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VIA ECFS

July 18, 2025

Marlene H. Dortch, Esq.
Secretary
Federal Communications Commission
45 L Street NE
Washington, DC 20554

Re: *Achieving 100% Wireless Handset Model Hearing Aid Compatibility, Amendment of the Commission's Rules Governing Standards for Hearing Aid-Compatible Handsets*; WT Docket Nos. 23-388 & 20-3

Dear Ms. Dortch:

The Consumer Technology Association (CTA)¹ respectfully requests that the Federal Communications Commission (FCC or Commission) grant the request to extend use of the temporary volume control standard beyond the upcoming September 29, 2025, expiration date until such time as a new permanent volume control standard becomes effective.² Granting a waiver extension sufficiently in advance of the September 29, 2025 expiration date will ensure that manufacturers have surety that Hearing Aid Compatibility (HAC) testing can be completed for handsets coming onto the market after September 29, 2025, including for the important holiday gift season.

CTA Is the Leading Consumer Technology Trade Association and Has a Strong History Supporting Individuals that Use Hearing Devices and/or Have Hearing Loss. As the leading U.S. trade association of the consumer electronics and information

¹ As North America's largest technology trade association, CTA® is the tech sector. Our members are the world's leading innovators—from startups to global brands—helping support more than 18 million American jobs. CTA owns and produces CES®—the most powerful tech event in the world.

² *Wireless Telecommunications Bureau Seeks Comment on CTIA'S Request to Extend Use of the Temporary Volume Control Standard Used to Certify Handsets as Hearing Aid Compatible*, Public Notice, WT Docket Nos. 23-388, 20-3, DA 25-585 (WTB July 8, 2025) (seeking comment on whether the FCC should grant CTIA's petition to extend use of the temporary volume control standard beyond the upcoming September 29, 2025 expiration date and, if so, for how long); see also CTIA Petition for Extension of Waiver, WT Docket Nos. 23-388, 20-3 (filed July 2, 2025) (CTIA Petition).

technologies industries, CTA's members include hearing aid and wireless handset manufacturers as well as wireless service providers. CTA promotes the development and use of consensus technical standards, as well as appropriate revisions to those standards. One of CTA's most important and long-standing activities has been to lead opportunities for its members to meet with and learn from organizations that represent people with disabilities. CTA and its member companies also participate in several committees, meetings and conferences throughout the year to directly engage with members of the disability community, including individuals that use hearing devices and/or have hearing loss.

The Current Waiver Is Based on a Consensus Solution to Problems with the 2019 ANSI Standard Volume Control Methodology. CTA served as a leading member of the multi-stakeholder HAC Task Force that recommended that the Commission adopt the original interim waiver in 2023 as part of the landmark, consensus HAC Task Force Report.³ The HAC Task Force identified that the volume control testing methodology, as incorporated by the Commission into the rules, represented a flawed testing framework that previously had not been tested in the real world because testing equipment was not yet available when the standard was adopted. Importantly, the HAC Task Force also developed an interim volume testing solution to ensure that wireless handsets could be tested to demonstrate compliance with the main components of the 2019 ANSI Standard: RF immunity, inductive coupling, and volume control. As such, CTA supported the Commission's grant of the waiver in 2023 that provided an interim standard for testing and demonstrating compliance with volume control.⁴

Providing Sufficient Time for the Consensus Standards Process Is Important to Ensuring the Replacement Standard Will Perform as Expected. As CTA previously explained, in CTA's experience, it is extremely difficult to accurately estimate how long it will take to develop a good, consensus standard.⁵ Indeed, with an extensive Technology and Standards program that includes more than 70 committees, subcommittees and working groups and roughly 1100 participants as well as American National Standards Institute ("ANSI") accreditation, CTA understands that good standards take a lot of time and effort.⁶ Further, developing and updating consensus standards when testing

³ See *generally* Hearing Aid Compatibility Task Force, Final Report and Recommendation, WT Docket No. 15-285 (filed Dec. 16, 2022); Letter from Thomas Goode, General Counsel, Alliance for Telecommunications Industry Solutions, to Marlene H. Dortch, Secretary, FCC, WT Docket No. 15-285, at 5 (filed Jan. 24, 2022) (noting that Working Group 2 was chaired by Lise Hamlin and Rachel Nemeth).

⁴ See, e.g., Letter from J. David Grossman et al., Vice President, Regulatory Affairs, CTA, to Marlene H. Dortch, Secretary, FCC, WT Docket No. 20-3 (dated May 18, 2023) (urging the FCC to adopt a waiver to permit the testing of wireless handsets with an interim volume control testing methodology for the purposes of demonstrating compliance with the FCC's HAC rules).

⁵ *Id.*

⁶ See *generally* Standards, CTA, <https://www.cta.tech/Resources/Standards> (last visited July 17, 2025).

demonstrates that such revisions are necessary (as they are here) is crucial to ensuring that consensus standards remain a useful policymaking tool.

The standards body group developing the revised volume control testing methodology, TIA's TR-41 Volume Control Task Group ("VCTG"), recently submitted an update on its work that details extensive research and testing as well as remaining steps towards ANSI balloting and approval.⁷ Allowing sufficient time for the VCTG to complete its work and then submit the revised standard for Commission consideration and incorporation will benefit both consumers and industry.

Granting the Limited, Interim Waiver Extension Will Benefit Consumers.

Consumers will not be harmed by granting a limited waiver that extends the testing framework that is currently in place. The present waiver has facilitated the introduction of new, innovative wireless handsets that are demonstratively HAC-compliant. A limited extension of the present waiver will allow consumers to continue to benefit from the stringent testing required by the 2019 ANSI Standard related to RF immunity, telecoil coupling *and* volume control for new wireless handsets.

Extending the Waiver Until New Rules are Effective Provides the Most Certainty for Consumers, the Commission and the Consumer Technology Industry. CTA supports a limited extension of the present waiver until such time as a new permanent volume control standard in the Commission rules becomes effective.⁸ Rather than setting an arbitrary time that may have to be moved, CTA encourages the Commission to set the waiver to expire when the replacement is in place in the rules and effective. As detailed in the VCTG update, stakeholders are already hard at work and have a finish line in sight. An arbitrary, action-forcing deadline is unnecessary here.⁹

Sincerely,

CONSUMER TECHNOLOGY ASSOCIATION

/s/ Rachel Nemeth

Rachel Nemeth

Senior Director, Regulatory Affairs

/s/ Brian Markwalter

Brian Markwalter

Senior Vice President, Research & Standards

⁷ See Comments of the Telecommunications Industry Association, WT Docket No. 23-388 *et al.* (filed June 14, 2025).

⁸ Should the Commission determine a different timeline is more appropriate, CTA supports the alternatives identified by CTIA in its Petition, namely, extending the temporary standard until one year after TIA publishes its final standard or, at a minimum, not less than two years beyond the current waiver's expiration, whichever is later. CTIA Petition at 3.

⁹ Likewise, although the Commission did not seek comment on conditions, CTA observes that imposing additional conditions is unnecessary. As anticipated, stakeholders have been working in good faith.