

Reminder: FCC Service Provider Hearing Aid Compatibility Report Due January 17, 2017

December 19, 2016

Please be reminded of the upcoming due date for the Report listed below:

FCC Form 655 – Service Provider Hearing Aid Compatibility Status Report

All providers of digital commercial mobile radio service (CMRS) in the United States must file, by midnight **January 17, 2017**,* FCC Form 655 reporting on the status of the provider's compliance with the Federal Communications Commission's (FCC) rule 20.19 hearing aid compatible (HAC) handset requirements. FCC Form 655 **must be submitted electronically via the FCC's website** and is available at <http://wireless.fcc.gov/hac/index.htm?job=home>.

*Note that this report is typically due on January 15th annually. However, because that date falls on a weekend in 2017 (including Martin Luther King Day), Commission rules dictate that the report will be due on the following business day.

Who Must File:

The reporting requirement applies to all digital CMRS providers within the scope of FCC rule 20.19, including mobile virtual network operators (MVNO) and resellers. Providers that are otherwise exempt from HAC rules, pursuant to the *de minimis* exception of Rule 20.19(e), are required to file the HAC report.

Rule 20.19 applies to providers of digital CMRS in the United States that meet the following specifications:

- (i) to the extent that they offer real-time, two-way switched voice or data service that is interconnected with the public switched network; and
- (ii) utilize an in-network switching facility that enables the provider to reuse frequencies and accomplish seamless hand-offs of subscriber calls; and
- (iii) such service is provided over frequencies in the 698 MHz to 6 GHz bands.

Overview of Report Contents

The Service Provider HAC report includes information regarding the HAC-compliant and non-compliant handsets offered, including, but not limited to, the air interface on which the handsets operate and the total numbers of handsets offered. For compliant models, Service Providers must report additional details such as the operating frequency bands, HAC ratings, and functionality levels of the handsets. Service Providers also must provide information regarding product labeling and

consumer outreach efforts.

Time Period Covered by Report

The report covers the time period January 1, 2016 – December 31, 2016. Information in the reports must be up-to-date as of December 31, 2016.

Future Changes

As we noted in our December 2015 advisory regarding this report, the FCC in 2015 [expanded](#) the hearing aid compatibility rules to include Wi-Fi calling and VoIP services. As a result, beginning in 2018, the hearing aid compatibility requirements of Section 20.19, including the annual reporting requirement, will apply to providers of **digital mobile service** in the United States to the extent that: (1) they offer terrestrial mobile service that enables two-way real-time voice communications among members of the public or a substantial portion of the public, and (2) such service is provided over frequencies in the 698 MHz to 6 GHz bands. The revised rule expressly states that providers of “digital mobile service” include CMRS providers as well as providers of both interconnected and non-interconnected VoIP services.

Please be advised that attorneys in Kelley Drye & Warren’s [Communications Practice Group](#) are experienced in addressing issues related to the hearing aid compatibility reports. For more information regarding this client advisory, please contact your usual Kelley Drye attorney.