Proceeding: IMPLEMENTATION OF SECTION 255 OF THE TELECOMMUNICATIONS AC Record 1 of 1

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BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

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

COMMENTS OF THE PEOPLE OF THE STATE OF CALIFORNIA AND OF THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA ON THE NOTICE OF PROPOSED RULEMAKING ON ACCESS TO TELECOMMUNICATIONS SERVICES AND EQUIPMENT BY PERSONS WITH DISABILITIES

The People of the State of California and the Public Utilities Commission of the State of California (California or CPUC) here respond to the Notice of Proposed Rulemaking (NPRM) issued by the Federal Communications Commission (FCC) regarding access to telecommunications equipment and services, as well as access to customer premises equipment, by persons with disabilities. In the NPRM, the FCC proposes certain definitions of specific statutory terms contained in Section 255 of the 1996 Telecommunications Act. In addition, the NPRM sets forth proposals to implement and enforce the Section 255 requirement that telecommunications offerings be accessible to the extent that accessibility is "readily achievable".

In response to the NPRM, the CPUC's Deaf and Disabled Telecommunications Program (DDTP) prepared a report to the CPUC. A copy of

that report is attached to this pleading, and is offered to the FCC for its consideration.

Respectfully submitted,

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REPORT OF
THE DEAF AND DISABLED TELECOMMUNICATIONS PROGRAM OF THE

CALIFORNIA PUBLIC UTILITIES COMMISSION
ON THE FEDERAL COMMUNICATIONS COMMISSION'S NOTICE OF PROPOSED RULEMAKING IN THE MATTER OF THE IMPLEMENTATION OF SECTION 255 OF THE TELECOMMUNICATIONS ACT OF 1996

I. Background

The Deaf and Disabled Telecommunications Program ("DDTP" or "the Program") submits this report to the California Public Utilities Commission in response to the Federal Communications Commission's ("FCC" or "the Commission") Notice of Proposed Rulemaking for § 255 of the Telecommunications Act of 1996. The DDTP was established by California legislation in 1979 to provide access to telephone service for deaf subscribers. Today, the Program provides, at no cost to the consumer, accessible and adaptive telecommunications equipment and services to deaf and disabled persons so they can communicate using telecommunications. In 1997, DDTP served over a half million consumers at a cost of $35 million. The Program represents one of the costs to society of not considering functional needs when designing telecommunications products and services.

The DDTP applauds the FCC for issuing proposed rules to implement § 255 of the Telecommunications Act of 1996. Increased access to telecommunications equipment is critical to expanding employment, educational, and social opportunities for individuals who are deaf and disabled. We urge the FCC to consider the suggestions contained in these comments so that functional needs are fully considered in the design, development, and manufacturing of telecommunications equipment, products and services.

The DDTP also welcomes the FCC rulemaking since increased use of universal design will help decrease the demand for and costs of products and services provided by the Program. If manufacturers and service providers incorporate more accessibility features into the design of telecommunications equipment and services it will reduce the burden on California ratepayers for funding this program. The rules will also save ratepayers money in the nearly thirty other states that have similar programs.

If the FCC issues effective rules, product and service developers will work to increase accessibility in the design/development phase and thereby market products and services that are more usable for all consumers. Hence, the need for adaptive or specialized equipment will decrease. Given the multitude of ways disabilities can limit function, the need for some specialized or adaptive equipment will always exist. It is the DDTP's strong desire to decrease the dependence of California's deaf and disabled consumers on

the adaptive devices provided by the Program. This goal is achievable if product developers and manufacturers incorporate the functional needs of deaf and disabled people more as they design products, services and equipment.

Today, nearly half the Program's budget pays for equipment; of that, forty percent is spent on amplification devices. The Program looks forward to the day when consumers can find attractive telephones with appropriate amplification ranges as easily as they find telephones today without amplification.

II. Scope/Definition

The DDTP sees § 255 as fundamental to its mission of providing access to telecommunications services now and in the future and to its goal of decreasing demand for the Program. The DDTP suggests the following for the FCC's consideration. In addition to the telecommunications services definition, include a functional definition. (¶ 42) This could be something as simple as defining access to telecommunications as the ability to complete a call. Applying a functional definition would broaden the products and services on the market that are universally designed. The more accessible or widely available universally designed products are means that fewer consumers will have to rely on specialized Programs to provide adaptive equipment.

For clarity, the DDTP is not suggesting that by adopting a broad definition of telecommunications service that the FCC subject any new services to any kind of traditional common carrier regulation, only that products and services should be accessible. The nature of universal design suggests the FCC take a forward-looking approach which attempts to introduce accessibility features early in the evolution of a product rather than waiting until it becomes "basic". Getting on the information superhighway requires more than basic service for deaf and disabled consumers.

Succinctly stated, the rules, if adopted as proposed, have the potential to increase the expense of programs such as the DDTP by creating a new set of services and products that will require a new generation of adaptive devices.

A couple of additional factors will increase the DDTP's cost: people are living longer, and America is graying at a rapid rate. If products and services are generally not accessible, there will be a multiplier affect that will significantly increase the costs of equipment distribution programs. Again, the more accessible or widely available universally designed products are, the less consumers will have to rely on specialized programs to provide adaptive equipment.

Section 255 can be most effective if FCC adds functional equivalent to its definition of telecommunications services. The NPRM acknowledges that the definitions of telecommunications services and adjunct to basic service will change over time. The NPRM states that call forwarding and 411 were included as adjuncts to basic service after the services demonstrated a value to the public by becoming ubiquitous. There is,

however, an inherent conflict with the intent of § 255 if the FCC waits until a service demonstrates its value by becoming ubiquitous. The success of § 255 is based on universal design, which by definition must be considered in the early stages of product development and modification in order to be efficient. Once a service is ubiquitous it can be more costly to universally design it. Manufacturers could also end up adding accessibility features instead of universally designing a product.

We would like to suggest that the FCC act proactively. For example, many organizations (public and private) have discussed the desire for e-mail to be a widely available and used service. In order for e-mail to be fall under the accessibility requirements of § 255 the FCC could acknowledge e-mail can be a functionally equivalent telecommunications service. E-mail for the deaf population is quickly becoming the preferred way to "make calls" because it is private, fast, and more people and businesses have e-mail than TTYs. The DDTP regularly hears complaints that people hang up on relay operators or refuse to take relay calls. The DDTP incurs significant expense today trying to educate the public about the relay service. E-mail, Chat, and Instant Messaging are already familiar services that can enable private and faster communication "Chat" technology offers a functionally equivalent way for a deaf person to communicate real time. The relay has been tremendous. However, it is expensive and should not remain the primary accommodation for deaf and non-deaf users simply because it was the best technology available at the time the law was passed.

If the FCC requires e-mail interfaces to be accessible after the majority of Americans already have it, the cost will be higher and the design less functional for many people with disabilities. If e-mail does not become a part of basic service for many years, then developers will not look at adding accessibility features until that time. In this scenario the DDTP's cost may increase since it may be required to provide accessible software and screen readers until e-mail is accessible. If the FCC includes services that offer the functional equivalency of completing a call for deaf and disabled people, it will cost California ratepayers less and give additional options to deaf and disabled persons. The categories the FCC uses -- telecommunications services, adjunct to basic and enhanced services -- are designed for assigning regulatory treatment and assessments. The intent of § 255 is to improve functional access of telecommunications equipment, products and services in the future.

The DDTP is concerned that the proposed definitions risk leaving deaf and disabled people marginalized in an analog era, i.e., without access to digital communications. Today many people in business, education and government use e-mail and voice mail instead of making real time phone calls. The FCC proposed definition would not give the same options to deaf and disabled people. The definition will include some additional services like cellular, yet it may also risk excluding equipment and services used today such as headsets and three-way calling.

As a result there will be increased pressure on programs like the DDTP to provide access to new services in the future, especially those which provide the functional equivalent of

completing a call. For example, the Program has been requested to provide solutions that make audiotext systems accessible as well as provide equipment that make cellular phones accessible to TTYs. Today it takes a relay operator at least three to five calls, often many times more, to provide access to audiotext. If system developers considered accessibility for deaf and motion impaired users the Program's costs would decrease.

The DDTP was started because the needs of deaf and disabled people were not considered when communications products and services were designed for the mass market. We believe it may be more appropriate and less costly for the entities developing these products and services to incur the costs and benefits of accessibility.

For these reasons we ask the FCC to consider a definition that includes the functional equivalency of completing a call. This would include products such as video relay, e-mail and chat for deaf users, voice mail for people with various cognitive impairments, and voice activated dialing for people with mobility impairments. If these products were designed to be accessible and widely available, they would not have to be provided by equipment distribution programs. We believe the FCC can rely on the definitions of readily achievable to set limits for manufacturers and service providers on what effort is reasonable to increase accessibility. Otherwise, the FCC risks inadvertently creating roadblocks to the information superhighway for deaf and disabled people and putting additional pressure on programs such as the DDTP to pay for adaptive equipment.

Another example of where a functional definition may have a longer term cost benefit to ratepayers is related to Operator Services for the Deaf (OSD). The NPRM list OSD as an adjunct to basic service as opposed to the services OSD provides. By referring to OSD specifically the FCC might give the impression that an individual with a speech or motion impairment is not entitled to access the very same services OSD provides since OSD is only accessible to customers who use a TTY. Programs like the DDTP pay for access to these services for deaf consumers and consumers with other disabilities. We concur that the 0 and 411 services are essential and § 255 should apply. We further believe a functional description is more appropriate. OSD services include: operator assisted dialing, call interrupt, third party billing, number verification, and directory assistance. In this case the burden will shift to providers of the service and all ratepayers will no longer pay a surcharge to cover expensive adaptive solutions. California requires the relay service to provide access to these services. Companies will likely incorporate the cost of providing access to all the users of 0 and 411 services. If companies providing the services are required to make them accessible they will find ways to make access more efficient than the relay.

The DDTP sees, in new products, the potential for cost savings and improved customer satisfaction if some existing and new products are universally designed. There will be clear cost savings for ratepayers if TTY users can access the Internet for 411 information or to make calls when this service is available to residential customers. The potential is there for Internet calls to be less expensive than traditional wire line calls, to be more

private and less costly than the relay service, and to offer video for users who only sign or who need to lip read.

As a note, video relay may also be beneficial to hard-of-hearing consumers since they may be able to lip read and see text if available. Today a text relay call involves a communications specialist who types on the TTY with the deaf party and talks with the hearing party. The call works and in fact the relay is invaluable. However, it also limits privacy, takes longer to complete a call and is expensive.

The DDTP hopes the FCC will consider how to adopt rules that will decrease consumers' dependence on its Program. The promise, in part, of the new telecommunications era is more choice for everyone including deaf and disabled people.

III. Application of § 255 to Equipment

The DDTP supports § 255's application to CPE and telecommunications equipment (network). The DDTP's budget for equipment in1998 is $8.5 million. Once implemented § 255 could save California ratepayers significant amounts. Consider that 40% of the purchases are amplifiers used primarily by older adults. This population will increase dramatically over the next ten years as the population continues to age and live longer. The DDTP sees opportunities for equipment manufacturers to incorporate amplification, where readily achievable, in CPE that would decrease the dependence of the largest consumer segment on the DDTP.

Based on the experience of the DDTP and the large local telephone companies in California that have purchased equipment for the Program, the DDTP strongly believes the responsibility for accessibility needs to rest with the component manufacturers and the resellers, not just the final assembler. The likelihood of more accessible solutions emerging is far greater if each entity in the production process has responsibility for creating accessibility where it is readily achievable.

As a large purchaser of specialized CPE, it is our experience that manufacturers produce for an international market and tend not to respond to large purchasers' specific requests. If accessibility requirements are specified in the RFP or purchase order it is often too late for a manufacturer to consider universal design or a modification to its design. At this point product features are developed, and in some cases, already manufactured. The purchaser can choose only among pre-determined features,

We hear frequently that the order simply isn't big enough to change the design for a desired product feature. For example, the Program distributed for years a large button phone with black letters on a white base. Without notice, the manufacturer changed all the colors to shades of gray, which decreased the contrast and diminished the phone's accessibility for visually impaired customers. The vendor refused an appeal by the DDTP to continue manufacturing the phone in black and white. We suggest the FCC consider

distributing responsibility so that product developers throughout the process address the following questions:

- Is this component universally designed?
- If not, is it readily achievable to universally design in accessibility features?

All entities will then be accountable for understanding universal design and the needs of customers with disabilities as they develop and change products.

The FCC also suggests these rules apply when the distributor is also the manufacturer or an affiliate. The DDTP concurs with this view and believes it is consistent with requiring accountability throughout the process.

The proposed rules go on to include distributors which perform similar functions to manufacturers, such as customer support. The DDTP is a distributor and provides extensive customer support, from product installation and training to repair. The DDTP provides such extensive customer service because the vendors' materials and customer service are often inaccessible or unavailable. The DDTP is concerned about applying § 255 to its Program unless manufacturers throughout the process are also accountable.

We offer a parallel example for consideration. A customer purchases a refrigerated food item from the grocery store and gets sick because the product had spoiled. The customer holds the store accountable. The store, after checking its cooling systems, in turn holds the manufacturer accountable. The manufacturer, after checking its production process, may hold the raw material supplier accountable. Each vendor in the supplier chain has standards it applies to vendors downstream and it has responsibility for its contributions upstream, not just the final assembler or distributor.

If § 255 were in place the DDTP would expect vendors to provide customer support services and materials that are accessible. This is another example of where the DDTP's cost could decrease.

IV. Application of § 255 to Software, Network Features, Functions or Capabilities

The DDTP concurs that if software is used for a telecommunications function the developer has responsibility to determine what accessibility features are readily achievable. Caller ID is rendered useless if the box is not accessible or if the network information is incompatible with the box. As mentioned above the entities involved in the manufacturing process, in this case both the network service provider and box manufacturer need to be accountable for incorporating accessibility features, where readily achievable.

There is a chance that companies may selectively deploy network technology. For example, voice activated dialing (VAD) will be a tremendous assistance to customers with severe mobility impairments. VAD can also lower the cost to programs like the

DDTP since customers with motion impairments can use VAD instead of an 0 operator to complete a call. Today several thousand customers in California have a phone that is programmed to automatically dial 0 when the phone goes off the hook. The customer then informs the 0 operator that they require manual assistance. The 0 operator is supposed to then dial the number requested. It is not uncommon for an operator to not understand his responsibility and hang up or charge the customer a fee for operator assisted dialing. VAD offers a better service to the customer since he can complete the call in a manner closer to non-motion impaired customers. It also doesn't involve training operators, using their time to make calls, or taking up the time of customers or operators to negotiate refunds for improper charges.

Using the example of VAD again, companies that develop and market VAD need to work with CPE manufacturers so the product is usable with CPE. The expectation of § 255 is that companies will ensure that VAD also works with accessibility features like speakerphones.

Development of one capability drives the development of another. If manufacturers understand they are accountable for accessibility from the beginning, customers with disabilities will have access to products in a timely fashion and without having to purchase adaptive equipment. For example, talking Caller ID boxes would have been available when the product was launched if the rules for § 255 had been in place.

V. Accessibility and Usability

The FCC proposes to adopt the Access Board's definition of accessibility and related appendix materials as part of the definition of "accessible to and usable by." The FCC states that these "will provide an appropriate basis for evaluating accessibility obligations." The FCC also proposes that the evaluation of accessibility should include "support services (such as consumer information and documentation) akin to what is provided to consumers generally to help them use equipment." (¶ 72) The DDTP concurs with this interpretation as it presents another area that could decrease the Program's cost.

Based on the amount of time DDTP employees spend installing and training, it is critical that product documentation and customer support service be accessible. In the 17 years the Program has been distributing equipment, manufacturers have done very little in this area or in providing accessible customer support service. The DDTP believes repair services must also be accessible to customers with disabilities. If the service and the channel to purchase must be accessible, then it is logical that the repair service must also be accessible.

Access to product documentation means making the bill, instructions, product information, users' manuals, etc., available in large print, Braille, on computer disk, cassette tape, clearly written, and in illustrated written form. In addition, visual markings on equipment must also have tactile indicators. As an example, there is a dot that many, but not all, manufacturers put on the number five key on a keypad. It provides orientation to customers with visual impairments to make dialing easier. Additionally, the DDTP has

noticed that many companies, especially technology companies, use the World Wide Web as a means of distributing product documentation. As this practice spreads it effectively means that web browsers and company web sites must be accessible.

The NPRM suggests that the FCC adopt the portion of the Access Board Guidelines which define accessible and usable and equipment accessibility and call for "pass-through of cross-manufacturer.. . . information necessary to provide telecommunications in an accessible format evaluation." The NPRM further proposes to use the questions suggested by the Access Board to evaluate telecommunications services accessibility as well as support services. The DDTP concurs with this direction as well. Additionally the DDTP strongly recommends the FCC consider adopting the following Access Board Guidelines for both service providers and equipment manufacturers:

- Where market research on products or services is performed, individuals with disabilities should be included in the populations researched;
- Where product design trials and pilot demonstrations are conducted, individuals with disabilities should be included in these activities; and
- Reasonable efforts should be made to validate access solutions though testing with individuals with disabilities or related organizations.

It is very important to include deaf and disabled customers in these processes so accurate information is used as opposed to information based on assumptions.

The NPRM requests comment on whether § 255 should cover the installation of equipment so that it is accessible. The example cited is pay phone installation. The ADA assigns responsibility to the owner of the pay phone. This should continue. The DDTP sees the opportunity for requiring manufacturers to include product documentation about the accessibility requirements of the product and its installation, yet the responsibility for proper installation should rest with the owner.

VI. Compatible With and Commonly Used

Section 255 requires that where accessibility is not readily achievable, telecommunications offerings must be compatible with peripheral devices and specialized CPE commonly used by individuals with disabilities to achieve access, if readily achievable. In both cases the FCC states it will consider a product accessible if access is gained by using one of these products. In contrast, hearing aids, which have a broad application outside the telecommunications context, would not be considered either a peripheral device or specialized CPE. The DDTP must purchase adaptive equipment that is compatible with hearing aids so to the extent the FCC can require compatibility it will assist the Program in fulfilling its mission.

The FCC proposes that devices and CPE should be considered "commonly used" by people with disabilities when they are affordable and widely available. The FCC seeks comment on this proposal, and whether it should establish a rebuttable presumption that a device is commonly used when it is distributed in a state equipment distribution program.

This standard is intended to provide a list of "commonly used" devices and CPE by persons with disabilities that are accessible or create access when making other products accessible is not readily achievable. The DDTP has three concerns for the FCC's consideration:

- state equipment programs vary greatly
- the programs do not include all of what is commonly used; and
- Entities must not avoid incorporating access by universal design in their products or services simply because adaptive equipment exists that performs the same function.

The FCC's proposal that devices and CPE should be considered "commonly used" by people with disabilities when they are distributed through a state's equipment distribution program, has some problems. (¶ 90) First of all, which state's distribution program would serve as the model? The state programs differ significantly. Also, there are a lot of peripheral devices and specialized CPE that are widely used and not provided by any equipment distribution program, such as answering machines and screen readers. The DDTP believes the equipment state programs use could begin a list but that the FCC should lead a consensus process to ensure the list is complete and useful.

We are also concerned that an unintended effect of developing such a list, instead of functional descriptions, could encourage companies to attempt to achieve access by relying on state programs by asserting that universal design of mainstream products is not readily achievable and access can be obtained through adaptive equipment. It is likely that providing an amplified handset in a pay phone costs less than specialized programs to purchase, market, distribute and maintain adaptive equipment.

Requiring access to be built into products ensures the product will reach more of the people who need the accessibility features in a more effective way. One in five adults has a disability according to the 1990 Census. In California, the DDTP has a solid history of providing useful equipment; however, the program is expensive and reaches only a fraction of those who could benefit from its services.

VII. Readily Achievable Determinations

Under § 255, manufacturers must make their products accessible or compatible if it is readily achievable to do so. Readily achievable was borrowed from the Americans with Disability Act (ADA) and means "easily accomplishable and able to be carried out without much difficulty or expense." The DDTP supports using the "readily achievable" standard as defined in the ADA. As well we concur with the proposed framework for analyzing whether a particular accessibility feature is "readily achievable," which involves looking at the feasibility of the feature, the expense of providing the feature and, given the expense, whether the feature is practical. The determination involves balancing the nature and costs of including an access feature with the overall financial resources of the covered entity (and the resources of its parent corporation, where applicable). We

also concur with the FCC's suggestion that technical feasibility may be considered in determining whether access to a product or service can be achieved.

It would defeat the intent of § 255 to permit entities to consider the marketability of an accessible product in the same way it considers the marketability of inaccessible products. The same is true for opportunity costs and cost recovery. If the market worked today for people with disabilities Congress would not have included $255. We believe adding these factors for manufacturers to consider in their determination of readily achievable will result in fewer universally designed products and services. Also, these additional factors seem unnecessary since § 255 contains no rights of private action. The "readily achievable" standard has demonstrated that it imposes a balance among the resources companies must use to create access, consumers need for access and companies need to earn a profit.

If the FCC chooses to adopt rules that say that an entity may look at the "net" expense figure and cost recovery, then the DDTP suggests two other data points to be included. The FCC can strongly encourage entities to research the market opportunity of customers with disabilities. This is difficult since data isn't collected nor available in the same way as it is in other market segments.

The DDTP also requests the FCC consider incorporating two other factors:

(1) The "net cost to society" of not providing universal design or built-in accessibility; and
(2) Nearly thirty other states have had to fund separate programs to continually provide specialized equipment because the mainstream equipment or network features are not accessible.

Moreover equipment distribution programs are much more expensive for ratepayers. An amplifier, on average costs $35, and but the cost increases when you add the expense of establishing a program to purchase, market, distribute and maintain adaptive equipment. The incremental costs of adding the function to telecommunications products and services is a one time cost and considerably less than continuing to provide adaptive equipment through state programs.

Currently employers and educational institutions have requirements to provide accessible equipment. In the school and the workplace accessible telecommunications products are essential. It's now time to require telecommunications equipment, products and services to be manufactured as accessible, where readily achievable.

Some specialized equipment is probably always going to be necessary, but to the extent that accessibility features can be built into all products and network services, individual consumers and public programs will have to pay less for specialized equipment. When balancing the benefits and costs of accessibility, the cost of supplementary equipment for individual consumers and state programs need to be considered.

The Access Board issued a guideline stating that no change in a product shall be undertaken that has the effect of decreasing the accessibility or usability of the equipment. The FCC stated that this principle should not operate in such a way as to prevent legitimate feature trade-offs as products evolve. As well, the FCC asked for comments on how to evaluate a trade-off among disability features.

The DDTP strongly asserts trade-offs that reduce or eliminate accessibility features are not legitimate trade-offs. The Program has had many experiences with manufacturers where a product is changed without consideration to the needs of customers with disabilities. The DDTP is a fairly large purchaser. One example, the Program had purchased for years a big button phone from the same vendor. Since the phone had large buttons and offered excellent contrast, as it had black letters and a white background, it meet the needs of many visually impaired consumers and some motion impaired consumers. The vendor informed the Program after the decision was made by the entity. In the entity's mind, gray and grayer were more aesthetic colors in today's market.

Over time if these trade-offs occur the accessibility features could gradually disappear in the name of aesthetic or technological advances. That is exactly why the DDTP suggests the Access Board's guideline should be enforced.

The DDTP strongly believes if a manufacturer is universally designing products and services under the readily achievable standard the question of trade-offs for access features will not arise very often. In cases where the issues does arise the DDTP suggests the FCC use the Access Broad guidelines referred to under "Assessable and Usable" as the standard to which manufacturers are accountable. Specifically, reasonable efforts should be made to validate access solutions though testing with individuals with disabilities or related organizations. The affected populations can offer data that can be used to guide an entity's decision.

The DDTP sees another opportunity for using the ADA as a model for §255. The ADA requires a building owner to improve access when a building is remodeled. Companies continuously upgrade equipment, network technology, products, and services. The FCC could consider including rules that instruct entities, when upgrading a equipment, products and services (feature, function or capability) to review whether any accessible functions are now readily achievable.

VIII. Complaint Process

We would like additional clarification of the proposed complaint process, and specifically when an individual has the right to move from the "fast track" to the "informal" or "formal" complaint processes, or when a complaint would be moved to an alternative dispute resolution process. We request clarification of these points in the final rules so that consumers may fully understand the means available to seek redress under § 255.

Additionally, we ask the FCC to revise its proposed rule that would require consumers to first receive approval from the FCC before being permitted to bring a formal FCC complaint. This is not a requirement for other formal complaints brought before the Commission and appears to be discriminatory against individuals with disabilities.

We concur with the following FCC proposals concerning consumer complaints.

- There should be no filing fees for informal or formal complaints, and fees that currently exist for filing complaints against common carriers should be waived for complaints brought under § 255. Waiving these fees would be in the public interest.
- There should not be any time limit for filing complaints, because one never knows when he or she will discover that a product or service is inaccessible.
- Consumers with disabilities should be able to submit complaints by any accessible means available.
- Manufacturers and service providers should be required to establish and publicize contact points in their companies that are accessible to consumers with disabilities.