

**STATEMENT OF
COMMISSIONER MICHAEL J. COPPS**

RE: Section 68.4(a) of the Commission's Rules Governing Hearing Aid-Compatible Telephones; Cingular Wireless LLC Petition for Waiver of Section 20.19(c)(3)(i)(A) of the Commission's Rules, Memorandum Opinion and Order (WT Docket No. 01-309).

Today's Order grants Cingular Wireless a limited waiver of our hearing aid compatibility rules as they apply to wireless phones. It is with some hesitation that I support this action. I have said before that strong and clear rules are critical to accomplishing the statutory goal of ensuring that our Nation's telecommunication networks are accessible to Americans with hearing loss. Nonetheless I understand that technological difficulties have emerged for wireless phones operating in the 850 MHz band. Advocates for the hearing loss community have expressed support for Cingular's request—and I am satisfied that Cingular and other participants in the Hearing Aid Compatibility Incubator Program have been working in good faith to solve this problem quickly.

I support today's limited waiver because it moves us closer to the goal of ensuring that Americans with hearing disabilities have access to digital wireless services. In granting this limited waiver, we have insisted on regular updates to the FCC on the progress made to develop a solution for wireless phones that operate in the 850 MHz band. I will monitor that progress closely—and expect complete resolution by the firm deadline we have set of August 1, 2006. By that time, nationwide carriers that operate in the 850 MHz band—either on their own networks or through roaming agreements—should have hearing aid compatible phones available to consumers that work in that band.

We have made the relief granted today available to other wireless carriers, service providers and handset manufacturers. T-Mobile has already requested similar action, and may avail itself of today's limited waiver. I am encouraged that the wireless industry has been engaging in a dialogue with advocates for the millions of Americans with hearing disabilities so that solutions can be found for hearing aid compatibility.