

FCC Grants AT&T Waiver Request to Use Real-Time Text for Hearing Impaired Communications

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On October 6, the FCC issued an [Order](#) granting AT&T a temporary limited waiver of the text telephony (TTY) rules “on wireless networks to the extent that they use Internet Protocol (IP) technologies.” In June 2015, AT&T had [filed a Petition for Rulemaking](#) and a separate request for an interim waiver of the Commission’s disabilities access rules to recognize real-time text (RTT) as an acceptable alternative to TTY technology, but the Order does not specifically address AT&T’s request. The waiver will expire on December 31, 2017 or when the Commission updates its disabilities access rules to “provid[e] for alternative IP-based wireless accessibility solutions, whichever is earlier.” The Order states that similar waivers may also be granted to other “similarly situated applicants,” provided that they meet the criteria for a waiver and agree to the same conditions.

In the Order, the Commission found that there was good cause to grant a limited waiver of the TTY rules because of the “major technical barriers to reliably supporting TTY transmissions over IP networks” combined with the fact that “overall use of TTYs has declined greatly and ... are seldom used on wireless networks.” The Commission also noted that newer RTT technology has distinct advantages over TTY, including the potential to “facilitate the transition to next generation 911 for people with disabilities” as well as not requiring consumers to purchase an external assistance device to enable communication. The Order did raise some concerns about disabled consumers’ ability to access 911 services during the waiver period, but ultimately determined that any impact would likely be “insignificant.”

AT&T’s waiver is subject to two conditions. First, AT&T must, within 30 days of the Order and again periodically for the duration of the waiver, notify its customers through a variety of media (i.e. website, billing statements, promotional materials) that “TTY technology will not be supported to calls to 911 services over IP-based wireless services” and that “there are alternative PSTN-based and IP-based accessibility solutions” for consumers with communications disabilities to make 911 calls. Second, AT&T must file a report with the Commission and provide updates to its customers every six months, starting in April 2016, “regarding its progress toward and the status of the availability of new IP-based accessibility solutions, such as RTT.”

It is unclear at this time whether the Commission will launch a proceeding to update its TTY disabilities access rules, but the AT&T Order notes that the two-year waiver period should be sufficient for the Commission to “consider any appropriate modifications of its rules in light of the expected deployment of RTT.”