



TELECOMMUNICATIONS
INDUSTRY ASSOCIATION

1320 N. Courthouse Rd., Suite 200
Arlington, VA 22201 USA
www.tiaonline.org

Tel: +1.703.907.7700
Fax: +1.703.907.7727

Via Electronic Filing

September 27, 2013

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

Re: *ET Docket No. 13-44; RM-11652; RM-11673*

Dear Ms. Dortch:

The Telecommunications Industry Association¹ ("TIA") submits this *ex parte* communication to supplement its pending request for the Federal Communications Commission ("Commission") to ease technical and logistical burdens on manufacturers while increasing end user access to useful information about their devices by allowing for the non-exclusive option of electronic labeling,² and to reemphasize the urgency for the Commission to move forward on it as soon as possible. As we expand on in the TIA eLabeling Petition, electronic labeling is becoming a natural progression from hard copy labels which would help in streamlining and lowering costs in the manufacturing process, eliminating typographical errors which sometimes appear on hard copy labels, and improving the approval processes by providing ease of access to information for the various constituencies in the device approval process, including the Commission.

¹ TIA is a trade association based in the Washington, DC area which represents approximately 500 global information and communications technology ("ICT") manufacturers, vendors, and suppliers. TIA represents the global ICT industry through standards development, advocacy, business opportunities, market intelligence, and networking. TIA's member companies manufacture or supply the products and services used in global communications across all technology platforms. Since 1924, TIA has been enhancing the business environment for broadband, mobile wireless, information technology, networks, cable, satellite and unified communications. Members' products and services empower communications in every industry and market, including healthcare, education, security, public safety, transportation, government, the military, the environment, and entertainment. TIA is accredited by the American National Standards Institute ("ANSI"). TIA represents its members on the full range of public policy issues affecting the ICT industry and forges consensus on industry standards. Please see TIA's 2013 Policy Playbook, which provides an overview of the ICT market, technologies, and policies that drive innovation and investment. See <http://www.tiaonline.org/policy/tia-2013-playbook>.

² See Petition for Rulemaking, Telecommunications Industry Association, RM No. 11673 (Aug. 6, 2012) ("TIA eLabeling Petition").

The TIA eLabeling Petition was submitted in early August of 2012, and from a procedural standpoint, the TIA eLabeling Petition, since being placed on Public Notice by the Commission, has seen no opposing statements from any stakeholder constituency. However, despite over one year elapsing since the TIA eLabeling Petition was submitted, the Commission has not taken the necessary steps in the regulatory process to move forward. During this time, TIA's numerous ICT manufacturers have continued to develop and release products for consumers and enterprise, including mobile, push-to-talk, and portable phones; tablets; personal wireless routers; base station equipment; and other wireless devices, under the outdated burden of the existing labeling rules, which we maintain have little benefit to consumers compared to eLabeling, which enhances accessibility of equipment information. Already, inaction in this area by the Commission has withheld the consumer benefits of eLabeling from the general public, and has resulted in unneeded cost in implementing these outdated rules. The Commission's inaction has inhibited innovation in the development of ICT products and services.

Further compounding TIA's members' frustration, the concept of allowing for the electronic labeling of ICT equipment is becoming increasingly accepted internationally.³ The Commission should lead in this area of natural progression as the prime example setting agency of responsible and responsive regulatory policies. Furthermore, TIA is supporting for eLabeling concepts to be advocated for in the forthcoming Transatlantic Trade and Investment Partnership ("TTIP") negotiations by the United States Trade Representative; the Commission's inaction therefore undermines the advocacy of this concept by other agencies in the international setting.

We again strongly encourage the Commission to move forward with the regulatory process pursuant to the TIA eLabeling Petition. Additionally, we urge that the Commission consider addressing the topic through the open device approval reform docket,⁴ in which TIA has submitted detailed comments which address this topic.⁵

³ TIA notes that eLabeling is currently allowed in Australia, Japan, the United Arab Emirates, and an allowance for this option is very likely forthcoming from the Canadian government.

⁴ See Amendment of Parts 0, 1, 2, and 15 of the Commission's Rules regarding Authorization of Radiofrequency Equipment Amendment of Part 68 regarding Approval of Terminal Equipment by Telecommunications Certification Bodies, ET Docket No. 13-44, RM-11652, (rel. Feb. 15, 2013).

⁵ See Comments of TIA, ET Docket No. 13-44, RM-11652 (Jun. 17, 2013).

Respectfully submitted,

TELECOMMUNICATIONS INDUSTRY ASSOCIATION

By: /s/ Danielle Coffey

Danielle Coffey

Vice President & General Counsel, Government
Affairs

Brian Scarpelli

Senior Manager, Government Affairs

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cc: Julius Knapp, Chief, Office of the Engineering and Technology
Bruce Romano, Associate Chief (Legal), Office of the Engineering and Technology
Rashmi Doshi, Chief–Laboratory Division, Office of the Engineering and Technology