



# PUBLIC NOTICE

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## WIRELESS TELECOMMUNICATIONS BUREAU ANNOUNCES OPENING OF FILING WINDOW FOR HEARING AID COMPATIBILITY CERTIFICATIONS AND COMPLIANCE DATE FOR NEW RULES

WT Docket No. 17-228

By this Public Notice, the Wireless Telecommunications Bureau announces the opening of the filing window on September 3, 2019, for wireless service providers to electronically file hearing aid compatibility certifications (FCC Form 855) covering the 2018 reporting period.<sup>1</sup> Wireless service providers must file their certifications no later than October 3, 2019. In addition, by September 3, 2019, wireless service providers must comply with two new hearing aid compatibility requirements regarding website posting and record retention.<sup>2</sup> The Commission's hearing aid compatibility rules require wireless service providers to offer hearing aid-compatible handset models to consumers and to provide information regarding the hearing aid compatibility capabilities of their handset models to consumers and the Commission.<sup>3</sup>

### Annual Certification Requirement

All wireless service providers, including *de minimis* wireless service providers,<sup>4</sup> must annually certify whether they have been in full compliance with the Commission's hearing aid compatibility requirements throughout the prior calendar year by filing FCC Form 855.<sup>5</sup> The new service provider certification obligation and FCC Form 855 replace wireless service providers' previous obligation to file FCC Form 655 annually. Going forward, only device manufacturers must submit FCC Form 655.<sup>6</sup>

<sup>1</sup> See 47 CFR § 20.19(i) (setting forth service provider annual certification requirements); *Revisions to Reporting Requirements Governing Hearing Aid-Compatible Mobile Handsets*, WT Docket No. 17-228, Report and Order, 33 FCC Rcd 11549 (2018) (*Burden Reduction Order*).

<sup>2</sup> See 47 CFR § 20.19(h) (setting forth service provider website posting and record retention obligations). The Office of Management and Budget (OMB) approved the information collection on June 25, 2019. See 84 Fed. Reg. 37591 (Aug. 1, 2019) (announcing OMB approval and establishing the September 3, 2019 compliance date).

<sup>3</sup> See 47 CFR § 20.19 *et seq.*

<sup>4</sup> See 47 CFR § 20.19(e) (defining *de minimis* exception for wireless service providers).

<sup>5</sup> 47 CFR §§ 20.19(e), (i).

<sup>6</sup> In order to ensure an orderly transition to the new website and annual certification requirements for wireless service providers, the Commission waived the January 15, 2019 FCC Form 655 reporting requirement covering the 2018 reporting period. The Commission determined that wireless service providers would be required to submit the certifications covering the 2018 reporting period after OMB approval for the associated burdens. See *Burden Reduction Order*, 33 FCC Rcd at 11567, para. 48.

The FCC Form 855 filing portal will open on September 3, 2019, and wireless service providers will have 30 days to submit their certifications for the 2018 reporting period. The portal will close at midnight EDT on October 3, 2019. The filing portal will be available on the FCC's website at <https://www.fcc.gov/filing-hearing-aid-compatibility-reports-and-certifications>. The portal will contain a link to FCC Form 855 and have detailed instructions on completing the form.

Going forward, certifications will be due by January 15 of each year, covering the prior calendar year. We will open the filing window on the first business day after January 1 of each year.<sup>7</sup>

Each certification must include the following information:

- (1) The name of the signing executive and their contact information.
- (2) The company(ies) covered by the certification.
- (3) The FCC Registration Number (FRN).
- (4) The web site address of the pages containing the required handset model information (for non-*de minimis* service providers).
- (5) The percentage of handsets offered that are hearing aid compatible. Providers will derive this percentage by determining the number of hearing aid-compatible handsets offered across all air interfaces during the year divided by the total number of handsets offered during the year.

If a service provider indicates that it was not in full compliance with the Commission's hearing aid compatibility requirements throughout the relevant reporting period, the service provider must attach an explanation.

### **Website Posting Requirement**

Beginning September 3, 2019, wireless service providers (other than *de minimis* service providers) must comply with Section 20.19(h) of the Commission's rules,<sup>8</sup> which requires posting on their websites the following expanded information regarding their handsets' hearing aid compatibility capabilities:

- (1) A list of all hearing aid-compatible models currently offered, the ratings of those models, and an explanation of the rating system.
- (2) A statement specifying, based on the levels of functionality and rating that the service provider has defined, the level that each hearing aid-compatible model falls under, as well as an explanation of how the functionality of the handsets varies at the different levels.
- (3) A list of all non-hearing aid-compatible handset models currently offered, including the level of functionality that each of those models falls under, an explanation of how the functionality of the handsets varies at the different levels, as well as the following link to the current FCC web page containing information about the wireless hearing aid compatibility and service providers' obligations: <https://www.fcc.gov/hearing-aid-compatibility-wireless-telephones>.
- (4) A link to the Global Accessibility Reporting Initiative web site (<http://gari.info/>) which has information regarding hearing aid-compatible and non-hearing aid-compatible handset models or, alternatively, a clearly marked list of hearing aid-compatible handset models that have been offered in the past 24 months but are no longer offered by that provider.

Handset lists must include marketing model name/number(s) and FCC ID number of each hearing aid-compatible and non-hearing aid-compatible model currently offered. The information on service

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<sup>7</sup> For the 2019 filing year, the filing window will open on Thursday, January 2, 2020.

<sup>8</sup> 47 CFR § 20.19(h).

providers' web sites must be updated within 30 days of any relevant changes and the web site pages must contain a "date stamp" indicating when the pages were last updated.

### **Record Retention Requirement**

Beginning September 3, 2019, all wireless service providers (other than *de minimis* service providers) must comply with Section 20.19(h) of the Commission's rules,<sup>9</sup> which requires maintenance of certain internal records on hearing aid compatibility handsets that they no longer offer:

- (1) The ratings, if applicable, of all hearing aid-compatible and non-hearing aid-compatible models no longer offered (if the calendar month/year that model was last offered is within 24 months of the current calendar month/year and was last offered in January 2018 or later).
- (2) For models no longer offered (if the calendar month/year that model was last offered is within 24 months of the current calendar month/year), the calendar months and years each hearing aid-compatible and non-hearing aid-compatible model was first and last offered.
- (3) The marketing model name/number(s) and FCC ID number of each hearing aid-compatible and non-hearing aid-compatible model no longer offered (if the calendar month/year that model was last offered is within 24 months of the current calendar month/year and was last offered in January 2018 or later).

### **Additional Information**

To request materials in accessible formats for people with disabilities (braille, large print, electronic files, or audio format), send an e-mail to [fcc504@fcc.gov](mailto:fcc504@fcc.gov) or call the Consumer and Governmental Affairs Bureau at (202) 418-0530 (voice), (844) 432-2275 (videophone), or (202) 418-0432 (TTY).

For further information about this proceeding, please contact Susannah Larson at [susannah.larson@fcc.gov](mailto:susannah.larson@fcc.gov) or at 202-418-1883.

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<sup>9</sup> *Id.*