

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the Matter of)	
)	WT Docket No. 06-203
Section 68.4(a) of the Commission's Rules)	WT Docket No. 01-309
Governing Hearing Aid Compatible Telephones)	

To: The Commission

COMMENTS OF THE HEARING INDUSTRIES ASSOCIATION

1. The Hearing Industries Association ("HIA") hereby submits these Comments with respect to topics to be addressed in the Commission's upcoming Hearing Aid Compatibility Report.¹ 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's members have a significant stake in the issue of compatibility between hearing aids and wireless handsets, because the purpose of the statutory requirement² is to enable wearers of their products to use cellular telephones successfully, without perceptible interference to the functioning of the hearing aid.

2. HIA believes that the Commission should be encouraged by the progress that has been made toward achieving the goal of enabling hearing aid users to enjoy the full benefits of cellphone and PCS usage.³ This goal was established by Congress⁴ and must not be neglected or

¹ These Comments were invited in DA 06-2285, released November 8, 2006. The deadline for filing was extended in DA 06-2498, released December 12, 2006. HIA's Comments are also being filed electronically in WT Docket No. 01-309, because they discuss Status Report #6 filed by the Alliance for Telecommunications Industry Solutions ("ATIS") in that proceeding on November 17, 2006 ("ATIS Report #6").

² See Sec. 710(b) of the Communications Act, 47 USC Sec. 610(b).

³ ATIS Report #6 states that 93 hearing aid compatible ("HAC") handsets are now available in the marketplace.

abandoned. The questions the Commission should ask in its upcoming report should focus on moving further toward the ultimate goal of achieving full compatibility.

3. While HIA appreciates the efforts that ATIS and others have made toward improving handset products, it is concerned about what appears to be a constant chipping away at the regulatory structure. ATIS Report #6, for example, observes that the wireless industry has “made workable HAC regulations a reality”;⁵ but it then goes on to recite one problem after another that stand in the way of further progress. These problems range from the “76 possible combinations” of telecoil configurations that might have to be tested with wireless devices⁶ to suggesting, after five years of progress, that data indicate that there is little or no correlation between the problem and the approach toward solving it -- that the ANSI C63.19 standard is not an accurate predictor of usability.⁷ HIA finds these assertions surprising and disconcerting and does not believe that the limited information submitted by ATIS justifies the direction in which it seems to be heading, which appears to be discarding the ANSI standard and abandoning HAC regulations because the problem is not serious enough and the solution is not effective.

4. The problem is serious. As wireless telephone becomes more and more the norm in American society, many homes terminate wireline service, and wireline pay telephones rapidly disappear, hearing aid users more than ever must have usable access to wireless services. Hearing loss is a serious condition that dramatically interferes with a person’s ability to

⁴ See n. 2, *supra*.

⁵ ATIS Report #6 at p. 3. While ATIS lauds the progress made “[i]n a little more than three years,” HIA observes that WT Docket No. 01-309 was opened over five years ago, which indicates that hearing aid users have been working for more than five years to obtain relief from their wireless device interference problems.

⁶ ATIS Report #6 at p. 9.

⁷ ATIS Report #6 at p. 11.

participate in society. Hearing aids extensively mitigate those problems; but when hearing aid users are denied access to a basic means of communication, they lose the benefit of mitigation, and the quality of their lives is significantly worsened. That is the reality. Congress has directed the Commission to mitigate the problem, and there is no basis for turning back.

5. Thus the first question that HIA suggests the Commission ask is whether the handset industry is still committed toward doing their best to eliminate the hearing aid compatibility problem.⁸ The second question should be why so many smaller wireless carriers have asked for waivers of HAC requirements. More information is needed about the nature of the handset marketplace; whether smaller carriers are being denied access to HAC handsets or whether they are simply not making an effort to buy them; and if there is a problem obtaining HAC handsets, what is causing the problem and where action is needed to eliminate the problem.

6. The Commission should also continue to pursue telecoil compatibility. While the physical placement of a telecoil by a hearing aid user may affect interference immunity, that does not mean that the Commission should not require the handset industry to reduce sources of interference. The point is to keep HAC considerations high on the priority list as handsets are being designed. Even if it will be difficult, if not impossible, to eliminate all interference without adequate education of telecoil users as to how to use their devices effectively, it remains important to strive toward the best achievable results -- not the easiest results but the best results.

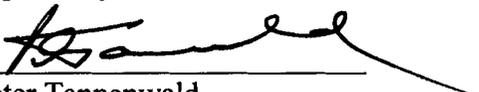
7. In sum, HIA encourages the Commission to ask questions that will help pinpoint the remaining causes of interference to hearing aids, understand the causes of interference, and learn

⁸ While ATIS asks why the focus has been on RF emissions of wireless devices (ATIS Report #6 at p. 11), the short answer is that the hearing aid industry made much more progress on its own than the handset industry did before the Commission intervened. The handset industry has not challenged the fact of improvement in hearing aid immunity. HIA has always asked only that the handset manufacturers meet them half-way. Hearing aid manufacturers do not intend to reduce their own efforts to improve their products.

about the best available amelioration techniques. The Commission should also focus on gathering information that will enable it to establish realistic and enforceable deadlines for achieving specific interference reduction goals.

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Respectfully submitted,


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CERTIFICATE OF SERVICE

I, Mary Jane Thomson, do hereby certify that I have, on this 12th day of January, 2007, caused a copy of the foregoing "Comments of the Hearing Industries Association" to be sent by first class United States mail, postage prepaid, to the following:

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