

Hearing Aid Compatible Telephones  
WT Docket No. 01-309  
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East Kentucky Network, LLC d/b/a Appalachian Wireless (“Appalachian Wireless”) seeks to avail itself of the temporary relief granted to TDMA carriers through September 18, 2006, as set forth in *Order on Reconsideration and Further Notice of Proposed Rulemaking*, WT Docket No. 01-309, FCC 05-122, released June 21, 2005, and codified in amended FCC Rule Section 20.19(c)(2)(i). Appalachian Wireless is eligible for TDMA relief because it has conducted a complete overbuild of its entire TDMA network. The overbuild was completed in August 2005, well ahead of the September 18, 2006 deadline. Appalachian Wireless offers four hearing aid-compatible handset models to customers that receive service from the overbuilt (*i.e.*, CDMA) portion of the network, and Appalachian Wireless makes available in each retail store it owns or operates these handset models for consumers to test in the store.

(1) Digital wireless phones tested: Appalachian Wireless operates a CDMA/1x and underlying legacy TDMA system. Appalachian Wireless acquires wireless telephone handsets manufactured by Nokia, LG, Audiovox, and Kyocera (collectively, “Vendors”). Appalachian Wireless obtains from Motorola a set of two hearing aid compatible (HAC) handsets rated M3 under standard ANSI C63.19-2005 (“Compliant Phones”). The models

tested are V265 and V710. Appalachian Wireless obtains one Compliant phone from Kyocera. The model tested is KX9c. Appalachian Wireless also obtains one Compliant phone from Nokia. The model tested is 6255. All Compliant Phones operate on the CDMA system. Vendors of TDMA handsets are not offering any Compliant Phones.

(2) Laboratory used: Appalachian Wireless does not conduct the laboratory testing of handset devices for compliance with the ANSI C63.19 standard. Appalachian Wireless relies upon its Vendors to conduct testing and to confirm the compliance of each specific handset device.

(3) Test results for each phone tested: The Compliant Phones deployed by Appalachian Wireless have tested positively for M3 compliance.

(4) Identification of compliant phone models and ratings according to ANSI C63.19: Of the handsets offered by Appalachian Wireless, Motorola models V265 and V710, Kyocera model KX9c, and Nokia model 6255 are rated M3 under standard ANSI C63.19-2005.

(5) Status of product labeling: Appalachian Wireless typically relies upon its Vendors to label all products prior to their shipment to Appalachian Wireless' retail locations. The Compliant Phones offered by Appalachian Wireless contain M3 product labeling and additional information.

(6) Outreach efforts: Now that Compliant Phones have become available they will be publicly identified for consumers and audiologists. Appalachian Wireless' Compliant Phones are listed on Appalachian Wireless' web site, and the information is available to consumer groups. Appalachian Wireless trains its retail salespeople regarding which of the digital wireless phones offered are Compliant Phones. Written materials, pamphlets and other promotional literature are provided at the point of sale, addressing the needs of individuals with hearing disabilities. Appalachian Wireless conducts a consumer education program aimed at reaching hearing aid and cochlear implant users. Consumers are given a 30-day trial period within which to try out the digital wireless phone to determine whether they will work properly with their hearing aids. Flexible exchange and return policies apply to consumers seeking to obtain a Compliant Phone. Toward this end, Appalachian Wireless has specifically instructed its sales force to make this policy known to consumers, and to assure that the flexible policy is administered to HAC phone users. Additionally, Appalachian Wireless conducts outreach activities toward audiologists and hearing aid dispensers who are in a position to inform hearing aid users in advance concerning the immunity of their hearing aids and the degree of likelihood that they will be able to use particular digital wireless phones and services. Current technical and anecdotal information is made available to the public regarding the hearing aid compatibility of Appalachian Wireless' Compliant Phones in the form of handouts from Motorola, Kyocera and Nokia that are distributed at retail centers and in all communications with the hearing disabilities community.

(7) Retail availability of compliant phones: The Compliant Phones offered by Appalachian Wireless are presently available in Appalachian Wireless' retail outlets.

(8) Incorporation of hearing aid compatibility features into newer models of digital wireless phones: Appalachian Wireless is in contact with its Vendors with regard to their incorporation of HAC features into future CDMA phones. Appalachian Wireless is following its Vendors' efforts to provide additional new handsets that will be hearing aid-compatible. Appalachian Wireless plans to add to its assortment of Compliant Phones as new models achieve M3 and M3T ratings.

(9) Activities related to ANSI C63.19 or other standards work intended to promote compliance with the FCC Order: Appalachian Wireless is aware that its Vendors are undertaking to comply with the FCC's requirements to provide Compliant Phones. Appalachian Wireless is ready and willing to offer new or additional compliant devices to interested customers, and will encourage its Vendors to expedite the availability of advanced handset devices, including handsets rated M3T under standard ANSI C63.19-2005.

(10) Number of compliant and non-compliant phone models offered at this time: Appalachian Wireless' core assortment presently includes twelve models of wireless CDMA handsets. Four of these are Compliant Phones. No TDMA handsets are offered.

(11) Differences in handset offerings among regions in service areas, if any: There are no differences in handset offerings among regions in Appalachian Wireless' service area. Appalachian Wireless' handset offerings are presently consistent in all markets.

(12) Ongoing efforts for interoperability testing with hearing aid devices: Appalachian Wireless will rely mainly upon its Vendors to conduct interoperability testing of Compliant Phones, and will provide to consumers information about those efforts upon request.