

Before the
Federal Communications Commission
Washington, DC 20554

In the Matter of)
Reallocation of the 216-220 Megahertz) ET Docket No. 00-221

**Comments of
Massachusetts Commission for the Deaf and Hard of Hearing**

The Massachusetts Commission for the Deaf and Hard of Hearing (MCDHH) serves as the principal agency in the Commonwealth of Massachusetts on behalf of Deaf, late deafened and hard of hearing people. MCDHH advocates and coordinates public policies, regulations and programs to provide full and equal opportunity for people with hearing loss by promoting communication access. MCDHH submits the following for your consideration:

“Communication Ramps” use FM transmissions to overcome architectural barriers

In the public eye, accessibility issues are related to the ramps, curb cuts, elevators and automated doors enabling people with mobility disabilities to get from here to here. These modifications are necessary, accepted and widely used by the public at large.

Architectural barriers also affect communication access for persons with hearing loss by preventing them from fully understanding what transpires. To overcome these barriers, MCDHH focuses upon public education, acceptance and use of “communication ramps” such as sign language interpreters, CART (Communication Access Real-time Translation) Providers, and ALDS (Assistive Listening Devices and Systems). The use of FM ALDS is an integral part of the solution and supplements the performance of hearing aids. FM ALDS are “communication ramps” providing effective communication access and public benefit when used to enhance their listening experience.

The need to confer primary status to users of FM ALDS and BTE-FM hearing instruments

The Commission is informed that the FCC is considering auctioning off the 216-217 megahertz FM frequency band for commercial use. Persons who benefit from and rely upon hearing amplification currently use this bandwidth. The use of FM ALDS and BTE-FM (Behind the Ear with FM) hearing instruments ensures for effective communication and full participation in a world that takes hearing for granted.

The MCDHH strongly urges the FCC to reject the proposal to auction off the 216-217 MHz bandwidth. We request that the FCC confer primary status to users of FM ALDS and BTE-FM for Persons with Hearing Loss as a Low Power Radio Service in this bandwidth.

FM interference, financial burden and lack of options for use of FM ALDS and BTE-FM

For the past 30 years, thousands of consumers and public places have purchased FM ALDS and were subjected to increasing interference from FCC licensed users. To compensate, unlicensed users assumed the financial burden of adapting through expensive upgrades, or they are being forced to discontinue their use of existing equipment.

The availability of the 216-217 MHz for FM ALDS (including BTE-FM) is viewed as a relief from further FM interference of commercial applications and encourages use of this technology. Today, consumers invest thousands of dollars in hearing aids using BTE-FM in the 216-217 MHz bandwidth to provide a 'third ear' in classrooms, staff meetings, senior centers, social functions, houses of worship, jury duty, and at family gatherings.

A FCC auction of this bandwidth would impose a financial loss and hardship for current users of FM ALDS and BTE-FM, discourage potential users and provide no option for continued use of FM technology as a "communication ramp".

FM ALDS and BTE-FM using 216-217 MHz would help more people to successfully cope with hearing loss.

Hearing loss has a significant impact upon the social, intellectual and emotional well being of people of all ages. It is estimated that 28 million Americans, including 8 million schoolchildren, have a hearing loss and this number continues to rise.

A study found 60% of entering freshmen at the University of Tennessee have a hearing loss, with 14% having hearing similar to a 65-year-old. The most probable cause is noise pollution. Hearing loss affects approximately 14% of people between 45 to 64 years of age, 33% of those between the ages of 65 and 74, and 36% of people who are over age 70.

Over 75% of all of these individuals have some residual hearing which would benefit from using hearing amplification such as hearing aids and/or ALDS. Many are unaware of the advantages of doing so or are too embarrassed to seek help. BTE-FM hearing aids using the 216-217 MHz band are designed and marketed to be functional, attractive and effective, which contributes to greater public acceptance of their use.

MCDHH asks the FCC to recognize that the greatest public benefit would be to provide protection from commercial interference of the FM "communication ramps" for use by people with hearing loss.

Respectfully submitted

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