

KPS CONSULTING

“Building an Access Bridge in Technology and Telecommunications”

3508 Albemarle Street, NW

Washington, DC 20008

202.363.1263

kpsconsulting@starpower.net

February 8, 2008

By electronic filing:

Marlene Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: **Ex Parte Presentation**
WT Docket No. 07-250
WT Docket No. 01-309

Dear Ms. Dortch:

On February 8, 2008, Brenda Battat of the Hearing Loss Association of America and the undersigned of the Rehabilitation Engineering Research Center on Telecommunications Access met with Angela Giancarlo of the office of Commissioner McDowell to discuss the above-captioned pending proceeding on hearing aid compatibility (HAC) for wireless handsets. During that meeting, two matters were discussed as follows:

1) Multi-mode handsets that have air interfaces for which technical standards have not been established – It was reported that Working Group 10 of the ATIS incubator is developing a method/technique to test new technologies that do not have a HAC standard. This will be a quick test that is less scientific than a full standard, but will still be responsive to the immediate need for achieving compliance with the HAC obligations. The goal is to address new technologies that are being rolled out at an increasingly fast pace. While standards-setting can take a long time, these fast tests will be designed to get products into the hands of consumers, including people with hearing loss, as quickly as possible. In addition, it was reported that Working Group 6 of the ATIS incubator is developing language to go into product manuals that will alert consumers that a multi-band phone may be HAC (M3/T3) in the bands that have standards, but not necessarily HAC for bands that do not have standards. The notice is intended to alert consumers to the need to try out the phone with their hearing aids during the trial period to make sure it works effectively with those hearing aids.

2) *De minimis* exception – A brief discussion was held on the *de minimis* exception, and the problems it poses consumers who wish to purchase phones from billionaire companies like Apple and Google, which only produce one or two wireless handsets. All arguments made during the meeting are already on the record and no specific recommendations for resolving this issue were proposed.

During a subsequent phone conference, Battat and the undersigned discussed the first of these issues with Aaron Goldberger of Chairman Martin’s office and Fred Campbell, Jeff Steinberg and Jim Schlichting of the Wireless Telecommunications Bureau. That discussion focused primarily on the need to have labeling in the event that an M3/T3 rated phone also has WiFi capabilities that have not been tested against a HAC standard. One option discussed was to provide a notice or caveat wherever the M3/T3 notice is located, that alerts consumers about the lack of WiFi testing against a HAC standard. It was also noted that this information needs to be imparted by sales personnel at the point of sale, by customer representatives of manufacturers and service providers, and on company websites. Finally, it was noted that final rules on this issue should be reviewed periodically so that people with hearing loss do not fall behind as new technologies are developed.

Sincerely,

A handwritten signature in cursive script that reads "Karen Peltz Strauss".

Karen Peltz Strauss
Legal Consultant