

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

In the Matter of)
)
)
2002 BIENNIAL REVIEW OF TELECOMMUNICATIONS) CG Docket No. 02-311
REGULATIONS WITHIN THE PURVIEW OF THE)
CONSUMER AND GOVERNMENTAL AFFAIRS BUREAU)

COMMENTS OF MICROSOFT CORPORATION

Microsoft Corporation (“Microsoft”) submits these comments in response to the Public Notice seeking suggestions from the public regarding what Commission rules should be modified or repealed as part of the 2002 Biennial Review. Microsoft directs its comments to Parts 6 and 7 of the Commission’s rules -- Access to telecommunications Service, Telecommunications Equipment and Consumer Premises Equipment by Persons with Disabilities, and Access to Voicemail and Interactive Menu Services and Equipment by People with Disabilities. These rules implement Section 255 of the Communications Act.¹

As a leader in the software industry, Microsoft recognizes its responsibility to develop technology that is accessible to and usable by everyone. Indeed, Microsoft knows that technology can be a powerful force in eliminating barriers that traditionally have excluded people with disabilities.² Microsoft believes that Parts 6 and 7 of the

¹ 47 U.S.C. § 255.

² Microsoft’s corporate accessibility policy predates the Commission’s rules, and its aggressive pursuit of accessibility solutions is grounded not simply in a regulatory mandate, but even more broadly in a belief that developing products, technologies and services that are accessible and usable by all people regardless of their capabilities makes not only good public policy but also the

Commission's rules play a critical role in ensuring that people with disabilities share in the benefits of telecommunications services, especially as telecommunications services have become an increasingly important and ubiquitous part of our economic, educational and social lives. Because the Commission's rules are working well to achieve the statute's purpose, Microsoft firmly supports their retention as adopted.

Given the rapid evolution of telecommunications technology, no one can predict what features and capabilities might be possible next week or next month, let alone next year. Wisely, the FCC's disabilities access rules acknowledge this fact and build upon the inventiveness of industry. Rather than prescribe a defined -- and therefore limited -- set of performance standards, the Commission's rules correctly focus on the *process* by which telecommunications services and equipment are designed and developed and on ensuring that accessibility is a preeminent and consistent consideration throughout that process.

Focusing on process, rather than outcomes, leads to broader accessibility. Specifically, this approach fosters and rewards innovation in developing accessibility solutions because it does not freeze accessibility features as they existed at the time the rules were adopted. The rules require that accessibility be considered at every natural opportunity in the product design, development and fabrication process.³ In addition, this approach ensures that accessible technology will be generally available, rather than limited to a separate, "ghettoized" product line. The Commission's rules underscore that

best business sense. Thus Microsoft seeks to empower its customers – whether the end users of Windows operating systems or other software developers – with the tools to make their operations accessible to the broadest array of people.

³ See 47 C.F.R. § 6.5(a); 47 C.F.R. § 6.7.

an accessibility analysis must be conducted for *every* telecommunications service or product.

As companies have incorporated accessibility review into their natural process for designing and developing new services and equipment, the Commission's rules are bearing fruit. Features that were sporadically offered are becoming widespread, and new features have been introduced.

Microsoft strongly supports the goals of Section 255 and believes that Parts 6 and 7 of the Commission's rules effectively implement those goals. The Commission should retain the rules in their current form. Microsoft looks forward to continuing its work with the Commission, industry partners, and community groups to develop standards and practices that enable all people to participate fully in the Information Age.

Respectfully submitted,
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