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The Lighthouse Inc.

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June 29, 1998

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FCC MAIL ROOM

Federal Communications Commission
Office of the Secretary
1919 M Street, NW
Room 222
Washington, DC 20554

Re: WT Docket No. 96-198

Dear Director:

The following is submitted by The Lighthouse Inc. in reply to your NPRM on Section 255 of The Telecommunications Act of 1996. The Lighthouse Inc., the world's leading resource on vision impairment, enables people who are blind or partially sighted to lead independent lives. It offers help--and hope--to people of all ages through rehabilitation, education, research and advocacy. The Lighthouse Inc. is a not-for-profit organization, and depends on support from individuals, foundations and corporations.

People who are blind or partially sighted, like everyone else, want to be able to go to school, to work, to play, and to be in touch with relatives and friends. While the proportion of people who are aging is growing larger, and loss of vision increases dramatically as we age, there have also been concommitant changes in life styles. We all want to be involved and remain "in touch." A narrow and limited approach to Section 255, not allowing for rapid technological changes, will be counterproductive. Too often the costs of accessibility are cited by business, but, by denying access to over 20% of our population who have disabilities, we neglect to count the costs of inaccessibility.

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List A B C D E

COMMENTS

1. Adoption of the Access Board's Accessibility Guidelines--The Board's Accessibility Guidelines to Section 255 were adopted after a long process which involved industry representatives and the disability community, as well as opportunity for the public to comment. These are broad, functional performance standards, not prescriptive. They allow room for technological development with guidance provided in the appendix. Our understanding was that these would be adopted by the FCC, similar to the Department of Justice's adoption of the Americans with Disabilities Accessibility Guidelines (ADAAG), to provide a technical standard. Placing them in an Appendix without a clear adoption of these Guidelines confuses and weakens their effect. We urge that the FCC adopt the Access Board Telecommunications Guidelines.

2. Scope of Coverage of Section 255--We do not believe that Congress, in requiring telecommunications accessibility in 1996, meant this to apply to a very limited set of telephone services. In the June 25, 1998, New York Times article announcing the proposed merger of AT&T with MCI, it stated that last year, "for the first time, more messages were sent by Email than through the post office." Work routines have changed for everybody. We all listen to voice mail and read our Email before starting our workday. These have become essential telecommunications services. As it is likely that there will be continuing mergers in the telecommunications field, it may be through an entertainment cable line that integrated telephony services are provided. Attempting to divide these services no longer makes sense. In order to provide access, they all must be covered by FCC regulations under Section 255.

3. Telecommunications Equipment--We support the proposed requirement on telecommunications equipment and the inclusion of software. Both aspects are critical for people with impaired vision. Accessible software programs determine usability as much as accessible equipment

4. Service Accessibility--Without service accessibility, the user who cannot read the booklet that accompanies the equipment, or cannot read the monthly bill, is denied access. Service accessibility is an essential component of usability.

5. Peripheral Devices & Specialized Customer Premises Equipment (CPE)--We support the requirement of compatibility of telecommunications with peripheral devices or CPE when accessibility is not readily achievable--otherwise the device is useless. However, screen readers, for example, are not "distributed" in state equipment programs that we are familiar with, and to establish this as the criterion for "commonly used" and "affordable" would probably eliminate them from consideration. The Access Board may be in the best position to develop a list of such products. However, such a list would have to be updated regularly to keep up with technological changes.

6. Readily Achievable--We urge the FCC, in determining "readily achievable," to require that the resources of the entity legally responsible for the equipment or service be subject to Section 255. While we recognize the complexity of a determination that access to a product or service can be readily achieved, everyone agrees that access is more easily achieved in the design stage. Without the strongest support for a strict reading of "readily achievable," little incentive will be given to manufacturers and telecommunications companies to incorporate the concept of "universal design" into their thinking. In addition, many products which were developed for what was seen as a "niche market" have become widely used. The optical

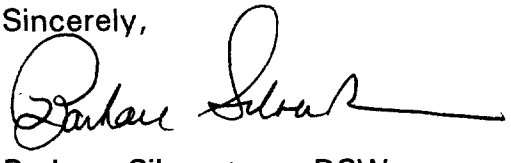
scanner technology was originally developed as a sensory aid for the blind, reading printed text aloud.

7. Complaint Process--The proposals for a central FCC contact point for all Section 255 inquiries and complaints, and the ability to submit complaints by a variety of means including, letter, telephone call, Email, TTY, braille or audio cassette, without necessarily using a "complaint form" are good. The process must be timely. While the FCC has proposed a process relying mainly on complaints, we would urge that attention be given to patterns of noncompliance. In order to respond effectively, FCC staff should receive training on the telecommunications access issues for people with disabilities.

William E. Kennard, FCC chairman, in addressing the Josephine L. Taylor Leadership Institute in March of this year stated that "Section 255 of The Telecommunications Act of 1996...is a broad mandate. Given the fundamental role that telecommunications has come to play in today's world, Section 255 represents the most significant opportunity for people with disabilities since the passage of the Americans with Disabilities Act in 1990. And at the FCC, we intend to fully implement it."

We wholeheartedly support this statement and look to the FCC to provide the structure for its implementation.

Sincerely,



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