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August 9, 2000

Ms. Magalie Roman Salas
 Secretary
 Federal Communications Commission
 445 12th Street, SW
 Washington, D.C. 20554

**NOTICE OF EX PARTE
 PRESENTATION**

Re: WT Docket No. 96-198

RECEIVED

AUG - 9 2000

Dear Ms. Salas:

On August 8, 2000, Robert Chrostowski, Senior Vice President of Iwatsu and Chairman of the Multi-Media Telecommunications Association's ("MMTA") Government Relations Committee, Ted Wieler of Mitel, Philippe Moquin of Mitel, and the undersigned met, on behalf of MMTA, with the following members of the Commission's staff: Karen Peltz Strauss, Deputy Bureau Chief of the Compliance and Information Bureau, Thomas Wyatt, Senior Counsel for Disabilities Enforcement in the Enforcement Bureau, and Staci Pies, Deputy Division Chief of the Common Carrier Bureau's Network Service Division.

We discussed the comments filed by MMTA and the Telecommunications Industry Association regarding the Petition for Partial Reconsideration filed on December 20, 1999 by the Council of Organizational Representatives in the above-captioned proceeding. We also provided staff with the attached summary of MMTA's position on volume control for business telephone sets.

If you desire any further information, please contact the undersigned.

Sincerely yours,



Robert F. Aldrich

REA/nw

cc: Karen Peltz Strauss
 Thomas Wyatt
 Staci Pies

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MULTI-MEDIA TELECOMMUNICATIONS ASSOCIATION (“MMTA”)

SUMMARY OF POSITION ON VOLUME CONTROL FOR BUSINESS TELEPHONE SETS

- I. The current FCC rule requires that the loudest volume setting on a business telephone set must be a minimum of 12 dB of gain in relation to normal ROLR level. 47 CFR §68.317(c). The rule does not permit the loudest volume setting to exceed 18dB of gain unless the set provides automatic reset to the normal level after every call. *Id.*, §68.317(f). To comply with this rule, manufacturers generally have designed business telephone sets to provide between 12 and 15dB of gain at the loudest setting, thereby allowing a user to select a preferred volume level without having to reset the level for each call. Requiring the highest volume setting to be 20 dB of gain in relation to normal ROLR level would require major, costly changes in business telephone set design and may not be achievable.

- II. A 20 dB gain requirement (if measured in the same manner as the specifications of the current FCC rule) would degrade the quality of business telephone sets. Setting volume at that level poses a number of problems:
 - ◆ Feedback (“squealing”) when handset is placed in certain positions
 - ◆ Excessive distortion, or “clipping”
 - ◆ Weaker signal-to-noise ratio
 - ◆ Echo control problems
 - ◆ Potentially unsafe sound levels
 - Currently, to protect hearing, FCC rules require automatic reset on any telephone that permits gain higher than 18 dB in relation to nominal ROLR levels.
 - A 20 dB standard would require automatic reset on all telephones – making use of the telephone set less convenient for all users (including hearing impaired users).
 - Even with automatic reset, a volume control permitting 20 dB of gain may pose a hazard in some circumstances, e.g., in a call center environment where telephones are continuously in use.

III. A 20 dB requirement would be inconsistent with existing rules.

- ◆ FCC's Part 68 rule does not require maximum volume on business telephone sets to exceed 12 dB of gain above nominal ROLR level.
- ◆ In adopting its Section 255 rules, the FCC chose not to incorporate a 20 dB volume control standard because it would be inconsistent with the existing rule.
- ◆ Conflict with European standards.
- ◆ The ANSI standard cited by the Board applies to public telephones, which are used in a different environment and have different design constraints than business telephone sets.

IV. Where a user requires additional amplification beyond what is possible with current telephone sets and hearing aids, specialized sets or devices may be employed.