

Before the
Federal Communications Commission
Washington, DC

In the Matter of)
Implementation of Section 255 of the)
Telecommunications Act of 1996)
) WT Docket No. 96-198
Access to Telecommunications Services,)
Telecommunications Equipment, and)
Customer Premises Equipment)
By Persons with Disabilities)

I am an advocate and a deaf person who has been involved with telecommunication issues for the past 10 years, mostly on the local level. I am Vice President of the DC Association of Deaf Citizens(DCADC). I am also a DCADC representative to the DC Telecommunication Relay Service Advisory Board and a member of several national organizations serving the deaf. After the passage of the Americans with Disabilities Act (ADA), I was one of the leaders who worked with the DC Public Commission Service to create the DC Relay Service.

I urge the FCC to support and adopt the Access Board Guidelines as written. I feel the FCC's NPRM isn't clear whether they will fully support the Guidelines. The Guidelines are fair and would go a long way towards achieving access to telecommunication products. These guidelines (as adopted) are needed to provide clear guidance on the obligations of companies to make their products and service accessible.

I oppose allowing the companies the discretion of determine the extent to which costs of providing access will be recovered. The reason for Section 255 is because the market did not respond to the needs of people with disabilities. I believe the Access Guidelines made it clear that it is cheaper to design products and services at the beginning of the development. As an example of today's product that incorporate universal design, you'll find many people carry pagers and they are either set to beep or vibrate. However, I'm positive that the majority of the pagers which are set to vibrate is because it is not to disturb others. The vibration technology is a great benefit to deaf people and there was little or no "cost recovery" for the companies concerned. Another example is a TV with built in captioning. It cost the manufacturer very little to add the decoder chip and they fully recovered the cost when they mass-produce the TVS.

Modems should include the TTY/ASCII standard known as V.18 which was developed standard by ITU-T. The modem manufacturers haven't fully embraced the V.18 standard because they don't think it will benefit anyone. That's not true. Many of the non-deaf modem users would be able to call their deaf relatives, friends, clients, etc. This will not be a burden on the companies because just like the TV with built in

decoder, they can increase the cost by a few dollars and recover the costs of development in short order.

I am concerned that the FCC did not consider important and widely used services such as voice mail and electronic mail in the scope of Section 255 because they are considered information services. I disagree. For example, voice mail may be considered an "enhanced service" by the local Bell companies, however, they are regulated by their state's Public Service Commission (PSC). The PSC sets parameters and prices for the voice mail and they are widely being used by the public. As time goes by, voice mail may become as basic as phone services (or adjunct-to-basic service). Let's look at the touch tone phone: In the past, Bell companies (and PSC's) consider touch tone as an enhanced service and charge extra for it. However, more and more Bell companies are now including touch tone as part of their basic services (or adjunct-to-basic service). If an enhanced service such as voice mail cost a few dollars a month for the telephone users, why can't a deaf person pay the same few dollars a month just to have access to their own TTY mail? This is asking for like the same type of services the majority of the public is using. Don't just deny us and leave us out of these services. One note, the President of DCADC lives with a non-deaf roommate and they share the same phone number. She expressed to me one day that she's looking forward to having a "TTY/Voice Mail" that can benefit the service to each of them. The deaf community was lead to believe this would be covered by Section 255.

I am concerned the that FCC believes the Operator Services for the Deaf (OSD) seems to meet the need as "adjunct-to-basic services" and assumes that the current OSD (presently run by AT&T, Sprint and MCI) meet the needs for the TTY users. I disagree. When using one of the OSD, I have to pay a fee to obtain a phone number. Allow me to quote from my Section 255 Reply Comments to the Notice of Inquiry filed with the FCC on November 27, 1996:

The common carriers should have TTY lines for the deaf/hard of hearing to call in for operator assistance as well as for getting phone numbers (through 411). If the common carriers choose not to have TTY Operator or 411 Services, they should contract to a vendor to do it. Currently, as a TTY user, if I call the AT&T Operator Service for the Deaf (OSD), I will be charged a fee to get a phone number. I can't even call the 411 from the DC Relay Service. In DC (which I'm quoting from the Bell Atlantic (BA) Phone Directory), "Residence customers have a monthly allowance of five Directory Assistance calls per line. Calls over that allowance cost 36 cent each."

I support the FCC's proposal regarding the complaint process. I believe it is fair and reasonable.

Let's not allow just the plain, old, simple and very basic products and services to be accessible -- let's allow other products and services to be covered because millions of Americans are using them and taking advantage of them. The deaf community feels as though the rest of us take such things for granted while we do not. Let's stop this and mandate that companies serve us and they will realize that the services will benefit

other Americans too.

Thank you for the opportunity to comment on this important matter.

Respectfully submitted,

David J. Nelson

June 30, 1998