



**TELECOMMUNICATIONS
INDUSTRY ASSOCIATION**

HEADQUARTERS

2500 Wilson Boulevard
Suite 300
Arlington, VA 22201-3834
+1.703.907.7700

D.C. OFFICE

10 G Street, N.E., Suite
550 Washington, DC 20002
+1.202.346.3240 MAIN
+1.202.346.3241 FAX

tiaonline.org

March 21, 2012

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

**Re: *Ex Parte* Submission – CC Docket Nos. 10-213 and 10-145; WT
Docket No. 96-198**

Dear Ms. Dortch:

On Monday, March 19, 2012, Mark Uncapher and Brian Scarpelli of the Telecommunications Industry Association (TIA) met with Karen Peltz Strauss, Deputy Chief, Consumer & Governmental Affairs Bureau (CGB); Rosaline Crawford, CGB; Eliot Greenwald, CGB; and (via teleconference) Walter Johnston, Office of Engineering and Technology (OET) to discuss TIA's concerns in the above-noted proceedings.

TIA discussed its positions consistent with its filings on the implementation of the 21st Century Communications and Video Accessibility Act of 2010 (CVAA),¹ noting that TIA believes that the CVAA will help industry enable technologies for the disabled community in ways not foreseen by the Americans with Disabilities Act.

Initially, TIA noted TIA its belief that Section 718 should be construed with the same degree of flexibility that is used for Section 716. Because Section 718, by its terms, falls under the same “achievable” and industry flexibility standard as products and services that are subject to Section 716, the requirements of Section 718 should be understood and applied in the same manner as Section 716: on a case-by-case basis and subject to the various factors and parameters discussed previously in reference to Section 716. TIA also noted that while application programming interfaces (“APIs”) hold the possibility to bring about the integration of assistive technologies into mobile platforms across mobile phone brands, the use of an “accessibility API” should not be required to comply with Section 718.

¹ See Comments of TIA, CG Docket Nos. 10-213, 10-145; WT Docket No. 96-198 (filed Feb. 13, 2012); See also Reply Comments of , CG Docket Nos. 10-213, 10-145; WT Docket No. 96-198 (filed Mar. 14, 2012).

TIA then discussed the Commission’s examination of “interoperable video conferencing services,”² noting that a video conferencing service should be deemed “interoperable” under a single definition, that being when it allows a user to make and receive a video conference call to and from all other users, regardless of the network, device, or provider used to initiate or receive a video communication. TIA also stated its belief that, by mandating accessibility for interoperable video conferencing, Congress looked to a future time when interoperable video conferencing would become available. TIA noted that the video conferencing sector of the ICT market is only emerging and the Commission should take care that new regulations put in place do not hinder the potential growth.

Finally, TIA discussed its support for standards being used as safe harbors where necessary and not as a substitute for more general performance objectives. We encouraged the use of voluntary, consensus-based and open industry standards to be used as safe harbors to guarantee compliance. However, TIA urged the Commission not to designate safe harbor standards as “accessibility standards,” because such a designation would be received as an inaccurate endorsement by the Commission, as it would imply that the particular standard provides for wholesale “accessibility.”

Pursuant to Section 1.1206 of the Commission’s rules,³ this letter is being electronically filed via ECFS and a copy of this submission is being provided electronically to the meeting attendees.

² *Implementation of Section 716 and 717 of the Communications Act of 1934, as Enacted by the Twenty-First Century Communications and Video Accessibility Act of 2010, 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, In the Matter of Accessible Mobile Phone Options for People who are Blind, Deaf-Blind, or Have Low Vision, Notice of Proposed Rulemaking, CG Docket No. 10-213, WT Docket No. 96-198, CG Docket No. 10-145, FCC 11-37 (rel. Mar. 3, 2011) at ¶¶ 301-305.*

³ 47 C.F.R. § 1.1206.

Respectfully submitted,

TELECOMMUNICATIONS INDUSTRY ASSOCIATION

By: /s/ Mark Uncapher

Mark Uncapher
Director, Regulatory and Government Affairs

Brian Scarpelli
Manager, Government Affairs

TELECOMMUNICATIONS INDUSTRY ASSOCIATION

10 G Street N.E.

Suite 550

Washington, D.C. 20002

(202) 346-3240

cc: Karen Peltz Strauss, CGB
Rosaline Crawford, CGB
Eliot Greenwald, CGB
Walter Johnston, OET