

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

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| In the Matter of                                   | ) |                      |
|  | ) |                      |
| Implementation of Sections 716 and 717 of the      | ) | CG Docket No. 10-213 |
| Communications Act of 1934, as Enacted by the      | ) |                      |
| Twenty-First Century Communications and Video      | ) |                      |
| Accessibility Act of 2010                          | ) |                      |
|  | ) |                      |
|  | ) |                      |
| Opposition to Coalition of E-Reader                | ) |                      |
| Manufacturers' Petition for Waiver of Sections 716 | ) |                      |
| and 717 of the Communications Act and Part 14      | ) |                      |
| of the Commission's Rules Requiring Access to      | ) |                      |
| Advanced Communications Services (ACS) and         | ) |                      |
| Equipment by People with Disabilities              | ) |                      |

**I. Introduction**

The Association of Research Libraries (“ARL”) and the American Library Association (“ALA”) continue to oppose the Petition for Extension of Waiver requested by the Coalition of E-Reader Manufacturers (“Coalition”) from the Federal Communications Commission (“Commission”). At stake in this proceeding is the ability for millions of Americans to participate fully and freely in our communications system. The waiver extension proposed by the Coalition would make a difficult situation even worse. While disabled persons already must routinely (and unacceptably) wait several years before various mainstream technologies become accessible, the proposed waiver extension would leave basic e-readers in a near-permanent state of inaccessibility. The record contains ample evidence that basic e-readers are designed with, marketed, and used for advanced communications services (“ACS”). Furthermore, the arguments for denying the requested waiver appear even more compelling in light of the widely recognized public interest in making texts accessible to the print disabled. Fortunately, the Commission has the authority and opportunity to significantly correct this ongoing injustice to the print-disabled community. Rather than allow e-reader accessibility to continue to deteriorate, the Commission should deny the waiver proposed by the Coalition.

ARL and ALA assert that the public interest is best served by ensuring that e-reader technology, which is increasingly vital to education, is accessible to all and that the Commission serves a vital role in making this possible.<sup>1</sup> By denying the Coalition’s Petition for a waiver

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<sup>1</sup> See generally Comments by the Association of Research Libraries (“ARL”) and the American Library Association (“ALA”), CG Docket No. 10-213 (posted Oct. 27, 2014).

extension, the Commission will be ensuring that Universal Design principles<sup>2</sup> are implemented as technology continues to change and evolve. It also prevents a large segment of the population from paying a “disability tax” by making all of the Coalition’s products ACS accessible.

ARL and ALA reiterate that the Commission should give weight to the benefit the public would receive if e-readers are produced according to Universal Design principles, as this allows the e-readers to be accessible to as many people as possible. The Commission is not bound by its previous decision on this waiver, and has the chance now to correct that decision by denying the Coalition’s Petition. Denial of a waiver extension so that the Coalition will develop technology with Universal Design principles in mind will, by definition,<sup>3</sup> serve the largest segment of the public and therefore the public interest. As will be seen, these principles bring benefits not only to the disabled, but also to the general population at large, often in unexpected ways.<sup>4</sup>

ARL and ALA assert in this filing, in addition to previous comments,<sup>5</sup> the following: that the browser and social media applications are ACS; that Universal Design principles should carry significant weight in the public interest analysis; and promoting widespread implementation of Universal Design principles by denying the Petition is consistent with the public interest because it will promote closing the gap between technology and accessibility and will align with other United States Federal Agencies’ policies. ARL and ALA therefore respectfully request that the Commission meet its commitment to serving the public interest by denying the Coalition’s waiver petition.

## **II. Basic E-readers are Designed, Marketed, and Used for ACS**

### *A. Social Media is ACS*

The distinction between point-to-point and point-to-multipoint communications within social media is blurring and quickly disappearing. While basic e-reader browsers can access services that are indisputably ACS (such as Gmail and one-to-one direct message via Twitter, for example), the more social components of social media are increasingly becoming ACS under the Communications and Video Accessibility Act (“CVAA”) and the Commission’s rules.<sup>6</sup> Although the Senate and House reports for the CVAA state the “focus[.]” of “concern[s]” behind

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<sup>2</sup> See generally What is Universal Design?, available at [http://www.universaldesign.com/index.php?option=com\\_content&view=article&id=327:what-is-universal-design&catid=2196:universal-design&Itemid=113](http://www.universaldesign.com/index.php?option=com_content&view=article&id=327:what-is-universal-design&catid=2196:universal-design&Itemid=113) (last visited Nov. 2, 2014).

<sup>3</sup> *Id.*

<sup>4</sup> See ARL, *Report of the ARL Joint Task Force on Services to Patrons with Print Disabilities* at 36 (Nov. 2, 2012), available at <http://www.arl.org/storage/documents/publications/print-disabilities-tfreport02nov12.pdf> (explaining the origin of Universal Design, and giving common metaphors of accessibility benefitting the able and the disabled, such as the curb cut and closed captions).

<sup>5</sup> See Comments by ARL and ALA, CG Docket No. 10-213 (posted Oct. 27, 2014)(arguing, in sum, that basic e-readers, as defined by the Coalition, offer ACS as a co-primary use, that denying the Petition is consistent with the public interest, and that if the Petition is granted, it should modify the waiver class criteria to narrow the scope and limit the waiver’s duration).

<sup>6</sup> See 47 U.S.C. § 153(1) and 47 C.F.R. § 14.10(c).

the law,<sup>7</sup> there exists no bright-line distinction within the statute that bars all social media from ever being considered ACS. In fact, given the ambiguity of the statute, it would be a dereliction of the Commission's role as expert regulator to decline to alter its interpretations of the statute as facts change. The CVAA was passed more than four years ago. Since then, the role of social media in our communications and information lives has dramatically increased. Today, platforms such as Facebook, Twitter, and LinkedIn are widely used for private person-to-person messaging, as well as fulfilling other functions. In other contexts, these tools are facilitating new hybrid forms of interpersonal communication. Broadcast and multichannel video programming distributors ("MVPD"), for example, now routinely use Twitter, as a means for audience interaction. If a viewer "at-replies" to a news anchor during a broadcast, for example, and that anchor answers the question on-air, the communication is both point-to-multipoint and point-to-point.

A 2014 study observes six different modalities emerging on Twitter in the context of political discussion.<sup>8</sup> Contrast this with a 2010 Pew report on social media, which, among other things, focused on blog commenting as a prevalent activity and pointed out low teenage use of Twitter.<sup>9</sup> Given the fact that how social media is used is rapidly changing, and how it has been used since the CVAA's passage in 2010 has also changed drastically, the Commission should not limit itself to policies that are not open to change with consumer use. Indeed, the Federal Communications Commission is the most appropriate agency to recognize through its policies the nuanced, ambiguous, and ever-changing nature of social media. Even if the Commission declines to find social media status updates to be ACS, there remains undeniable ACS *within* social media services that offer, for example, real-time, private messaging between individual users.<sup>10</sup> In fact, the Commission itself noted "the swift pace at which technologies are evolving and the expanding role of ACS in electronic devices" and the need to revisit the waiver petition in its January 2014 Order.<sup>11</sup> This increased blurring of social media and ACS, along with the ACS marketing of the WebKit browser, support a reversal in the FCC's ruling on the Coalition's waiver request.<sup>12</sup>

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<sup>7</sup> See S. Rep. No. 111-386 at 6 (2010), available at <http://www.gpo.gov/fdsys/pkg/CRPT-111srpt386/pdf/CRPT-111srpt386.pdf>; H.R. Rep. No. 111-563 at 23 (2010), available at <http://www.gpo.gov/fdsys/pkg/CRPT-111hrpt563/pdf/CRPT-111hrpt563.pdf>.

<sup>8</sup> See, e.g., Smith *et al.*, Mapping Twitter Topic Networks: From Polarized Crowds to Community Clusters (Feb. 2010, 2014) ("Six structures are regularly observed: divided, unified, fragmented, clustered, and inward and outward hub and spoke structures."), available at <http://www.pewinternet.org/2014/02/20/mapping-twitter-topic-networks-from-polarized-crowds-to-community-clusters/>.

<sup>9</sup> Lenhart *et al.*, Social Media and Young Adults (Feb. 3, 2010), available at <http://www.pewinternet.org/2010/02/03/social-media-and-young-adults/>.

<sup>10</sup> For further explanation, see Comments of ARL and ALA, CG Docket No. 10-213 (posted Oct. 27, 2014).

<sup>11</sup> Order ¶ 1.

<sup>12</sup> The Consumer Electronics Association claims in its comments that nothing has changed since the Commission granted the waiver. See Comments of the Consumer Electronics Association, CG Docket No. 10-213 (posted Oct. 27, 2014) at 4. However, it is clear that the way in which social media and technology rapidly evolves is a change that the Commission has admitted to, and is a change from when the Commission granted the waiver. See *supra* note 11.

*B. Amazon Marketing Materials Advertise ACS as a Co-Primary Function of the Basic Kindle*

As ARL and ALA have stated in its comments in this proceeding, Amazon has listed a “WebKit-based browser” among features that “[y]ou’ve come to expect from Kindle.”<sup>13</sup> These indisputably significant features include automatic back-ups to the cloud, multi-lingual support, the ability to read personal documents as well as books, the ability to read children’s books and comics, library organization, and page number referencing. Here, Amazon is also alerting all consumers with any knowledge of technology to the fact that its full-featured browser can be used for a range of dedicated communications functions, including services such as Gmail, and to access social media for the purposes of doing the kinds of personal communication described above. Under the circumstances, it should be concluded that ACS is, at the least, a co-primary function. That this was done with intention is demonstrated by the fact that, even after ARL and ALA’s initial comments, which noted these key facts, were published on the Commission’s Electronic Comment Filing System, Amazon has not removed or even altered the relevant marketing language on its web page.

The Amazon Kindle is a standard-bearer in the basic e-reader industry. How it is marketed is a reflection on the entire device class that includes similar web browsers. Any weight the Commission gives to Coalition arguments that downplay the primacy of an ACS browser should be dwarfed by the weight that is given to Amazon’s own marketing.

**III. Everyone Benefits When E-Readers Are Built In Accordance With Universal Design Principles**

*A. The Commission Should Give Significant Weight to Universal Design Principles in its Public Interest Analysis*

Universal Design is a concept that first emerged in architecture in an effort to design physical spaces with the disabled in mind, for example the inclusion in the design of a curb cut in a public space rather than having to retrofit a space after it has been built. This curb may have been mandated for wheelchairs, but it benefits any person who is pushing or riding something with wheels, from strollers to bicycles.<sup>14</sup> This extra benefit is a key principle behind Universal Design as it has emerged for built spaces, products, and intangible services such as websites. The designers or architects take the full range of human diversity into account, including physical, perceptual, and cognitive abilities as well as different body sizes and shapes when designing spaces, products, and services to be accessible to the largest range of individuals.<sup>15</sup>

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<sup>13</sup> See Comments of ARL and ALA, CG Docket No. 10-213 (posted Oct. 27, 2014) at 3.

<sup>14</sup> *Id.*

<sup>15</sup> See generally What is Universal Design?, available at [http://www.universaldesign.com/index.php?option=com\\_content&view=article&id=327:what-is-universal-design&catid=2196:universal-design&Itemid=113](http://www.universaldesign.com/index.php?option=com_content&view=article&id=327:what-is-universal-design&catid=2196:universal-design&Itemid=113) (last visited Nov. 2, 2014).

## *B. The Coalition Implies a False Dichotomy Between Simplicity and ACS Functionality*

In multiple filings, the Coalition and its supporters argue that basic e-readers' simplicity and focus on the display of text prevent them from offering ACS as a primary or co-primary function.<sup>16</sup> As already demonstrated, however, basic e-readers are both fully capable of ACS and are being marketed with that capability in mind. What these proponents characterize as an accessibility bug is, in reality, a feature with tremendous promise to print disabled persons. As the National Federation of the Blind and the American Council of the Blind state in a comment in this proceeding, "[m]any blind people are still adjusting to technology and are behind the learning curve because of widespread inaccessibility. They may find the basic ACS of e-readers more user-friendly than the complicated ACS in tablets, so a simple reading device with a browser and access to some chat is exactly the product they are looking for."<sup>17</sup> The Commission has the opportunity to reject the exclusive and paternalistic frame proposed by the Coalition and acknowledge that people with print disabilities may also prefer basic devices with basic ACS at an affordable price. Rather than grant a waiver extension, which will require disabled persons to constantly seek out special accommodations to be part of the e-reader community (a community with increasing importance in the educational and library contexts),<sup>18</sup> the Commission should adopt a policy consistent with Universal Design, a boon to the public interest.

This is particularly true in light of the fact that the relevant ACS features of basic e-readers are available for use in contexts where they will interface with other devices that are already required to be fully accessible. Thus, in the example of hybrid communications provided above, the broadcast to which a Twitter user responds itself must be accessible through means of

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<sup>16</sup> See, e.g., Comments of the Consumer Electronics Association Supporting the E-reader Petition For Extension of Waiver, CG Docket No. 10-213, (posted Oct. 27, 2014) at 5 ("Devices that qualify as class E-readers under this narrow multi-part definition are 'niche' items that simply cannot have ACS as their primary purpose.")

<sup>17</sup> Comments of the National Federation of the Blind ("NFB") and American Council of the Blind ("ACB"), CG Docket No. 10-213 (posted Oct. 27, 2014) at 4.

<sup>18</sup> See ARL, *Report of the ARL Joint Task Force on Services to Patrons with Print Disabilities* at 10-13, 16-19 (Nov. 2, 2012), available at <http://www.arl.org/storage/documents/publications/print-disabilities-tfreport02nov12.pdf> (explaining the book "famine" that has been occurring for those with print disabilities and the increasing importance of e-readers and other technologies in the educational and library contexts, as well as several challenges and lawsuits that have been brought against some University libraries). See also 'Dear Colleague' Letter: *Electronic Book Readers*, Department of Justice Office of Civil Rights and Department of Education to College or University President, June 29, 2010, available at <http://www2.ed.gov/about/offices/list/ocr/letters/colleague-20100629.html>. There have also been two recent challenges to public library practices. The Department of Justice entered into a settlement agreement between the United States, the NFB, and the Sacramento (CA) Public Library Authority (Aug. 28, 2012). The agreement found that the library's deployment of inaccessible e-readers violated Title II of the Americans with Disabilities Act. The library may no longer acquire non-accessible e-readers, is required to purchase accessible devices, and in the near future load these with content substantially equivalent to that on the inaccessible e-readers already in circulation and more. In May 2012, four blind patrons of the Free Library of Philadelphia, with the assistance of the NFB, filed suit against the library for providing inaccessible e-readers. The lawsuit has been resolved and the terms of the settlement call for the library to acquire 10 accessible e-readers to supplement the devices it has already purchased, and within four years to use only accessible e-reading devices. Finally, the library will include an accessibility requirement in its technology procurement contracts.

closed captioning and video description. It is clearly in the public interest that interoperable devices used within a generally accessible media and communications landscape, also be accessible in their own right.

#### **IV. The Public Interest is Served if the Commission Closes the Gap Between Accessibility and Technology for E-Readers**

The Coalition and its supporters take a one-sided view in their public interest arguments.<sup>19</sup> The only part of the “public” they truly consider is the device manufacturers--not the consumers to whom the technologies are marketed and sold. Specifically, waiving statutory accessibility rules for basic e-readers harms the print-disabled. The Commission has an opportunity to help end a dynamic that creates a lag between the introduction of a new technology and the time it takes for accessible versions to be made available.<sup>20</sup> ARL and ALA strongly support a denial of the Coalition’s Petition, as it will benefit the public interest by making it clear to the Coalition and other manufacturers that accessibility and innovation are not mutually exclusive.<sup>21</sup>

Universal Design, while it is gaining traction within academia and parts of the business world,<sup>22</sup> does not always prevail, especially in the technology industries.<sup>23</sup> However, other parts of the U.S. Federal Government, such as the Department of Justice, have lauded the importance of Universal Design, pointing out the greater ease and lower cost of implementing accessible design at the start as opposed to the enhanced difficulty and cost of retrofitting a technological

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<sup>19</sup> See Sept. 4, 2014 Coalition of E-reader Manufacturers Petition for Waiver Extension, CG Docket No. 10-213 at 8 (“Denial of the waiver would disserve the public interest because it could discourage manufacturers from offering browsers on devices that have little or nothing to do with ACS”). See also Comments of the Internet Association, CG Docket No. 10-213 (posted Oct. 27, 2014) at 2-3 (“[G]rant of the requested extension would also serve the public interest by advancing the availability of single-purpose non-ACS devices.”); Comments of the Consumer Electronics Association, CG Docket No. 10-213 (posted Oct. 27, 2014) at 6 (“The public would benefit because ACS requirements would not limit the development of class E-Readers and because Commission monitoring of the waiver would continue to protect consumers.”).

<sup>20</sup> See ARL, *Report of the ARL Joint Task Force on Services to Patrons with Print Disabilities* at 36-37 (Nov. 2, 2012), available at <http://www.arl.org/storage/documents/publications/print-disabilities-tfreport02nov12.pdf> (illustrating the average time gap of three years between currently emerging technology and when that technology is made accessible to the disabled), citing *Retrofitting accessibility: The legal inequality of after-the-fact online access for persons with disabilities in the United States*, Wentz et al. (Oct. 19, 2011), available at <http://firstmonday.org/ojs/index.php/fm/article/view/3666/3077>.

<sup>21</sup> See Comments of NFB and ACB, CG Docket No. 10-213 (posted Oct. 27, 2013) at 10 (“[I]t is insulting for the Coalition to say that innovation of inaccessible products should be ‘celebrated’ when put in the defeatist context that all manufacturers of single-purpose devices, when faced with the same choices Coalition members’ have been faced with, would either make the same choices as the Coalition or choose not to innovate.”). See also Danielson, *infra* note 26 at 68-70 (noting the public interest in opening up technology that was then inaccessible, as well as what has been done thus far in terms of public activity and considerations to make).

<sup>22</sup> See ARL, *Report of the ARL Joint Task Force on Services to Patrons with Print Disabilities* at 36-37 (Nov. 2, 2012), available at <http://www.arl.org/storage/documents/publications/print-disabilities-tfreport02nov12.pdf> (discussing K-12 education, higher education, and businesses such as IBM implementing universal design and explaining the pros of doing so).

<sup>23</sup> See *id.* at 37 (noting that the lag time between new information technology and a version of it that is accessible is three years).

product or service.<sup>24</sup> The importance of these values also can be seen by the United States' instrumental role in the successful negotiation of an international treaty on the issue of print accessibility in Marrakesh.<sup>25</sup> Taking these actions together shows that several agencies within the Federal Government as well as the Obama Administration prioritize access to knowledge for the print-disabled, which is very much within the public interest. The Commission's rules should harmonize with these other policies across the Federal Government by requiring that ACS e-readers be accessible.<sup>26</sup>

## V. Waivers Were Intended by Congress to Encourage Innovation, Which Does Not Apply Here

Basic e-readers are now an established technology.<sup>27</sup> While incremental improvements to the products are still being made (such as improved battery life and screens with faster refresh rates),<sup>28</sup> the core features of basic e-readers have largely remained the same over several generations of products. The Coalition and its supporters argue that a waiver for this class of basic e-readers will foster innovation and help it to flourish, consistent with the policy of the CVAA.<sup>29</sup> Where a mature device such as the basic e-reader is concerned, however, a waiver

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<sup>24</sup> See *id.* (citing the Department of Justice's report on accessibility to the federal government noting that those with disabilities cannot benefit from new technologies if they are not made accessible at their inception, and that retrofitting is significantly more expensive). See also *supra* note 18.

<sup>25</sup> The U.S. agencies that were instrumental in negotiations about the Marrakesh Treaty in Geneva and in Washington, D.C. were: The U.S. Patent and Trademark Office, the Institute of Museum and Library Services, the Department of State, the Office of the U.S. Trade Representative, and the Copyright Office. Two U.S. agencies that were influential in negotiations in Washington, D.C. were the Department of Education and the Department of Justice. For more information on the Administration's effort with the Marrakesh World Intellectual Property Organization ("WIPO") treaty, see Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired, or Otherwise Print Disabled, June 27, 2013, available at [http://www.wipo.int/treaties/en/text.jsp?file\\_id=301016-art17](http://www.wipo.int/treaties/en/text.jsp?file_id=301016-art17) (the United States became a contracting party to this treaty on Oct 2, 2013). For further information on U.S. involvement with the Marrakesh WIPO treaty, see generally Shae Fitzpatrick, *Setting Its Sights on the Marrakesh Treaty: The U.S. Role In Alleviating the Book Famine For Persons With Print Disabilities*, 37 B.C. Int'l & Comp. L. Rev. 139 (2014).

<sup>26</sup> It should be noted that accessibility is not just limited to ACS, but the optimal e-reader must be accessible in terms of both software as well as to the user. See generally Danielson, Taylor, & Majerus, *Design and Public Policy Considerations for Accessible E-book Readers*, Interacting with Public Policy Forum 67 (2011)(explaining the potential that e-books have for opening up the print-disabled to books, but that e-readers must first be properly designed, holding up Apple's efforts for accessibility as the standard other manufacturers should hold themselves to, and citing to Amazon's Kindle 3 for being an accessible format).

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<sup>28</sup> Comments of the NFB and ACB, CG Docket No. 10-213 (posted Oct. 27, 2014) at 8-9 (detailing the technological improvements of both the Sony and Amazon e-reader products over the years). See also Wikipedia, *Amazon Kindle*, available at [http://en.wikipedia.org/wiki/Amazon\\_Kindle](http://en.wikipedia.org/wiki/Amazon_Kindle) (last visited Nov. 3, 2014)(explaining that Kindle was first released in November, 2007 and has continued to update and modify its products and technology); Kobo, *About Us*, available at <http://www.kobo.com/aboutus> (last visited Nov. 3, 2014)(founded in 2009, and developed new e-reader technologies since then); Sony, *Corporate Info*, available at <http://www.sony.net/SonyInfo/News/Press/201109/11-099E/> (last visited Nov. 3, 2014)(founded in the US and Canada in 2006, with expansion to the UK and parts of Europe from 2011-2012, prior to its merger with Kobo).

<sup>29</sup> See H.R. Rep. No. 111-563 at 26 (2010)(authorizing the Commission waive accessibility requirements "to promote technological innovation"), available at <http://www.gpo.gov/fdsys/pkg/CRPT-111/hrpt563/pdf/CRPT-111hrpt563.pdf>.

extension will not foster innovation in this product category. Rather, it will merely enshrine into law a choice to exclude print-disabled persons from the significant benefits offered by basic e-readers.<sup>30</sup>

The Coalition and the Internet Association are concerned about the breadth a denial of a waiver extension would have on other industries that are emerging, and that may in the future offer products equipped with browsers of some kind.<sup>31</sup> Some of these are the industries that make up the so-called ‘Internet of Things,’ i.e. the network of physical objects and devices that have not traditionally contained an Internet connection but now can be accessed by that means.<sup>32</sup> These objects include commonplace home devices like refrigerators, smart thermostats, or home security systems, but can also include heart monitor implants, automobiles with sensors, or machines used in manufacturing, to name a few examples.

As mentioned in the Coalition’s Petition and the Internet Association’s comments,<sup>33</sup> there is concern that if the inclusion of a full-featured browser in a basic e-reader means that it has to be made accessible for ACS use, the devices of emergent technologies like the so-called ‘Internet of Things’ also will be subject to accessibility regulation. This concern, however, is without any clear foundation. For one thing, it seems unlikely that consumers will be using household appliances or medical devices to engage in communications with other individuals. Moreover, if there should be a future Commission proceeding relating to the accessibility of the ‘Internet of Things,’ it will proceed along its own independent lines, not by analogy to whatever the Commission decides where basic e-readers with fully ACS-accessible browsers are concerned. While it might be good policy for those industries to subject the ‘Internet of Things’ to Universal Design principles, there is no connection between a ruling in this proceeding and the possible regulation of how that technology functions.

## **VI. Conclusion**

For the reasons set forth above, on behalf of the Association of Research Libraries and the American Library Association, we continue to oppose the Petition for Waiver Extension submitted by the Coalition of E-Reader Manufacturers. Granting this waiver extension would be against the public interest by allowing technological innovation and accessibility to continue to be mutually exclusive, ignoring Universal Design principles, and disregarding the ways in which basic e-reader browsers and the social media therein are now used for both point-to-multipoint

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<sup>30</sup> See *id.* at 8-10 (“These fluctuations in accessibility [included in e-readers] were choices, not reflections of innovation.”).

<sup>31</sup> See *infra* note 33.

<sup>32</sup> See Cisco, *Internet of Things (IoT)*, available at <http://www.cisco.com/web/solutions/trends/iot/overview.html> (last visited Nov. 2, 2014)(describing the basic idea of what the Internet of Things is and what it means).

<sup>33</sup> See Sept. 4, 2014 Coalition of E-reader Manufacturers Petition for Waiver Extension, CG Docket No. 10-213 at 7-8 (arguing that technological innovation only occurs by *excluding* devices that are not primarily designed for ACS)(emphasis added); Comments of the Internet Association, CG Docket No. 10-213 (posted Oct. 27, 2014) at 3 (arguing that denial of the Coalition’s waiver extension Petition will negatively impact the growth of the Internet of Things by requiring that these objects also be ACS capable due to their ability to access the Internet).

and point-to-point communication. Therefore, ARL and ALA respectfully request that the Commission deny the waiver extension.

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