

Before The
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of)
)
Hearing Aid Compatibility Requirements for) WT Docket No. 06-203
Wireless Telecommunications Devices)
)

REPLY COMMENTS OF CTIA–THE WIRELESS ASSOCIATION®

CTIA – The Wireless Association® (“CTIA”)¹ respectfully submits these reply comments in response to the Public Notice seeking comment on issues to be addressed in the Commission’s forthcoming Hearing Aid Compatibility (“HAC”) report.² As an active participant in the ATIS Incubator Solutions Program #4-Hearing Aid Compatibility (“AISP .4-HAC”), CTIA supports the comments of the Alliance for Telecommunications Industry Solutions (“ATIS”), which address key issues that have emerged in the quest to provide enhanced HAC.³

The Commission should recognize that the ATIS Incubator AISP .4-HAC has facilitated ongoing discussions among wireless service providers, wireless manufacturers and hearing-aid advocates.⁴ AISP .4-HAC has enabled the wireless industry and

¹ CTIA is the international organization of the wireless communications industry for both wireless carriers and manufacturers. Membership in the association covers Commercial Mobile Radio Service (“CMRS”) providers and manufacturers, including cellular, broadband PCS and ESMR, as well as providers and manufacturers of wireless data services and products.

² Wireless Telecommunications Bureau Seeks Comment on Topics to be Addressed in Hearing Aid Compatibility Report, *Public Notice*, WT Docket No. 06-203, DA 06-2285 (Nov. 8, 2006).

³ Comments of the Alliance for Telecommunications Industry Solutions (“ATIS”) on behalf of the ATIS Incubator Solutions Program #4-Hearing Aid Compatibility, WT Docket No. 06-203 (Jan. 12, 2006) (“ATIS Comments”).

⁴ See Comments of the Hearing Loss Association of America, Alexander Graham Bell Association for the Deaf and Hard of Hearing, American Academy of Audiology, American

consumer advocates to achieve the goal of greater compatibility between hearing aids and digital wireless handsets. In order to achieve that goal, ATIS has found that the wireless industry and the Commission must balance the need to meet consumer preferences while providing the flexibility to accommodate new technologies.⁵ The groups' efforts have resulted in significant progress in the determination of whether alternatives to the Commission's existing HAC rules can provide improved benefits for all consumers.

The ATIS Comments provide a comprehensive review of the advancements as well as the technological obstacles affecting the two most prominently employed air interfaces, CDMA and GSM.⁶ To overcome these technical obstacles, the wireless industry continues to devote extensive time and resources to meeting the wireless needs of hearing-impaired consumers.⁷ However, as AISP .4-HAC warns, the current fifty percent requirement pursuant to Section 20.19 of the Commission's rules will frustrate the Commission's ultimate goal of providing consumers with a meaningful selection of the latest HAC compliant wireless devices.⁸ While the parties concur that discussions are too premature to recommend specific modifications to the Commission's HAC

Association of People with Disabilities, Deaf and Hard of Hearing Consumer Advocacy Network, National Association of the Deaf, and Telecommunications for the Deaf and Hard of Hearing, Inc., WT Docket No. 06-203, at ii, 21 (Jan. 12, 2007) ("HLAA Comment"); Comments of Technology Access Program of Gallaudet University, WT Docket No. 06-203, at 3 (Jan. 12, 2007) ("TAP Comments").

⁵ See ATIS Comments at 34-35.

⁶ See ATIS Comments at 13-15.

⁷ *Id.* at 17-28.

⁸ *Id.* at 1-2.

requirements, CTIA joins the other members of the AISP .4 HAC in support of the key principles for HAC requirements.⁹

Wireless manufacturers, wireless service providers, and hearing-aid consumer advocacy groups have collectively agreed to the following principles surrounding the Commission's HAC requirements:¹⁰

- (1) The wireless industry and advocates for consumers with hearing aids are continuing to work together to address concerns of wireless consumers with hearing aids. All parties agree that recommendations for specific FCC rule changes regarding numbers of HAC devices are premature and cannot be included in reply comments based on the ongoing dialogue. Such recommendations will be filed in the near future either as a single agreement or in separate filings.
- (2) The ongoing dialogue between the wireless industry and advocates for consumers with hearing aids has been valuable and has afforded all parties with opportunities to better understand each others' needs and concerns. The wireless industry better understands the needs of consumers with hearing aids in terms of the types of devices and services that are desired for making and receiving calls. Advocates for consumers with hearing aids better understand the technical challenges and operational complexities underlying the offering of HAC devices and services.
- (3) HAC wireless devices should support US bands. Design changes for HAC should not diminish the overall performance of the devices.
- (4) In achieving an appropriate balance between consumers with hearing aids and technical challenges faced by the wireless industry, the FCC's HAC requirements beginning in 2008 may need to be revised to reflect a reduction in the required

⁹ The wireless industry is working to develop more detailed information pertaining to these principles. This information will be included in the future recommendations that will be filed with the FCC.

¹⁰ Those participating in WG-10 and/or the consensus discussions include: wireless service providers (Alltel, AT&T Mobility LLC, f/k/a Cingular Wireless LLC, Sprint Nextel, T-Mobile USA and Verizon Wireless), wireless manufacturers (Motorola, Inc., Nokia, Research In Motion Ltd, Samsung Telecommunications America LP, and Sony Ericsson Mobile Communications (USA) Inc.) and advocates for consumers with hearing aids (Hearing Loss Association of America, Technology Access Program of Gallaudet University and Alexander Graham Bell Association for the Deaf and Hard of Hearing).

minimum number of M-rated devices accompanied by an increase in the required minimum number of T-rated devices.

- (5) Notwithstanding the benchmarks and minimum requirements set forth in number (4) above, it is understood that the wireless industry has an obligation to incorporate HAC wherever readily achievable.
- (6) The wireless industry is committed to offering all consumers, including those who wear hearing aids, a broad array of handset devices and services. Tier 1 service providers agree to include in their annual reports to the FCC information on product “tiering” of HAC wireless devices available to consumers.
- (7) The wireless industry and advocates for consumers with hearing aids agree there is a need to regularly “refresh” offerings of HAC devices. New technologies should also incorporate FCC HAC requirements to reflect advancements available in the mass market.
- (8) The wireless industry and advocates for consumers with hearing aids agree that there should be a review of HAC milestones at a future date.

CTIA appreciates this opportunity to work with the consumer groups representing persons with hearing disabilities. Moreover, CTIA applauds the tremendous efforts of ATIS, the wireless industry, and the advocates for consumers to address the impact of the Commission’s rules in achieving greater compatibility between hearing aids and digital wireless phones. The wireless industry remains hopeful that a consensus regarding alternative FCC requirements will be reached in the near future. The agreed principles are a clear indication that the parties involved are moving towards identifying and developing mutually beneficial alternatives to implementation. Accordingly, CTIA remains steadfast in its commitment to continue its work to overcome HAC developmental issues. As the wireless industry and consumer groups continue to work diligently to find a solution, CTIA urges the Commission to carefully examine forthcoming proposals to reevaluate

the 50 percent requirement. All parties agree on the importance of balancing technical constraints while promoting the deployment of new technologies for all consumers.

Respectfully submitted,

/s/ Marlo A. Go

Marlo A. Go
Staff Counsel

Michael F. Altschul
Senior Vice President & General Counsel

Chris Guttman-McCabe
Vice President, Regulatory Affairs

CTIA – THE WIRELESS
ASSOCIATION®
1400 16th Street, N.W., Suite 600
Washington, D.C. 20036
(202) 785-0081

January 31, 2007