

March 7, 2012

VIA ELECTRONIC FILING

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

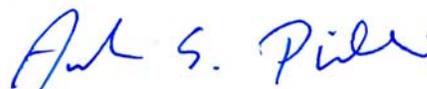
RE: Notice of *Ex Parte* Meeting
CG Dockets No. 10-213 and 10-145; WT Docket No. 96-198

Dear Ms. Dortch:

On Monday, March 5, 2012, Jim House, Outreach Coordinator for CEPIN at Telecommunications for the Deaf and Hard of Hearing Inc. (TDI); Dr. Christian Vogler, Director Technology Access Program, Gallaudet University; Blake Reid, Staff Attorney, Institute for Public Representation (IPR); Andrew Phillips, Policy Attorney, National Association of the Deaf (NAD) met with Karen Peltz Strauss, Deputy Chief, Consumer & Governmental Affairs Bureau (CGB); Rosaline Crawford, CGB; Eliot Greenwald, CGB; and John Herzog, CGB to discuss a possible small entity exemption in the Advanced Communications Services (ACS) FNPRM.

We expressed strong concerns about granting a permanent exemption for small business entities and explained that the achievability test already provides all entities a means to seek exemption from the accessibility obligations under section 716, if compliance is unachievable. We also shared concerns that if the FCC decides to create a small entity exception, then using the proposed SBA definition of a small business is far too large for the purposes of ACS as many companies providing ACS will fall under the SBA definition. Using the SBA definition will be contrary to the limited scope of this exemption from the legislative language. The SBA definition is intended to determine loan eligibility and not regulatory burden compliance.

Respectfully submitted,



Andrew S. Phillips, Esq.
Policy Attorney

cc: Karen Peltz Strauss, CGB
Rosaline Crawford, CGB
Eliot Greenwald, CGB
John Herzog, CGB