



September 12, 2023

VIA ELECTRONIC FILING

Marlene H. Dortch
Secretary
Federal Communications Commission
45 L Street NE
Washington, DC 20554

Re: *Ex Parte Notice – Improvements to Benchmarks and Related Requirements Governing Hearing Aid-Compatible Mobile Handsets, WT Docket No. 15-285; Amendment of the Commission’s Rules Governing Standards for Hearing Aid-Compatible Handsets, WT Docket No. 20-3.*

Dear Ms. Dortch,

On September 8, 2023, representatives from the ATIS Hearing Aid Compatibility Task Force (“HAC Task Force”) spoke with representatives from the Federal Communications Commission’s (“Commission”) Consumer and Governmental Affairs Bureau, Wireless Telecommunications Bureau, and Office of Engineering and Technology via video conference regarding the pending Waiver Request and the HAC Task Force Report and Recommendations in the above-captioned dockets.¹ A list of meeting attendees is attached to this letter.

Timely grant of the Waiver Request will keep the industry on the path to achieving 100% HAC for wireless handsets, while also incorporating testing to ensure that handsets have volume control. Record support for the Waiver Request—including the consensus interim volume control test—is unanimous.² ATIS requests that the waiver remain in effect until the Commission updates its rules to reflect the updated volume control standard.³

¹ See *Wireless Telecommunications Bureau Seeks Comment on ATIS Waiver Request on Behalf of the Covered Entities of the Hearing Aid Compatibility Task Force*, Public Notice, WT Docket No. 20-3, DA 23-250 (WTB rel. Mar. 23, 2023); see also *Petition of ATIS on Behalf of the Covered Entities of the Hearing Aid Compatibility Task Force for Limited, Interim Waiver*, WT Docket Nos. 15-285 & 20-3 (Dec. 16, 2022) (“Waiver Request”); *Hearing Aid Compatibility Task Force Final Report and Recommendation*, WT Docket No. 15-285 (Dec. 16, 2022) (“HAC Report”).

² See, e.g., HAC Report at 1-2; *Comments of Samsung Electronics America*, WT Docket Nos. 15-285, 20-3 (filed Apr. 24, 2023); *Comments of the Mobile & Wireless Forum*, WT Docket Nos. 20-3 (filed May 3, 2023); *Reply Comments of the Telecommunications Industry Association*, WT Docket Nos. 15-285, 20-3 (filed May 12, 2023); *Reply Comments of the Consumer Technology Association* (filed May 18, 2023); *Reply Comments of the Competitive Carriers Association* WT Docket Nos. 15-285, 20-3 (filed May 18, 2023).

³ Waiver Request at 14.

The meeting followed several meetings between representatives of the HAC Task Force and Commission staff involving the technical details of the consensus interim testing standard,⁴ and at the meeting, the HAC Task Force presented the following updates to interim volume control testing:

Waiver Request	Proposed Modification	Comparison
Pass conversational gain for all available codecs and air interface combinations at the 2N level within the scope of the 2019 ANSI Standard.	Pass conversational gain for all available codecs and air interface combinations at the 2N level within the scope of the 2019 ANSI Standard. ⁵	Same.
No testing at 8N.	Test at the 8N level for all available codecs and air interface combinations within the scope of the 2019 ANSI Standard. Place tested level on packaging. No pass/fail condition.	New testing requirement. Place tested level on packaging.
Obtain passing results for at least one of the device’s available codecs for the distortion and frequency response requirements.	Obtain passing results for at least one of the device’s narrowband and wideband codecs for the distortion and frequency response. Within the chosen codecs, test one bitrate and only those air interfaces associated with the chosen codecs.	Require two codecs (one narrow and one wide) rather than one.
Limit test codecs to those that are in scope for TIA 5050, which include narrowband and wideband codecs.	Limit test codecs to those that are in scope for TIA 5050, which include narrowband and wideband codecs.	Same.

⁴ See, e.g., Letter from Thomas Goode, ATIS, to Marlene H. Dortch, FCC, WT Docket Nos. 15-285, 20-3 (filed July 18, 2023); Letter from Thomas Goode, ATIS, to Marlene H. Dortch, FCC, WT Docket Nos. 15-285, 20-3 (filed Aug. 23, 2023).

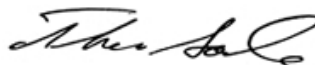
⁵ By passing all available codecs and air interfaces, the HAC Task Force means that the testing would be done at all available codecs and air interfaces, but only be adjusted, per Step 8 of TIA 5050 clause 5.1.2 based on the codecs tested for distortion and frequency response. Specifically, under section 5.1.2 of TIA-5050, testing would perform steps 1 – 7 for all codecs and bit rates and then perform step 9 for mounting force of 2N (which includes steps 2 – 7 for all codecs and air interfaces within scope of TIA-5050 and step 8 for selected codec and bit rate). An alternative method would be to perform step 8 for selected narrowband and wideband code (and bit rate) and those air interfaces associated with the chosen codecs and use that result to set a volume control setting for performing steps 1 – 7 for all codecs and air interfaces within scope of TIA-5050. For step 9 and testing at 2N mounting force, testing would perform step 8 for selected narrowband and wideband codec (and bit rate) and those air interfaces associated with the chosen codecs and use that result to set a volume control setting for performing steps 1 – 7 for all codecs and air interfaces within scope of TIA-5050.

As the HAC Task Force has previously described, the distortion and frequency response testing is the most problematic aspect of the volume control testing methodology and is being reexamined in the TIA working group for potential replacement. Consistent with the HAC Report, the Waiver Request proposed testing the distortion and frequency response testing at one codec and air interface as a device's audio amplifier/speaker combination should have similar output capability for other codec/air interface pairings.⁶ Nonetheless, the HAC Task Force proposes to expand the scope of testing and presented test data to include two codecs (one narrowband and one wideband).⁷

The HAC Task Force also discussed the HAC Report's longer-term recommendations—namely those recommendations related to a commitment to volume control testing, the incorporation of Bluetooth as a new means of wirelessly coupling hearing devices with wireless phones,⁸ and transition timelines. Discussion on these longer-term recommendations should not delay the short-term relief requested in the Waiver Request, which appropriately focuses an interim volume control testing methodology.

Pursuant to Section 1.1206(b) of the Commission's rules, a copy of this letter is being electronically submitted into the record of this proceeding.

Sincerely,



Thomas Goode
General Counsel

⁶ HAC Report at 89.

⁷ The HAC Task Force suggested a one-bitrate test for similar reasons and notes that the magnetic testing for telecoil (which tests all bitrates) is a fundamentally different test than the *audio* testing being done for volume control. Taking the same testing approach would not benefit consumers because it would not create meaningfully helpful results.

⁸ By “wireless coupling,” the HAC Task Force means a coupling method that is either via telecoil/magnetic field or Bluetooth.

Meeting Attendees

Commission Staff

Garnet Hanly, WTB
Susannah Larson, WTB
John Lockwood, WTB
Saurbh Chhabra, WTB
Eli Johnson, WTB
Jennifer Salhus, WTB
Dana Shaffer, OET
Jim Szeliga, OET
Justin Rison, OET
Suzy Rosen Singleton, CGB
Darryl Cooper, CGB

HAC Task Force Representatives

James Craig, HAC Task Force Executive Committee, Apple
Lise Hamlin, HAC Task Force Executive Committee, Hearing Aid Association of America
Kate Carr, HAC Task Force Executive Committee, Hearing Industries Association
Rob Kubik, HAC Task Force Executive Committee, Samsung
Shellie Blakeney, HAC Task Force Executive Committee, T-Mobile
Jonathan Mark, Google
Megan Stull, Apple
Helen Zhao, Google
Christiaan Segura, CTIA
Tom Goode, ATIS
Jackie Wohlgemuth, ATIS
Rachel Wolkowitz, Wilkinson Barker Knauer, LLP, and counsel to CTIA