



The National Spinal Cord Injury Association

Leading the way in maximizing
the quality of life and opportunities for people
with spinal cord injuries and diseases
since 1948

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SEP 14 2004

Federal Communications Commission
Office of Secretary

September 13, 2004

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

RE: Cingular Wireless Merger with AT&T Wireless
Docket No. 04-70
EX PARTE

Dear Ms. Dortch,

On September 7, 2004, representatives of the disabilities community, met separately with Chairman Michael K. Powell, Commissioner Jonathan S. Adelstein, Commissioner Michael J. Copps, Commissioner Kathleen Q. Abernathy and Commissioner Kevin J. Martin of the Federal Communications Commission to support the merger between Cingular Wireless and AT&T Wireless. While it is highly unusual for disability organizations to comment on business efforts such as a merger, we firmly believe that this merger would be uniquely in the public interest because of the potential benefit for millions of people with disabilities, their employers, families and friends and countless others who provide essential services and support to enable them to fully participate in home and community life.

Telecommunications is not just a convenience. For millions of people with disabilities it is a lifeline. To people with disabilities, accessible digital wireless telecommunications means the ability to be safe, independent, productive and employable. More over, it provides the opportunity to fully contribute to society and, when done well, it can reduce disability to a mere inconvenience. While much work remains in the field, Cingular Wireless has made significant strides toward access for all and has distinguished itself through its track record as a leader in promoting accessibility for people with disabilities. Cingular Wireless customers with disabilities have unprecedented access ranging from the full spectrum of TTY compatible phones to a robust voice dialing service and information service called Voice Connect. Beyond any legal

requirements of Section 255, Cingular Wireless has developed specialized programs that have made access to telecommunications more affordable to customers with disabilities. Cingular Wireless has created and is working directly with its Wireless Access Task Force, disability organizations and individuals who are blind in the development and launch of TALKS by Cingular Wireless. This product which provides screen reader functionality to the Nokia 6620 handset, makes Cingular Wireless the first carrier to offer access to advanced telecommunications for people who are blind. In addition, Cingular Wireless has worked as a bridge to bringing together consumers and industry to address extremely complex issues such as hearing aid compatibility and access to IVR systems.

Today, millions of Americans with disabilities who live outside Cingular's service footprint have not been able to benefit from these and other innovations that make digital wireless technologies accessible. Marcie Roth, Executive Director of the National Spinal Cord Injury Association, brought the seriousness of this issue to light with the story of one of her members who froze to death in his own driveway, in his wheelchair. He died because he was unable to travel up a steep, icy, ramp to his house and had no cellular service and was unable to call for assistance in his rural community.

While some may assume mergers may limit choices, in this situation Melanie Brunson, Executive Director of the American Council of the Blind, noted that Cingular Wireless' close partnership with the disability community means that consumers will have more choices than they had previously. Cingular Wireless' efforts to develop and support more accessible design will not only mean that technologies will address the needs of people with disabilities today but lead to designs that will better meet the needs of millions of people in our aging workforce. Steve Jacobs, President of Ideal Group, added that Cingular Wireless' innovative approach means that better designed products and services will enhance the lives of people without disabilities, just as curb cuts have helped not only those who use wheelchairs, but also parents with baby strollers, people with wheeled luggage, and those with delivery carts. Voice recognition software, originally designed for those with quadriplegia has become a productivity tool for those in the medical and legal professions to replace dictation.

Paul Schroeder, Vice President, Program and Policy Group for the American Foundation for the Blind, noted that while work remains in the wireless industry, Cingular Wireless has distinguished itself by working directly with people with disabilities in a proactive manner, rather

than in response to the threat of enforcement. Terry Portis, Executive Director of Self Help for Hard of Hearing People reinforced his organizations' observation that Cingular Wireless has worked for several years, to support the development of solutions for people with hearing loss. Claude Stout, Executive Director of TDI,

expressed his admiration for the approach that Cingular Wireless has taken. People throughout Cingular Wireless from the CEO down have worked to develop accessible solutions, over a number of years, directly with consumers. Cingular Wireless has worked to empower the disability community so that people with disabilities are full partners in the removal of access barriers. This is a unique approach that should be emulated by other companies in the industry. Jackie Brand, President of the Independent Living Network and Founder of the Alliance for Technology Access stated that Cingular Wireless has gone well beyond compliance and raised the bar for the industry.

Finally, approving the merger between Cingular Wireless and AT&T Wireless would send a strong message to the wireless industry and to the entire communications industry. Telecommunications access for people with disabilities is important to business and critical to our society as a whole. People with disabilities must not face limits to personal safety and employment opportunities because of the service area in which they live. Enabling Cingular Wireless to merge with AT&T Wireless would mean that millions of Americans with disabilities would no longer be excluded or limited because they live outside Cingular's current footprint. In addition, millions more would benefit from the contributions people with disabilities make as employees, family members and friends. We believe it is clearly in the public interest, not just in the interest of people with disabilities and older Americans, to support efforts that ensure that all of us can be full participants in all aspects of society, at work, in the community and at home. To this end, we strongly encourage you to swiftly approve Cingular Wireless' merger with AT&T Wireless.

Pursuant to Section 1.1206 of the Commission's Rules, this notification is being submitted to your office. Please associate this notification and accompanying material with the referenced docket proceedings.

If you have any questions concerning this submission, please contact the undersigned.

Sincerely,

A handwritten signature in black ink, appearing to read "Marcie Roth". The signature is fluid and cursive, written over a white background.

Marcie Roth
Executive Director
National Spinal Cord Injury Association

On behalf of:

Claude Stout
Executive Director
TDI, Inc.

Terry Portis, Ed.D
Executive Director
Self Help for Hard of Hearing People

Melanie Brunson
Executive Director
American Council of the Blind

Paul Schroeder
Vice President, Program and Policy Group
American Foundation for the Blind

Jacquelyn Brand
Founder, Alliance for Technology Access,
and Freedom Machines

Steve Jacobs
President
Ideal Group, Inc.

CC:

FCC Chairman Michael K. Powell
Barry Olsen
Scott Bergman

FCC Commissioner Jonathan S. Adelstein
Scott Delacourt

FCC Commissioner Michael J. Copps
Paul Margie

FCC Commissioner Kathleen Q. Abernathy
Jennifer Manner

FCC Commissioner Kevin J. Martin
Sam Feder