

EX PARTE OR LATE FILED

August 3, 1995



Building The  
Wireless Future™

Mr. William F. Caton  
Secretary  
Federal Communications Commission  
1919 M Street, NW, Room 222  
Washington, DC 20554

**CTIA**

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RECEIVED

AUG 3 1995

Re: *Ex Parte* Presentation  
RM-8658

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY

Dear Mr. Caton:

On Wednesday, August 2, 1995, the Cellular Telecommunications Industry Association ("CTIA") sent the enclosed letter concerning Section 68.4(a) of the Commission's Rules: Hearing Aid Compatible Telephones, to the attached list of FCC staff:

Pursuant to Section 1.1206(a)(1) of the Commission's Rules, an original and one copy of this letter along with the attachments are being filed with your office. If you have any questions concerning this submission, please contact the undersigned.

Sincerely,

Andrea Williams  
Staff Counsel

Attachment

Enclosures

No. of Copies rec'd  
List A B C D E

61

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Mr. Jonathan Cohen  
Ms. Linda Dubroff  
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Mr. Julies Genachowski  
Mr. Donald Gips  
Mr. William Kennard  
Mr. Blair Levin

Ms. Ruth Milkman  
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Mr. Andrew Sinwell  
Mr. Richard Smith  
Dr. Tom Stanley  
Mr. Peter Tenhula  
Ms. Karen Watson

**Commissioner Andrew Barrett**

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**Commissioner Rachelle Chong**

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**Commissioner James Quello**

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Ms. Kathleen Ham-O'Brien  
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Ms. Sally Novak  
Mr. Myron Peck  
Mr. Daniel Phythyon  
Mr. Gerald Vaughn  
Mr. Michael Wack  
Ms. Kathleen Wallman



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August 2, 1995

The Honorable Reed E. Hundt  
Chairman  
Federal Communications Commission  
1919 M Street, NW - Room 814  
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**Re:** Section 68.4 (a) of the Commission's Rules: Hearing  
Aid Compatible Telephones (RM-8658)

**Randall S. Coleman**  
Vice President for  
Regulatory Policy and Law

Dear Chairman Hundt:

For your convenience and information, attached is a copy of CTIA's Reply Comments in response to the Petition for Rule Making to amend Section 68.4 (a) of the Commission's Rules filed by Helping Equalize Access Rights to Telecommunications Now (HEAR-IT NOW). These Reply Comments demonstrate that the majority of commenting parties:

- agree that the HEAR-IT NOW petition asks the Commission to reverse its course and slow down the roll out of broadband PCS in the United States, and thereby delay the additional competition and investment in new wireless technologies;
- concur that a rule making to limit or revoke the exemption of PCS devices from the Commission's hearing aid compatibility requirements is inappropriate, particularly when joint efforts by the PCS and hearing aid industries are underway to address and resolve electromagnetic compatibility (EMC) issues; and
- support a denial of the petition and ask the Commission to allow the affected industries to continue their research and make appropriate recommendations to define and resolve the EMI issues.

This consensus and the recommended conclusion is strengthened by the fact that the evidence presented in support of the Petition is insufficient and, in some cases, mischaracterized.<sup>1</sup>

---

<sup>1</sup> See CTIA Reply Comments at 4-7 and Technical Appendix.

The allegations made concerning GSM technology cannot be considered in a vacuum. In your review of the record, CTIA urges you to keep in mind the following:

1. Without government intervention, the wireless industry has and continues to respond to the challenge of ensuring accessibility to wireless telecommunications services for the hearing impaired. Should the Commission mandate a uniform solution, *e.g.*, t-coil compatibility, for all wireless devices, wireless operators would not have the flexibility to implement multi-faceted approaches to ensuring accessibility for the hearing impaired.
2. It is unknown whether existing or planned CDMA phones are hearing aid compatible as defined by Part 68 of the Commission Rules, *i.e.*, they include a flex coil for magnetic coupling with a t-coil hearing aid.
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Yours truly,

  
Randall S. Coleman

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<sup>2</sup> In its Comments, Qualcomm indicates that CDMA phones at 200 milliwatts can interfere at distances from 4 inches to four feet. See CTIA Reply Comments, Technical Appendix at 5.

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Ms. Karen Watson

Attachment



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August 2, 1995

The Honorable Andrew Barrett  
Commissioner  
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1919 M Street, NW - Room 826  
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**Re: Section 68.4 (a) of the Commission's Rules: Hearing  
Aid Compatible Telephones (RM-8658)**

**Randall S. Coleman**  
Vice President for  
Regulatory Policy and Law

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Randall S. Coleman

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cc: Mr. James Coltharp  
Ms. Lisa B. Smith

Attachment



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August 2, 1995

The Honorable Rachelle B. Chong  
Commissioner  
Federal Communications Commission  
1919 M Street, NW - Room 844  
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**Re:** Section 68.4 (a) of the Commission's Rules: Hearing  
Aid Compatible Telephones (RM-8658)

**Randall S. Coleman**  
Vice President for  
Regulatory Policy and Law

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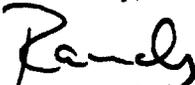
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Randall S. Coleman

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cc: Ms. Jill Lockett  
Ms. Jane Mango  
Mr. Richard Welsh

Attachment



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August 2, 1995

The Honorable Susan Ness  
Commissioner  
Federal Communications Commission  
1919 M Street, NW - Room 832  
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**Re:** Section 68.4 (a) of the Commission's Rules: Hearing  
Aid Compatible Telephones (RM-8658)

**Randall S. Coleman**  
Vice President for  
Regulatory Policy and Law

Dear Commissioner Ness:

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Randall S. Coleman

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cc: **Mr. James Casserly**  
**Ms. Mary McManus**  
**Mr. David Siddall**

**Attachment**



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August 2, 1995

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The Honorable James Quello  
Commissioner  
Federal Communications Commission  
1919 M Street, NW - Room 802  
Washington, DC 20554

**Re: Section 68.4 (a) of the Commission's Rules: Hearing  
Aid Compatible Telephones (RM-8658)**

**Randall S. Coleman**  
Vice President for  
Regulatory Policy and Law

Dear Commissioner Quello:

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Randall S. Coleman

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cc: Mr. Rudy Bacca  
Ms. Lauren Belvin

Attachment



**Building The  
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August 2, 1995

**CTIA**

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**Randall S. Coleman**  
Vice President for  
Regulatory Policy and Law

Ms. Regina Keeney  
Chief  
Wireless Telecommunications Bureau  
Federal Communications Commission  
2025 M Street, NW - Room 5002  
Washington, DC 20554

**Re: Section 68.4 (a) of the Commission's Rules: Hearing  
Aid Compatible Telephones (RM-8658)**

Dear Ms. Keeney:

For your convenience and information, attached is a copy of CTIA's Reply Comments in response to the Petition for Rule Making to amend Section 68.4 (a) of the Commission's Rules filed by Helping Equalize Access Rights to Telecommunications Now (HEAR-IT NOW). These Reply Comments demonstrate that the majority of commenting parties:

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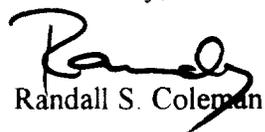
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Randall S. Coleman

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Mr. Ed Jacobs  
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Ms. Sally Novak  
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Mr. Michael Wack  
Ms. Kathleen Wallman

Attachment

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

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OFFICE OF SECRETARY

In the Matter of )  
 )  
Section 68.4(a) of the Commission's Rules ) RM-8658  
Hearing Aid Compatible Telephones )  
 )

REPLY COMMENTS OF  
THE CELLULAR TELECOMMUNICATIONS INDUSTRY ASSOCIATION

Andrea D. Williams  
Staff Counsel

Michael F. Altschul  
Vice President and  
General Counsel

Randall S. Coleman  
Vice President,  
Regulatory Policy & Law

CELLULAR TELECOMMUNICATIONS  
INDUSTRY ASSOCIATION  
1250 Connecticut Avenue, N.W.  
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August 1, 1995

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Wireless Phones

## SUMMARY

The wireless industry has and continues to demonstrate its commitment to ensuring access to wireless telecommunications services for all Americans. The Hearing Aid Project at the Center for the Study of Wireless Electromagnetic Compatibility, analog phones, and the HATIS device are manifestations of that commitment to ensure accessibility to the hearing impaired.

The majority of the commenters support a denial of the HEAR-IT NOW Petition and ask the Commission to allow the affected industries to define and resolve the EMI issue. They acknowledge that a rule making is inappropriate, in view of the industry efforts to address the EMC issues and the insufficient evidence presented by the Petitioner.

In this Reply, CTIA responds to Qualcomm's tests conducted on EMI between hearing aids and CDMA and GSM telephones; HIA's mistaken assumption that shielding is not an effective solution; and the incorrect assumption that the Part 68 HAC requirement is an appropriate method for providing compatibility and hence accessibility to wireless digital telephones.

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

In the Matter of )  
 )  
Section 68.4(a) of the Commission's Rules ) RM-8658  
Hearing Aid Compatible Telephones )  
 )

**REPLY COMMENTS OF  
THE CELLULAR TELECOMMUNICATIONS INDUSTRY ASSOCIATION**

The Cellular Telecommunications Industry Association ("CTIA")<sup>1</sup> hereby submits its Reply Comments in response to the Petition for Rule Making to amend Section 68.4(a) of the Commission's Rules filed by Helping Equalize Access Rights in Telecommunications Now ("HEAR-IT NOW").<sup>2</sup>

**I. Introduction**

The wireless industry has and continues to demonstrate its commitment to providing all Americans, both the hearing abled and hearing impaired, with access to wireless telecommunications services. Although Congress exempted the wireless industry from hearing aid compatibility requirements

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<sup>1</sup> CTIA is the international organization of the wireless communications industry for both wireless carriers and manufacturers. Membership in the association covers all Commercial Mobile Radio Service providers, including cellular, personal communications services, enhanced specialized mobile radio, and mobile satellite services.

<sup>2</sup> *In the Matter of Section 68.4(a) of the Commission's Rules Hearing Aid Compatible Telephones, Petition for Rule Making, filed June 5, 1995 ("Petition").*

("HAC requirements"), the industry, without any government intervention, has responded to the challenge of ensuring that hearing aid users have access to wireless telephones. Even without a government mandate, the industry currently provides devices which make wireless telephones accessible to hearing aid users, i.e., analog telephones, HATIS device.<sup>3</sup>

In addition, the wireless industry has undertaken an extensive research program in conjunction with hearing aid manufacturers to address the electromagnetic compatibility between hearing aids and all U.S. digital wireless telephones, i.e., CDMA, PCS 1900, and TDMA.<sup>4</sup>

In conjunction with the wireless industry's efforts, hearing aid manufacturers already have provided hearing aids, i.e., those with a high immunity level, that are compatible with wireless digital telephones, thereby promoting accessibility for hearing aid users.<sup>5</sup>

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<sup>3</sup> AT&T, Ericsson, Fujitsu, Motorola, Nokia and Oki offer wireless phones with HATIS-compatible jacks. AT&T, NYNEX, McCaw, BellSouth, Bell Atlantic and Motorola plan to sell the HATIS device as a telephone accessory. Garrett, *Ready, Willing and Able*, HOME OFFICE COMPUTING, June 1995, at 112.

<sup>4</sup> See CTIA Comments, Exhibits 2-4, Hearing Aid Project, Center for the Study of Wireless Electromagnetic Compatibility at the University of Oklahoma. See also Appendix B, *Revised Protocol for the Study of Hearing Aid Interaction with Wireless Phones*, Version 2.0 (July 25, 1995).

<sup>5</sup> See J. Le Strange, E. Burwood, D. Byrne, K. Joyner, M. Wood, & G. Symons, *Interference to Hearing Aids*