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February 10, 2012

Ex Parte via Electronic Filing

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Re: *Implementation of Sections 716 and 717 of the Communications Act of 1934, as Enacted by the Twenty-First Century Communications and Video Accessibility Act of 2010, CG Dkt. 10-213; Amendments to the Commission's Rules Implementing Sections 255 and 251(a)(2) of the Communications Act of 1934, as Enacted by the Telecommunications Act of 1996, WT Dkt. 96-98; In the Matter of Accessible Mobile Phone Options for People Who Are Blind, Deaf-Blind, or Have Low Vision, CG Dkt. 10-145*

Closed Captioning of Internet Protocol-Delivered Video Programming: Implementation of the Twenty-First Century Communications and Video Accessibility Act of 2010, MB Dkt. 11-154

Dear Ms. Dortch:

On February 8, 2012, Google Inc., represented by Adrienne Biddings, Naomi Black, and Ken Harrenstien of Google, and the undersigned, met with Karen Strauss, Deputy Chief, Consumer and Governmental Affairs Bureau ("CGB"), Greg Hlibok, Chief, Disability Rights Office, CGB, Eliot Greenwald, Rosaline Crawford, and John Herzog of the CGB Disability Rights Office, and Walter Johnston, Chief, Electromagnetic Compatibility Division, Office of Engineering and Technology, to discuss issues raised in the *Further Notice of Proposed Rulemaking* ("*Further NPRM*") in CG Dkts. 10-213 *et al.*, as well as the *Report and Order* recently adopted in MB Dkt. 11-154.

Google and the Staff discussed the definition of "interoperable" as used in the term "interoperable video conferencing service" in the Twenty-First Century Communications and Video Accessibility Act of 2010 ("CVAA"). Google noted that from a consumer perspective, a user of any particular video conferencing service ultimately wants that service and related equipment to be capable of communicating seamlessly with any service used by any other user, without the need to utilize the same provider, platform, or device. Google believes the Commission should seek to define "interoperable" in a manner that best reflects Congress' goal of increasing accessibility. One way to do so is to focus on functional attributes of ACS and

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equipment used to provide ACS, and the role that open, publicly available Application Programming Interfaces (“APIs”) can play in increasing their accessibility and, in turn, their interoperability.

Google also discussed issues related to screen reader applications. Google stated that it understands the tension between whether screen readers should be required on browsers or in devices, and it believes that placing the obligation on browsers could limit consumer choice by locking users into a proprietary browser, while placing the obligation on devices ultimately provides greater flexibility. Google also noted that Android promotes consumer choice among browsers. Google explained that it now requires, in order for devices to be compatible with the Android 4.0 operating system, that devices meet certain minimum requirements intended to allow implementation of Android’s accessibility framework, which includes an accessibility layer to help users with disabilities navigate their devices more easily. For example, Android 4.0 includes APIs that allow apps to make use of text-to-speech (“TTS”) services, and devices must meet certain minimum functional requirements related to the Android TTS framework in order to be compatible with the Android 4.0 operating system and become eligible for licensing.

Finally, with regard to closed captioning of IP-delivered programming, Google expressed its gratitude to the Staff for their efforts and its support for the rules adopted in the recent *Report and Order*, including in particular the Commission’s decision not to mandate a single technology standard for the delivery format or interchange format of IP-delivered video programming. Google believes this approach appropriately enables industry participants to focus on the functional needs of consumers, rather than specific technical solutions, thereby promoting marketplace alternatives and customer choice as technology evolves. Google also noted that although it believes that VPO and VPP/VPD compliance with the new obligations will not be particularly burdensome, implementation of the closed caption decoder requirements for covered apparatus (to be codified at 47 C.F.R. § 79.103(c)) may pose challenges for certain manufacturers.

Pursuant to the Commission's rules, this notice is being filed in the above-referenced dockets for inclusion in the public record. Please contact me should you have any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "E. Ashton Johnston".

E. Ashton Johnston
Counsel for Google Inc.

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cc: Karen Strauss
Greg Hlibok
Eliot Greenwald
Rosaline Crawford
John Herzog
Walter Johnston