

Before the  
**FEDERAL COMMUNICATIONS COMMISSION**  
Washington, DC 20554

In the Matter of )  
 )  
Expanding Access to Broadband and ) **GN Docket No. 13-114**  
Encouraging Innovation Through Establishment of )  
an Air-Ground Mobile Broadband Secondary )  
Service for Passengers Aboard Aircraft in the )  
14.0-14.5 GHz Band )

To: The Commission  
(Filed electronically through ECFS)

**COMMENTS OF THE HEARING INDUSTRIES ASSOCIATION**

1. Introduction. The Hearing Industries Association (“HIA”) hereby submits these Comments in response to the Commission’s *Notice of Proposed Rulemaking* (“NPRM”) in the above captioned proceeding, 28 FCC Rcd. 6765 (2013), released May 9, 2013 (“NPRM”). HIA is the trade association of manufacturers of hearing aids. It represents manufacturers of some 85% of hearing aids sold in the United States. HIA has regularly participated in Commission proceedings over the years, urging that new communications technologies with two-way voice applications not be allowed to escape hearing aid compatibility regulations.<sup>1</sup> It adheres to that position here and encourages the Commission to follow through with its comment at ¶ 92 of the *NPRM* that to the extent that a licensee in the proposed new service provides a Commercial Mobile Radio Service (“CMRS”), it will be subject to the hearing aid compatibility requirements of Part 20 of the Commission’s Rules.

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<sup>1</sup> See, e.g., Comments of the Hearing Industries Association in WT Docket No. 10-254, filed February 4, 2011, and in WT Docket No. 07-250, filed January 12, 2012.

2. Discussion. In the *Twenty-First Century Communications and Video Accessibility Act of 2010 (CVAA)*, Congress took steps to ensure that as new technologies and services develop, hearing aid users are able to participate fully. As with the CVAA's extension of HAC requirements to equipment used with advanced communications services designed to provide two-way voice communications with a hearing device intended to be held to the ear, ensuring HAC compliance in the airplane environment is a welcome and necessary step to include hearing aid users.

3. Hearing aid manufacturers have worked hard to design their products to facilitate successful use in as many different environments as possible. They will continue to do so, but they cannot achieve full hearing aid compatibility on their own. Compatibility requires the participation and cooperation of manufacturers of both hearing aids and devices with which hearing aids interface. The Commission must keep the ultimate compatibility objective in mind whenever any telecommunications device generates sound that a hearing aid wearer wants to be able to understand.

4. We cannot predict all the future permutations of how two-way voice communications, integrated with multiple functions in multifaceted devices, will be introduced into the new airplane environment. However, we fully agree with the Commission with respect to its intended application of HAC requirements for CMRS service in airplanes, which will ensure from the beginning of such service that hearing aid users are fully engaged in this new communications environment.

5. The Commission should not entertain objections from manufacturers that imposing HAC requirements will create a barrier to the development of new technologies or that a period

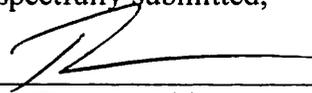
of time is needed to phase in compliance. There is no evidence that HAC compliance will be difficult or unduly costly, and it is always easier to design a feature into a new piece of equipment from the start than to modify the equipment design to add a feature later.

6. Conclusion. The improvement of the environment for hearing aid users in the years since HAC was extended to wireless devices has been substantial and meaningful. This progress must continue, notwithstanding the diversity of new products, the increasing popularity of multi-function devices, and the introduction of voice communications in new environments. To maximize the value of newly unleashed spectrum, and to fulfill the intent of Congress that access to new technologies be available to all people, the Commission must ensure that those who wear hearing aids continue to be able to participate in the betterment of life associated with the ongoing technological revolution.

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Respectfully submitted,



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