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May 16, 2003

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW, Room TW-A325
Washington, DC 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

RE: Section 68.4(a) of the Commission's Rules Governing
Hearing Aid Compatibility Telephone
WT Docket No. 01-309 **EX PARTE**

Dear Ms. Dortch:

On May 12, Susan Palmer Mazsui and Ben Almond, both of Cingular Wireless met with Commissioner Kathleen Q. Abernathy and Senior Counsel, Jennifer Manner concerning issues related to the above mentioned proceeding. The attached document was used for discussion purposes.

Please associate this notification and accompanying material with the referenced docket proceeding.

If there are any questions concerning this matter, please contact the undersigned.

Sincerely,

A handwritten signature in black ink that reads "Ben G. Almond".

Ben G. Almond
Vice President-Federal Regulatory Affairs

Cc: Commissioner Kathleen Q. Abernathy
Jennifer Manner

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**WT Docket #01-309, Ex Parte
May 12, 2003**

General Principles

- Collaborative efforts are needed to resolve Hearing Aid Compatibility (HAC). HAC is complex from both a technical and user perspective. The Commission should support efforts such as ATIS' Technical Incubator on Hearing Aid Compatibility and **strongly** encourage the FDA to become engaged on this issue. In addition, the FCC should strongly support the development of a steering committee composed of consumers, wireless handset and hearing aid manufacturers, hearing health professional and wireless carriers.
- Manufacturers should not be required to make modifications in handsets to provide hearing aid compatibility that would negatively impact the performance of the handset or network.
- Any compliance deadlines should take into consideration the product development lead times, product life cycles and should provide a phased-in approach.

Hearing Aid Compatibility, T-Coil and Inductive Coupling

- The Commission should address the interference and T-Coil compatibility requirements separately. To address interference, a mobile phone handset should be considered hearing aid compatible if it complies with the requirements of ANSI C63.19-2001 for category U2. In addition, the Commission should support a technical review to address concerns recently raised regarding UT T-Coil signal requirement's ability to accurately predict the user's experience. It is possible that additional or alternate forms of testing will be needed other than, or in addition to, the UT2 levels Cingular currently supports.
- Handset manufacturers must design, develop and offer for sale at least one handset per product line with features, functions and capabilities comparable to other handsets in the same product line that meets or exceeds ANSI C63.19 U2 and UT2 levels or alternate technical requirements, and incorporates an internally integrated T-Coil compatibility, when readily achievable.
- When it is not readily achievable to provide internal forms of inductive coupling, manufacturers must identify and offer for sale accessories, preferably directly attached, that provide inductive coupling, if readily achievable.
- If it is not readily achievable to provide any external forms of inductive coupling for a product, a manufacturer must seek a waiver from the FCC. Waivers should be granted on a case-by-case basis and only when a manufacturer can demonstrate that it is not readily achievable to provide internal or external forms of inductive coupling.
- In order to ensure that consumers can use the most up-to-date approaches to addressing hearing loss, solutions other than T-Coil coupling should be permitted if these alternate solutions provide equal or better communication.

Manufacturers should be able to take a “seed stock” approach to provide hearing aid compatible handsets. These handsets must be made available from manufacturers to consumers, in a timely fashion, upon request

Consumers Must Be Able To Make Informed Purchases

- Within one year of the effective date of the order, manufacturers of handsets should file a report with the Wireless Telecommunications Bureau providing RF emissions and T-Coil signal levels or relevant data for existing handsets and whether effective communication was achieved directly or via external devices and how this information has been and will continue to be communicated to people who have a hearing loss. To be effective, communication plans, whether developed as part of an industry/consumer effort or conducted by individual companies, should be designed with input from carriers, consumers with a hearing loss, hearing health professionals and hearing aid manufacturers.
- Information regarding the RF emissions and T-Coil compatibility categories of all mobile handsets shall be available to consumers, upon request, except where a waiver has been granted.
- If external devices that provide improved or equivalent communications are used to provide access to people who use hearing aids, information regarding usage and compatibility of such external devices shall also be available, upon request.

Power and Antenna Height Limits

- Revision is needed in § 24.232 Power and Antenna Height Limits. Cingular suggests “(b) Mobile/portable stations are limited to 32 dBm peak power to the antenna and the equipment must employ means to limit the power to the minimum necessary for successful communications.” This modification may improve access for people with hearing aids through the use of directional antennas and will be consistent with European requirements.