



August 4, 2008

Via Electronic Filing

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, D.C. 20554

**Re: Service Rules for Advanced Wireless Services in the 2155-2175 MHz Band, WT
Docket No. 07-195**

Dear Ms. Dortch:

On behalf of the Hearing Loss Association of America ("HLAA"), I am writing to express our concern that the FCC's proposed rules in the above-captioned proceeding may undermine the progress that has been made in making wireless devices accessible for people with hearing loss.

HLAA is a leading consumer organization representing people with hearing loss. Through our national headquarters in Bethesda, Maryland, fourteen state organizations, and some 200 local chapters, HLAA impacts accessibility through advocacy and public policy, research, and public awareness, related to hearing loss on a national and global level. HLAA's mission is to open the world of communication to people with hearing loss through information, education, advocacy, and support. We provide cutting edge information to consumers, professionals and family members through our website, www.hearingloss.org, its award-winning publication, *Hearing Loss*, and national and regional conventions.

HLAA supports a nationwide broadband service. The US must catch up with other developed countries in bridging the digital divide and providing access to the Internet and technology to all communities. Towards this end HLAA is a member of the COAT coalition and supports the 21st Century Communications and Video Accessibility Act of 2007. Access to broadband services would allow our constituents to use Internet enabled relay services such as Internet captioned telephone that helps people with hearing loss do their job and stay employed. Our constituency is broad with varying degrees of hearing loss and functioning levels. For those people who do not rely on relay services and can use wireless handsets with their hearing aids and cochlear implants we are concerned of a potential threat to the level of access that they have today.

For several years, HLAA has worked closely and productively with the wireless industry to increase the compatibility of wireless handsets with hearing aids. The industry and



HLAA worked to find common ground and successfully developed rules that address the compatibility needs of hearing aid and cochlear implant users, while recognizing the technical challenges facing industry.

The HLAA and its members understand, better than many, the importance of reducing interference. Indeed, a critical technical issue in developing accessible wireless devices is interference. Consumers with hearing loss employing hearing aids or cochlear implants today have choices of wireless devices that they can use without annoying interference. This has come about after years of negotiations with industry, FCC regulations and standards work. Now there is potential for interference to wireless devices from another source which could put consumers with hearing loss back and take away the access they now enjoy. Therefore, we want to alert the Commission to a situation where interference may be created to wireless service and hearing aid and cochlear implant users once again find themselves unable to use wireless devices due to interference. Not only does it set back accessibility but also may be the cause of confusion among consumers who may interpret the interference as a hearing-aid compatibility problem even where the handset being used is hearing-aid compatible. This potential confusion for consumers with hearing loss needs to be averted.

To protect against this interference threat and potential confusion to hearing aid users, it is important that the FCC develop service rules that keep the potential for interference to wireless devices at a minimum in the first place. Unfortunately, the FCC's proposed rules for the AWS-3 service create a likelihood of interference to handsets operating in the adjacent AWS-1 band, where providers are already deploying advanced wireless services. In particular, the mobile time division duplex ("TDD") operations that would be authorized by the proposed rules would almost certainly generate severe out-of-band emissions that would impose interference on handsets operating in the adjacent spectrum. As a result, users on the AWS-1 band would be at risk of interference, but that harm would potentially be magnified to those wireless customers using hearing-aid compatible handsets with their hearing aids or cochlear implants.

For these reasons, the FCC should not act hastily in this proceeding. Instead, it should undertake a rigorous engineering analysis and then develop appropriate service rules to mitigate this interference threat so that all users of wireless services, including those with hearing loss, can enjoy the benefits of the advanced wireless broadband networks that are currently being deployed.

Sincerely,

Brenda Battat
Executive Director
Hearing Loss Association of America
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