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May 17, 2004

Via Electronic Filing

Marlene H. Dortch, Secretary
Federal Communications Commission
Washington, DC 20554

Re: WT Docket No. 01-309

Dear Ms. Dortch:

Submitted herewith is the report of the Hearing Industries Association in response to paragraph 99 of the Report and Order in the above-captioned proceeding, FCC 03-168, released August 14, 2003.

By letter of February 12, 2004, I requested that the due date for this report be set at May 17, 2004. That request was approved by the Public Safety & Private Wireless Division on March 2, 2004.

If there are any questions about this report, please contact the undersigned.

Very truly yours,



Peter Tannenwald

Attachment

cc: (w/att - by e-mail)
Gregory W. Guice, Esquire (FCC)
Ms. Andra Cunningham (FCC)
Ms. Diane Cornell (CTIA)



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May 17, 2004

Marlene H. Dortch, Secretary
Federal Communications Commission
Washington, DC 20554

Re: **WT Docket No. 01-309**

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Section 68.4(a) of the Commission's
Rules Governing Hearing Aid
Compatible Telephones

Dear Ms. Dortch:

The Hearing Industries Association ("HIA") hereby submits this report in response to the Commission's request at paragraph 88 of the Report and Order in the above-captioned proceeding, FCC 03-168, released August 14, 2003. HIA is the national trade association of the manufacturers of hearing aids, components, and related hearing health products. HIA's members produce the vast majority of the hearing aids sold in the United States.

HIA is a voting member of the Alliance for Telecommunications Industry Solutions ("ATIS") Incubator Solution Program 4 ("HAC Incubator"), the technical body formed by the telecommunications industry to address interoperability and compatibility of wireless devices, including the evaluation and test methodology of the ANSI C63.19 measurement standard. HIA has had an opportunity to review and to comment on the initial report prepared by ATIS for filing on May 17, 2004, and will continue to participate in and support ATIS' activities, although HIA does not necessarily endorse all of the content of the ATIS report.

While ATIS works to improve the C63.19 standard, HIA's members continue to improve their hearing aid products. During 2003, approximately 66% of hearing aids sold in the United States were digital products, and most of those meet the M2 (formerly "U2") immunity level. Digital sales are expected to continue to increase as a percentage of total hearing aid sales, and it should be noted that most hearing aids that do not meet the M2 standard represent continuing production of old designs. Almost all new product designs are M2 compliant.

Considerable progress has also been made with respect to telecoil products. New telecoil designs have recently been developed with 10-20 dB more immunity to interference than earlier models, and the hearing aid companies continue to focus on this important issue.

Because the C63.19 standard is evolving through the efforts of ATIS, hearing aid manufacturers cannot be certain today of how an M3-compliant telephone handset will ultimately perform. Until handset manufacturers are able to provide definite standards and test methods against which the compatibility of hearing aids may be measured, the hearing aid industry is unable to finalize the wording of information it can provide to consumers regarding handset compatibility. HIA also continues to have issues regarding Food and Drug Administration legal requirements relating to the consequences of labeling restricted devices, and we are addressing and attempting to resolve those issues.

HIA remains committed to working with the handset industry and wireless service providers to achieve the best result for individuals with hearing impairments

Respectfully submitted,

A handwritten signature in cursive script that reads "Carole M. Rogin". The signature is written in black ink and is positioned above the printed name and title.

Carole M. Rogin
Executive Director

cc: Mr. Greg Guice
Ms. Andrea Cunningham (CTIA)
Ms. Diane Cornell (CTIA)
HIA Members