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May 6, 2005

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Office of the Secretary  
Federal Communications Commission  
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Washington, DC 20554

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Verizon

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Executive Officer  
**Susan Miller**  
ATIS

Re: *Ex Parte* Presentation in WT Docket No. 01-309  
Section 68.4(a) of the Commission's Rules Governing  
Hearing Aid Compatible Telephones

Vice President of  
Finance & Operations  
**William J. Klein**  
ATIS

Dear Ms. Dortch:

On May 4, 2005, representatives from the Alliance for Telecommunications Industry Solutions ("ATIS") Incubator Solutions Program 4 dealing with Hearing Aid Compatibility issues ("AISP.4-HAC" or "HAC Incubator"), met with representatives from the Federal Communications Commission's ("FCC") Wireless Telecommunications Bureau and Office of Engineering & Technology ("OET"). At the meeting, the HAC Incubator Representatives reported on the work being done by the ATIS HAC Incubator and provided an overview of the HAC Incubator's May 17 filing to be submitted pursuant to the FCC's August 14, 2003, *Report and Order* in the above-referenced docket.

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*"Developing Standards  
that Drive the Business  
of Communications and  
Information Technology"*

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The representatives also discussed the FCC's recently-released *Public Notice, DA 05-1134*, regarding the use of the revised draft version of the updated hearing aid compatibility standard, ANSI C63.19-2005. In this *Public Notice*, the FCC permits applicants for hearing aid compatibility to rely on either the 2001 or draft 2005 version of the C63.19 standard. ATIS HAC Incubator representatives noted that this may cause confusion because these two versions specify different letter designations for HAC compliance. The 2001 version of the C63.19 standard uses a "U" rating for radiofrequency (RF) Immunity and a "UT" rating for Acoustic Coupling. The 2005 draft of this standard, on the other hand, uses an "M" rating for RF Immunity and a "T" rating for Acoustic Coupling. (The 2005 version's labeling is consistent with the switches on hearing aids, which specify "M" for Microphone and "T" for T-Coil.) The ATIS HAC Incubator urged the FCC to provide written clarification to the industry that the labels specified in the 2005 draft version of the standard ("M" and "T" ratings) can and should be used to designate HAC compatibility.

Finally, the representatives provided copies of the educational materials created by the ATIS HAC Incubator to explain the FCC's hearing aid compatibility rules to key stakeholders. Copies of these materials are attached to this letter.

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May 6, 2005  
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In attendance, representing the WTB were: Michael Wilhelm, Chief of the Public Safety & Critical Infrastructure Division; Angela Giancarlo, Associate Chief, Public Safety & Critical Infrastructure Division and Andra Cunningham, Attorney Advisor, Public Safety & Critical Infrastructure Division. In attendance, representing the OET were: Julius Knapp, Deputy Chief; Patrick Forster, Senior Engineer, Policy and Rules Division; Rashmi Doshi, Chief of the Laboratory Division; Martin Perrine, Electronic Engineer, Laboratory Division; and William Hurst, Chief, Technical Research Branch, Laboratory Division. The individuals representing the HAC Incubator were: Mary Jones, Consultant, T-Mobile USA; Steve Coston, Technical Manager, Regulatory Project Office, Sony Ericsson Mobile Communications; Susan Mazrui, Director, Federal Regulatory Affairs, Cingular Wireless, James Turner, Technical Coordinator, ATIS; Martha Ciske, Committee Administrator, ATIS; and Thomas Goode, Attorney, ATIS.

Pursuant to Section 1.1206(b)(2) of the Commission's rules, one copy of this letter is being filed electronically for inclusion in the public record of the above-referenced proceeding.

If there are any questions regarding this matter, please do not hesitate to contact the undersigned.

Sincerely,



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Thomas Goode  
Attorney  
The Alliance for Telecommunications  
Industry Solutions  
1200 G Street NW  
Suite 500  
Washington, DC 20005  
Phone: (202) 434-8830

Attachment



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cc: Michael Wilhelm, Chief, Public Safety & Critical Infrastructure Division, WTB  
Angela Giancarlo, Associate Chief, Public Safety & Critical Infrastructure Division, WTB  
Andra Cunningham, Attorney Advisor, Public Safety & Critical Infrastructure  
Division, WTB  
Julius Knapp, Deputy Chief, OET  
Patrick Forster, Senior Engineer, Policy and Rules Division, OET  
Rashmi Doshi, Chief of the Laboratory Division, OET  
Martin Perrine, Electronic Engineer, Laboratory Division, OET  
William Hurst, Chief, Technical Research Branch, Laboratory Division, OET  
Martin Perrine, Electronics Engineer, Laboratory Division, OET  
William Hurst, Chief, Technical Research Branch, Laboratory Division, OET  
Mary Jones, Consultant, T-Mobile USA, HAC  
Steve Coston, Technical Manager, Regulatory Project Office, Sony Ericsson  
Mobile Communications, HAC  
Susan Mazrui, Director, Federal Regulatory Affairs, Cingular Wireless, HAC  
James Turner, Technical Coordinator, ATIS, HAC  
Martha Ciske, Committee Administrator, ATIS, HAC  
Thomas Goode, Attorney, ATIS, HAC

## Draft Suggested Language For Manual or Insert 2.1

March 8, 2004

Changes since Version 2.0: Last paragraph edited to reflect the fact that hearing aid companies may not use the ANSI C.63.19 measurement method, so statements in the previous draft about higher ratings may not apply.

### Hearing Aid Compatibility with Mobile Phones

When some mobile phones are used near some hearing devices (hearing aids and cochlear implants), users may detect a buzzing, humming, or whining noise. Some hearing devices are more immune than others to this interference noise, and phones also vary in the amount of interference they generate.

The wireless telephone industry has developed ratings for some of their mobile phones, to assist hearing device users in finding phones that may be compatible with their hearing devices. Not all phones have been rated. Phones that are rated have the rating on their box or a label on the box.

The ratings are not guarantees. Results will vary depending on the user's hearing device and hearing loss. If your hearing device happens to be vulnerable to interference, you may not be able to use a rated phone successfully. Trying out the phone with your hearing device is the best way to evaluate it for your personal needs.

M-Ratings: Phones rated M3 or M4 meet FCC requirements and are likely to generate less interference to hearing devices than phones that are not labeled. M4 is the better/higher of the two ratings.

T-Ratings: Phones rated T3 or T4 meet FCC requirements and are likely to be more usable with a hearing device's telecoil ("T Switch" or "Telephone Switch") than unrated phones. T4 is the better/higher of the two ratings. (Note that not all hearing devices have telecoils in them.)

Hearing devices may also be measured for immunity to this type of interference. Your hearing device manufacturer or hearing health professional may help you find results for your hearing device. The more immune your hearing aid is, the less likely you are to experience interference noise from mobile phones.



**AISP.4-HAC**  
ATIS Incubator Solutions Program 4  
Hearing Aid Compatibility

# Common Symbols for Hearing Aid and Cellular Compatibility Labeling

A  
Rated for Hearing  
Aids: M4, T3



B

C  
M4, T3

## For Inductive Coupling to a Hearing Aid's Telecoil

The FCC rules require each digital wireless phone manufacturer to provide carriers with 2 commercially available handsets, and each nationwide carrier to offer its customers a minimum of 2 handsets that provide telecoil-coupling capability for each transmission technology by September 2006. Digital wireless handsets that are being tested for magnetic field strength will be assessed a rating as defined in ANSI C63.19.

Cell phone manufacturers are required to produce cell phones that test to a rating of T3 or T4 per ANSI C63.19. The higher the "T" rating, the less likely the hearing aid user will experience interference when the hearing aid is set in the telecoil mode while using a cell phone.

## Hearing Aid Requirements

The FCC does not have regulatory authority over hearing aids. This authority, although somewhat limited, lies with the Food and Drug Administration (FDA). Even so, the FCC ruling encouraged the hearing aid industry to test and label their products according to the level of immunity they have to digital cell phone emissions. Hearing aid manufacturers should be consulted for the most up-to-date rating and information on their products.

### Where Can I Find More Information?

**ATIS (Alliance for Telecommunications Industry Solutions)**

[www.atis.org/atis/hac/hachome.htm](http://www.atis.org/atis/hac/hachome.htm)

**CTIA—The Wireless Association™**

[www.accesswireless.org](http://www.accesswireless.org)

**FCC (Federal Communications Commission)**

<http://ftp.fcc.gov/cgb/dro/hearing.html>

**RERC on Telecommunications Access**

[tap.gallaudet.edu/wirelesstelecom.htm](http://tap.gallaudet.edu/wirelesstelecom.htm)

**Self Help for Hard of Hearing People (SHHH)**

[www.hearingloss.org/hat/TipsWirelessPhones.htm](http://www.hearingloss.org/hat/TipsWirelessPhones.htm)

**Developed by:**

CTIA—The Wireless Association™ with The RERC on Telecommunications Access, The Alliance for Telecommunications Industry Solutions Hearing Aid Compatibility Technical Solutions Incubator, and Self Help for Hard of Hearing People, Inc.

# Hearing Aid Compatibility With Digital Wireless Cell Phones:



PHOTO: Oticon

*An Update for Audiologists and Hearing Health Professionals*

## The FCC Ruling

In 2003, the FCC partially lifted the exemption to hearing aid compatibility (HAC) requirements for digital wireless cell phones and developed a phase-in period for compliance by the wireless industry. The ruling requires products to be labeled for cell phones receiving certain HAC ratings based on the ANSI C63.19 Test and Measurement Standard. Labels will appear on the outside packaging of cell phones. This ruling does not include a volume control requirement.

## For Acoustic Coupling to a Hearing Aid's Microphone

The FCC rules require each digital wireless phone manufacturer to provide carriers with 2 commercially available handsets, and each nationwide carrier to offer its customers a minimum of 2 handsets with reduced RF emissions for each transmission technology by September 2005. Digital wireless handsets that are being tested for reduced RF emissions will be assessed a rating as defined in ANSI C63.19.

Cell phone manufacturers are required to produce cell phones that test to a rating of M3 or M4 per ANSI C63.19. The higher the "M" rating, the less likely the hearing aid user will experience interference when the hearing aid is set in the microphone mode while using a cell phone.



PHOTO: Oticon

## Important Points my Clients Need to Know

- **Look for cell phones rated M3 or M4** (as of Sept. 2005) if a hearing aid wearer uses acoustic coupling to a telephone.
- **Look for cell phones rated T3 or T4** (as of Sept. 2006) if a hearing aid wearer uses inductive coupling to a telephone.
- **These ratings (i.e., M or T)** should be used as a guide to narrow the search for a digital wireless handset to try out before making a purchase.
- **Even though volume control** is not part of the FCC ruling, most cell phones do have a volume control.

- **The ability to control the backlighting** (i.e., whether the display is illuminated or not, and the amount of time the display stays lit) may be an important consideration for telecoil users. Interference from backlighting, which can be particularly bothersome for telecoil users, is not tested when determining a cell phone's rating.
- **The key to finding** the right cell phone for an individual hearing aid and hearing loss is to try cell phones before purchasing them.
- **As of September 2005**, most stores owned and operated by cell phone service providers (i.e., carriers) will allow customers who use hearing aids to try out cell phones in stores before purchasing them.
- **Customers should ask** how long they have to cancel the service and return a phone without penalty, if the cell phone doesn't work with their particular hearing aid.
- **It is the customer's responsibility** to make sure any cell phone that doesn't work with their particular hearing aid is returned before any early termination fees go into effect.
- **CTIA, the wireless association**, provides additional information about cell phone ratings and links to many other disability and age related services available from its member companies. This information can be found at: [www.accesswireless.org](http://www.accesswireless.org)

## How can I learn more about my company's responsibilities?



ATIS Incubator Solutions Program – The Alliance for Telecommunications Industry Solutions (ATIS) is a United States organization that is committed to rapidly developing and promoting technical and operations standards for the communications and related information technologies industry worldwide using an approval by consensus approach. Over 1,100 industry professionals from more than 350 communications companies actively participate in ATIS' industry committees and incubator solutions programs where standards and solutions are developed addressing a wide range of industry issues. The industry, health care professionals and consumers with disabilities have been working together to develop solutions and meet the FCC requirements, through the ATIS Hearing Aid Compatibility - Incubator Solutions Program. This working group is an open and impartial consensus program that investigates and develops recommendations to standards for magnetic coupling and interference from wireless devices. Members of the Incubator Solutions Program include: Sony Ericsson Mobile, Research In Motion, Nokia, Kyocera Wireless, Nextel, Audiovox, Panasonic, Siemens, Samsung Electronics, NEC America, Cingular Wireless, AT&T Wireless, Dobson Cellular Systems, Inc., Leap Wireless/Cricket Communications, Alltel, Keystone Wireless, Verizon Wireless, Sprint PCS, Carolina West Wireless, Western Wireless Corporation, Louisiana Unwired LLC, T-Mobile, Key Communications, American Cellular Systems, Inc., Nextel Partners Inc, Brookings Municipal Utilities d/b/a Swift Communications, and HIA. Other participants within the Incubator Solutions Program include: Self Help for Hard of Hearing People Inc. (SHHH), Gallaudet University, Siemens Hearing Aids, Etymotic, Starkey, ASHA, AAA, CTIA, ANSI ASC C63, FCA and FCC. The ATIS website, [www.atis.org](http://www.atis.org), has information about the ATIS Incubator Solutions Program #4 on HAC (AISP4-HAC).

[www.atis.org](http://www.atis.org)



CTIA-The Wireless Association™ is the international organization that represents all sectors of wireless communications-cellular, personal communication services and enhanced specialized mobile radio. CTIA serves the interests of service providers, manufacturers, wireless data and Internet companies and other contributors to the wireless universe. [www.ctia.org](http://www.ctia.org). The CTIA website, [www.accesswireless.org](http://www.accesswireless.org), has information for deaf and hard of hearing consumers. This site provides consumers with relevant information to help them select a wireless phone and service that best meets their needs.

[www.ctia.org](http://www.ctia.org)

[www.accesswireless.org](http://www.accesswireless.org)

PHOTO: Oticon

## Compatibility of Digital Wireless Telecommunications and Hearing Aids

### Rules, Requirements and Responsibilities



*Wireless telecommunication is increasingly improving lives. These wireless devices are transforming business, family and friends during emerging technology revolutions, including mobile communications, which limit the availability of hearing aids.*

PHOTO: Oticon

Hearing Aids and

and Volume Control

at [www.accesswireless.org](http://www.accesswireless.org)

for ATIS Inc. [SHHH] at [www.ctia.org](http://www.ctia.org)

CTIA Order Form at [www.accesswireless.org](http://www.accesswireless.org)

at [www.accesswireless.org](http://www.accesswireless.org)

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user's ability to better hear the

## What does this law mean for companies?

### Which companies have to comply?

- **Service Providers** offering commercial wireless communications within the United States
- **Manufacturers** of wireless telecommunications devices used in the delivery of the abovementioned services within the United States.
- **Exemption from requirements**  
*Service providers and manufacturers that offer only two or fewer digital wireless phone models for sale in the United States. are exempt from these requirements*

## What are the technical requirements?

*For Manufacturers with more than two digital wireless phone models for sale in the United States*

### Reduced RF emissions

- **By September 16, 2005** - Offer to service providers at least two handset models for each air interface offered that comply with a minimum of M3 rating as set forth in the ANSI C63.19 requirements
- **By February 18, 2008** - Ensure at least 50% of handset offerings for each air interface offered comply with a minimum of M3 rating as set forth in the ANSI C63.19 standards

### Telecoil / Magnetic Coupling

- **By September 18, 2006** - Offer to service providers at least two handset models for each air interface offered that comply with a minimum of T3 rating as set forth in the ANSI C63.19 standards

*For Manufacturers with only three digital wireless phone models for sale in the United States*

- **By September 16, 2005** – Offer to service providers at least one compliant model for each air interface offered that comply with a minimum of M3 rating as set forth in the ANSI C63.19 standards

## For Tier I Carriers

### Reduced RF emissions

- **By September 16, 2005** - Include in handset offerings at least two handset models or 25% (whichever is greater) of the total number of unique digital wireless handset models offered by the carrier nationwide for each air interface, that comply with a minimum of M3 rating as set forth in the ANSI C63.19 standards, and make available in each retail store owned / operated by the carrier all of these handset models for consumers to test in the store
- **By February 18, 2008** – Ensure that at least 50% of handset models for each air interface comply with a minimum of M3 rating as set forth in the ANSI C63.19 standards calculated based on the total number of unique digital wireless phone models that the carrier offers nationwide

### Telecoil / Magnetic Coupling

- **By September 18, 2006** - Include in handset offerings at least two handset models for each air interface that comply with a minimum of T3 rating as set forth in the ANSI C63.19 standards, and make available in each retail store owned / operated by the provider all of these handset models for consumers to test in the store

*For Tier I Carriers that obtain handsets only from manufacturers that offer three digital wireless phone models in the United States*

- **By September 16, 2005** – Offer at least one compliant model for each air interface offered that comply with a minimum of M3 rating as set forth in the ANSI C63.19 standards

## What does this mean for our customers?

Approximately one in five Americans have a hearing impairment. Many of these individuals want to use wireless devices for a variety of reasons that every day. Educating companies and consumers about hearing loss and encouraging them to use hearing aids before they lose their hearing is a successful business strategy for many wireless technology companies and their customers, ensuring a successful hearing loss.