



PUBLIC NOTICE

Federal Communications Commission
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DA 23-662

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COMMENT SOUGHT ON T-MOBILE ACCESSIBILITY PETITION FOR LIMITED WAIVER

CG Docket No. 03-123
RM-11931

Comments Due: August 21, 2023

Reply Comments Due: August 31, 2023

The Consumer and Governmental Affairs Bureau (CGB or Bureau) of the Federal Communications Commission (FCC or Commission) seeks comment on a Petition for Limited Waiver filed by T-Mobile Accessibility (T-Mobile) seeking waiver of the requirement that the TTY-based relay service be capable of communicating with the American Standard Code for Information Interchange (ASCII) format.¹ T-Mobile contends that the ASCII format is now obsolete and has very few users. Additionally, T-Mobile states that continued compliance with the requirement inhibits innovation and imposes significant near-term costs on T-Mobile. T-Mobile seeks a time-limited waiver pending the outcome of Commission action on T-Mobile's Petition for Rulemaking to amend the Commission's rules to eliminate the ASCII requirement.²

T-Mobile has redacted portions of its petition for which it requests confidential treatment. Access to the redacted material is governed by the Third Protective Order in this docket.³

Filing Requirements. Interested parties may file comments on T-Mobile's petition on or before the dates indicated on the first page of this document.⁴ All filings must reference CG Docket No. 03-123

¹ T-Mobile Accessibility, Petition for Limited Waiver of T-Mobile Accessibility, CG Docket No. 03-123 and RM-11931 (filed June 16, 2023) (T-Mobile Petition for Waiver), <https://www.fcc.gov/ecfs/search/search-filings/filing/106161618223758>; see 47 CFR § 64.604(b)(1) ("TTY-based relay service shall be capable of communicating with ASCII and Baudot format, at any speed generally in use."), The T-Mobile Petition for Waiver does not request waiver of the Baudot compatibility requirement.

² See Petition for Rulemaking by T-Mobile Accessibility, RM-11931 (filed Aug. 24, 2022); *Request for Comment on Petition for Rulemaking by T-Mobile USA, Inc., Regarding Continued Use of ASCII Format for TTY-Based Relay Service*, CG Docket No. 03-123 and RM-11931, DA 22-996 (Sept. 22, 2022).

³ See *Misuse of Internet Protocol (IP) Captioned Telephone Service; Structure and Practices of the Video Relay Service Program; Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, CG Docket Nos. 13-24, 10-51, and 03-123, Order and Third Protective Order, 33 FCC Rcd 6802, 6803, para. 4 (CGB 2018).

⁴ See 47 CFR §§ 1.1, 1.45, 1.49.

and RM-11931. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS).⁵

- Electronic Filers: Comments may be filed electronically using the Internet by accessing the ECFS: <https://www.fcc.gov/ecfs/filings>.
- Paper Filers:
 - Parties who choose to file by paper must file an original and one copy of each filing. If more than one docket or rulemaking number appears in the caption of this proceeding, filers must submit two additional copies for each additional docket or rulemaking number.
 - Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.
 - Currently, the Commission does not accept any hand delivered or messenger delivered filings as a temporary measure taken to help protect the health and safety of individuals, and to mitigate the transmission of COVID-19. In the event that the Commission announces the lifting of COVID-19 restrictions, a filing window will be opened at the Commission's office located at 9050 Junction Drive, Annapolis Junction, Maryland 20701.⁶
 - Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9050 Junction Drive, Annapolis Junction, MD 20701.
 - U.S. Postal Service first-class, Express, and Priority mail may be addressed to 45 L Street, NE, Washington, DC 20554.

Ex Parte Requirements. The proceeding this Notice initiates shall be treated as a “permit-but-disclose” proceeding in accordance with the Commission's *ex parte* rules.⁷ Persons making *ex parte* presentations must file a copy of any written presentation or a memorandum summarizing any oral presentation within two business days after the presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentation must (1) list all persons attending or otherwise participating in the meeting at which the *ex parte* presentation was made, and (2) summarize all data presented and arguments made during the presentation. If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenter's written comments, memoranda or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during *ex parte* meetings are deemed to be written *ex parte* presentations and must be filed consistent with rule 1.1206(b). In proceedings governed by rule 1.49(f) or for which the Commission has made available a method of electronic filing, written *ex parte* presentations and memoranda summarizing oral *ex parte* presentations, and all attachments thereto, must be filed through the electronic comment filing system available for that proceeding, and must be filed in their native format (e.g., .doc, .xml, .ppt, searchable .pdf). Participants in this proceeding should familiarize themselves with the Commission's *ex parte* rules.

Accessible Materials. To request materials in accessible formats for people with disabilities

⁵ *Electronic Filing of Documents in Rulemaking Proceedings*, GC Docket No. 97-113, Report and Order, 13 FCC Rcd 11322 (1998).

⁶ See *FCC Announces Closure of FCC Headquarters Open Window and Change in Hand-Delivery Policy*, Public Notice, 35 FCC Rcd 2788 (OMD 2020).

⁷ 47 CFR §§ 1.1200 *et seq.*

(Braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer and Governmental Affairs Bureau at (202) 418-0530.

Additional Information. For further information, please contact Ike Ofobike at (202) 418-1028, (202) 744-3916, or by e-mail at Ike.Ofobike@fcc.gov. Individuals who use videophones and are fluent in American Sign Language (ASL) may call the FCC's ASL Consumer Support Line at (844) 432-2275.

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