play an important part in educating consumers about HAC. Advocates for the hearing impaired correctly note that non-Tier I providers' web sites are an important resource for information about HAC device capability.⁵ These entities will remain subject to the Commission's HAC rules and public outreach requirements, and the elimination of a costly and burdensome regulatory filing obligation will allow them to utilize the savings in time and money to maintain and improve their websites and other outreach

³ RWA Comments at p. 3

⁴ <https://ach.fcc.gov/products-and-services/>

⁵ See Comments of Hearing Loss Association of America, et. al. (filed Nov. 13, 2017) (HLAA Comments) at pp. 2-5.

materials that are more readily accessible to consumers.

CONCLUSION

The Commission's HAC rules have been a model of success in helping to raise industry awareness about meeting the needs of the hearing impaired, and in driving accessibility features into all segments of the device marketplace. As technology has improved, a far greater number and percentage of new wireless devices include hearing aid accessibility features. Annual reporting once helped to raise awareness among smaller wireless carriers and their customers, but public outreach and other ongoing obligations like website and in-store disclosures adequately serve these purposes, and the burdens of requiring an annual status report filing by small, rural, and regional service providers now outweigh the benefits. It is respectfully submitted that the Commission can maximize its regulatory relief to small service providers if it acts promptly and waives or eliminates the HAC reporting obligation that is coming due in January of 2018.

Respectfully submitted,

**BLOOSTON, MORDKOFKY, DICKENS,
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