

**BEFORE THE
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	CGB 09-158
Consumer Information and Disclosure;)	
)	CC 98-179
Truth-in-Billing format, IP-Enabled Services)	
)	WC 04-36

Comments of the Coalition of Organizations for Accessible Technology (COAT)

The Coalition of Organizations for Accessible Technology (COAT)¹ welcomes this opportunity to contribute to improvements in regard to “Consumer Information and Disclosure; Truth-In-Billing Format; IP Enabled Services,” as outlined in the Notice of Inquiry (NOI), FCC 09-68, August 28, 2009. We apologize for our late filing but hope the Commission will consider our points nevertheless. COAT believes the present time is an opportunity to protect and empower consumers with disabilities through ensuring better and sufficient access to relevant information about communications services now and in the future. We believe that the concerns of consumers with disabilities will grow because (a) not only has the marketplace changed rapidly in the past decade -- due to the many benefits of technology innovations -- but (b) these changes will continue, and the speed of these changes affects greatly our community. While consumers with disabilities benefit much from innovation and new technology, we do fear that the hard-gotten accessibility and usability gains of the past few decades may be left behind in the dust of the latest gadget, widget, or service/product convergence unless deliberate steps are taken by both industry and the Commission.

¹ COAT, formed in March 2007, is a coalition of over 295 national, regional, state, and community-based disability organizations – plus ten International Friends -- affirming a common agenda. We advocate for legislative and regulatory safeguards that will ensure full access by people with disabilities to evolving high speed broadband, wireless and other Internet Protocol (IP) technologies.

In this Inquiry, the Commission is seeking comment on how to ensure that consumers have the information they need about communication services, including information about their bills, new technologies, and information that will help consumers select their providers, service plans, and manage those plans. To the extent that the Commission decides to extend its truth-in-billing rules to broadband Internet access and subscription video services, the Commission must ensure that providers of those services make service information equally available to individuals with disabilities. COAT appreciates that the Commission includes a specific section on people with disabilities in the Inquiry in paragraphs 52-55 that asks whether the agency or the industry should be doing more with respect to consumer education.

COAT echoes the Comments submitted already by our affiliates in this rulemaking, that is, by the American Association of People with Disabilities (AAPD), the American Council of the Blind (ACB) and Telecommunications for the Deaf & Hard of Hearing (TDI) et al.² These organizations are leading and active members of the COAT coalition with a pulse on the disability community and are in contact daily with their members learning of the concerns of consumers with disabilities in regard to communications technologies and their impact.

Based on the comments of these affiliates and others, COAT makes some recommendations in the areas of Consumer Information, Service Package Terms, Billing, Service & Support Centers, and about Additional Outreach Activities.

Consumer Information

1. Companies should make more easily available to customers with disabilities descriptions of what features, functions, tools and applications are accessible. This means ensuring

² TDI co-filers included Association of Late-Deafened Adults, Inc., National Association of The Deaf, Deaf and Hard of Hearing Consumer Advocacy Network, California Coalition of Agencies Serving the Deaf and Hard of Hearing, Hearing Loss Association of America, American Association of The Deaf-Blind, and Communication Service for the Deaf.

customer information – manuals, pricing plans, service guides, ordering information, coverage maps, features and options, and changes in plan, etc. – are not only up-to-date but also on accessible/usable websites and available in accessible formats (i.e., can be easily downloaded for printing in enlarged font, readable by screen readers, enlargeable fonts, and other means).

2. Information on websites about accessibility features and accessible/usable functions should be more easily found with ongoing updating on websites of terms and keywords in common use by people with disabilities. .
3. Information presented through videos – either online or CDs or other means – must be captioned and video described to ensure the information is equally accessible and readily available to people with disabilities to the same extent that such information is available to all other consumers. . For instance, videos that show how to operate or to load batteries, or that demonstrate features and functions, should be accessible to people with vision disabilities and to people with hearing disabilities.
4. Consumers with disabilities expect a high level of service in regard to new IP products and services. For example, consumers should have information about broadband services’ download and upload speeds, clear explanations of what the service does and doesn’t provide, easy-to-understand billing, and how the new service is different from traditional or current services.
5. Likewise, with tools or widgets or applications (“apps”) that come preloaded on a device, or that are downloadable, it should be clear -- before purchase -- what the app does, what accessibility features & functions are built in or how it works with existing accessibility tools, or if the app itself provides accessibility, what is the scope of the function.

Furthermore, it should be made clear for the user of the app, who is the responsible party to turn to if there are concerns with the features, functions, charges or performance of the app.

Service Package Terms

1. The term “unlimited” in advertising, marketing, sales pitches and related product material should not be used without immediate clarification by the seller who must provide detailed information about what they mean by “unlimited” and what metrics pertain to the term. This information should not be in some small print elsewhere such as at the bottom of the website, or in a product pamphlet that the consumer receives after they have purchased the service.
2. The FCC should find ways to take action to ensure that consumers are not being misled by claims of “unlimited” service because it leads to consumers being charged fees they did not anticipate and may compel them to change back to a previous provider or to find another provider, all of which can also result in additional unnecessary charges and aggravation – even to the extent of adverse impact in emergency situations due to gaps in service -- caused by poor, omitted or dissembling explanations associated with “unlimited” or similar terms used in marketing to secure customers.
3. Communication service providers should take special care to ensure the availability and accessibility of notifications about service or plan changes, particularly when those changes may impact or disproportionately impact consumers with disabilities and their families. For example, suddenly informing consumers of “caps” or extra charges for high volume use of broadband services can adversely affect Video Relay Services (VRS) and Video Remote Interpreting (VRI) users who need sufficient time to act accordingly. Likewise, elderly

people and people with certain mental disabilities (e.g., intellectual disability, reading disabilities) or people with vision disability who rely on readers, may need to consult with companions or care-givers or others to respond appropriately to rate or plan or service changes. COAT recommends practices of two or even three month “advance warnings” of such changes, depending on the scope and scale of the upcoming change.

4. Information about closed captioning and other access features for subscription television services must be available and accessible in order to adequately inform consumers, so that they are able to make informed decisions about products and services. For example, many cable set-top boxes (with the exception of set-top boxes for the highest tier of high definition television services) do not have the capacity to decode and deliver digital closed captions as part of the digital video stream for display on televisions, including analog televisions. These consumers typically do not find out about these limitations until after they have subscribed to the service and are therefore unable to benefit. When a cable set-top box is capable of decoding and delivering digital closed captions as part of the digital video stream for display on televisions, information about how to access that feature should be readily and easily available to the consumer through customer service supports, online manuals or other means. This is particularly important when the consumer is required to take steps that are not intuitive in order to set up and select that feature (*i.e.*, the consumer must turn off the set-top box and push the “menu” button on the remote control twice to ensure captioning).

Billing

1. There should be clear and easy-to-find contact information for billing and technical concerns on billing materials whether these are paper or electronic billing systems.

2. There should not be additional charges for paper bills or for bills in accessible formats or extra fees for using voice payment systems that directly transfer funds from bank accounts to pay for communications services (often used by people with vision disabilities and who are not Internet users).
3. To increase and advance the deployment of broadband use in the disability community, companies should be encouraged and incentivized to provide plans and devices with payment schemes that take into account the lower incomes typically found in our community. For example, longer-term payments allowed (such as for ‘netbooks’), easier credit terms such as no deposits required, and lower monthly billing payments.

Service & Support Centers

1. Since many people with disabilities lack Internet access, customer service representatives reached by phone systems should be trained to provide more specific information on accessibility of all the products and services available so that people with disabilities receive relevant and helpful customer service when contacting customer service, technical support and other information centers at all times. These representatives should be aware and familiar with the various forms of Telecommunications Relay Services (TRS) and have practice in calling back consumers using TRS.
2. Retail outlet staff should be better trained in how to address the concerns of people with disabilities or how to handle such concerns.
3. Phone tree menus and interactive voice response systems at customer service centers should have mechanisms and procedures in place to provide equivalence in customer care to individuals with disabilities who use relay services or for whom phone trees are difficult to navigate, including an Opt Out to “0” or operator. We note here, specifically, that elderly

individuals, and people with certain mental health disabilities, may be deterred from making necessary service calls by hard-to-use and non-intuitive phone menu systems.

4. Likewise, Internet account management systems – that more and more seem to be replacing or complementing live human customer service centers -- must be accessible and usable to people with disabilities. “Click to talk” options must also have text capability for deaf or hard-of-hearing users and such sites must work for users of screen readers.
5. Companies should take steps to staff customer service and technical support centers with people with disabilities, including personnel who communicate in American Sign Language (“ASL”), and with people who have family members who have disabilities, and who are familiar with the accessibility and usability needs of people with disabilities.
6. Customer service representatives often know very little about the Hearing Aid Compatibility (HAC) of their handsets. This is aggravated by the fact that many consumers remain confused about the FCC’s acoustic coupling (“M” rating) or inductive coupling (“T” rating) HAC standards. Providers and manufacturers must provide more training for their point of sale representatives about the differences between these ratings, so that they can help consumers match the proper handset to the consumer’s hearing device. They should also provide ongoing training and easily available support documentation or materials, given the high turnover rate for point of sale representatives.
7. Manufacturer and provider representatives who interact with consumers must have a rudimentary understanding of the nature of hearing loss to better serve their customers. While every individual’s experience with hearing loss and hearing aid/cochlear implant is different, it is important for retail personnel to understand that these variations do exist so that they are aware of how important it is to let consumers try different phones before

making a multi-year contractual commitment to a particular phone and plan. In-store testing of HAC phones is of paramount importance because box labels and other in-store information are not a substitute for testing the phone for personal use. There should be no additional fees, such as “a restocking fee” for individuals with hearing disabilities who end up purchasing handsets that are not compatible with their particular hearing loss that they then return after trying it out for a few days and finding it does not work for them. Information should be provided to encourage in-store testing and to caution consumers that a HAC phone may not be compatible with their hearing aid.

8. Likewise, manufacturer and provider representatives who directly interact with customers with vision disabilities should have an understanding of the continuum of vision loss and should be familiar with features on the devices that might facilitate use. In store testing and try-out of phone devices should be encouraged, or sample phone devices provided to take home, so the individual can see if the device fits their lifestyle.

Additional Outreach Activities

The Commission, and companies, should:

1. Take a more active role in outreach about HAC. They should work with the Federal Drug Administration to provide greater outreach and education for hearing health professionals as well as consumers about hearing aids that are compatible with handsets.
2. Create interactive consumer surveys and post it on websites to obtain information about consumer issues, such as the accessibility of contact information or the availability of information on handset accessibility and access features for other products and services.
3. Work with the state equipment distribution programs and the assistive technology act programs to ensure that these programs have access to information about accessible

communications products and services that can be shared with individuals in their local communities.

4. Establish a clearinghouse of information about all available phones, devices, services, applications and other products and services, and their accessibility features, along with prices and the type of plans associated with the devices, so that people with disabilities can make better selections and choices and be better prepared when going to retail outlets or when ordering directly online from companies selling devices and services.
5. Host regular workshops to address consumer issues, including disability issues.
6. Coordinate and encourage meetings and regular, systematic interactions amongst service providers, manufacturers, and people with disabilities to discuss ways to make information more user friendly, accessible and available.
7. Make greater use of electronic social media – such as Twitter, Facebook, other -- to alert consumers and others about updated Fact Sheets, public meetings, critical events, changes in products and services, etc.
8. Continue to assume that people with disabilities are not only interested in rulemakings, products and services, and events pertaining to disability but want information on the full range of consumer and industry issues since consumers with disabilities own and manage households, make purchases for their families, including for their children and elderly relatives, and may be participants in other programs and efforts targeted to the general public.
9. Continue to make all meetings, notices, rulings, etc. available in alternate formats and in particular, ensure captioning of any video streamed events whether held in Washington, DC or elsewhere.

Conclusion

COAT appreciates that the Commission has initiated this proceeding to supplement its regulations to ensure that adequate service information is made available to all consumers, particularly now as we look forward to a broadband century in which the marketplace is so rapidly changing. We look forward to working with the Commission to develop ways to address the specific information needs of individuals with disabilities across all technologies. Our recommendations above for consumer information accessibility, service package terms, billing, service and support centers, and for outreach activities, are intended to highlight the concerns we are currently hearing and to offer guidance for any new concerns that may arise as broadband communication evolves.

Respectfully submitted on behalf of the Coalition of Organizations for Accessible Technology (COAT),

Jenifer Simpson
Senior Director for Government Affairs
American Association of People with Disabilities
1629 K Street N.W., Suite 950
Washington, DC 20006
(202) 521-4310
jsimpson@aapd.com

Mark Richert
American Foundation for the Blind
1660 L Street, NW
Suite 513
Washington, DC 20036
(202) 822-0830
mrichert@afb.net

Rosaline Crawford
Director, Law and Advocacy Center
National Association of the Deaf
8630 Fenton Street, Suite 820
Silver Spring, MD 20910
(301) 587-7730
rosaline.crawford@nad.org

Ben Soukup
Chief Executive Officer
Communication Service for the Deaf
102 North Krohn Place
Sioux Falls, SD 57103
(202) 363-1263
kpsconsulting@starpower.net

Eric Bridges
Director, Advocacy and Governmental Affairs
American Council of the Blind
2200 Wilson Boulevard, Suite 650,
Arlington, VA 22201
Phone: (202) 467-5081 ebridges@acb.org

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