



TELECOMMUNICATIONS
INDUSTRY ASSOCIATION

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Submitted via <http://www.anatel.gov>

July 31, 2013

ATTN: John Baptist De Rezende
SAUS, Block 6, Anatel Headquarters – Block F – Ground – Biblioteca
70070-940 – Brasilia-DF

**Re: *PUBLIC CONSULTATION #26 OF 27 JUNE 2013 regarding Proposed Resulition
establishing mandatory compliance with accessibility requirements for the
Certification of Mobile Stations Service***

The Telecommunications Industry Association (“TIA”), supported by numerous member companies that manufacture information and communications technology (“ICT”) products, including Mobile Stations that are subject to regulation by the National Telecommunications Agency (“Anatel”), hereby submit input and proposed text changes to the June 27, 2013-released Public Consultation #26, referenced above. TIA represents approximately 500 global ICT manufacturer companies in the mobile wireless, broadband, information technology, network, cable, satellite, and unified communications environments. TIA’s members empower communications in every industry and market, including healthcare, education, security, public safety, transportation, government, the military, the environment, and entertainment. For more information on TIA, please visit <https://www.tiaonline.org/>.

The global ICT manufacturer and vendor community actively works to enhance visually-disabled consumer access to advanced communications products and services. Our members actively engage with consumers in the design of products, proactively initiate industry-led consensus development of standards that enhance accessibility, and engage governments

across the globe. TIA believes that the most effective way to enhance accessibility to advanced communications devices and services for consumers with disabilities is to take a balanced approach that provides clarity and feasibility in regulation and adequate flexibility to innovate products and services.

Based on our views, we offer the specific input on Proposal #26:

- TIA requests that Anatel confirm the definition of “Mobile Stations” to be defined as consumer cellular phones, and no other ICT products.
- TIA requests that Anatel allow for accessibility to be sufficiently provided by addressing a company’s accessibility solutions across its entire portfolio, where a particular model may be submitted for compliance purposes with requirements adopted per Proposal #26. This is consistent with accessibility regulations in many other areas of the world, including the United States, where manufacturers are allowed to address accessibility from a portfolio perspective. In addition, this approach by Anatel would permit manufacturers to avoid having to certify products for which no Brazilian carrier has contracted to vend to their customers.
- TIA proposes that Anatel allow a feasible time period longer than 180 days after publication for implementation of any requirements adopted under Proposal #26. We note that the Mobile Stations that manufacturers design to enhance accessibility for those with visual disabilities have a higher degree of complexity to them because they require unique features that must be integrated into the device’s software as part of the product development cycle. The typical product development cycle of a Mobile Station is 12-18 months, so the use of a 180 day time period by Anatel in this matter would result in products currently under development – before the finalization and established effective date of Proposal #26 – being subject to the Proposal. For these reasons TIA requests that Anatel extend the effective date of the proposed Resolution to be two years after the date of its publication.
- Manufacturers of Mobile Stations already submit to testing in Brazil for compliance, and Anatel can most quickly implement its goals of enhancing accessibility to these products by keeping compliance costs to a minimum and allowing for flexible implementation of these regulations. For these reasons TIA requests that Anatel confirm that no new testing will be required of

manufacturers under any requirements adopted per Proposal #26, and that manufacturers be permitted to self-certify their compliance with requirements per Proposal #26 by use of a declaration which states that the Mobile Stations includes the required accessibility feature or that it does not.

- Anatel should clarify that Proposal #26 applies to only new products submitted for certification after its implementation date. It is not feasible for products already in the stream of commerce to implement these new accessibility requirements.

TIA appreciates the consideration of Anatel in this matter, and we urge you to contact the undersigned with any questions or concerns.

Respectfully submitted,

TELECOMMUNICATIONS INDUSTRY ASSOCIATION

By: /s/ Danielle Coffey _

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