

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC20554**

In the Matter of	)	
	)	
Implementation of Section 716 and 717 of	)	CG Docket No. 10-213
the Communications Act of 1934, as	)	
Enacted by the Twenty-First Century	)	
Communications and Video Accessibility	)	
Act of 2010	)	

**COMMENTS OF THE TELECOMMUNICATIONS INDUSTRY ASSOCIATION**

**I. INTRODUCTION AND SUMMARY**

The Telecommunications Industry Association (“TIA”)<sup>1</sup> hereby submits comments in response to the Federal Communications Commission’s (“Commission”) Public Notice,<sup>2</sup> which seeks comment on tentative findings for its first biennial report to Congress, due October 8, 2012 per the Twenty-First Century Communications and Video Accessibility Act of 2010.<sup>3</sup> TIA

---

<sup>1</sup> TIA is the leading trade association for the information and communications technology (“ICT”) industry, representing companies that manufacture or supply the products and services used in global communications across all technology platforms. TIA represents its members on the full range of policy issues affecting the ICT industry and forges consensus on industry standards. Among their numerous lines of business, TIA member companies design, produce, and deploy a wide variety of devices with the goal of making technology accessible to all Americans. TIA’s standards committees, which operate under an American National Standards Institute-accredited process, create consensus-based voluntary standards for numerous facets of the ICT industry.

<sup>2</sup> *Consumer and Governmental Affairs Bureau Seeks Comment on the Accessibility of Communications Technologies for the First Biennial Report under the Twenty-First Century Communications and Video Accessibility Act*, Public Notice, CG Docket No. 10-213, DA 12-1391 (rel. Aug. 23, 2012) (“PN”).

<sup>3</sup> Twenty-First Century Communications and Video Accessibility Act of 2010, Pub. L. No. 111-260, 124 Stat. 2751 (2010) (“CVAA” or “Act”).

submitted comment to the Commission on its initial request for input to the first biennial report,<sup>4</sup> and appreciates this opportunity to speak more specifically to the Commission’s tentative conclusions.

## **II. TIA INPUT ON THE COMMISSION’S TENTATIVE CONCLUSIONS**

### **A. Section 255 Compliance**

For the purposes of informing the Commission as it considers its first biennial report to Congress on the implementation of the CVAA, given the tentative conclusions provided in the PN, we submit the following related to Section 255 compliance:

- In the PN, the Commission tentatively concludes that “although equipment subject to [Section 255’s] longstanding statutory obligation generally is meeting the hearing aid compatibility needs of people with hearing loss, feature phones continue to offer only limited accessibility for consumers who are blind or visually impaired.”<sup>5</sup> We believe that the industry has taken great strides in increasing the accessibility of “feature phones” generally, but request that the Commission more clearly differentiate between wireline feature phones and wireless feature phones. The CVAA Biennial Report should include discussion of TIA’s TIA-1083 standard (Telephone Terminal Equipment Handset Magnetic Measurement Procedures and Performance Requirements), which defines measurement procedures and performance requirements for the handset-generated audio

---

<sup>4</sup> See Comments of TIA, CG Docket No. 10-213, (filed Jul. 25, 2012).

<sup>5</sup> PN at ¶ 5.

band magnetic noise of wireline telephones;<sup>6</sup> as well as TIA's development of ANSI/TIA-4965, a new standard that uses Conversational Gain as the metric and Head and Torso Simulator (HATS) with the P.57 Type 3.3 artificial ear in the high leak condition for volume control measurements.<sup>7</sup> This new standard provides test methods for both analog and digital interface telephones, including VoIP telephones, resulting in one standard for all types of wireline telephones. TIA-1083 is expected to play a significant role in efforts to reduce interference problems experienced by people using hearing aids with digital cordless telephones. Manufactures are developing products that meet the performance requirements of the standard, and a package label is also being created to help hearing aid wearers identify products with reduced interference potential.

- Also related to Section 255 compliance, the Commission notes the American Council for the Blind's ("ACB") position that the current Section 255 complaint process is inadequate and discourages consumers from filing complaints,<sup>8</sup> and states its agreement that the resolution of Section 255 complaints during this reporting period does not

---

<sup>6</sup> We can report the development of a new voluntary standard, TIA-1083 which addresses the "buzz" problem created by digital radio frequency ("RF") link between the handset and its base in cordless handsets for persons who wear hearing aids with magnetic coupling. In addition, 1083-A extends the standard to cover handsets that have a digital interface to the network as well as between the handset and its base, including VoIP handsets that connect through the internet. These voluntary standards were developed with the help of advocates for those with hearing loss and tested at conferences of HLAA. We further report that all manufacturers of digital cordless phones in the US market have voluntarily adopted TIA-1083 for their products. A telephone complies with TIA-1083 if it meets the requirements in the standard when manufactured and can be expected to continue to meet these requirements when properly used and maintained. To obtain copies of the TIA-1083 standard, contact Information Handling Services at (800) 854-7179 or visit <http://global.ihs.com/>.

<sup>7</sup> Current Part 68 rules reference HAC volume control requirements in two TIA standards that have since been updated multiple times. The latest versions are moving to a new and improved method of measuring amplification, called Conversational Gain, a more rational and intuitive way to measure telephone speech amplification than currently-referenced Receive Objective Loudness Rating ("ROLR") requirements, particularly for hard-of-hearing consumers who require an accurate reading on loudness before purchasing terminal equipment. TIA has completed its work on a single Conversational Gain standard for analog and digital telephones that can be referenced in Part 68 (ANSI publication pending), and is now working to create an addendum to the associated Telecommunications Systems Bulletin for showing compliance with the Part 68 rules to include test procedures for Conversational Gain.

<sup>8</sup> PN at ¶ 2.

necessarily “provide the entire picture” with respect to compliance.”<sup>9</sup> We respectfully disagree that the Commission’s complaint system for Section 255 complaints is in such an unworkable state, and believe that the decreased number of complaints does indicate evidence that industry has listened to and addressed many of the complaints and concerns of consumers under Section 255.

**B. Section 716, 717, and 718 Compliance**

For the purposes of informing the Commission as it considers its first biennial report to Congress on the implementation of the CVAA, given the tentative conclusions provided in the PN, we submit the following related to Section 716, 717, and 718 compliance:

- We request that the Commission include mention of a public webinar held by TIA on November 29, 2011, that offered training on compliance with the CVAA.<sup>10</sup> This was part of an industry effort to increase the understanding of the Commission’s new CVAA-based regulations for all stakeholders.

---

<sup>9</sup> *Id.*

<sup>10</sup> See <http://www.tiaonline.org/news-media/press-releases/tia-webinar-enabling-compliance-fccs-new-disability-access-rules>.

C. **The Commission’s Findings on Accessibility Barriers in New Communications Technologies**

For the purposes of informing the Commission as it considers its first biennial report to Congress on the implementation of the CVAA, given the tentative conclusions provided in the PN, we submit the following related to accessibility barriers in new communications technologies:

- In the PN, the Commission tentatively concludes that “presently, new video conferencing technologies that are available for peer-to-peer and video relay services are not meeting the full communication access needs of people who communicate via American Sign Language.”<sup>11</sup> As we have previously noted, TIA takes the position that CVAA coverage is limited to interoperable video conferencing services that have progressed enough for truly interoperable video conferencing to exist, triggering accessibility requirements under the CVAA.<sup>12</sup> We believe that while substantial progress has been made toward achieving the sort of operating environment that would achieve interoperability, further industry work, standard development, etc. is needed. We also believe that this understanding is reflected in the Commission’s statement in the PN that “[t]here may...still be many accessibility barriers to new communications technologies that fall outside the scope of the CVAA, including, for example, video conferencing services that are not interoperable.”<sup>13</sup>

---

<sup>11</sup> PN at ¶ 30.

<sup>12</sup> See Telecommunications Industry Association *Ex Parte*, CC Docket Nos. 10-213 and 10-145; WT Docket No. 96-198 (filed Aug. 10, 2011)

<sup>13</sup> PN at ¶ 30.

- In the PN, it is also stated that new video conferencing services are “not meeting the full communication access needs of people who communicate via American Sign Language [“ASL”].”<sup>14</sup> We request that the Commission note in its discussion of this topic that the use of ASL in an internet protocol- (“IP”) based environment is determined predominantly by bandwidth. With adequate bandwidth and equipment, ASL communication would not be hindered; however, with inadequate bandwidth and adequate equipment, it is difficult to communicate via ASL.

---

<sup>14</sup> PN at ¶ 30.

### **III. CONCLUSION**

For the foregoing reasons, TIA urges the Commission to act consistent with the recommendations above.

#### **TELECOMMUNICATIONS INDUSTRY ASSOCIATION**

Danielle Coffey  
Vice President, Government Affairs

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

*Its Attorneys*

September 6, 2012