



PUBLIC NOTICE

**Federal Communications Commission
445 12th St., S.W.
Washington, D.C. 20554**

**News Media Information 202 / 418-0500
Internet: <http://www.fcc.gov>
TTY: 1-888-835-5322**

**DA 15-1148
Released: October 7, 2015**

REQUEST FOR COMMENT ON PETITION FOR EXTENSION OF CLASS WAIVER OF COMMISSION'S RULES FOR ACCESS TO ADVANCED COMMUNICATIONS SERVICES AND EQUIPMENT BY PEOPLE WITH DISABILITIES

CG Docket No. 10-213

Comments Due: October 28, 2015

Reply Comments Due: November 9, 2015

The Federal Communications Commission (Commission or FCC) seeks comment on a petition filed by the Coalition of E-Reader Manufacturers (Coalition) for an extension of a class waiver of the Commission's rules requiring equipment used for advanced communications services (ACS) to be accessible to and usable by individuals with disabilities.

On January 28, 2014, in response to a petition filed by the Coalition in 2013, the Consumer and Governmental Affairs Bureau (Bureau or CGB) granted a waiver of its ACS accessibility rules, until January 28, 2015, for basic e-readers.¹

On January 28, 2015, in response to a petition filed by the Coalition in 2014 seeking an ongoing extension of the waiver for basic e-readers, the Bureau extended the waiver for one additional year, until January 28, 2016.²

On September 24, 2015, the Coalition again filed a petition seeking an ongoing extension of the waiver for basic e-readers.³ The Coalition states that "e-readers are single-purpose reading devices,"⁴ and

¹ *Implementation of Sections 716 and 717 of the Communications Act of 1934, as Enacted by the Twenty-First Century Communications and Video Accessibility Act of 2010; Coalition of E-Reader Manufacturers' Petition for Class Waiver of Sections 716 and 717 of the Communications Act and Part 14 of the Commission's Rules Requiring Access to Advanced Communications Services (ACS) and Equipment by People with Disabilities*, CG Docket No. 10-213, Order, 29 FCC Rcd 674 (CGB 2014) (2014 E-Reader Waiver Order).

² *Implementation of Sections 716 and 717 of the Communications Act of 1934, as Enacted by the Twenty-First Century Communications and Video Accessibility Act of 2010; Coalition of E-Reader Manufacturers' Petition for Class Waiver of Sections 716 and 717 of the Communications Act and Part 14 of the Commission's Rules Requiring Access to Advanced Communications Services (ACS) and Equipment by People with Disabilities*, CG Docket No. 10-213, Order, 30 FCC Rcd 396 (CGB 2015) (2015 E-Reader Waiver Order).

³ Petition for Extension of Waiver, CG Docket No. 10-213, filed September 24, 2015 (2015 Coalition Petition). The petition was filed pursuant to section 716(h)(1) of the Communications Act of 1934, as amended (Act), and sections 1.3 and 14.5 of the Commission's rules. 47 U.S.C. § 617(h)(1); 47 C.F.R. §§ 1.3, 14.5. A copy of the 2015 Coalition Petition is available at <http://apps.fcc.gov/ecfs/document/view?id=60001325102> (last viewed Oct. 5, 2015).

that access to ACS is available only through the e-reader browser that Coalition members include to facilitate reading-related uses.⁵

Comments and oppositions are due within 21 days from the date of this *Public Notice*. Reply comments are due within 10 days after the time for filing comments and oppositions has expired.

Permit-but-Disclose. The proceeding this *Public Notice* initiates shall be treated as a “permit-but-disclose” proceeding in accordance with the Commission’s *ex parte* rules.⁶ Persons making *ex parte* presentations must file a copy of any written presentation or a memorandum summarizing any oral presentation within two business days after the presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentation must (1) list all persons attending or otherwise participating in the meeting at which the *ex parte* presentation was made, and (2) summarize all data presented and arguments made during the presentation. If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenter’s written comments, memoranda or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during *ex parte* meetings are deemed to be written *ex parte* presentations and must be filed consistent with rule 1.1206(b). In proceedings governed by rule 1.49(f) or for which the Commission has made available a method of electronic filing, written *ex parte* presentations and memoranda summarizing oral *ex parte* presentations, and all attachments thereto, must be filed through the electronic comment filing system available for that proceeding, and must be filed in their native format (e.g., .doc, .xml, .ppt, searchable .pdf). Participants in this proceeding should familiarize themselves with the Commission’s *ex parte* rules.

Filing Instructions. Interested parties may file comments, oppositions, and reply comments on or before the dates indicated on the first page of this document.

Electronic Filers: Comments and reply comments may be filed using the Commission’s Electronic Comment Filing System (ECFS)⁷ by accessing <http://fjallfoss.fcc.gov/ecfs2/>.

- Paper Filers: Parties who choose to file by paper must file an original and one copy of each filing. If more than one docket or rulemaking number appears in the caption of this proceeding, filers must submit two additional copies for each additional docket or rulemaking number.

Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission’s Secretary, Office of the Secretary, Federal Communications Commission.

 - All hand-delivered or messenger-delivered paper filings for the Commission’s Secretary must be delivered to FCC Headquarters at 445 12th Street, SW, Room TW-A325, Washington, DC 20554. The filing hours are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes and boxes must be disposed of before entering the building.
 - Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743.

⁴ 2015 Coalition Petition at 2. The Coalition consists of Amazon.com, Inc.; Rakuten Kobo Inc.; and Sony Electronics Inc. *Id.* at 1.

⁵ *Id.* at 4.

⁶ 47 C.F.R. §§ 1.1200 *et seq.*

⁷ See *Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998).

- U.S. Postal Service first-class, Express, and Priority mail must be addressed to 445 12th Street, SW, Washington, DC 20554.

Availability of Documents. Comments, reply comments, and *ex parte* submissions will be available for public inspection during regular business hours in the FCC Reference Center, Federal Communications Commission, 445 12th Street, SW, CY-A257, Washington, DC 20554. These documents will also be available via ECFS. Documents will be available electronically in ASCII, Microsoft Word, and/or Adobe Acrobat.

People with Disabilities. To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer and Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (TTY). This *Public Notice* can also be downloaded in Word and Portable Document Format at <http://www.fcc.gov/encyclopedia/advanced-communications-services-acs>.

Additional Information. For additional information on this proceeding, please contact Eliot Greenwald at 202-418-2235 or Eliot.Greenwald@fcc.gov, or Rosaline Crawford at 202-418-2075 or Rosaline.Crawford@fcc.gov, of the Consumer and Governmental Affairs Bureau.

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