



1200 G Street, NW
Suite 500
Washington, DC 20005

P: +1 202-628-6380
W: www.atis.org

August 23, 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 August 21, 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.

The HAC Task Force representatives share a strong commitment to Chairwoman Rosenworcel’s vision of achieving 100% hearing aid compatibility (“HAC”) for wireless handsets. All recommendations of the HAC Task Force – including the pending Waiver Request to authorize an interim approach to testing volume control while the current testing standard is revised – have been achieved via a consensus process that included consumer and advocacy groups.

During the meeting, the HAC Task Force representatives explained that the Waiver Request is a critical component of achieving this goal so that consumers with hearing loss can have the same access as consumers without hearing loss to the newest and most advanced handset models. Timely grant of the Waiver Request will keep the industry on the path to

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”).

achieving 100% HAC for wireless handsets. Record support for the Waiver Request remains unanimous.²

If the 2019 ANSI Standard goes into effect without an interim waiver to address the issues Working Group 3 of the HAC Task Force identified in the TIA 5050 standard, phones will soon enter the marketplace that are not labeled as HAC-certified even though they have better accessibility features than those released before 2021. This could lead to confusion that may lead to consumers purchasing older and less effective accessible technology. To avoid these results, in December 2022, the HAC Task Force presented a consensus, interim approach that will enable new handsets to become HAC-certified while the TIA 5050 standard is further investigated and revised. The solution will meet the FCC's goals of providing an objective test to verify the newer, better devices in the marketplace and keeping up the progress of moving towards 100% HAC.

The HAC Task Force representatives discussed the various technical details related to the consensus interim testing standard and the HAC Report. In particular, the HAC Task Force explained how the consensus interim testing standard would work to ensure consumers can find phones in the marketplace with a HAC volume control test (which is not the case today). The HAC Task Force looks forward to working with the FCC staff on a path forward.

To that end, the HAC Task Force representatives continued to urge the Commission to timely grant its Waiver Request, as it offers a path to HAC-certified devices in the marketplace and ensures that consumers can make informed decisions about phones manufactured after 2021 with an objective testing standard for volume control capability. This would also provide sufficient time for handset testing in advance of the updated December 5, 2023 compliance deadline.³

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,

/s/ Thomas Goode

Thomas Goode
General Counsel

cc: FCC meeting attendees

² See, e.g., HAC Report at 1-2; Comments of Samsung Electronics America (filed Apr. 24, 2023); Mobile & Wireless Forum Comments (filed May 3, 2023); TIA Reply Comments; Reply Comments of the Consumer Technology Association (filed May 18, 2023); Reply Comments of the Competitive Carriers Association (filed May 18, 2023).

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

Attachment: FCC Meeting Attendees

Commission Staff

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

HAC Task Force Representatives

James Craig, HAC Task Force Executive Committee, Apple
Linda Kozma-Spytek, HAC Task Force Executive Committee, DHH Tech RERC at Gallaudet University
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