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CTIA
Building The Wireless Future™
Cellular Telecommunications Industry Association

Andrea D. Williams
Assistant General Counsel

April 9, 1999

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Ms. Magalie Roman Salas
Secretary
Federal Communications Commission
445 12th Street, S.W.
12th Street Lobby, TW-A325
Washington, DC 20554

Re: *Ex Parte* Presentation
WT Docket No. 96-198
CC Docket No. 94-102

Dear Ms. Salas:

On April 8, 1999, the Cellular Telecommunications Industry Association ("CTIA") represented by Brian Fontes, Senior Vice President for Regulatory Policy and Administration, Randall Coleman, Vice President for Regulatory Policy and Law, Andrea Williams, Assistant General Counsel, met with Paul Misener, Senior Legal Advisor and Chief of Staff for Commissioner Harold Furchtgott-Roth, concerning the Commission's implementation of Section 255. At the meeting, CTIA reported on the progress of its multi-disciplinary approach on accessibility issues. Attached is a summary of CTIA's discussion specifically related to the proposed rules. CTIA also provided Mr. Misener with a copy of a memorandum from the Wireless TTY Forum Co-Chairs, which provides an update on the Forum's efforts.

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

Sincerely,

Andrea D. Williams

Andrea D. Williams

Attachments (2)

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CTIA
SUMMARY OF DISCUSSION
SECTION 255

1. **Section 255 Proceeding: An opportunity for the Commission to reevaluate its role and function in promoting a competitive wireless telecommunications environment.**

- Develop a new regulatory model for competitive telecommunications whereby the Commission provides general rules, rather than imposing detail requirements that can homogenize and stifle the technological innovation necessary to stimulate growth in a variety of accessible wireless products and services.

2. **"Readily Achievable" Analysis**

- Develop a broad definition that is flexible to meet the ever-changing competitive telecommunications market.
- Rules imposing detailed documentation and reporting requirements to determine whether action is "readily achievable" redirects personnel and resources away from addressing accessibility concerns of wireless consumers with disabilities.

3. **Complaint Process**

- Service providers and manufacturers provide Commission with point(s) of contact, within their respective organizations, who are responsible for addressing consumers' inquiries and complaints related to accessibility.
- FCC should direct consumers' inquiries and complaints to the point of contact before initiating the Section 208 complaint process. Service providers and manufacturers must be provided a reasonable period of time (60 days) to contact the consumer and resolve the issue.
- Proposed "5-day fast track" complaint process is unrealistic given FCC's resources, sets up unreasonable expectations with respect to consumers with disabilities, and .
- Legal Standing – CTIA supports TIA's proposed language[1]

4. **Monitoring Compliance and Enforcement**

- Role of the Commission in a competitive environment is monitoring the market and taking enforcement action when and if the market fails.
- FCC current enforcement process can ensure compliance, *i.e.,* audits, investigation, Notice of Apparent Liability, Forfeitures, Fines. There is ample evidence in which the Commission has employed such processes successfully to ensure compliance, *i.e.,* political broadcast rules, broadcasting and cable EEO rules, etc.

5. **Product Line Approach**

- CTIA recommends adoption of TIA's proposed definition of product line and implementation of a product line approach under Section 255.[2]

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[1] "A person or persons with a disability or someone filing a complaint on behalf of a specific identifiable individual with a disability (such as an organization that represents people with disabilities, or a parent, spouse, or legal guardian." *See* TIA's *Ex Parte* Filing, January 8, 1999.

TTY Forum MEMO

Date: March 22, 1999

FM: TTY Forum Co-Chairs; Ed Hall, CTIA and Todd Lantor, PCIA
TO: TTY Forum Members and Interested Parities

RE: TTY Forum Update

Greetings,

A recent conversation with Dr. Steven Benno of Lucent Technologies has informed us that he has completed the Lucent software simulation of the TTY "no-gain" solution and it is now released and available to all those interested in exploring its functionality, compatibility and potential benefits with various CLEP vocoders. According to Dr. Benno, the following equipment and infrastructure vendors have requested a copy of his newly released code for testing purposes; Ericsson, Motorola, Nokia, NORTEL and Qualcomm. As co-chairs, we remain hopeful that this Lucent contribution will spark an interest for some manufacturers to re-visit their past efforts with vocoders, which perhaps may lead to follow-on contributions at our next TTY Forum.

During the last TR45 meeting, (March 3-4) CTIA submitted the 2.5mm Jack SRD, on behalf of the Forum. TR45 accepted this contribution and remanded it to the TDMA (TR45.3) and CDMA (TR45.5) sub-committees for information and to the appropriate sub-committee (TR45.1) for Action. Likewise, the TDMA and CDMA sub-committees reported back to the Chair that both of these digital technologies have developed standards supporting the Inter-working Function (IWF) as described in the TTY Forum's SRD on Circuit Switched Data submitted during the December TR45 meeting. This news brings the industry one step closer to the Forum's proposed "long term" data solution. The willingness of some modem manufacturers (3COM) to support the V.18 protocol is the other critical issue needed to make the IWF a viable option to carriers as a means of supporting TTY over digital - long term. The IWF solution opens the doors to the future by allowing end-users the use of ultra-light computers, compact PDA's, etc.

At this point I think it is important to remember that it has been the synergy, team-spirit and positive environment provided by the members of the TTY Forum that has lead us to this point. But, we do not want anyone to have the false impression that the end-all, be-all solution(s) have thus far been developed. Although Dr. Benno's "no-gain" solution remains a major breakthrough for TTY, "short term", voice based (specifically CLEP vocoders) solution and the V.18 protocol a major breakthrough for TTY "long term", data solution these by no

means require carriers or manufactures to implement anyone one or both of these solutions. Keep in mind the other solutions brought to the Forum by Lober and Walsh and Ericsson. These solutions have also proved to be quite successful and promising for certain digital technologies. It is important to keep in mind that the carrier is responsible for the selection and implementation of a solution(s) that will allow TTY users to access 9-1-1 over its digital system. The best we as a Forum can do at this point is continue to provide the positive environment, feedback and input to manufacturers and carriers regarding testing and consumer needs and requirements and keep the standards development bodies involved when needed. CTIA and PCIA remain committed.

In conclusion, we propose that at the next TTY Forum we initiate the process to develop the final report to the FCC. Based on the contributions received to date and those anticipated at our next meeting, we believe we will have sufficient information to develop specific comments and recommendations. The TTY Forum can then plan to meet on a quarterly basis to "evaluate" progress and provide the FCC with a periodic, implementation status report.

My thanks to all members of the TTY Forum. Looking forward to seeing everyone in May.