

UNITED STATES OF AMERICA

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FEDERAL COMMUNICATIONS COMMISSION

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CONSUMER ADVISORY COMMITTEE

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MEETING

+ + + + +

FRIDAY

NOVEMBER 19, 2004

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The Fall Meeting convened in the Commission Meeting Room, 445 12th Street, S.W., Washington, D.C. 20554, at 9:00 a.m., Shirley L. Rooker, Chair, presiding.

PRESENT:

- SHIRLEY L. ROOKER Call for Action
- CHRIS BAKER AARP
- DEBRA BERLYN Consumer Policy Consulting
- CLAYTON BOWEN National Association of State
Relay Administration
- DAVID BRUGGER Consulting
- DIANE BURSTEIN National Cable
Telecommunications Association
- ANNETTE CLECKNER MCI
- JIM CONRAN Consumers First, Inc.
- CINDY COX Bell South
- MICHAEL DELCASINO AT&T Corporation
- MIKE DUKE

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ANNE GIRARD Hamilton Telephone Company, dba
Hamilton Relay Service

LARRY GOLDBERG Media Access Group, WGBH

JOSEPH GORDON League for the Hard of Hearing

SUSAN GRANT National Consumers League

VERNON R. JAMES San Carlos Apache
Telecommunications Utility, Inc.

JEFF KRAMER Verizon

REBECCA LADEW

SCOTT MARSHALL CAC Designated Federal Officer

SUSAN PALMER-MAZRUI Cingular Wireless

DAVID POEHLMAN American Council of the Blind

MARK PRANGER

JOY RAGSDALE National Association of State
Utility Consumer Advocates

VALERIE SCHULTENAB

EUGENE SEAGRIFF Telecommunications Industry
Association

DONALD SNOOP Hometown Online

BYRON ST. CLAIR National Translator Association

JOHN F. STENSGAR Affiliated Tribes of Northwest
Indians Economic Development
Corp.

CLAUDE STOUT Deaf and Hard of Hearing
Consumer Action Network

LINDA WEST

ANDREA WILLIAMS Cellular Telecommunications &
Internet Association (CTIA)

PRESENTERS:

DAVID KITZMILLER FCC Webmaster

K. DANE SNOWDEN Chief, Consumer & Governmental
Affairs Bureau

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1 P-R-O-C-E-E-D-I-N-G-S

2 9:06 a.m.

3 CHAIRPERSON ROOKER: It's great to have
4 you here in Washington on this fall afternoon. I'm
5 Shirley Rooker. I'm Chair of the CAC and I run Call
6 for Action. Having said that, I would like for us, if
7 we could get everybody at the table, to go around the
8 table and introduce ourselves.

9 I have to say on a personal note I am so
10 delighted to see Rebecca here. She has had quite an
11 ordeal but she is on the road to recovery. In a
12 couple more weeks she's really going to be out there
13 doing everything. Rebecca, it is wonderful to see
14 you. Why don't we start at the other end with Jim
15 Conran. I want to make sure he's awake down there.

16 MR. CONRAN: I'm awake, Shirley.

17 CHAIRPERSON ROOKER: Good morning.

18 MR. CONRAN: Good morning. I'm Jim
19 Conran. I'm from Arinda, California which is near San
20 Francisco and I'm with Consumers First.

21 MR. BAKER: Hi. I'm Chris Baker with
22 AARP.

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1 MR. DELCASINO: Mike DelCasino, AT&T.

2 MR. PRANGER: Mark Pranger, Rogers State
3 University.

4 MS. GIRARD: I'm Anne Girard with Hamilton
5 Relay here on behalf of Dixie Ziegler.

6 CHAIRPERSON ROOKER: Welcome, Anne.

7 MS. GIRARD: Thank you.

8 MR. SNOOP: I'm Don Snoop from Hometown
9 Online.

10 MR. BOWEN: Good morning. I'm Clay Bowen
11 representing the National Association of State Relay
12 Administration. Brenda Kelly-Frey, who is usually
13 here in this seat, sends her regards. She's actually
14 suffering from a broken ankle but probably she's
15 listening right now.

16 CHAIRPERSON ROOKER: Hey, Brenda. Hope
17 you're doing better.

18 MS. SCHULTE: Valerie Schulte, National
19 Association of Broadcasters.

20 MS. LADEW: I'm Rebecca Ladew and I
21 represent the STS Relay. Speech Relay, that is.
22 Thank you, Shirley, for that nice introduction.

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1 CHAIRPERSON ROOKER: Linda.

2 MS. WEST: I'm Linda West. I represent
3 native American and rural American issues.

4 MR. STOUT: Hi. I'm Claude Stout from
5 Telecommunications for the Deaf, Incorporated, but
6 today I am represent Deaf and Hard of Hearing Consumer
7 Advocacy Network. It's good to see you all today.
8 Thank you.

9 MS. WILLIAMS: Hi. I'm Andrea Williams.
10 I'm Assistant General Counsel with the Cellular
11 Telecommunications and Internet Association, better
12 known as CTIA.

13 MR. DUKE: I'm Mike Duke. I'm the
14 Director of Radio Reading Service in Mississippi
15 representing people who are blind and have low vision.
16 Also representing Amateur Radio Operators.

17 MR. GORDON: Good morning. I'm Joe Gordon
18 for League for the Heard of Hearing People.

19 MR. GOLDBERG: I'm Larry Goldberg, the
20 Director of the Media Access Group at WGBH in Boston.

21 MS. RAGSDALE: Good morning. I'm Joy
22 Ragsdale with the National Association of State

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1 Utility Consumer Advocates.

2 MR. KRAMER: Good morning. I'm Jeff
3 Kramer with Verizon sitting in for Rich Ellis this
4 morning.

5 MR. BRUGGER: David Brugger, Brugger
6 Consulting.

7 MS. GRANT: Good morning. I'm Susan Grant
8 from the National Consumers League.

9 MR. ST. CLAIR: I'm Bryon St. Clair from
10 the National Translator Association. Our concern is
11 getting free over-the-air time and radio signals in
12 the rural areas.

13 MR. POEHLMAN: I'm David Poehlman. Good
14 morning everyone. I'm with the American Council of
15 the Blind.

16 MR. HOOVER: Good morning. I'm David
17 Hoover with the National Cable Telecommunications
18 Association. I'm sitting in for Diane Burstein who
19 will be joining us later this morning.

20 MS. MAZRUI: Good morning. I'm Susan
21 Mazrui from Cingular Wireless.

22 MR. MARSHALL: I'm Scott Marshall with the

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1 FCC and I guess I need to write my name down here two
2 times.

3 MR. STENSGAR: My name is John Stensgar
4 and I'm an elected member of the Government Business
5 Council and I'm representing the Affiliated Tribes of
6 Northwest Indians.

7 MS. BERLYN: Good morning. Debra Berlyn
8 with Consumer Policy Consulting.

9 MS. COX: Good morning. I'm Cindy Cox.
10 I'm with Bell South.

11 MR. SEAGRIFF: I'm Eugene Seagriff
12 representing the Telecommunications Industry
13 Association.

14 CHAIRPERSON ROOKER: Thank you all. We
15 especially welcome Counsel Stensgar who is replacing
16 Cheryl Williams on our committee and we are delighted
17 to have him with us. Just to note, Rich Ellis, as you
18 probably know, had hip replacement surgery and he is
19 doing well. Don't call him this week. It's probably
20 not a good idea but he's doing well. Everything
21 seemed to go very successfully.

22 I do want to thank some people who have

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1 made this meeting possible. I would like to thank
2 Andrea Williams and CTIA for their generous
3 contribution to our breakfast and lunch. If lunch is
4 as good as breakfast, we are really in for it today.
5 I think a special word of thanks go to the working
6 groups.

7 I'm so impressed with what you've been
8 doing. I love the energy that's been going on, all
9 the e-mails. While it makes my in-box get very busy,
10 that's okay. It's just fascinating to see all the
11 work that has been going on. I think that you should
12 all pat yourselves on the back for that.

13 I would like to give thanks to the
14 corporate members of this committee who have made our
15 conference and services possible and thank all of you.

16 I'm not going to name you because I'm afraid I'm
17 going to miss someone.

18 You need to congratulate Debra because I
19 understand she is taking a new job. Hope that's not
20 secret. It's making the rounds. I hope I didn't put
21 my foot in it. Okay. Congratulations. We are very
22 pleased for you.

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1 And then, of course, you know, I always
2 say it but I want you to understand that I'm not
3 saying it just because it's the polite thing to do.
4 It is such a joy for me to work with someone who has
5 the intellect and the humor of Scott Marshall. He's
6 probably going to hit me but, honestly, it really and
7 truly is. So much of the success of this committee is
8 because of him.

9 Then, of course, I have to thank the FCC
10 staff, Betty Johnson and the people with her. They've
11 been wonderful. They make this meeting -- they set it
12 up and make it flow smoothly. Let's just give them a
13 hand. Makes life much easier for all of us.

14 With that note, I'm going to turn the
15 microphone over to Scott who wants to give you some
16 logistical information.

17 MR. MARSHALL: Just very briefly, the
18 restrooms are out the doors you came in down a short
19 corridor to your left. You will find both of them
20 there. They also have public phones out in the
21 corridor here just outside the doors that you came in.
22 If you need anything, just ask Betty or me and we'll

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1 try to help out in whatever way we can.

2 CHAIRPERSON ROOKER: All right. Thank
3 you, Scott.

4 Now our first speaker this morning is
5 familiar to all of you but I don't know if you realize
6 how much his energy and support mean to the functions
7 of this committee because without Dane Snowden it
8 wouldn't be happening. It's a great pleasure to work
9 with Dane. He's been absolutely wonderful. He's
10 always there. If you've got questions, he's got
11 answers. I think he actually give me the right
12 answers, you know. He'll get me after this. Please
13 welcome Dane Snowden.

14 MR. SNOWDEN: I can tell you, Shirley, if
15 I don't know the right answer, I will definitely get
16 it to you. Sometimes you ask some challenging
17 questions.

18 Good morning and I welcome back everyone.
19 It is a great pleasure to be standing in front of you
20 once again. I bring you greetings from Chairman
21 Powell and Commissioners Abernathy, Copps, Martin, and
22 Adelstein. There's a mixed bag. Some of them are on

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1 travel and others have conflicts out of the building
2 so they asked me to extend their best wishes to each
3 of you.

4 Before I get into some of the activities
5 that have been going on at the Commission since you
6 have last met, I want to share with you some good
7 news, at least from my perspective, and I think you
8 will join me in saying that it's good news as well.
9 Chairman Powell has directed me to begin the process
10 of renewing the committee's charter for another two
11 years. We are very thrilled about that.

12 I think that's a tribute to all of the
13 work that you all have done as a committee so that
14 applause actually should go not to Chairman Powell but
15 to you for the good work that you have brought to this
16 Commission.

17 The official date of rechartering will be
18 today, November 19th. We'll begin to solicit
19 applicants for the new Consumer Advisory Committee
20 sometime in December. Of course, each of you are
21 encouraged and permitted, of course, to reapply. I
22 encourage you to do that. We are thrilled that this

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1 Advisory Committee will go on.

2 Just a note. One of the challenges that
3 all federal agencies have we are only allowed a
4 certain amount of advisory committees by law. They
5 are precious, precious commodities. Usually there is
6 a long process that we go through to make a
7 recommendation to the chairman and get approval.

8 There are lots of memos going back and forth.
9 As you might imagine, he's a very busy man. When I
10 went up there I had my memo in hand and he spoke to me
11 and said, "I don't need to read a memo. We're doing
12 it again." That's a true testament to what he feels
13 about the great work that has come out of this
14 committee so thank you again for all of your good work
15 and we appreciate it.

16 Let me share with you some of the
17 activities that have been going on at the Commission
18 since you were last here. I know some of you -- all
19 of you read the Trade Press regularly. I want to
20 point out some highlights that I think are important
21 to this particular committee.

22 Last September -- this past September we

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1 released the Commission's fourth Advanced Services 706
2 Report. This is a report that talks about the digital
3 migration that's going on in this country,
4 particularly digital migration of broadband.

5 The report found, which was not a
6 surprise, but it was reaffirming that the first
7 innovation of advanced telecommunications services
8 capability is being deployed on a reasonable and
9 timely basis. Bottom line, broadband is moving out in
10 the way we envisioned it.

11 As Chairman Powell always says that's the
12 good news but it's not something that we're going to
13 rely on to say that we're done. We know there's more
14 work to be done and we will continue to work to
15 facilitate more advanced services to all communities,
16 particularly as we look at rural communities and
17 communities on tribal lands.

18 Continuing our work on the theme digital
19 migration, the Commission last October released an
20 order and adopted some changes to Part 15 which deal
21 with broadband over power lines. We are excited about
22 this new technology.

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1 This is another way to get broadband into
2 the homes of the American consumer which we know will
3 work. We are going to look at, of course,
4 interference issues and things of that nature. Just
5 about every home in America has power so we know we
6 can get broadband to the home via that outlet as well.

7 This is another competitive choice that is
8 evolving to cable and satellite and DSL for broadband.

9 This is a great new technology that is moving
10 forward. It is also consistent with President Bush's
11 mandate that our rules will increase the availability
12 of broadband. We are truly excited about that.

13 A third piece for the trifecta of
14 broadband is Internet telephony also known as VoIP, or
15 Voice over Internet Protocol. Last week we recently
16 made a decision, the Commission did, that the FCC will
17 have jurisdiction over all VoIP issues meaning that
18 our decision last week was to say who has to decide
19 what regulatory fund is put on Voice over Internet
20 Protocol. Instead of doing a patchwork of 50
21 different states, the FCC decided it was best to have
22 a national plan and we are moving forward.

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1 We have several proceedings out right now
2 that deal with the issue of what type of regulatory
3 framework we should be using with VoIP. Of course,
4 some of those deal with 911. Some deal with law
5 enforcement issues. Of course, some deal with
6 disabilities issues.

7 We had a forum here which focused
8 specifically -- a solution seminar, I should say,
9 which specifically dealt with disabilities using Voice
10 over Internet. We are very excited and I think -- I
11 want to thank the CAC for your recommendations and
12 thoughts and comments regarding our IP enabled
13 services.

14 All of that information is put in the
15 record and is being gathered right now and is being
16 reviewed by our colleagues in the wireline competition
17 world who are diligently trying to move forward with
18 some of these rulemakings as they go forward.

19 I wanted to bring you up to speed on
20 NASUCA petition since Joy is here. I wanted to also
21 let you know that we are currently -- the Bureau is
22 currently working on a notice and a decision on what

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1 we are going to do on the NASUCA petition which deals
2 with some truth in bidding issues.

3 We are working hard on that. The comments
4 and the applied comments close in August and my staff
5 has been working hard to come up with some
6 recommendations that we can put forth to the entire
7 Commission. We are moving forward on that particular
8 matter. I know CAC has some comments on that as well.

9 We have a CARE item, Customer Account
10 Records Exchange. This is how the carriers talk to
11 one another. We are currently working on an item that
12 -- why this is so important, I should say, is that if
13 we can work out the kinks that go on when a consumer
14 switches from one carrier to another or carriers talk
15 to one another we know that will significantly reduce
16 some of the billing issues that we're seeing, some of
17 the slamming issues that we are seeing.

18 We know that this will enhance
19 competition. We are working closely on this
20 particular item. The comment cycle has closed and we
21 hope to have something out by the end of this calendar
22 year.

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1 Now, moving to what I think is a wonderful
2 piece of good news and that is the telemarketing
3 rules, TCPA rules. So far there are over 64 million
4 consumers that put numbers in the registry. I should
5 rephrase that. There are 64 million members in the
6 registry. There could be less than that for
7 consumers.

8 I thought about leading off with this but
9 I think I'll leave it in the middle because it's such
10 a good piece of news. What has happened since you've
11 been gone is that the United States Supreme Court have
12 spoken and they have declined to review a decision of
13 the 10th Circuit to uphold the registry. All
14 that mumbo jumbo means that the registry is going
15 forward. Our rules have been affirmed and we are
16 going forward. We are very excited. I remember last
17 time I talked to you I said that I was cautiously
18 optimistic. I can tell you today that I am
19 emphatically ecstatic about these rules.

20 This was a labor of love. It came out of
21 my Bureau which I have a big bias toward but one of
22 the things that is remarkable when I first joined the

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1 FCC we had a lot of indecency issues. I would travel
2 on an airplane and someone would say, "What do you
3 do?"

4 I felt like saying I work for the IRS
5 because sometimes it was easier. Since we have
6 come out with the telemarketing rules I tell everyone
7 I work at the FCC and it's like a big Christmas hug
8 from everyone saying, "Thank you for doing that." The
9 American public really enjoyed it.

10 One of the things that I think is
11 remarkable about this, and I will compliment many
12 people, not just the consumers but also the industry
13 because at first there was a lot of fuel in the
14 telemarketing and the telemarketers that thought,
15 "You're going to destroy our business. This is not
16 going to work."

17 In fact, that is exactly what did not
18 happen. We're seeing telemarketers continuing to move
19 forward with having the comments that they need to
20 keep their livelihood and consumers are having the
21 protection that they want and need and the privacy
22 that they want and deserve in their homes every day.

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1 We are very, very ecstatic about that.

2 I thank the CAC again for their
3 recommendation on our rules. We have followed what
4 you recommended which I believe was to make sure our
5 rules harmonize with the FTC and we have done that so
6 we're ecstatic about that as you can tell. I'm like a
7 proud father with a newborn with the telemarketing
8 rules.

9 I should also share with you that we have
10 been refining our rules since we promulgated them in
11 2003. This past September when the Commission revised
12 its Do Not Call List so that telemarketers can access,
13 or must access, the National Registry every 31 days
14 rather than 90 days. Again, with the advent of
15 local number portability rules which is extremely pro-
16 consumer and is working, we are actually fast
17 approaching the one-year anniversary next week of the
18 LNP decisions, we said to telemarketers that they have
19 to port the numbers within 15 days because we update
20 those within 15 days to accommodate recently ported
21 telephone numbers. There's a lot of activity in the
22 telemarketing world as you might imagine.

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1 We've also received three petitions for --
2 excuse me. We also received three prediction
3 petitions on the state Do Not Call List which one was
4 recently set up this week in Florida. We have one in
5 New Jersey that deals with state EBR, Established
6 Business Relationship, that differs from the national
7 EBR.

8 And we have one in North Dakota which
9 deals with a state statute that does not exclude
10 political polling. We are currently working on all of
11 those items as we speak except for the Florida one
12 which was settled without our intervention.

13 CAN-SPAM, the Controlling of Non-Solicited
14 Pornographic Advertising Material Act, which is a
15 terrible name but I didn't create it. I enforce it.
16 The FCC has a small sliver of responsibility for the
17 CAM-SPAM Act which is Section 14 of the Act. Last
18 August we adopted rules which address issues of what
19 happens with the wireless devices. Most of the rules
20 have gone into effect as of October.

21 We're waiting on a few to be approved by
22 the Office of Management and Budget at which time when

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1 they approve those rules we will post a list of domain
2 names on our website so that individuals who want to
3 send content to wireless devices they can, in fact,
4 check that and ensure that they have permission from
5 the endorser before they go forward with that. Again,
6 we are moving forward with some very aggressive
7 activities.

8 What are the issues that have kept our
9 Disabilities Rights Office extremely busy is the
10 telecommunications relay service and video relay
11 service item that we had last June. In that item we
12 had a Federal Notice of proposed rulemaking which
13 closed on this past Monday. The comment period closed
14 this past Monday.

15 In the Federal Notice we're looking at a
16 couple of issues. One, of course, is the jurisdiction
17 of separation of cost which deals with the
18 interstate/intrastate cost of IP relay and VRS service
19 which deals with how we will work with counterparts in
20 the states.

21 The other is whether IP relay and VRS
22 should be a military service offered 24/7. This would

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1 be a variance for VRS, the proper role for the TRS
2 Advisory Council and some issues dealing with the
3 abuse that some of our communications systems are
4 encountering with individuals of questionable
5 background being called in the TRS centers.

6 We are working on all of that. Again, the
7 Federal Notice comment cycle just closed so I imagine
8 we'll have something in the '05 time frame in terms of
9 reaching those decisions. We are currently reviewing
10 in the same vein as TRS and VRS the petitions for
11 reconsideration and various issues in our June 3rd
12 report regarding VRS speed of answer. How do we
13 compensate the rate for VRS for '03/'04 fund year.
14 And also Spanish TRS.

15 I would also add, and this is through
16 encouragement from the chairman and Commissioner
17 Copps, and also Claude Stout, and others have asked
18 that we conduct an outreach campaign on VRS. We are
19 in the planning stages of that. One of the things
20 that Claude and others have pointed out to me and my
21 staff is that the issue is not necessarily that we
22 don't need to reach out to the death and hard of

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1 hearing community.

2 We need to reach out to the hearing
3 community so they understand how these services are
4 being used so they don't think it's a telemarketing
5 call. They actually realize this is a call that a
6 deaf and hard of hearing consumer is trying to place.

7 We are in the process of developing a strategy on how
8 we are going to go about doing that. It's too
9 early for me to even preview what we are going to do
10 but I encourage and would like the support of the CAC
11 members as we go forward with that. Again, even if
12 you don't apply for CAC and you have a comment on this
13 in the coming months, please do not hesitate to let me
14 know and let one of my staff know.

15 Our consumer center continues to be
16 extremely busy. This week alone we've dealt with the
17 movie Saving Private Ryan. We've dealt with Monday
18 Night Football. Both of them I missed so I can't
19 comment on what exactly was seen. And also the things
20 like local number portability.

21 Our consumer centers are the bread and
22 butter, I think, of this agency and the face of this

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1 agency and they deal with everything you can think of.

2 We are well on our way of making one million contacts
3 marked with receiving telephone calls, faxes, e-mails,
4 and postal mail from consumers. We will surpass that
5 \$1 million mark for sure. Consumers know how to find
6 us and they are finding us and we are happy to help.

7 I should say that a figure that I'm very
8 proud of when I added this up last night. On average
9 when a consumer calls and complains to the FCC
10 typically about a telephone issue, for the past year
11 we have been able to give back in credits and refunds
12 to the consumer over \$6 million.

13 It's a true testament that the system
14 works. Everyone wonders, and I'll be the first to
15 admit, before I came to the FCC I wondered when you
16 call an agency does anyone really listen to you and
17 what you're doing? I'll be the first to say it out
18 loud.

19 I can tell you that looking at what our
20 consumer center does and the money that is going back
21 in the refunds or the credits that are going to
22 consumers it is absolutely phenomenal. We know we

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1 need to increase and greater better efficiencies in
2 our systems. We are working on that. Technology is
3 allowing us to do that. I can tell you now I am proud
4 that our system is working the way it is.

5 Some of our top complaint categories,
6 which is no surprise to anyone, there continues to be
7 building in rates. That is also in the wireline and
8 wireless side. Building rates seem to be the
9 mainframe consumers tend to complain about.

10 Of course, on the media side we see some
11 indecency issues and things of that nature from the
12 Super Bowl to Monday Night Football. I think we're
13 starting to see something going on, a trend with
14 football going on in America right now. Hopefully
15 they will start getting those issues straight.

16 We are also seeing -- I'm going to give
17 you some information on slamming. We have seen the
18 question always arising is slamming going down and
19 should it be going down. Slamming is actually going
20 down and I attribute that to a lot of the good work
21 that the FCC is doing about more outreach to the
22 American consumer so they are aware of what slamming

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1 is.

2 We have for the past three and a half
3 years had a major campaign to get out there and talk
4 to consumers. One of the things that we always say
5 is, "Read your telephone bill like you read your
6 credit card bill." Because of that, more and more
7 consumers are realizing that they have been slammed
8 and other issues that come up.

9 I have two other deputies at the FCC that
10 work for me that one is Chris Monteith who does all
11 the outreach work and Indian Affairs work. She and
12 her staff are going out and making sure that consumers
13 are aware of issues. And we have Thomas Wyatt
14 who is in charge of the Consumer Center so Chris and
15 Thomas -- I mean, Chris creates more work for Thomas
16 all the time and it's one of those things. Luckily
17 they get along and they appreciate each other's
18 responsibilities.

19 So far this past year for the past six
20 months this is not in the \$6 million I just gave you
21 but we have returned to consumers \$350,000 in slamming
22 alone. The slamming rules are working. The slamming

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1 rules have been around since 2000 so we are proud that
2 the system is working the way it was designed to work.

3 Thirty-seven states enforce our slamming
4 rules so we are sending some of the proponents to the
5 states when they have jurisdiction so it's a great
6 federal and state partnership on how this can work in
7 enforcing the same rules.

8 As many of you know, the chairman has a
9 goal of modernizing the FCC. The working group on
10 this particular issue has been very, very active. I
11 wondered if you guys actually had day jobs based on
12 all the recommendations that were coming in from CAC
13 and I thank you for all of those recommendations.

14 We have listened to them. We are learning
15 from them and now we plan to implement as we go
16 forward. There are lots of recommendations that I'm
17 not going to go through in detail but I will tell you
18 that we appreciate all the good counsel that we have
19 been receiving from the working group and the body in
20 the CAC in general on how to modernize the FCC. In
21 particular as it pertains to our website and things of
22 that nature so we appreciate it.

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1 We wish it could be like that and have
2 everything immediately. Unfortunately, I don't have
3 that kind of budget or that kind of power but please
4 know that we are hearing you and we are evaluating our
5 next steps as we go forward.

6 I want to talk a little bit more about
7 outreach. We have done a lot of work with Indian
8 Tribes around the country. When I came on board close
9 to four years ago Chairman Powell said to me we need
10 to put some meat on the bones when we deal with our
11 tribes around the country, the 550 some odd tribal
12 nations. I think my suitcase probably says I visited
13 a lot of these 550 some odd tribes around the country.

14 If you never visited an Indian tribe, I
15 strongly recommend you do. I know there are two
16 representatives here today. It is beautiful country.

17 It is absolutely amazing. I strongly encourage you
18 if you have an opportunity to go to any parts of the
19 United States or if you are in Alaska. It is
20 phenomenal.

21 One of the things that we've been working
22 on for a long time and we finally got complete is the

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1 Voluntary Best Practices. This is in agreement
2 between the United South and Eastern Tribes and the
3 communications industry. This is a paying piece to
4 our national nationwide programmatic agreement that we
5 passed in October.

6 The goal for the Voluntary Best Practices
7 has been to carefully balance the needs of tribes and
8 the wireless industry with the end result of providing
9 the infrastructure necessary to bring wireless
10 communication throughout the country quickly without
11 harm to sites of religious and cultural importance.
12 We are very proud of these voluntary best practices.

13 I have to thank publicly the United South
14 and Eastern Tribe and CTIA and the wireless industry.

15 You all were very good about working together during
16 that dialogue, a dialogue that was never there before.

17 We hosted the parties, I have to say, but it took
18 everyone to come to the table. I thank the Yusa tribe
19 and the CTIA for making sure this all worked out
20 accordingly.

21 Also I want to tell you a little bit an
22 outreach program that we recently launched with the

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1 Department of Homeland Security. I should pause by
2 first saying if Brenda Kelly-Frey is listening, I send
3 her our best wishes for a speedy recovery. Brenda has
4 something to do with what I'm about to say.

5 There is a Telecommunication Service
6 Priority Program which provides national security and
7 emergency preparedness. It uses the prior
8 authorization. One of the things that Brenda and the
9 folks at Maryland Relay said to me right after
10 September 11th was, "We cannot afford to have another
11 national crisis and have our state relay systems shut
12 down.

13 Brenda was dogged about making sure that
14 we had something and we worked with governors around
15 the country to ensure that the state relay systems
16 centers are part of the state of emergency situation.

17 From those conversations we realized that
18 we also need to make sure they have priority access to
19 the telephone lines in times of crisis. We have
20 recently launched through our outreach division a
21 program that we are trying to sign up all the TIS
22 facilities into the telecommunication service priority

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1 program.

2 We just launched it a month or so ago so
3 we are working diligently to get that done. I thank
4 CAC for your outreach recommendations on that, and
5 specifically Brenda for her great work on that as
6 well.

7 I want to share with you an exciting
8 outreach campaign we launched on October 4th. It
9 involves digital television. It is the first phase of
10 a multi-year, multi-phase consumer outreach campaign
11 designed to inform the public about visual television
12 transition.

13 I would be remiss if I didn't -- I got a
14 call from Larry Goldberg right after we launched our
15 DTV.gov web portal and Larry, being the great consumer
16 advocate that he is, particularly for the deaf and
17 hard of hearing said, "We have some issues. We need
18 to work on this. We need to get this done." Larry, I
19 appreciate your candor, I appreciate your offer, and I
20 appreciate your advice so we will continue to work.

21 This is, as I said a moment ago, a multi-
22 phase plan that we have to reach out to the American

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1 consumer on digital television. One of the amazing
2 things that we hear, and I once went into a local
3 retail store. I won't say which one it was but here
4 in Washington just before we launched this. I
5 said, "I'm interested in digital television." I
6 walked out completely confused. I didn't know if I
7 needed to buy another television. I didn't know my
8 cable really worked with it. I didn't know anything.

9 After I left the store I thought, "Do I spend \$100 to
10 buy another television when I have a perfectly good
11 television or not?" From that and other
12 experiences that members of my staff, and I know Lou
13 Sigalos is in the back there who is in charge of our
14 outreach division, he also did tours as well. We do a
15 lot of hands-on research. Consumers just needed
16 information about what they should do. What is the
17 next step? Do they need to buy another television or
18 not?

19 We worked a lot with our colleagues at
20 NCTA and others in the manufacturing industries and
21 the broadcast industries to ensure that we can have an
22 unbiased portal DTV.gov so consumers can go and learn

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1 about what they need to know when they are trying to
2 navigate the digital transition. I encourage you if
3 you have not seen it to check out DTV.gov as you have
4 some time in your leisure.

5 Finally, I want to end by saying where I
6 began on a personal note by saying thank you. Two
7 years ago this committee was rechartered from a former
8 body and there were some critics with the thought what
9 is the FCC doing? Are we not showing a commitment to
10 this?

11 I would say this. It has been a personal
12 joy to work with this body here. You all showed up
13 every day, every meeting with a commitment that I have
14 never seen before. You wanted to get something done
15 and you've done that and I really appreciate that.
16 You have shown leadership. You've demonstrated a
17 commitment.

18 Most importantly, by the recommendations
19 I've seen, you've gotten a lot of work done. I want
20 to thank you for your time, for your loyalty, for your
21 vision, for your friendship. You should be proud of
22 the work that you have done on behalf of the FCC and

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1 others.

2 I really want to extend my thanks to you
3 for a very successful two years of working with you
4 and watching the work that you all have done. As you
5 begin your final meeting with the current CAC I want
6 to join Chairman Powell, Commissioners Abernathy,
7 Copps, Martin, and Adelstein in congratulating you on
8 a very active two years and a job well done.

9 I also want to give a special thanks to
10 your excellent committee chair, Shirley Rooker.

11 CHAIRPERSON ROOKER: Thank you.

12 MR. SNOWDEN: Shirley, you are a force to
13 be reckoned with. Your energy is boundless. It is
14 absolutely amazing. Chairman Powell recently did
15 Shirley's show and he left and said, "I can do that
16 every day with her. That's just incredible."

17 You are a breath of fresh air and I really
18 appreciate it. You are a true friend, the kind that
19 will tell you when you are doing something right and
20 the kind that tells me when we're doing something
21 wrong. We really sincerely appreciate your
22 leadership, your vision, your commitment, and, of

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1 course, your friendship all around. I thank you from
2 the bottom of my heart and I thank each of you very
3 much.

4 We do have a small token of our
5 appreciation for each of you that Betty Thompson will
6 pass out. I will be more than happy to answer any
7 questions that you all have as we go forward. Again,
8 from the bottom of my heart, I appreciate it and thank
9 you very much.

10 CHAIRPERSON ROOKER: All right. We have
11 David Poehlman with his hand up over here.

12 MR. SNOWDEN: While David is getting the
13 microphone, I do want to introduce a new member of my
14 staff that has joined. He's been on board almost six
15 months now. Jay Keithley. If Jay could just stand
16 for a second. He's behind Shirley. Jay is my new
17 Chief for Policy. Jay has a long distinguished career
18 in telecommunications, 20 some odd years. I'm
19 not going to say the exact number, Jay, but 20 some
20 odd years experience. Then he was in with PCIA, an
21 association dealing with a lot of these issues so Jay
22 is a wonderful, wonderful breath of fresh air for us

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1 at the Commission.

2 He comes with an extensive background and
3 has turned out to be a great hire. I'm very thrilled
4 that I had the foresight to hire Jay. I'm patting
5 myself on the back with that one as well. Thank you,
6 Jay.

7 MR. POEHLMAN: Thank you, Dane, for a
8 great report. I have to say that I appreciate have
9 had the opportunity to serve the FCC through the
10 Consumer Advisory Committee for the past four years
11 and hope to be able to continue to be of service in
12 some capacity whether it's being invited back, which
13 may not happen because I'm such a troublemaker, or in
14 some other capacity that I can serve in. It's
15 been a great pleasure and privilege for me to service.

16 I wanted to ask Dane two questions, or two
17 things. First, I appreciate the update on modernizing
18 the FCC and I appreciate the formidable task that it
19 presents. One of the things that's important as we go
20 forward with this process is that new processes
21 continue to come on line such as the DTV awareness
22 initiative, education initiative, that was just

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1 launched in September.

2 As a part of that modernization process
3 the policies that drive that will also impact those
4 types of initiatives. I wanted to express a
5 willingness on the part of myself and everyone else
6 who wants to join the willingness campaign to
7 participate in helping to move that process forward in
8 anyway that we can.

9 I ask you, Dane, to help us by providing
10 us with as they arise, stumbling blocks, issues you
11 run across, questions, requests for clarification, and
12 also the results of good work. Announce them. Let us
13 know. Say to us, "Hey, we've just done this. Would
14 you check it out and let us know what you think?" We
15 would really appreciate knowing where things are, when
16 things happen, and where things are going, and how
17 things are moving forward. That's the first
18 statement.

19 The second thing I have is that as I was
20 listening to your report I caught in the discussion of
21 the Do Not Call List a reference to number
22 portability. I'm kind of curious if I port my number

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1 from one carrier to another, I still have the same
2 number and if I'm on the Do Not Call List, how does
3 that -- how does the mere fact of me porting my number
4 affect my status on the Do Not Call List?

5 MR. SNOWDEN: If you port your number from
6 one carrier to another, you are still going to be on
7 it. We created a 15-day period so that carriers -- so
8 that telemarketers must give access, so to speak, to
9 access your telephone number from that so there's a
10 small window because there's just the technical
11 problems of getting the information over. But I would
12 tell you that if your numbers are on the Do Not Call
13 registry, it won't come off. It doesn't come off so
14 it should not be a problem at all.

15 Let me get to your first question. First
16 of all, thank you for your first question, and your
17 second, for that matter, but your first one was very
18 insightful and you prompted me to remember that I
19 should offer to you this. If you do apply or don't
20 apply, I do hope and encourage that you will remain
21 involved.

22 One of the beautiful things about having

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1 advisory committees is that no matter what as people
2 come on and off, I like there to be an alumni group
3 that can always participate as we go through. Please
4 continue to be involved as the new committee gets
5 chartered and goes forward.

6 I will talk with Scott and my legal
7 advisor Jeff Tignor about how we can make sure that
8 you are getting the feedback that you need from the
9 Commission as we go forward. I would also add that
10 this is your last meeting here today. Please keep
11 tracking what we're doing, what this body is doing.

12 We want to make sure that you are aware
13 and so the information that you are submitting to us
14 for recommendations they just don't go in a file.
15 They will be part of the new committee as well so
16 those recommendations were made so we will not have to
17 recreate the will. We don't want to do that. We want
18 to move forward and not stay stuck or move backwards.

19 Yes, Susan. I'm sorry. I'm doing your
20 job, Shirley.

21 CHAIRPERSON ROOKER: That's all. You do
22 it better.

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1 MS. PALMER-MAZRUI: It's good to hear --

2 MR. SNOWDEN: Keep talking. I'll come on.

3 MS. PALMER-MAZRUI: It's good to hear your
4 report back to the next committee on the details. I
5 do think it's a tribute to what you think is the
6 leadership and leadership potential of the FCC to get
7 the amount of work and the level of detail that you
8 have from the members here.

9 I think most of us have been on advisory
10 bodies where you think your recommendations are kind
11 of go nowhere and so I think the detail and the
12 challenge you provide has a lot to do with the respect
13 for the individuals you have here and the hard work.

14 We hope that you have the resources
15 because the work that you've seen and what we've seen
16 with folks like Rosalind Singleton and Helen Chang and
17 David Kitzmiller are great and we just want to make
18 sure that they are supported. We have these great
19 people and they will be able to continue in making
20 this the best it can be.

21 MR. SNOWDEN: Thank you. You mentioned
22 three jewels in our crown.

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1 MS. PALMER-MAZRUI: There's a lot of
2 people I didn't mention but you do have some great
3 talent.

4 MR. SNOWDEN: Thank you very much.

5 CHAIRPERSON ROOKER: We'll just go around
6 the room.

7 MR. SNOWDEN: Joy.

8 MS. RAGSDALE: Good morning. How are you?

9 MR. SNOWDEN: How are you? Welcome back.

10

11 MS. RAGSDALE: Thank you. On behalf of
12 NASUCA I wanted to say that it has been a pleasure to
13 serve on this body and to work with diverse persons
14 with a wealth of experience and I've learned quite a
15 bit. I would like to say that NASUCA passed a
16 resolution supporting the continuation of the CAC so
17 we also hope that we have the opportunity to serve on
18 this committee in the future.

19 I want to ask you a question. We have
20 received e-mails in regards to the Do Not Call
21 Registry whether it concerns the cell phones. There
22 are inquiries in those e-mails that some phones will

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1 be listed in a directory and that there is a separate
2 Do Not Call Registry for cell phone numbers.

3 From what I understood is that the initial
4 Do Not Call Registry you were allowed to register fax
5 phones and cell phones so there is not going to be
6 another registry created just for cell phones.

7 MR. SNOWDEN: I think what's happening is
8 the two issues are getting merged or blended into one.

9 Our rules do provide for cell phones, wireless phones
10 to be in the master Do Not Call Registry so that is
11 completely above board and we have encouraged -- we,
12 and I think the wireless industry, has also encouraged
13 individuals to do that as well.

14 The other issue you're talking about is a
15 wireless directory assistance which is currently on
16 Capitol Hill. I know Andrea may want to add her 2
17 cents to this as well. That issue right now, our
18 position all along has been as long as consumers can
19 say yes or no do it, that's the best way it should
20 work.

21 I'm not exactly sure where it is right now
22 in the Capitol Hill process but those are two separate

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1 issues. I believe the idea behind it is for a lot of
2 the small businesses that have wireless phones they
3 want to put their numbers in a directory so
4 individuals can call them. That's the two issues but
5 I'm not sure if Andrea wants to chime in as well since
6 it's not actually our director. It's someone else's.

7 MS. WILLIAMS: The wireless industry is
8 developing what we call a wireless directory
9 assistance. The one that we are supporting allows
10 subscribers to opt in if they want to and have their
11 telephone numbers published.

12 Right now there is legislation on the Hill
13 dealing with that. Unfortunately, I have not been
14 following it. You are absolutely correct, it's really
15 two different issues.

16 So, in follow-up, a number of consumers
17 want to opt out from the e-mails we're getting in the
18 office. It will be interesting to see in the outreach
19 material once that directory may or may not be
20 approved on that process prior to the directory
21 automatically publishing your number.

22 MR. SNOWDEN: Once a decision has been

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1 made on it if they are actually have a directory, we
2 will evaluate our next steps. At this juncture let me
3 allay your fears. To my understanding, and I have met
4 with the folks of the Wireless Association as well on
5 some of these issues.

6 If a decision is made we're going to go
7 forward, it's not going to happen like that. There
8 will be time but we will make sure that consumers have
9 the necessary information to make an educated decision
10 about what they want to do for their own personal
11 roles.

12 It's interesting, and I don't have the
13 statistics in my head necessarily, but the younger
14 generation, which none of us are part of when I refer
15 to this, they don't have a problem. A lot of these
16 kids growing up it's the only phone they are ever
17 going to know. They don't understand why we're
18 actually using that phone hanging on the wall. It's a
19 generational issue.

20 Rest assured, we will make sure that
21 consumers know what's going on as this goes forward.
22 We have not, and intentionally not, jumped in right

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1 now because it's not clear so we don't want to muddy
2 the waters with our boat just yet.

3 Yes, sir.

4 MR. DUKE: This is Mike Duke. I have two
5 questions, one relating to BPL. From an amateur radio
6 standpoint, thank you for the work that you have done
7 on the interference issues. We in the amateur radio
8 community sincerely hope that it's enough work and
9 time alone will tell that, I suppose.

10 Do you have any sense of knowing from the
11 power providers when the massive roll out of BPL will
12 occur? I know it's in some places now. It has been
13 in for a while for testing and so forth but do you
14 know when it will be available on a regular basis?
15 Then I have one other question on another subject.

16 MR. SNOWDEN: In terms of the BPL roll
17 out, as you pointed out, our engineers and, again,
18 these men and women are much, much further than I am
19 so I can't even begin to explain some of the
20 interference issues that they are talking about. They
21 are still working some of those issues out with the
22 providers of power lines.

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1 As you point out, it is sporadic in
2 different places and it will continue to grow. It has
3 to grow so that we can learn more about the
4 interference issues, etc. They are doing a lot of
5 testing now. As far as I know, and I am really not an
6 expert in this particular area, but I do now know
7 exact firm data of when we'll see a massive major
8 marketing of the services but I can tell you this. As
9 the interference issues are developed and more and
10 more companies begin to do this, it will begin to
11 mushroom and grow very rapidly because it's a
12 fantastic way of getting that brought into the home.

13 MR. DUKE: Okay. My other question --and
14 I don't think this falls necessarily under your Bureau
15 but that's okay, too -- there is a pending rulemaking
16 regarding digital radio and the role of digital radio.

17 Do you have any idea of when the Commission expects
18 to act on that proposal?

19 MR. SNOWDEN: I don't have a clue. I
20 usually keep abreast of everything but that particular
21 proceeding I am not tracking in my head. Maybe what
22 we can do is during the course of the day we can find

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1 out what the deal -- what the media bureau says on
2 that.

3 Yes, sir.

4 MR. GORDON: I join the others in thanking
5 you for an informative presentation and an interesting
6 airplane ride. Representing people with hearing loss
7 I have a question or a comment on something you
8 mentioned about the FCC regulating VoIP.

9 Consumers with hearing loss, as you say,
10 the younger generation, are looking forward to using
11 VoIP as their major communication but are we ensured
12 that the handset that they use will be subject to the
13 HAC Act as far as amplification and compatibility is
14 concerned?

15 MR. SNOWDEN: I'm making a note to ensure
16 that we actually -- I believe that is in the
17 recommendation somewhere already but I'll make sure
18 that we talk to our colleagues in the Wireline
19 Competition Bureau and raise your question. Thank
20 you. I'm curious about your plane ride, though.

21 MR. GORDON: Your plane ride about the FCC
22 on the airplane and not the IRS.

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1 MR. SNOWDEN: Susan.

2 MS. GRANT: Good morning. Thank you very
3 much for being such a strong supporter of this
4 council. I think that's it been extremely useful and
5 I'm proud and happy to have participated on it and
6 hope to in the future.

7 I do have a suggestion going forward for
8 something that I think would make the council more
9 productive in terms of conveying the consumer
10 perspective to the Commission. I guess it depends on
11 what the Commission seeks to get out of the council.

12 I sense that the business members of the
13 council are extremely important in our discussions
14 because, speaking from a consumer advocacy
15 perspective, I've learned a lot about the subjects
16 that we discussed and how business works and all of
17 those things ultimately are policy positions that we
18 take at the National Consumers League.

19 But I think that when we are voting on
20 resolutions or other policy positions that we put
21 forward to the Commission from the council, we are
22 somewhat hampered in the fact that the business

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1 representatives on the council have equal votes.

2 The fact that they can vote at all when you're
3 taking policy commissions is, to me, a problem because
4 in many cases their companies have direct interest in
5 the issues that we're discussing. If the business
6 representatives were not able to vote, it would enable
7 us to bring up some issues and present them to the
8 Commission that I know I haven't brought up and
9 probably others haven't as well because there would be
10 no point in doing so because I know that we wouldn't
11 be able to convey what I think would be the strongest
12 consumer perspective to the Commission on those
13 issues.

14 Some of the other issues that we have
15 taken positions on, those positions have been largely
16 relatively watered down because we've had to reach
17 consensus in order for us to put something forward.

18 If the desire of the Commission is to get
19 from the council recommendations about which there is
20 unanimous, or at least broad consensus, then that's
21 what you'll get. If the desire of your Commission is
22 really to hear the strong consumer voice on issues to

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1 assist the Consumer Advisory Council and not the
2 Consumer and Business Advisory Council. That's not
3 possible, in my view, if businesses cancel a vote to
4 vote on the petitions that we take. Just wanted to
5 share my view with you about that.

6 MR. SNOWDEN: I greatly appreciate your
7 comment. I would argue that we can do both. I would
8 say -- actually, let me back up and say first there's
9 a reason why we have a balance of individuals on this
10 body and that's the law. By law we have to have a
11 cross section of individuals on the consumer advisory
12 committee because it's a federal advisory body. That
13 is something that we have to do.

14 One of the challenges, and I think this
15 question comes up from individuals from time to time,
16 is we're just health consumers on this group and if we
17 did the exact same thing and then also met with the
18 business community in some kind of advisory group,
19 then we would have a problem. The best solution is to
20 mix the two groups, mix everyone.

21 I would say from my four years of working
22 with this body in some form or fashion, I have not

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1 actually seen the industry be overbearing. I think
2 some of the industry representatives here have been
3 actually very good. Their job and their companies are
4 to represent consumer interest as well so we will have
5 to follow the law.

6 I hear what you're saying. I believe that
7 what we want is a consensus. It's important that as
8 anybody is deliberating and they come up with advice,
9 it needs to be found that it actually can be done and
10 that is an issue that it's important to have
11 individuals from both sides.

12 I wouldn't want to have a body solely of
13 individuals who represent only one cross section of
14 American consumers. That's why you see we have
15 increased our tribal representation. We have
16 individuals from rural parts of the community and
17 individuals who have disabilities. We have
18 individuals who represent corporations who work with
19 those individuals.

20 I think we have done -- I know you're not
21 questioning how we've done it. I'll preface it with
22 that but I think we've done a very

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1 -- and it's hard. It's hard to come up with this body
2 here. It is a process that we go through. I
3 personally go through the applicants as well.

4 There's a whole slew of people on my staff that
5 do this to ensure that we're getting the proper
6 balance and makeup, not just socioeconomic, not just
7 ethnic, not just geographic, not just the sector you
8 represent. That's why this is not about individuals
9 but of organizations.

10 CHAIRPERSON ROOKER: Dane, I just wanted
11 to add we do have provisions that we do enjoy and if
12 there is a minority opinion because we feel that it's
13 important that Commission understand where everyone's
14 coming from. While that may not address all of your
15 concerns, it certainly does leave the door open for
16 people to express their concerns if they don't agree
17 with a majority opinion.

18 MR. SNOWDEN: That's exactly right. I
19 should also add that in addition to what Shirley said,
20 and I'm glad you pointed that out, Shirley, there is
21 nothing to preclude anyone from this body making a
22 comment to the FCC alone, not as a member of CAC.

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1 Just as Susan Grant. That goes on. I know you are
2 very active in this capacity. We encourage that as we
3 go forward. I appreciate your comment and thank you
4 very much.

5 CHAIRPERSON ROOKER: I think we're out of
6 time. I hate to do this. Can we have one fast
7 question?

8 MS. BERLYN: This will be very fast
9 because it's not a question but a comment. I know
10 everybody has already said this. It's in the category
11 of everything has been said but not everybody has said
12 it.

13 I just wanted to add my thanks to you and
14 just also compliment your staff. I have had an
15 opportunity to meet a number of them and have them
16 work very closely with us and you have a dynamite
17 team. Thank you.

18 MR. SNOWDEN: Thank you, and
19 congratulations on your new job. It's funny. I see
20 AARP there, or soon to be AARP there, so what's going
21 on? AARP is starting to close in. I'm feeling
22 surrounded.

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1 No. Again, on behalf of the chairman and
2 our colleagues on the 8th floor, Commissioners Copps,
3 Abernathy, Adelstein, and Martin, I want to say from
4 the bottom of my heart thank you very much for all
5 your good work and we appreciate it. I think you a
6 wonderful, wonderful meeting and I hope our paths will
7 cross in the future. Thank you again very much for
8 your time.

9 CHAIRPERSON ROOKER: Thank you, Dane.
10 Thank you for your kind words, Dane. I really
11 appreciate it.

12 Next we have under the astute leadership
13 of Larry Goldberg the accessibility in broadband
14 content. Larry is going to make a presentation to us.

15 Larry, where are you? There you go. All right. Way
16 to go.

17 Annette, nice to see you. Can we announce
18 -- Annette has some joyous news. She's recently
19 married. I tell everything. Don't tell me anything
20 because nothing is a secret.

21 MR. GOLDBERG: Okay. We've been in our
22 Broadband and now Broadband and Digital Television

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1 Working Group to talk about a number of issues over
2 the past two years, actually. One of the issues we
3 talked about many times is the notion of access to
4 broadband content.

5 I realized not too long ago that many
6 people might not really understand what that means or
7 what is truly possible in the broadband world. Every
8 one on this committee is extremely dedicated to the
9 future of broadband, where it's going and what it can
10 do. We've had some great discussions around the
11 issue.

12 Last meeting I was supposed to be here to
13 do this presentation but the airlines weren't friendly
14 enough to me that morning so I stayed home instead,
15 but I wanted to make sure that you understand this
16 notion of our transition from analog and digital
17 television to the world of broadband media which is
18 fascinating, extremely interesting, and brings up some
19 issues that we definitely want to look at.

20 If we can make sure that everything is
21 working up here, I'm going to show some demonstrations
22 and very interesting applications of how broadband

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1 media really is reaching out into a whole new market
2 place.

3 I'm going to show you some examples of
4 actually how broadband media can be made assessable,
5 particularly to people who are deaf and hard of
6 hearing, blind or vision impaired and those are areas
7 where growth is really possible.

8 I'll start with my home, WGBH, and a very
9 popular TV program Nova. Nova and the rest of WGBH
10 has embraced broadband as another channel for our
11 communications media. We are beginning to actually
12 stream entire programs of Nova on the web.

13 As soon as that began to be done, of course, my gadfly
14 institution within WGBH said, "I hope it will be
15 accessible." It was.

16 If you notice up on the screen, I have the
17 homepage of Nova up on screen right now. In the menu
18 it says, "Watch Nova online," so I'm click on that
19 button and what we bring up is all of the episodes of
20 Nova that are available in full online. We have the
21 rights to do that. There's shows about Mars, "The
22 Elegant Universe," "Life's Greatest Miracle." I

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1 better not show that to the FCC. "Cracking the Code
2 of Life," "Cancer Warrior," "Dying to be Thin."

3 I'll show you what this means when I say
4 that these shows can be accessible. I've already
5 downloaded this one. Here is what happens when you
6 click the button on one of these TV shows. You can
7 see right here in this corner, I'll describe it, it
8 says "Captions On/Off." It's a little button. I'm
9 going to start the program.

10 It's as simple as that. Just like
11 television. You can choose to turn on captions. You
12 can turn them off and it doesn't take an awful lot of
13 heavy lifting to accomplish that. Of course, this is
14 public broadcasting. We consider it somewhat of our
15 mission to do so. It's also a very important part of
16 the whole education mission of public broadcasting.

17 Here is another example, another one from
18 WGBH. We actually took the entire archive of our
19 10:00 news show and with a grant from the National
20 Endowment for Humanities actually extracted all of the
21 history of the civil rights movement in Boston around
22 the busing crisis.

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1 A tremendous archive for people who want
2 to know about that period of history. All of these
3 clips that were on the 10:00 news we made accessible.

4 Not just to deaf people but to blind people as well.

5 I'll show you an example of that. Really
6 all it took was that we applied for our grant. We
7 built a line item in for caption description and now
8 every one of these clips from the entire archive of
9 the 10:00 news has this button which says, "Watch
10 QuickTime (in this case) with CC and DVS." It says,
11 "Protestors gather at Harvard University to protect
12 U.S. foreign policy." And you have a sense not only
13 of captioning, which you've seen many times, but a
14 description as well.

15 The good old day, uh? So it's a very
16 important piece of history now online, free, fully
17 available, and fully accessible. The technology is
18 available to do this. It's very straightforward and
19 readily available.

20 It's also quite well available in the
21 world of education, a very important place to do it.
22 We work with the Massachusetts Institute of Technology

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1 to make all of their online courses accessible. Here
2 is an example of a lecture by Professor Walter Lewin
3 who is a physics professor who loves to talk.

4 He's very engaging. Never provides any
5 opportunity for anyone else to say anything or for us
6 to describe so the technology actually allows us to
7 actually stop the professor, fill in the description,
8 and continue. It's called extended description. It's
9 just amazing what you can do with digital media. You
10 can stop time.

11 In fact, that's what we are able to do.
12 Obviously we can't do that on broadcast television or
13 cable but we could certainly do it online and we do do
14 it there. All these technologies are built right into
15 the standards that exist today.

16 This really clip is really interesting.
17 This, you may know, is a report from the New York
18 Times, David Pogue, who writes a fantastic column on
19 technology. Pogue did an example of video on his cell
20 phone where he was actually speaking from Alaska and
21 he took some pictures. This is the actual size
22 relative to the screen.

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1 It's about two inches by two inches of him
2 talking on his cell phone using video and we captioned
3 it just to show, yes, captions can work even in such a
4 tiny environment. You might not see much of it yet
5 but you will be seeing this for sure. News clips,
6 sports clips over your cell phone. Why shouldn't that
7 be accessible, too?

8 Now I want to give some other examples
9 perhaps of where we can go in the future. There is so
10 much broadband content on the Internet these days.
11 It's all fantastic. Here is a page from the New York
12 Times online, the multi-media page. The Times does a
13 wonderful job.

14 In this case they provide slide shows,
15 videos, audio slide shows, reviews of movies like
16 "SpongeBob SquarePants," a tour of the new Museum of
17 Modern Art in New York with audio. None of it is
18 captioned. All of it can be captioned. All of it
19 could very readily be captioned. None of it is yet.
20 I think that with consumer pressure and more awareness
21 we would see access to such information.

22 Another place that is of a great deal of

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1 interest is major league baseball. Now, here is where
2 TV and broadband world is coming together. You can
3 now subscribe to games online. You can go back into
4 history and watch games. Oh, look. I happened to
5 have called up the Boston/New York series in baseball.

6 Who won that series?

7 So how great it would be. You could
8 actually call up every single one of these games
9 condensed, extended highlights, the top plays. Every
10 one of these videos was captured when it airs on
11 television. Those captions were not ported over to
12 this major league baseball site. Wouldn't it be great
13 if they had done so? They could do it for very little
14 money. Yet, they haven't quite -- either through
15 awareness or whatever reason they really haven't
16 brought those captions over.

17 Another really exciting place is Comcast
18 online. They are really taking advantage of their
19 broadband capabilities. They have these things called
20 The Fan. It is this big wheel of information from all
21 of these news sources, ABC, Associated Press, The
22 Weather Channel, House and Garden Television, the Do

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1 It Yourself Channel, the Food Network.

2 I'll just pick one clip here from ABC
3 news. It's loading now. It's right now in a little
4 postage stamp size on the screen but I'll show you a
5 wonderful thing they did here. The video can grow or
6 shrink.

7 Now, this is direct off ABC television.
8 Every single ABC news show is close captioned on
9 television, every single one due to FCC rules but they
10 were captioning all their stuff long before that but
11 they haven't ported it over yet. We know advocates
12 like Joe and Claude have been really looking for
13 bringing those captions over.

14 Now we've finally put out some software
15 called Caption Keeper which will make it an automated
16 process. Stripping captions directly from a broadcast
17 and plugging it right into the broadband site making
18 it easily accessible.

19 Now is really the time to do it where we
20 have an opportunity to get into this new world of
21 Broadband media before it becomes set in stone so
22 we're not able to make sure it's fully accessible.

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1 Those are just some examples. As you know, CNN is
2 streaming a tremendous amount of video, and ABC. You
3 see it everywhere now.

4 My direst prediction is that when the
5 FCC's rules for captioning on television kick in in
6 full January 1, 2006, 100 percent of all TV must be
7 captioned, that's when most of our TV will be on the
8 Internet and none of it will be captioned. I hope
9 that doesn't happen and I wanted you all to see what
10 can happen with the technology that exist today.
11 Thanks.

12 CHAIRPERSON ROOKER: That's wonderful. Do
13 we have questions for Larry? We have time for one.
14 Joe with both hands up. You must really want to ask a
15 question.

16 MR. GORDON: My first point is I made
17 three pages of notes, Larry. You gave me too much to
18 look at. Being from New York let's forget about the
19 World Series. What you said to the people with
20 hearing loss, if all this is available and is done in
21 places and you said you should ask for it, what can we
22 do? What can consumers do? Who is not doing it? Is

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1 it industry? Is it other organizations?

2 This is just fantastic. I would love to watch
3 more of it on the web but the audio that I hear is not
4 clear to me and I would need captioning to really
5 understand what I'm seeing and reading. If it can be
6 done on small screens now, do you feel the FCC should
7 revisit the 13-inch rule as far as TV sets are
8 concerned?

9 MR. GOLDBERG: Very good questions. I
10 know you are a major consumer of online media, Joe, so
11 you're just the right audience for this kind of media.

12 I think the answer to boil it down to one word is
13 money. I think that there is some cost involved but,
14 in fact, it's shrinking by the day. I'm very
15 excited to note that just yesterday when the
16 Individuals with Disabilities Education Act was agreed
17 upon by the Conference Committee they did for the
18 first time allow federal dollars for captioning to be
19 spent on online media, DVDs and CD-ROMs.

20 Finally we'll see that work with some
21 assistance from the Federal Government. It will have
22 to be educational material so some I bet we wouldn't

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1 get approval for captioning that SpongeBob SquarePants
2 video.

3 What do we do about that? I think this is
4 an example of their -- there is no regulatory pressure
5 to provide access. This is what happens when public
6 interest obligations are left to the market place and
7 there is no market place to make this happen.

8 With our somewhat deregulatory zeal we see
9 these days, this is an area where regulation is
10 essential. It won't happen otherwise so, yes we
11 should revisit this issue both in terms of screen size
12 as well as in terms of what parts of the Internet
13 should be touched by this Commission.

14 I think that the market place can operate
15 in some areas to give consumers what they want or, on
16 the other hand, what they don't want. The recent
17 issues around indecency, at least a consumer can push
18 the off button when they see something they like. A
19 deaf consumer doesn't have a button to push to gain
20 access to something that they would like.

21 Maybe you would have liked to watch that
22 Monday Night Football show online the way I looked at

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1 it to see what was this all about. It wasn't
2 captioned online, though, so I think it's a
3 combination of consumer pressure, advances in
4 technology, which we are at, and perhaps look for more
5 information.

6 CHAIRPERSON ROOKER: Very brief, Joe.
7 We're really running behind.

8 MR. GORDON: Is it up to the ISP to
9 provide the captions?

10 MR. GOLDBERG: Briefly, I think it would
11 be a content provider. The ISP is a pipeline so I'm
12 guessing that is the ABCs, the CBSs, the CNNs. Those
13 content providers can bring it to you.

14 CHAIRPERSON ROOKER: Larry, thank you so
15 much for giving us a look at today and the future. It
16 was great.

17 We'll have a 10-minute break. Ten
18 minutes. Thank you.

19 (Whereupon, at 10:26 a.m. off the record
20 until 10:39 a.m.)

21 CHAIRPERSON ROOKER: I don't want to be
22 rude. Please come sit down. I'm sorry. Okay. Am I

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1 on here? Thank you for coming back to the table. We
2 have a lot to cover and I don't want to extend over
3 into lunch. You won't get to eat if you don't get
4 back to the table.

5 We are very pleased to have Andrea
6 Williams from CTIA -- again, Andrea, thank you for the
7 lovely food -- to present to us wireless solutions for
8 people who are blind or visually impaired. With that
9 I'll turn it over to Andrea.

10 MS. WILLIAMS: Thank you, Shirley. First
11 of all, I'd like to thank the Consumer Advisory
12 Committee for giving us an opportunity to share with
13 you what we feel are some of the wireless solutions
14 that are out there today for individuals who are blind
15 and have visual impairments.

16 It was interesting a couple months ago.
17 Every so often CTIA and its member companies meet with
18 the FCC, particularly with Dane's shop, to let them
19 know what we're doing in terms of accessibility. Dane
20 turned me to me and said, "You know, Andrea, this is
21 great but why are you telling me? Why aren't you out
22 there telling the consumers?"

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1 I said, "Dane, I'm a lawyer. I'm not a PR
2 specialist. Give me a break." We thought this would
3 be a great opportunity because the CTIA and the
4 wireless industry views the Consumer Advisory
5 Committee as a another vehicle for us to get the word
6 out because many of you are leaders of organizations
7 that represent consumers. In particular
8 consumers with various disabilities. What we
9 want to show you today is what the wireless industry
10 is doing with respect to innovations for individuals
11 who are blind and with visual impairments in the hopes
12 that this will give you knowledge to take back to your
13 constituents. At least use this as another resource
14 and know that there's a whole new what I call the
15 world of wireless that provides traces.

16 As we all know, one of the great benefits
17 of wireless telecommunications is mobility and
18 convenience. For individuals with disabilities we
19 also add to that accessibility. What that translates
20 into is freedom, empowerment, and safety which are
21 very important features for individuals who have
22 certain disabilities.

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1 One of those I wanted to talk about a
2 little where we are seeing real progress that the
3 wireless industry wants to let you know about is what
4 we've been doing on accessibility issues.

5 I bet many of you know me and particularly
6 working with you on accessibility know that CTIA and
7 the industry takes what we call Section 255
8 responsibilities very seriously. We feel it's not
9 only the law but it makes good business sense. We
10 understand the baby boomers are aging and as they age
11 they are going to be encountering disabilities that we
12 will need to address, or are addressing.

13 I think also we feel -- I know that we
14 feel the wireless industry as shown a demonstrated
15 commitment and on-going efforts to make wireless
16 services and products accessible to consumers with
17 disabilities. What we will do today is highlight just
18 a few of the initiatives and activities and efforts
19 that have been underway for some time.

20 Before we get to the next point, let me
21 first acknowledge that our brethren in the assisted
22 technology industry have also been making significant

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1 progress. What we wanted to focus on today was what we
2 call wireless industry mainstream offering a range of
3 choices in wireless devices and services that are
4 available now today. You can walk into a store or go
5 to a website and find out information for consumers
6 with visual disabilities.

7 Some of the major areas of progress have
8 been particularly technology advancements. We are
9 offering a robust range of visually accessible
10 features on our wireless devices. You will see
11 improved voice recognition and voice control
12 technology, particularly, I would say, in the last
13 four or five years. What we are seeing now is a new
14 areas where we incorporate text to speech software
15 technology into our devices.

16 Also what we're seeing is we have come a
17 long way in terms of carrier differentiation.
18 Basically service providers finding different ways to
19 differentiate themselves from their competitors and
20 being also responsive to their customers' needs.

21 The third area is consumer education and
22 outreach. I think that pretty much speaks for itself.

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1 With respect to visual accessibility
2 features, the wireless industry, I like to say, has
3 answered the call from consumers to offer a range of
4 visual accessibility features associated with
5 handsets. You'll see some of these today in a
6 demonstration that we will have during the noon hour,
7 during lunch, which all of you would please take the
8 time, just a few minutes to come over and what I call
9 play with the toys.

10 Here are some examples of some of the
11 visual accessibility features. Such things as input
12 controls, tactile difference of keys versus product
13 surface and easy identification of function keys. You
14 have cell phones where you have the key pad depression
15 feedback so that when you hit it, you'll get a certain
16 sound.

17 For auditory output you'll find some
18 phones that have vibrational load, distinct sounds for
19 power on and power off, name dialing, speaker phone on
20 some select models of phones. Also roaming tones,
21 message tones, speech voicemail indicator and, as I
22 said, the last three are for use in innovations in

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1 text to speech technology.

2 There's also been some innovations with
3 respect to voice recognition and what we call voice
4 recognition and voice control technology. Bluetooth
5 is a type of software that gives you hands-free
6 operation. This is very useful particularly when you
7 are typing or using a braille writer.

8 We also know that there's a service also
9 called MagicWord. What it does is records a magic
10 word and uses it as a voice command to allow totally
11 hands-free access to the voice control. In other
12 words, instead of pressing and holding the yes key,
13 all you have to do is say the magic word and it's
14 followed by one of your recorded voice commands.

15 Also we've seen innovations in enhanced
16 voice control. For example, voice answer reject, send
17 to busy, direct to message call. Basically they have
18 enhanced voice control. You assign voice commands to
19 items in the phone book. When you wish to call you
20 use the voice command instead of pressing the keys.

21 Other enhancements have been voice
22 activated dialing, what we also call enhanced voice

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1 activated dialing which has a network base as opposed
2 to the actual device. Also voice access for certain
3 features, as I previously stated, address book,
4 information services. Larry was showing you CNN
5 broadcasting sports. You can get that information
6 service. You have voice access in some of the models.

7 One of the areas where we've seen a lot of
8 innovation is in terms of text to speech technology.
9 What this is primarily you have third party software
10 applications, another software manufacturer providing
11 the software to the phones. It operates on a Symbian
12 Operating System. What Symbian is an open operating
13 to allow the party's software to be loaded into the
14 wireless handsets.

15 Something I found out recently is that
16 there are even different types of Symbian Operating
17 Systems and different degrees of openness. There are
18 some that are very open and there are others that are
19 open only for certain applications.

20 Basically what this type of technology
21 does is software that reads aloud the menus, status
22 information such as network, signal strength, whether

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1 you are roaming or not, and also your battery level.
2 You will see a demonstration today of one of the
3 phones, Nokia 6620 that Cingular is using to offer a
4 service called TALKS. Offers other text to
5 speech features such as speech caller ID, speech
6 voicemail indicator, e-mail, text and multimedia
7 messages as well.

8 This is one area in terms of carrier
9 differentiation and responsive programs. I have been
10 dealing with accessibility issues now for about 10
11 years, particularly in terms of making wireless
12 service accessible.

13 Each wireless service provider is
14 continually looking for ways to differentiate their
15 service offerings from the competitors. That's what
16 we in the wireless industry call competition. What I
17 have seen happening is that wireless service providers
18 are harnessing that competitive spirit in a new way
19 and using it to respond to their customers with
20 disabilities.

21 The way this plays out is in the market
22 place that you see now particularly in comparison, I

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1 would say, to four or five years ago a range of
2 services that wireless carriers and service providers
3 are offering. For example, Sprint and Verizon
4 Wireless are offering free directory assistance
5 service. Sprint has a service called Free Voice
6 Command Service. They are offering that for free.
7 Cingular has Voice Connect Service. We are finding
8 that service providers are providing bills, collateral
9 materials, manuals in alternate formats not only in
10 Braille but in large font, audio and text diskette.
11 It's just a matter of calling up and letting the
12 service provider know that's what you would like and
13 that's what you need.

14 We are also seeing many of our service
15 providers and manufacturers' websites are text reader
16 friendly so when you go to the website, you have also
17 access to the information to help you select the
18 wireless service provider and your wireless device.

19 We are also finding a 14-day return
20 policy. You will find that for any service provider
21 who has subscribed to the CTIA Voluntary Consumer
22 Code.

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1 One example of some of the services that
2 are offered, Cingular Wireless, Susan, as all of you
3 know, Mazrui, who is going to be here today at
4 lunchtime demoing the TALK software. But they also
5 offer Voice Connect. What Voice Connect does is
6 provides voice dialing and phone book functions and
7 information services.

8 They have a program in which they waive
9 the monthly waive for people who have visual
10 disabilities or cognitive disabilities. You must
11 provide certification. It's very easy to sign up for
12 just by calling National Center for Customers with
13 Disabilities.

14 The TALK software, which was just recently
15 launched in August or September of this year. I know
16 it was this last quarter. What that does is
17 incorporates text to speech software and it works with
18 the NOKIA 6620 phone and includes TALK and caller ID,
19 accessible e-mail, text messages, media messages.

20 Also they offer a service credit rebate
21 for individual Cingular customers with qualifying
22 disabilities. Again, easy to sign up for that

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1 service. All you have to do is call National Center
2 for Customers with Disabilities.

3 Another example is Sprint. They are
4 offering free directory assistance and Voice Command
5 Service. What Voice Command is it offers voice-
6 activated dialing that goes far beyond just the voice
7 dialing of the name and number. It includes advanced
8 features like e-mail access, voice updates on news,
9 sports, whatever you like in terms of information
10 services.

11 Sprint offered up to 10 free directory
12 assistance calls per month and you can build your
13 personal address book through the use of that
14 directory assistance. Again, there are certain
15 requirements in terms of qualifying for that service.

16 I wish I could show you more examples but
17 Shirley told me I only have a half an hour and I don't
18 want Shirley upset with me. I also want to leave some
19 time for questions and answers.

20 One area where I think the wireless
21 industry as have really been working hard,
22 particularly for the last -- I would say since '95/'96

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1 and really putting out full effort is on consumer
2 education and outreach, particularly on accessibility
3 issues.

4 We do a variety of outlets. There's the
5 CTIA access wireless website. What that is is a
6 consumer friendly website that consumers with
7 disabilities can go to and find out what is the latest
8 and greatest in terms of wireless solutions.

9 Some of our members also participate in National
10 Disability Mentoring Day. We have different types of
11 task forces. I know that Cingular has a task force in
12 which they have an advisory group of nationally
13 recognized leaders. They consult with them.

14 They meet with them on a regular basis
15 when they are trying out new services or wanting to
16 know how a certain service is going to work or be
17 accepted in a particular segment of the population,
18 particularly for Cingular customers who have
19 disabilities. This is a group that they turn to for
20 consultation.

21 One of the things that we can't stress
22 enough and I think we find this in many of the

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1 wireless companies is maintaining an ongoing dialogue
2 with key organizations. I know many of my members are
3 meeting with -- have ongoing dialogue with American
4 Foundation for the Blind and American Council for the
5 Blind.

6 I'll tell you, it's those groups that
7 really help us understand what the needs of consumers
8 are. We meet periodically. In fact, CTIA has just
9 started what we call our second phase of our consumer
10 outreach where we are meeting periodically, more
11 frequently than we have in the past with consumer
12 groups, particularly those who represent individuals
13 with disabilities.

14 We just had, I think it was last week, a
15 meeting with consumer groups that represent
16 individuals who are deaf or hard of hearing. We also
17 plan on doing the same with consumer groups who
18 represent individuals who are blind or have visual
19 impairments. There is also an ongoing effort to
20 improve customer care for customers with disabilities.

21 Another area which has been vitally
22 important in consumer outreach and education is our

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1 members have been actively participating in technical
2 forums, particularly those that bring industry and
3 consumers together to work on accessibility issues.

4 I can't tell you how vital this was,
5 particularly dealing with Wireless E-911 and TTY
6 trying to find a solution to help digital wireless
7 signal be used with a TTY. That technical solution
8 came forward in a technical forum where we had
9 everyone at the table.

10 Building on that success, we now have ATIS
11 which is another standard setting body working with
12 consumers, industry, and hearing aid manufacturers to
13 develop a solution for hearing aid compatibility.

14 Also we're using trade associations,
15 particularly CTIA. Our members support and actively
16 participate in outreach programs. Again, like I was
17 telling you last week, we had one with consumer groups
18 who represent individuals who are deaf and hard of
19 hearing.

20 Then we also participate in these
21 proceedings, the FCC Consumer Advisory Committee, and
22 work on the subcommittees. I don't know if you are

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1 aware or can appreciate how effective working with
2 this group of people. It helps us to go back because
3 I think we may not appreciate that many of the people
4 here, particularly from the business community, they
5 are your advocates within that company.

6 When we come back from a Consumer Advisory
7 Committee meeting, sometimes we have ideas and we push
8 those ideas forward in the business community.
9 Whatever support you can, I can't stress enough
10 meeting with these people and having the ongoing
11 dialogue is so, so vitally important.

12 Now we are going to go play with toys. We
13 are going to have some demonstrations today on what we
14 have out here in the market right now for out
15 customers who have visual impairments or are blind.
16 Cingular Wireless is going to be demonstrating their
17 TALK software with the Nokia 6620, Susan. Leo
18 Fitzsimon from Nokia is sitting in the back of the
19 room. I recognize him.

20 Sprint will be showing their Voice Command
21 Service with Audiobox CDM9900. Where's Travis? Oh,
22 Travis Souders from Sprint. Where's Katie? Katie

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1 Wasserman -- there she is -- for Audiobox. Audiobox
2 is a new name, folks. It's called UT Starcom.

3 Verizon Wireless, Larry Jacobs. There's
4 Larry. Okay. He's going to be showing you Text to
5 Speech Service with the LGVX 4500. Motorola, Scott
6 Kelly. He's not here yet but I know he's coming.
7 He's going to be demoing four models, V710, 265, 262,
8 and 260. Katie is going to be also demoing the CDM
9 8920.

10 I know I have said a lot in -- how am I
11 doing on time, Shirley?

12 CHAIRPERSON ROOKER: You're doing fine.

13 MS. WILLIAMS: Okay. At this point I also
14 want to introduce some of the staff at CTIA. For so
15 long you have seen me as the voice of accessibility at
16 CTIA but there's a number of people who, as I say,
17 stand behind and sometimes are by my side helping me
18 to address these issues at CTIA. Lori Messing.

19 For those of you who are familiar with number
20 portability, Lori is not only doing number portability
21 now but she's also doing accessibility issues at CTIA.

22 Katie Tourtilotte at CTIA. Unfortunately,

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1 Katie could not be here today but if you can't ever
2 reach me or Lori, please feel free to also reach Katie
3 Tourtilotte at CTIA.

4 That's it. I'm going to open up the floor
5 for questions.

6 CHAIRPERSON ROOKER: Yes. David has his
7 hand up. To your left, David.

8 MR. POEHLMAN: Hi, Andrea. Thank you for a
9 wonderful presentation. That was a lot to get through
10 in a short period of time which you did amazingly
11 well.

12 MS. WILLIAMS: Thank you.

13 MR. POEHLMAN: I want to add to the
14 plethora of things that are available, probably not in
15 this country, but there is a cell phone recently
16 announced by Siemens that also provides support for
17 TALK. It runs on the Symbian system, too.

18 Hopefully someday we'll get that over here. We
19 certainly have a lot to look at today and I appreciate
20 you and CTIA and the industry folk for putting that
21 together for us. It will be an exciting lunchtime.
22 We'll have to get through lunch real fast.

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1 I have a question about Sprint. I don't
2 know if this is the right venue to bring up a couple
3 things. On slide 12 you have here, "Free directory
4 assistance and voice command service." I suspect that
5 these are two properties, not two free properties
6 based on my understanding that voice command does
7 incur a monthly fee from Sprint if you use Sprint.

8 The other question I have about the Sprint
9 is near the bottom. It says, "Building personal
10 address book via directory assistance. For certified
11 blind, visually impaired and physically disabled
12 customers." I'm fascinated by the capability of
13 building an address book via directory assistance. If
14 you can't answer that now, perhaps we can get an
15 answer from the Sprint person over lunch or now if
16 they would like to elaborate on that.

17 MS. WILLIAMS: I'm going to ask Travis to
18 answer that question.

19 TRAVIS: I'll demonstrate the latter for
20 you at lunchtime. I'm sorry. Can everyone hear me?
21 Really quickly, we'll show at lunchtime the capability
22 of using directory assistance to build a personal

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1 address book in the Voice Command Service. And on the
2 cost of the Voice Command Service itself, like
3 directory assistance, it's free for blind users. For
4 regular customers it does incur a \$5 a month charge.

5 CHAIRPERSON ROOKER: Okay. I think that -
6 - all right. We have a question here. We'll take one
7 more question and then we'll end it.

8 MR. STENSGAR: Not so much a question but
9 more of a statement. First of all, I do appreciate
10 your presentation. You have provided a lot of
11 information about what technology is out there and
12 some of the areas that you're working on.

13 In our culture and beliefs in Indian
14 country, you know, we look on the handicapped as
15 special people because, you know, in our view why
16 would the creator make them different from us and so I
17 appreciate all the efforts going forward in these
18 technologies.

19 But having said that, as the gentleman to
20 my right had explained earlier, you know, us folks
21 that live in the rural communities do not have access
22 to that because of very limited to poor to no cell

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1 service.

2 I mean, in the area where I live on the
3 Koval Indian Reservation in north central Washington
4 if they had simply put up one additional tower, you
5 could probably include maybe another 200 residents who
6 would be able to have access to this technology that
7 you talked of this morning and also to know what is
8 currently available.

9 We have so many dead spots throughout
10 Indian country it's probably phenomenal. I mean, you
11 know, these technologies you're talking about are here
12 and now in urban areas and cities but we have no
13 access to them. Thank you.

14 MS. WILLIAMS: John, I just want to make
15 one comment. You now touched on the other area that I
16 work on at CTIA, tower siting issues. We have been
17 trying to bring wireless telecommunication services to
18 rural areas to tribal lands. It becomes sometimes an
19 issue of local zoning authority where we can put the
20 tower, how well we can camouflage it. What
21 we're finding is particularly as we are moving to
22 areas where we have already built out, we are now

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1 getting to the areas where we were not allowed to
2 build out and we are trying to get service to those
3 areas. A lot of it has to do with no one wants a
4 tower in their backyard. Or there are historic
5 preservation issues that we have to deal with.

6 The FCC and United South Eastern Tribe
7 just signed the Tribal Best Practice Agreement. We
8 are hoping that with this agreement and process set up
9 it will streamline the process so that we can get
10 towers and antennas and the infrastructure out there
11 so we can bring services to tribal lands.

12 CHAIRPERSON ROOKER: Andrea, thank you
13 ever so much. It's been very informative and we're
14 glad to know so much is out there. Thank you.

15 Our next speaker is going to talk about
16 navigating and linking to the FCC website and none
17 other than David Kitzmiller. Who is better than to
18 have the FCC webmaster? David, welcome.

19 Just while he's taking a minute to set up,
20 well, I did it again. I goofed. I've got to tell
21 you. I renamed Betty Thompson. It's not Johnson,
22 it's Thompson. She came up and teased me about it.

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1 She said, "You gave me a new name." I'm going, "Oh,
2 dear." Oh, well. Nobody's perfect. I mean, what can
3 I say? I just won't get lunch Scott is telling me.
4 Oh, good Lord. How can I do that?

5 Also, we are going to add to the
6 presentation this morning a brief -- I think we're
7 going to have time to do it this morning. Clay Bowen
8 is going to give us a brief report on TRS I think just
9 before we go to lunch. Debra has told me her
10 presentation is not that long so we should be running
11 right on time so not to worry. I will not delay lunch
12 so we'll do our best.

13 Also, we'll be taking orders for cabs this
14 afternoon so let us know before we go on the 3:00
15 break and make sure that I've asked you about it so
16 that we can get that done. That's going to be very
17 important to us.

18 I think -- let me see if there is
19 something else I need to tell you. No, I think we are
20 about set up up there. How are we doing?

21 MR. KITZMILLER: Another minute.

22 CHAIRPERSON ROOKER: Technology. It's

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1 wonderful but it is complicated. You have to know
2 which hole to plug it in. I mean, whew, it's beyond
3 me sometimes.

4 I'll tell you what. While they are
5 getting ready to do that, I'm going to let Scott --
6 I'm going to turn the microphone over to Scott and let
7 him talk to you about the composition of the committee
8 and how that happens, or are you ready to go, David?

9 MR. KITZMILLER: Not yet.

10 CHAIRPERSON ROOKER: Not yet. Okay.
11 We're going to turn it over to Scott.

12 MR. MARSHALL: Hi everybody. I've got a
13 couple of questions about membership on the new
14 committee and I want to address that. But I also just
15 wanted to take a moment of personal privilege to tell
16 you how wonderful it has been to work with all of you
17 these past two years. You have certainly made my job
18 easier. I've often said it's a really rocking group
19 and it were all up to me, you would all come back and
20 we would do it for another two years.

21 Anyway, what the process is is this.
22 We'll solicit applications starting in November

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1 through January 31st from the public. You are
2 encouraged to reapply if you are interested in another
3 two-year term on the committee. As you know, there
4 were about 15 people from the old original committee
5 that continued on this one which does provide very
6 useful continuity and hopefully allows the new
7 committee to come up running from the get-go.

8 There will be a public notice which we
9 will release. I have to publish in the Federal
10 Register about this. I will send you all a copy of
11 that notice via my e-mail blast list. Then you'll
12 have all the information. What you will just need to
13 do if you are interested in being considered for
14 another two-year term is to send me back an e-mail
15 with the information that we request.

16 It's not going to be an onerous process.
17 It will be very much like what happened last time.
18 Just some brief information so that we can have a
19 baseline to review the applications. Those
20 applications get reviewed by a whole lot of people.
21 After they're received and Chairman Powell ultimately
22 makes the appointments and we expect that would happen

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1 in March.

2 I'm going to try to do it as early in
3 March as possible so that you would have plenty of
4 time to prepare for the first meeting which will occur
5 sometime in April. Probably the end of the month
6 April. That's what I know about the process at this
7 point. Are there any questions that I can answer?

8 CHAIRPERSON ROOKER: David has his hand
9 up.

10 MR. MARSHALL: Yes, David. I can't see
11 your hands so put it down and ask me the question.

12 MR. POEHLMAN: Here I am again. This is
13 Dave Poehlman, American Council for the Blind. Scott,
14 we want to say we appreciate having had the
15 opportunity to work with you and Shirley.

16 MR. MARSHALL: Thank you.

17 MR. POEHLMAN: And the rest of the
18 committee. It is delightful to be here today. But I
19 mainly wanted to thank you for the diagrams. They are
20 lovely. The Braille diagrams are absolutely
21 exquisite. This is just mind boggling. This is the
22 kind of exemplary support that we have come to know

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1 and regard highly and respect from the FCC so thank
2 you very much.

3 MR. MARSHALL: And I should say that
4 Andrea Williams came with her own Braille copies of
5 her PowerPoint this morning. Since I was under a lot
6 of pressure with the contractor to get that XLS
7 document done last week, I appreciate the fact that
8 she was able to do her own PowerPoint and Braille. It
9 was really need because I was following along as she
10 was giving her presentation. It helps my notes and
11 the minutes and all that stuff.

12 CHAIRPERSON ROOKER: Mike, I see your hand
13 up. Mike Duke.

14 MR. MARSHALL: Yes, sir.

15 MR. DUKE: Will we for the coming year
16 follow the same three-meeting format?

17 MR. MARSHALL: Yes. Meetings will be
18 probably -- again, these are not carved in stone yet -
19 - April, July, November.

20 MR. DUKE: Please don't go for convention
21 week.

22 MR. MARSHALL: No, there are a lot of

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1 conventions the end of June, early part of July so I'm
2 trying to avoid that.

3 MS. BERLYN: Scott.

4 MR. MARSHALL: Hi, Debra.

5 MS. BERLYN: This is Debra Berlyn.

6 MR. MARSHALL: Yeah.

7 MS. BERLYN: I know this is difficult.
8 Scheduling is always a very difficult matter but I was
9 wonderful if for at least the first meeting if there
10 could be a real strong coordination with the
11 Chairman's office to see if he could be in attendance
12 at least at the first meeting of the CAC. Perhaps the
13 goal of that first meeting might be to work closely
14 with his scheduler to see if he could do that.

15 MR. MARSHALL: Right. I agree with you.
16 He has been here previously. As you know, it is
17 difficult for him to come. He always gets invited
18 but, yeah, I will definitely make an extra effort to
19 try to get him to this first meeting. I think it's a
20 great way to kick things off.

21 CHAIRPERSON ROOKER: Okay. And with that
22 we'll turn the program over to David.

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1 MR. KITZMILLER: Thanks. Good morning.
2 My name is Dave Kitzmiller and I work in the FCC's
3 Office of Media Relations on the Internet Services
4 Staff. I would like to thank Scott for inviting me to
5 speak this morning and the Committee for providing
6 time on their agenda. I know you have a long agenda.

7 MR. MARSHALL: David is also the guy who
8 puts us on the Internet screen, too.

9 MR. KITZMILLER: That's right. We're live
10 on the Internet right now, I hope. I think. If we're
11 not, we're in trouble.

12 Since my presentation is about the FCC
13 website, I thought I would use an FCC style webpages
14 instead of PowerPoint for my presentation just for a
15 change of pace. Hope you like it. Let's see if we
16 can get it up there.

17 One of my duties in OMR is to chair the
18 Internet Working Group. The Internet Working Group is
19 a group of content managers and webmasters from each
20 bureau and office and any other people interested in
21 the website.

22 The group is technically inclined and

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1 serves as more of a common resource and community than
2 enforcement body. It encourages change through
3 cooperation, education, guidelines, and
4 recommendations. We don't serve as the web police.
5 It's really a great group. Resources and
6 policies to back up the group are kept on an extensive
7 internal website that the webmasters use.

8 Effective navigating and linking to the
9 FCC website is impossible without accessibility and
10 usability. Today I want to focus on the accessibility
11 and usability of the FCC site and in a broader context
12 how we strive to make federal e-government accessible
13 to all. And specifically how to keep consumers in the
14 picture at the FCC. I think you are familiar with
15 that mission statement.

16 Let me just start by giving you a brief
17 overview. How big is the site? We have 20,000
18 webpages, 200,000 document files. Those are Word,
19 Acrobat, Text, and some Excel. We add 500 documents
20 to that every month. We are a regulatory agency and
21 we produce a lot of paper, or a lot of electrons.

22 We have over 20 databases, more than 10

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1 webserver to put the information out on the web. We
2 have over 130 Government forms. We get 700,000 page
3 views per day on the FCC website. We update the
4 homepage at least three times a day on average. On
5 meeting days we update it continuously all day.

6 We also have 174 audio/video streaming
7 files on the site right now and the archive grows by
8 about five webcasts each month. Like we said, this
9 meeting is also going to be added to that archive.

10 How big is the FCC? You probably know
11 this as well as I do. We're a relatively small
12 federal agency. I think we have about 2,000 staff
13 here and in 28 field offices. We have 17 bureaus and
14 offices and, of course, five commissioners.

15 Out of these numbers how many people
16 contribute to the content on the site and who are
17 they? We have 72 web content developers and managers.

18 These are people who decide what content goes up.
19 Once that's decided, there are 74 technical people who
20 can actually post information on the FCC website.

21 What do we offer on the site? Well, there
22 are two types of content on the site. We have

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1 documents and webpages. Official documents such as
2 orders, NPRMs, NOIs, public notices, and news releases
3 are placed in EDOCS and that forms the core of what
4 our regulatory agency offers to the public. These
5 documents are in a variety of formats. Again, Word,
6 Excel, Text, and Acrobat. Then there are the
7 webpages. The webpages, of course, are in HTML and
8 they describe a particular subject and they link to
9 the official documents that carry out the FCC policy.

10 The webmaster -- we have one for each
11 bureau and office -- the webmaster decides how to fit
12 the information onto the webpage within a frame work
13 of the template, a webpage template, a list of
14 standard page elements, our site design standards, our
15 style guide, and our Internet posting policy. All
16 those things are on our internal webmaster's resource
17 site.

18 Providing access for all to the
19 commission's information services and decision making
20 process is really a multi-dimensional challenge that
21 we face everyday. Our accessibility challenge is to
22 make our website readable, useful, usable, efficient,

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1 effective, interactive, and informative for all people
2 from a variety of backgrounds and educational levels
3 including those in traditionally underserved
4 communities.

5 These accessibility beneficiaries include
6 consumers, telecommunication industry professionals,
7 people with disabilities, people in rural and tribal
8 areas, older adults, people with low literacy and non-
9 English speakers.

10 So how do we achieve our accessibility
11 goals? The first impression of the accessibility of a
12 site is typically based on the effectiveness of the
13 webpage design but we use many other techniques to
14 improve access. These include our design, our
15 content, our people, our systems, our interaction with
16 the public, and our interaction with other agencies
17 and organizations.

18 We achieve accessibility through our
19 design in the following ways. We use a template-based
20 design which provides a uniform look and navigation.
21 The template was developed based on usability studies
22 and standards and input from stakeholders.

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1 Template development involved manual line-
2 by-line evaluation against each of the Section 508's
3 criteria. Then double checking using accessibility
4 evaluation tools and screen readers. We try to make
5 the template airtight so when the webmasters go to
6 create their pages, they have a head start on
7 accessibility if they stick to the template.

8 We maintain 508 adherence of the template
9 through the use of, again, written design standards,
10 style guides, our intranet webmaster's site, along
11 with monthly FCC and Government-wide webmasters
12 meetings. Sometimes we even get direct advice from
13 the Access Board.

14 Some of the technical accessibility
15 features of our site, for some of the technical people
16 here, include ult tags, repetitive link skipping,
17 title tags, table and form labeling, high contrast
18 text and graphics, CSS based fonts, and alternative
19 file formats.

20 Some of the technical usability techniques
21 used on the site include bread crumb links, site maps,
22 date stamps, metadata tags, standard page navigational

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1 elements, standard positioning and colors, and limits
2 on the use of frames, pop-ups, and animations. If
3 that seems a little overwhelming, I wanted to
4 overwhelm you because there is a lot that goes into
5 making our pages accessible through our design.

6 We also achieve accessibility through our
7 content. Let me just list a couple that's available.

8 We have -- Dane may have touched on some of this this
9 morning but let me just say there's over 100 fact
10 sheets and a large collection of FAQs and white papers
11 on consumer and telecommunication issues. We have
12 commissioner and bureau issued consumer oriented
13 articles and newsletters. We have over 50 special
14 initiative pages on subject of current interest.
15 There's an extensive glossary of telecommunications
16 terms which are described in a non-technical way that
17 avoids industry jargon. If you see any industry
18 jargon in the glossary, let me know. Or let Dane
19 know.

20 We have a comprehensive consumer guide on
21 our organization functions and procedures. We have
22 global outreach pages for international visitors and a

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1 growing amount of consumer information available in
2 several languages. Check out the CBG site.

3 There are pages with resources for
4 military families, consumers, parents, Native
5 Americans, state and local governments, schools and
6 libraries, and people living in rural areas. You also
7 find an entire suite of pages on telecommunications
8 related disability issues including -- you are
9 probably well aware of these -- telecommunications
10 relay services, Section 255 devices, video
11 description, closed captioning, E-911, TTY, and
12 hearing aid compatibility. If you have some extra
13 time you can read up on all of those tonight.

14 Another thing we try to do is present the
15 information by subject rather than agency organization
16 chart. There's a centralized location for listing
17 updates that occur daily, weekly, monthly, yearly, and
18 everything in between. We have a complete list of all
19 daily released, plus a daily spotlight on high profile
20 releases, i.e., headlines.

21 Finally, we also offer live captioned
22 webcasts, including today's meeting, and a collection

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1 of recorded workshops, tutorials, and other public
2 forums captured in streaming audio, video format.
3 They are all captioned.

4 How do we achieve accessibility through
5 our people? We have Section 508 and 504 officers
6 focused on improving the access to all FCC electronic
7 data, resources, and equipment. We have an accessible
8 format specialist focused on providing transcription
9 and FCC information and Braille, large print, screen
10 reader ready electronic text, and even audio and video
11 formats.

12 As Dane pointed out earlier, there's an
13 entire consumer bureau dedicated to serving the public
14 interest by educating, engaging, and seeking input
15 from consumers. You may not know that we have an
16 Office of Work Place Diversity and an active
17 Disability Rights Office involved in many programs to
18 improve access to telecommunications.

19 We also value the people who participate
20 in groups like this and other technical advisory
21 committees whose purpose it is to keep consumers in
22 the picture. We provide the public with access to our

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1 staff through the online phone book, subject oriented
2 telephone experts list, and e-mail and phone contact
3 information on virtually all pages. At the bottom
4 you'll see a contact link.

5 E-mails are given out, unfortunately for
6 the webmaster, FOIA, commissioners, support desk, and
7 all of our online filing systems. There are agency
8 and division level TTY and toll-free number backed up
9 by fully staffed state-of-the-art local and national
10 call centers with 508 compliance voicemail systems.

11 We have an Office of Inspector General
12 whose staff performs regular official assessments of
13 our website's accessibility. We also rely on our FCC
14 employees who are blind, have low vision, are deaf,
15 are hard of hearing, or who have other disabilities
16 who regularly contribute their expertise to the FCC's
17 accessibility efforts. Many of you are in this room
18 right now and I thank you for that help.

19 Okay. Achieving accessibility through our
20 systems. We do have 20 online automated systems that
21 allow the public to submit and review filings and
22 comments related to FCC proceedings. To help keep

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1 track of these systems we provide a reporting system
2 the public can use to check on the status of the e-
3 filing systems.

4 Also available is a one-stop shop for
5 licensing transactions in the wireless bureau and a
6 Commission-wide registration system that lets users
7 reserve a single number for all of their business
8 dealings with the FCC. We offer a variety of search
9 engines and indexes for full text search and tools for
10 application specific searching.

11 Express versions of some of our full
12 featured information retrieval systems help even
13 casual users benefit from our sophisticated tools.
14 Experienced users also get quicker results using the
15 express versions.

16 On the nonvirtual side of the house there
17 are accessible computers and kiosks in our reference
18 center, as well as a free wireless Internet service
19 here at the headquarters. Some of you right now are
20 probably checking your e-mail on our wireless network.

21 Achieving accessibility through our
22 interaction with the public. We provide a convenient

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1 centralized way to file complaints on a variety of
2 subjects. Complaints can be filed on the web via e-
3 mail, by postage mail, over the phone, TTY, or by fax.

4 Our Section 504 accessibility handbook is
5 online and list guidelines, information, and
6 procedures that we use to ensure the Commission is
7 accessible. Quarterly reports are online. They track
8 consumer inquiries and complaints processed by the
9 Commission. We use this data to identify which topics
10 are of the most concern for the public so that we can
11 more effectively focus our accessibility improvement
12 efforts.

13 All public releases come with instructions
14 for obtaining materials in alternative accessible
15 formats. There's also a publicized method of
16 accepting public submissions in alternative formats.

17 We offer free subscriptions for periodic
18 e-mails about FCC releases, consumer issues, and other
19 telecommunications related subjects. We also post all
20 our policies that play a role in the accessibility of
21 our e-governance. These policies include standards of
22 customer service, website maintenance and schedules,

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1 privacy, security notices, information quality
2 guidelines, FOIA, and a note about required plug-ins
3 and players at the bottom of each page.

4 Finally, we achieve accessibility through
5 our interaction with other organizations, DOJ Section
6 508 survey. We do these self-evaluation surveys every
7 two years. They include 27 questions that we have to
8 answer on each of our top 20 pages. It

9 requires that we run each page through a screen
10 reader. We use JAWS 5.0. We found that most of the
11 survey pages were for e-filing or other applications.

12 The top accessibility issues were skiplinks, form ID
13 tags, nondescriptive link text, and use of color.

14 We also found that solutions to these
15 issues were not complicated technically but were
16 sometimes administratively hard to implement,
17 especially for dynamic pages and on-line applications
18 since there's a whole raft of contractors involved in
19 some of our systems.

20 We also noted that improvements in version
21 5 of JAWS and DOJ interpretation of Section 508
22 contributed to our mostly positive answers. I should

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1 really say that all the answers were positive. We
2 didn't stop until we got positive answers on all 20 of
3 the top pages. In fact, we went down to 50 of our top
4 pages and answered 17 questions for all 50. In the
5 end we fixed everything that was wrong.

6 The Federal Web Content Managers Group.
7 This is the nation's largest organization of federal
8 webmasters. We participate monthly in meetings and
9 discussions that this group holds on how to improve
10 federal website usability, accessibility, and content
11 management. They also host an e-mail forum and a
12 couple of other online networking tools.

13 The General Services Administration. Our
14 latest dealing with GSA involved reviewing and
15 providing comments on their new proposed guidance on
16 creating accessible PDF documents. Hopefully they'll
17 get that right.

18 Finally, every year a team of researchers
19 at the Taubman Center for Public Policy at Brown
20 University examines and ranks over 1,000 state and
21 federal websites based on information and service
22 availability, quality of citizen access, and the

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1 amount of material helpful to citizens. FCC's website
2 ranks among the top four federal websites in the study
3 for the past five years.

4 On that note I'll stop.

5 CHAIRPERSON ROOKER: Congratulations.

6 MR. KITZMILLER: Thank you. Questions?

7 CHAIRPERSON ROOKER: All right. Let's
8 just start around the room. Susan.

9 MS. PALMER-MAZRUI: I think you're right.

10 You have a tremendous job. A lot of work. I have a
11 question about the Inspector's General's report or
12 analysis. Did that look at content? There seems to
13 be a lot of inconsistency in the accessibility of
14 content, particularly the word Acrobat, those types of
15 things.

16 MR. KITZMILLER: What the Inspector
17 General -- you're talking about the FCC Inspector
18 General Report. They've done, I think, three studies
19 over the years and what they usually do is they also
20 take the top 20 or so webpages and they run it through
21 Bobby Section 508 and see what that spits out. Then
22 they come to us and tell us to fix it and we fix it.

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1 MS. PALMER-MAZRUI: So that would be HTML
2 only, not the documents that are posted?

3 MR. KITZMILLER: I don't believe they
4 looked at the documents, no.

5 MS. PALMER-MAZRUI: Okay. Who is
6 currently the accessibility specialist?

7 MR. KITZMILLER: Rosalind Singleton is our
8 Section 508 coordinator.

9 MS. PALMER-MAZRUI: Okay. So she's both
10 the 508 coordinator and the accessibility person in
11 terms of the Braille and alternate formats?

12 MR. KITZMILLER: In terms of alternate
13 formats? I'm not sure. I know we have an expert in
14 CGB who provides alternate formats and Braille and
15 what not. I don't know if he's appointed as the guy
16 or not. I'll check with Rosalind and let you know.

17 MR. MARSHALL: I think I can answer that
18 question, David. We did have a dedicated staff person
19 in CGB that provided accessible format documents but
20 he's no longer with us and we've been using an outside
21 contractor.

22 MR. KITZMILLER: What was his name?

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1 MR. MARSHALL: Brian Millin.

2 MR. KITZMILLER: Okay. Thanks.

3 CHAIRPERSON ROOKER: Okay. David
4 Poehlman.

5 MR. POEHLMAN: David Poehlman of the
6 American Council of the Blind again. Thank you,
7 David, for a very comprehensive presentation. I
8 learned a lot. I have a number of things. I'm just
9 going to try to boil it down to one or two, though.

10 You will be happy to know that a press
11 release announcing the soon availability of a suite of
12 programs from Adobe was issued a couple of days ago
13 and among the things that will be possible with this
14 new suite of programs is a more robust automated
15 assistance function providing people who produce
16 content on an automated basis want to automate content
17 production with the capability of improved
18 accessibility at the other end in several formats.

19 With regard to your website survey, there
20 are a few things. I don't know if they actually
21 showed up at all or not but they are worth mentioning.

22 One thing that's becoming increasingly apparent but

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1 which might be somewhat outside of Section 508 but
2 still fall within the realm that you guys work in with
3 accessibility and usability is that of providing good
4 access to information outside of the graphical user
5 interface framework.

6 In the event that an information request -
7 - electronic information request comes into the
8 website by a user agent that doesn't support Java
9 Script and doesn't support frames, and I know you
10 don't use frames that much, that an appropriate
11 response can be given that would still provide the
12 kind of access that can be provided.

13 The other concern that I want to raise in
14 this venue is that it would be helpful to possibly
15 look at accessibility from the standpoint of some
16 other factors for people who use screen readers.

17 For example, one of the things that's
18 going to happen next year is that there is going to be
19 the ability for a person using a Mackintosh to use an
20 operating system that has within it the capability to
21 be used by someone who needs a screen reader. It's a
22 full robust capability. It may or may not provide

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1 access at that point to Internet Explorer but it will
2 provide good access to the Mackintosh native user
3 agent Safari.

4 Safari is somewhat different than Internet
5 Explorer and promotes interesting and different
6 challenges. I would hope that as we move forward in
7 these processes that this would be considered as part
8 of the continuation of the overall plan.

9 Lastly, I wonder if -- I understand that
10 your policies reside behind the firewall. Can anyone
11 else have access to them and, if so, under what
12 circumstances can we take a look at them?

13 MR. KITZMILLER: As far as the firewall
14 goes, we put as much information as we can on the
15 public website and I can revisit that and see what
16 things I can pull out of that webmaster site that
17 would be applicable to put on the main FCC website.

18 As a matter of fact, the other day, just
19 last week I put up a new document from Adobe not on
20 the generating side but on the receiver side that
21 gives guidance on operating the new Acrobat 6.0
22 reader, specific guidance for people with disabilities

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1 and what tricks they can use. As far as on
2 the other side, if you could send me an e-mail about
3 this Adobe suite you're talking about, I would
4 appreciate it.

5 MR. POEHLMAN: It's just Acrobat 7.

6 CHAIRPERSON ROOKER: Look, we're running
7 out of time and we are going to try to get to the
8 questions so can we briefly get an answer for David or
9 will you be able to communicate with him on e-mail?

10 MR. POEHLMAN: It's just Acrobat 7.

11 CHAIRPERSON ROOKER: Okay. All right.
12 Brief question. Susan and then Joy and that's going
13 to be it, I'm afraid.

14 MS. GRANT: Hi. Susan Grant, National
15 Consumers League. My question has to do with finding
16 things on the site, specifically with looking at
17 regulations. When you try to search for a regulation
18 it takes you off the FCC site to the Code of Federal
19 Regulations site where you do a search where you often
20 get very bizarre and confusing results.

21 I find it very hard to find things that
22 I'm looking for. Would it be possible for the FCC to

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1 put on its site the regulations that specifically
2 pertain to the FCC by subject matter so you could
3 click right on that and go right do it rather than
4 having to go through that whole search process?

5 MR. KITZMILLER: I understand that
6 regulations.gov is not the easy thing to navigate.

7 Jeff, could you put the laptop on for a
8 second on the screen? I'm not sure if this is what
9 you're looking for. If you look on the main FCC
10 homepage, in the left column there is a link. I don't
11 know if you've looked here before, Rules and
12 Regulations. We have the U.S. Code, CFR, and some
13 other regulations that you can start by looking there.

14 We actually list them on our site and you can go down
15 and pick out which ones you want. Several bureaus and
16 offices have these that apply to their sites or do
17 their mission.

18 CHAIRPERSON ROOKER: Before we get to Joy,
19 I have a question for you. Eugene asked me this. Is
20 your presentation on the FCC website? If so, is it
21 accessible? Could we find it? People are very
22 thankful for what you've done this morning, Dave.

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1 Obviously they would like to know more.

2 MR. KITZMILLER: It's on there right now.

3 If you go to the front page and click on the meeting
4 for today. I'll put a link here under Consumer
5 Advisory Committee Meeting Presentations.

6 CHAIRPERSON ROOKER: Super.

7 MR. KITZMILLER: That's where the link
8 will be. It will be under Presentations 2004, today's
9 date, and Kitzmiller. For each of the slides the
10 navigation, if you click on notes, it gives you the
11 full comments that I talked about.

12 CHAIRPERSON ROOKER: Oh, that's wonderful.
13 Thank you so much, Dave. That's great. We're going
14 to have two more questions, Joy and then Susan.

15 MS. RAGSDALE: Joy Ragsdale with NASUCA.
16 I thank you for your presentation today. As usual, we
17 request and Scott and Shirley provide.

18 CHAIRPERSON ROOKER: Scott provides.

19 MR. MARSHALL: No, no, no. David
20 provides.

21 MS. RAGSDALE: Two quick questions. You
22 mentioned that there's an internet working group. Is

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1 that working group open to the public?

2 MR. KITZMILLER: No, it's not.

3 MS. RAGSDALE: Okay. Since the --

4 MR. KITZMILLER: I could consider that. I
5 never really thought about it.

6 MS. RAGSDALE: And, if not, perhaps --

7 MR. KITZMILLER: It would be pretty
8 boring.

9 MS. RAGSDALE: We have a lot of good input
10 and the questions.

11 MR. KITZMILLER: That's a good point. Let
12 me think about that.

13 MS. RAGSDALE: Or perhaps the next CAC can
14 set up a working group that will work perhaps directly
15 with you and some of the other webmasters with each
16 bureau and division. We had already met with Roger
17 Goldblatt and recommended a number of suggestions that
18 we had for improving that particular page. What I
19 would like to do is to send you a copy of a letter
20 that NASUCA prepared and sent to Shirley with a list
21 of recommendations and a number of them addressed some
22 of the concerns that were already previously raised,

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1 captioning and trying to arrange the data and subject
2 matter by perhaps earnings, the numbers that come out,
3 orders and documents. We would like to send this to
4 you and perhaps work with you a little more.

5 CHAIRPERSON ROOKER: A copy of that is in
6 the packet, by the way.

7 MS. RAGSDALE: Actually, I didn't see it
8 in today's folder. It was sent by e-mail.

9 CHAIRPERSON ROOKER: Are you talking about
10 the November 19th 2004 consumer outreach?

11 MS. RAGSDALE: NASUCA recommends
12 improvements to the FCC.

13 CHAIRPERSON ROOKER: I'm sorry. Excuse
14 me.

15 MS. RAGSDALE: It was sent out in the
16 advance materials.

17 MR. KITZMILLER: Was that the March
18 recommendations?

19 MS. RAGSDALE: No, November. If you are
20 able to give a demonstration, a number of our members
21 tried to look up the earnings of various RBOC and
22 income and they have found that if you use earnings

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1 plus a particular carrier, they had received 6,000
2 documents as a result. That's the type of problem,
3 the lack of --

4 MR. KITZMILLER: WCB wireless?

5 MS. RAGSDALE: We use the search right on
6 the homepage. The results we get are very broad and
7 it's difficult trying to narrow down, particularly if
8 you are using a preceding number or docket number and
9 you will get everything that is listed. I think also
10 the results are HTTP- and another number and that
11 really is not understandable to the general consumer.
12 Or to be as an attorney.

13 MR. KITZMILLER: In general if you're
14 looking for officially released FCC documents, EDOCS
15 search is probably the way to go rather than the full
16 text search, general search. There may be other
17 applications, specific searches that may be able to
18 help you out in your case. EDOCS is the place to go
19 for documents.

20 MS. RAGSDALE: If you are willing to give
21 us that type of presentation in tutorial, that's what
22 we were hoping to get today.

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1 MR. KITZMILLER: That would be a good --
2 that would be a meeting all to itself on all of our
3 different search engines and how they target different
4 searches.

5 CHAIRPERSON ROOKER: We have one more
6 question. Susan.

7 MS. PALMER-MAZRUI: I have a quick
8 question about the contents again. Do you have
9 policies or procedures to follow in terms of
10 development of the content? If so, what kind of
11 quality controls because, again, we do see
12 inconsistencies in how accessible documents are.

13 MR. KITZMILLER: You mean release
14 documents?

15 MS. PALMER-MAZRUI: Yes. Not the HTML
16 pages but the PDF or Word documents. PDF in
17 particular there is the ability to put in some tags --
18 I don't know the official word for it -- that will
19 describe tables and things like that. That doesn't
20 seem to be used consistently.

21 MR. KITZMILLER: The secretary's office is
22 really the venue to take that us for released

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1 documents. We in our Internet world really don't get
2 down to that level with the authors. I think maybe
3 it's a good idea but right now they don't have an eye
4 towards final placement on the website when they write
5 their documents. You're right. Our policies are for
6 the webpages and presentation of the webpages and the
7 links to those documents. After you get to the
8 documents, you are left to what the author had in
9 mind.

10 MS. PALMER-MAZRUI: The secretary is the
11 person we should follow up with?

12 MR. KITZMILLER: Right, the secretary's
13 office.

14 MS. PALMER-MAZRUI: Can you put that --

15 CHAIRPERSON ROOKER: All right. We are
16 putting that information. It will be available to
17 you. Dave, obviously you've got to come back. Thank
18 you so much. We really appreciate your time and
19 thought and your presentation.

20 MR. KITZMILLER: Thank you.

21 CHAIRPERSON ROOKER: Next we are going to
22 hear from Debra Berlyn, the report and recommendation

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1 of the Competition Policy Working Group.

2 MS. BERLYN: Can I do that from here,
3 Shirley?

4 CHAIRPERSON ROOKER: It's all right with
5 me if it's all right with everybody else.

6 MS. BERLYN: I don't have overheads so
7 I'll just sit here. You all should have in your
8 folder a copy of the report of the Competition Working
9 Group. In fact, in my folder I have two copies so you
10 may have multiple copies of our report.

11 Let me just start out by thanking the
12 working group. I think everybody is here today.
13 You'll see their names listed at the end there. Cindy
14 Cox who is here from Bell South, Chris Baker with
15 AARP, Joy Ragsdale with NASUCA, Annette Cleckner Davis
16 with MCI, and Mike DelCasino from AT&T. And myself,
17 of course.

18 Let me just start out by telling you what
19 our group was not charged with doing and we were not
20 to debate competition as a principle. Competition is
21 the cornerstone of the 1996 Act and the FCC is charged
22 with developing rules and regulations to enforce that

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1 law.

2 The purpose of our working group was to
3 consider recommendations to the FCC regarding policies
4 to best continue opportunities for consumers to
5 benefit from competition in telecommunications.

6 An initial goal was to take a look at the
7 final rules that the FCC would be issuing on the TRO,
8 Triennial Review Order, and determine whether or not
9 our group could develop specific recommendations for
10 that proceeding.

11 It became very clear at our first meeting
12 that it was going to be very difficult to develop a
13 specific recommendation for that particularly
14 proceeding so we set upon the task of developing more
15 general principles to guide the FCC in that proceeding
16 and in future proceedings that dealt with competition
17 for telecommunications consumers.

18 Our task was perhaps an example of one of
19 the issues that Susan Grant brought about which is the
20 diversity of our group having a mix of consumer
21 representatives and representatives from the various
22 industry made it a very interesting process. Gave us

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1 a great deal to debate and discuss. The conclusion
2 that we came to was that it was going to be difficult
3 to issue a recommendation that would be specific
4 enough to be useful to the CAC.

5 In other words, as we debated our
6 principles, it became clear that we were getting to a
7 very general point and that by the time we would draft
8 language, we wouldn't be saying anything more than
9 what the FCC already knew and had in its previous
10 proceedings.

11 That's the end game. Let me tell you a
12 little bit about the process that we went through. We
13 did have drafted principles and some of those are
14 described in the summary. We went through each of
15 them and had a discussion and attempted some
16 amendments and rewrites for each of our principles.
17 Some of them we were able to agree upon and others we
18 just reached a point where we could not come up with
19 final language.

20 For example, let me talk about our first
21 principle which was probably the most contested and
22 reflects our core differences of opinion. The

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1 original drafting was that the Commission should not
2 interfere with the development of competitive options
3 in the market place or limit the number of competitive
4 choices available to consumers. We had a
5 couple of issues that arose from that language.

6 First there was alternative language that
7 would state the Commission should ensure that the
8 regulatory environment provide carriers regardless of
9 technology with an equal opportunity to offer
10 consumers innovative services that they demand without
11 suggesting that there be a specific number or a
12 multiple number of providers.

13 A majority of us felt that did not address
14 the original intent of the principle. Another member
15 raised a very good point that there could actually --
16 the language that the FCC not interfere with the
17 development of competitive options could perhaps limit
18 the FCC's ability to protect the interest of consumers
19 in an effort to promote competition which was an
20 interesting point.

21 So that gives you perhaps just an idea of
22 the types of discussions that we had, the debate that

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1 we had, and the reason perhaps that we were unable to
2 come with final language that we thought would be
3 useful for the FCC from the CAC.

4 In lieu of presenting principles we
5 determined that we would draft this report, this
6 summary report of our efforts, present that to this
7 CAC. I would perhaps recommend that because
8 competition is the core principle of the Telecom Act
9 and it is behind every proceeding that the FCC works
10 on that this be an issue that we carry forth into 2005
11 as something to continue the discussion because it
12 was, I thought, a very interesting process and helped
13 to raise some issues that I think we will want to
14 continue to look at. Thank you.

15 CHAIRPERSON ROOKER: Do we want to have
16 some discussion on this, input from any of the other
17 working group members, questions for Debra, or all of
18 the above? Or none of the above is another choice.

19 Okay. Interesting paper. Interesting to
20 hear the process in which they participated. I think
21 it's well advised that this is something obviously
22 that will be continuing on as the next Consumer

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1 Advisory Committee takes shape.

2 Anyway, Debra, and your working group, we
3 thank you very much for your efforts. Any questions?

4 I'm not trying to close off discussion here. You're
5 not that hungry because lunch is not yet.

6 All right. Thank you very much, Debra.
7 Good job there.

8 Now, we are going to move on. This is not
9 scheduled and we really do hope that Brenda Kelly-Frey
10 is listening. Brenda, get better. Broken ankles are
11 tough things to deal with. Instead we are going to
12 have Clay Bowen, whom I sure you all know from his
13 tenure on the committee in the past. He is going to
14 talk about -- give us a TRS update on what's going on
15 with the relay service.

16 MR. BOWEN: She wanted you guys to know
17 that the TRS work group has met since our last meeting
18 and we have continued to review the issues that are
19 before the FCC related to TRS. Specifically we
20 discussed the continued concerns over IP relay fraud.

21 We also talked about VRS cost recovery.
22 We also talked about the lack of oversight for the

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1 current VRS environment. Of particular concern to
2 state administrators at this time is the lack of
3 available information on VRS traffic. State
4 administrators have no idea what the usage rate of VRS
5 is.

6 We have no idea what the real costs of VRS
7 are. And we have no idea what the interstate
8 intrastate division of those minutes is. As the FCC
9 looks towards the jurisdictional separation of cost
10 for IP relay services, state administrators are at an
11 extreme disadvantage as we move towards that.

12 The TRS work group would again like to
13 recommend that the FCC strongly consider a VRS
14 solution summit to address some of these issues prior
15 to making a decision on the jurisdictional separation
16 of cost for IP relay services.

17 Just to follow up on a comment that Dane
18 Snowden made this morning about TSP, or
19 Telecommunications Service Priority. For those of you
20 who were here earlier this year, Brenda and I
21 presented on TSP and requested that the FCC consider
22 this and we are very pleased to want to thank the FCC

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1 on behalf of the TRS work group for their support and
2 encouragement of state relay centers to start
3 participating in the TSP program. We feel this is
4 most important for the deaf, hard of hearing, speech
5 impaired, and deaf/blind communities that use relay
6 service to restore dial tone to these centers as soon
7 as possible in a post-9/11 world. Thank you.

8 CHAIRPERSON ROOKER: Thank you, Clay.
9 Does anyone have any questions or comments for Clay?
10 Well, what I would like to do is since we actually are
11 early -- I can't believe that -- let's change lunch
12 time from 12:00 until 1:00. You can go play with the
13 toys, as Andrea says, and we will come back and
14 convene at 1:00 because we do have some working groups
15 with recommendations that we will have to vote on this
16 afternoon so this will give us a little bit more time
17 and flexibility in dealing with those issues. From
18 12:00 until 1:00, folks, be back here. Thank you.

19 (Whereupon, at 12:00 p.m. off the record
20 for lunch to reconvene at 1:00 p.m.)
21
22

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A-F-T-E-R-N-O-O-N S-E-S-S-I-O-N

1:03 p.m.

CHAIRPERSON ROOKER: Can I get everyone to return to the table, please? Hello, everybody. Hello. Don't make me shout. It's not a pretty picture. Please come back to the table. We really have a lot to do this afternoon. You don't want me to keep you here until 6:00. You know that. I've told Scott if you all don't behave he's going to lock the door.

Joy Ragsdale was telling me that Dave Kitzmiller is going to set up a kind of panel discussion, a hands-on day on the website. You want to add to that, Joy? Stick your hand up so she can see you.

MS. RAGSDALE: Hello. In follow-up to the presentation that we had today, I asked David if he would be willing to set up another meeting, a townhall type of meeting to give us an actual tutorial

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1 presentation on how to use and navigate through the
2 FCC's website because that is some of what we have
3 been expecting today and he was more than willing and
4 said that would entail a panel discussion since, as he
5 mentioned, there are webmasters for each bureau. I
6 will try to keep the members apprized because we have
7 not set any dates or discuss any timeline of when this
8 would occur. Of course, we would try to use the FCC's
9 communication facilities and people could log onto the
10 FCC's website. As the open Commission meeting process
11 is held you simply log on. Perhaps as Jeff mentioned,
12 we could e-mail questions that we may have and someone
13 from the staff could try to do a hands-on approach and
14 address questions as they are coming in. We'll try to
15 work out the logistics but at least he's open to the
16 idea.

17 CHAIRPERSON ROOKER: Okay. That's great.

18 Thank you so much. Now, I've had two orders for
19 cabs, one at 3:30 and one at 3:45. Do we have earlier
20 cabs that we need to have ordered before 4:00? Anyone
21 else? Okay. So we've got two cabs, one for John at
22 3:45 and one for -- who was it? Oh, that's right, Jim

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1 Conran at 3:30. Right? Okay. Larry, you need --
2 okay. Who needs cabs at 4:15? Four, five, six. All
3 right. Anybody going to Reagan and share a cab?
4 Anybody want to share a cab?

5 PARTICIPANT: I'm going to Reagan.

6 CHAIRPERSON ROOKER: But he's going before
7 4:00. You're going to be gone. Okay. So we've got
8 one cab at 3:30, one cab at 3:45, and how many cabs
9 for 4:15? Larry, Joe, Mike. Anybody going to Dulles?
10 Mike's going to Dulles. Stick that hand down there,
11 Mike. Yeah, you didn't. Okay. Show hands again who
12 needs a cab at 4:15. One, two, three, four, five, six.
13 We've got six cabs at 4:15. Joe?

14 MR. GORDON: Union Station? Anybody going
15 to Union Station?

16 CHAIRPERSON ROOKER: Anybody going to
17 Union Station? Okay. There's two people going to
18 Union Station. Okay. Scott will get them ordered for
19 us at the break which should give us plenty of time.
20 All right.

21 Moving right along here, the Consumer
22 Complaints, Outreach, Education and Participation

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1 Working Group has put together a paper for us and they
2 have some recommendations that we will be voting on as
3 to how we present them to the Commission.

4 Joy, you want to take over here?

5 MS. RAGSDALE: I'll make my initial
6 presentation brief since I believe we've touched upon
7 all the issues that have been raised today. We want
8 to give the bulk of our time to Andrea Williams and
9 Mike DelCasino and Mark Pranger who have worked very
10 diligently in trying to address the consumer complaint
11 data.

12 What I would like to say is that we've had
13 a wonderful time in working with various members of
14 the FCC's consumer complaint group and the outreach
15 division. In particular, we have Lou Sigalos here
16 with us today and he's always been very willing to
17 have his staff members meet with us anytime that we've
18 asked and we appreciate that very much.

19 After we have our presentation from Andrea
20 and Mike DelCasino, then Linda West will make a formal
21 presentation on behalf of our advisory committee in
22 reference to the Consumer Advisory Committee for the

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1 next two-year term. At this point I would like to
2 turn it over.

3 CHAIRPERSON ROOKER: One question. Who is
4 going to cover the four recommendations that you have
5 in your paper?

6 MS. RAGSDALE: The actual recommendations
7 from the Consumer Complaint Group?

8 CHAIRPERSON ROOKER: Right.

9 MS. RAGSDALE: That is Andrea and Mike
10 Williams.

11 CHAIRPERSON ROOKER: Okay. You're going
12 to cover that now? Okay. So now this is where we pay
13 attention.

14 MS. RAGSDALE: I married them. That's my
15 mistake. Andrea Williams and Mike DelCasino.

16 CHAIRPERSON ROOKER: I understood what you
17 were saying. Thank you. Okay. We'll turn it over to
18 the two of you. You just want to do it from your
19 chairs? That's fine. Mike and Andrea, you're up.

20 MS. RAGSDALE: And Mark.

21 CHAIRPERSON ROOKER: And Mark. Okay.
22 Yeah, Mark. We can't forget Mark. Mark who? Who

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1 starts?

2 MS. WILLIAMS: Well, first of all, the
3 Consumer Complaint Working Group is a subgroup. We
4 have been meeting, I would say, pretty regularly over
5 the summer looking at the FCC quarterly report and
6 looking at some of the issues that have been raised at
7 previous Consumer Advisory Committee meetings how to
8 help the FCC recommendations to improve it.

9 We first looked at basically four areas,
10 or what we call four issues that we found that really
11 needed attention. Particularly the first one. We
12 would not have been able to provide the FCC with the
13 type of feedback if it wasn't for Mark Pranger the
14 work that he did in terms of taking numbers and
15 turning them out and coming up with a way that I think
16 the quarterly report can help consumers even more.

17 Mike, Mark, please jump in. Basically the
18 first issue was in terms of what the purpose of a
19 quarterly report is. As we met with the FCC Deputy
20 Chief of the Consumer and Government Affairs Bureau,
21 Thomas Wyatt, who helped us give perspective and
22 understanding of the purpose of the quarterly report,

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1 we were looking for issues with respect to the report
2 offering trend and data analysis. It's our
3 understanding that the purpose of the quarterly report
4 was to put the numbers out there, not necessarily to
5 do the trend and data analysis, and let the numbers
6 speak for themselves.

7 Our first recommendation deals with
8 providing more information than just the top five.
9 What we were finding is that publishing only the top
10 five categories may not reflect formal complaints and
11 inquiries that may be significant to a particular --

12 Yes, Shirley?

13 CHAIRPERSON ROOKER: Let me just ask you a
14 question for clarification for the committee. The
15 quarterly report that you referred to, is that
16 Commission-wide or is that from the Consumer
17 Governmental Affairs Bureau? Is it from the
18 complaints office? Would you be specific as to what
19 the quarterly report contains?

20 MS. RAGSDALE: Yes. Every so often the
21 FCC through the Consumer and Government Affairs Bureau
22 puts out a quarterly report that tracks the type of

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1 informal complaints and inquiries that the FCC
2 receives from their consumer centers, particularly
3 when consumers call in with particular complaints.
4 Now I think it's been about two years or three years,
5 Mark, they have been tracking -- well, they haven't
6 been tracking but they have been putting these reports
7 out. Usually the categories are limited to just the
8 top five categories. One of the issues was that if
9 you have one of those high profile issues like the
10 Janet Jackson incident and even local number
11 portability that there's a concern that those numbers
12 may be skewed, may not be showing what consumers, in
13 particular other categories or other geographic areas,
14 are concerned with. The intent was let's go beyond
15 the top five and even putting the information in a way
16 that may be helpful to consumers. That's what Mark
17 Pranger provides us with. I'm going to turn it over
18 to Mark and let him explain what we were trying to do
19 with the numbers. Mark.

20 MR. PRANGER: The work I produced was
21 basically a spreadsheet with a lot of graphs attached
22 to it. In our discussions in the working group we

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1 found that the intent of the quarterly report was to
2 give information to the consumers about what they were
3 complaining about. Unfortunately only limited
4 it to the top five. That's a lot of information that
5 we're missing there. We talked about what would
6 happen if something was complained about and would
7 fall into the top six or seven consistently. Well,
8 with only displaying the top five we would lose that
9 information.

10 That category would be overshadowed by
11 wardrobe malfunctions or skits on football and things
12 of that nature. So we wanted the Commission to give
13 us all the numbers. They said let the numbers speak
14 for themselves, but yet we weren't getting all of the
15 numbers themselves.

16 In my research on trying to find just the
17 top five category numbers it was hard to put together
18 historical data. I couldn't go back to the third
19 quarter of 2001 which is when this data starts, and
20 also when I started producing it online. At least
21 that's as far back as I found. So I put together
22 the very large spreadsheet that you have a printout of

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1 and the Braille copies were made available to the
2 committee.

3 The goal of the numbers part of the
4 spreadsheet was to fill in that gap of not having
5 complete data. It lists all of the different
6 categories supplied by the FCC and it goes back in
7 this particular case to the very beginning. A two-
8 year graph or a 10-quarter or eight-quarter graph,
9 something like that, may be something that we do on an
10 ongoing basis.

11 This particular one I went back to the
12 beginning to show the historical significance in data.

13 You can see whether a complaint group is consistent
14 over time, whether it's gone down over time, whether
15 it's gone up over time. You would be able to see what
16 happens over time to make decisions.

17 There were, I believe, six what I had
18 called broad categories. Within each of the six broad
19 categories they have main categories. Within the main
20 categories some of them are broken down into
21 subcategories. Displaying information on certain
22 groups, certain categories at one time is what the

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1 graphs are for.

2 If we go back and look at some of the
3 recent graphs, I chose to break down just the first
4 set of categories which falls under broadcast codes.
5 Under broadcast codes we have main categories. We
6 have three of those. Then two of the main categories
7 are further broken down.

8 Being a researcher I like to drill through
9 information. Start at the top and work my way down.
10 I do better doing that with graphs and charts than I
11 do raw numbers. I may want to get down to the very
12 end to get to the raw numbers but using graphs and
13 charts gives me that visual display right off the bat.

14 I have put together various charts showing
15 different ways of showing the same information. One
16 that is consistent through here is what they call a
17 stacked bar chart that shows percentage contributions.

18 It's good for showing trends over time and percentage
19 contribution type of deal.

20 Quarter by quarter by percentage
21 contribution was one of the two charts that I put
22 together. It shows you starting back in 2001 and

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1 going forward what percent of that particular category
2 a group or subgroup contributed to it. That's one
3 method of showing the data and it's good to show that
4 over time we have a large percentage of our complaints
5 coming from this particular area. Maybe we just need
6 to pay more attention to those complaints.

7 Line charts are good for showing trends of
8 increasing or decreasing volumes. When I switched to
9 a line chart I went for raw numbers instead of
10 percentages because we need to know do we have 5,000,
11 10,000, 20,000 complaints in that particular area.

12 It shows us what we can get from that,
13 those trends that we're looking for. Once again,
14 at no point in here we make interpretations -- the
15 Commission not make interpretations. They will just
16 be supplying information.

17 The next chart that I have on here is a
18 stacked area chart. It's similar to a stacked bar
19 chart in that it displays percentage information over
20 time. Once again, we are going back on the historical
21 significance and work our way through showing the
22 exact same information the stacked bar chart does. We

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1 don't have to produce every one of these every time.
2 It's just these documents are proof of concept. What
3 can we do? What are the different varieties?

4 As we go through here we also -- I also
5 wrote down underneath the broadcast codes, which was
6 one large category, three main categories. I did the
7 same thing. I repeated the stacked bar charts and the
8 line charts to show within the broadcast codes how
9 much of the broadcast codes are contributed to the
10 three main categories.

11 When a main category got broken down even
12 further, I broke it down into the subcategories and
13 once again provided the same stacked bar charts, line
14 charts, the area charts. I have limited myself on the
15 pie charts to showing one quarter of information at a
16 time.

17 If I'm looking at just a particular
18 quarter instead of the entire chart over a series of
19 time, that's when I use the pie charts. It shows
20 percentages, once again, in a manner of size
21 comparison similar to the stacked bar chart.
22 Unfortunately, pie charts don't go good over time

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1 periods so we couldn't do a series of pie charts and
2 get as much information as possible with stacked bar
3 charts.

4 I was addressing the two issues of more
5 historical data with this document and displaying
6 information so that we can see underlying trends or we
7 can see when particular categories are constant over
8 time, where some categories will go up and down and
9 drop out of the top five, show up in the top five.

10 We want to be aware of the categories that
11 are consistent over time. If we continue to have a
12 category that comes in sixth or seventh, that may be
13 more of a problem than a category that is the top
14 five, wardrobe malfunction this month, and then the
15 next four quarters didn't do anything. That shows a
16 temporary problem whereas a category that consistently
17 shows up with a high volume shows a long-term problem.

18 What this does not address was one of the
19 issues of weighing the different results based on
20 things such as where did the complaints come from,
21 whether it's rural America, urban America, whether
22 it's Native American complaints, whether it's

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1 complaints from individuals who are deaf or blind.

2 That is an issue that should be left up to
3 the next two-year committee to deal with. We can't do
4 it all in one shot so I wanted to address the two most
5 important which was historical and trying to catch
6 those categories that were constant over time but yet
7 not in the top five.

8 MS. RAGSDALE: Just a question. One of
9 the recommendations is that the FCC use these type of
10 charts complimenting the quarterly complaint report
11 that they already produce, or produce the quarterly
12 report in another format.

13 MS. WILLIAMS: We we're suggesting this is
14 just a model or sample. We don't necessarily
15 know all the FCC's resources and this is to give them
16 the idea of what we think, what our committee felt
17 that consumers would find helpful. To the extent that
18 they can incorporate that into their quarterly
19 reports, then that's a good thing.

20 MS. RAGSDALE: Would you mind sharing
21 Thomas' feedback?

22 MS. WILLIAMS: Oh, yes. Sure. We met

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1 with Thomas Wyatt and his staff, Martha Contee. They
2 were very, very receptive to the issues and
3 recommendations. In fact, Thomas kept saying over and
4 over again that this type of meeting and type of
5 dialogue with the members of our committee was
6 extremely helpful, if nothing else to sort of give
7 them also a check in terms of things that they are
8 doing right. They are at least going in the right
9 direction.

10 One of the things he really appreciated
11 with the FCC quarterly reports because they are coming
12 out so frequently, sometimes you don't have the
13 opportunity to just stop and assess what you're doing,
14 whether you need to be doing something differently.
15 That's what this process gave him the opportunity to
16 do, to sort of stop and think about how we can do
17 this, whatever we can do to make this more helpful for
18 consumers.

19 MS. RAGSDALE: So, I believe, Shirley,
20 this chart goes with the first recommendation and then
21 there are three others that they have to discuss
22 within the next five minutes.

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1 CHAIRPERSON ROOKER: No, you've got until
2 -- you've got more time than that.

3 MS. RAGSDALE: Right, but Linda has a
4 recommendation.

5 CHAIRPERSON ROOKER: Okay.

6 MS. WILLIAMS: That's what I wanted to ask
7 you. Do you want to stop after each recommendation
8 and vote on them?

9 CHAIRPERSON ROOKER: Yes. Yes. I
10 definitely do so we don't want to lump them together.
11 This pertains to recommendation No. 1.
12 Unfortunately, I don't have one of the pie charts.
13 It's not in my folder for some reason. All that work
14 Mark did, it's a shame, but I'm sharing it. I can't
15 do Braille. I'm sorry.

16 That's okay. I see it now. Okay. I was
17 following what he was saying. It made perfect sense
18 to me. I had it in my mind. Okay. So we are looking
19 at recommendation No. 1 Now, you want to present this
20 as a formal recommendation?

21 MS. WILLIAMS: Yes.

22 CHAIRPERSON ROOKER: Okay. All right.

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1 Can you summarize it? Actually, what you want is the
2 Commission to publish all of the categories, not just
3 the top five. Is that correct?

4 MS. WILLIAMS: Expanding the number of
5 categories using a summary table in the quarterly
6 report.

7 CHAIRPERSON ROOKER: Is there a limit to
8 how many you think they can physically handle? This
9 would be putting them up on the webpage and publishing
10 them or how?

11 MS. WILLIAMS: What we had considered was
12 letting the FCC micro-manage.

13 CHAIRPERSON ROOKER: Okay.

14 MS. WILLIAMS: But they understand the
15 concept of what we are trying to achieve here.

16 CHAIRPERSON ROOKER: Okay. So what we're
17 talking about here is the Commission should really
18 expand the number of categories and subcategories for
19 the reports so that we see what's going on. Mike.

20 MR. PRANGER: Shirley, I think the
21 recommendation basically should be that the Commission
22 expand the quarterly report to include all of the

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1 categories under which it takes in formal complaint.

2 CHAIRPERSON ROOKER: All right.

3 MR. PRANGER: And that it provide in that
4 report trend information, historical information, as
5 well as --

6 CHAIRPERSON ROOKER: As well as current.
7 All right.

8 MR. PRANGER: That's my recommendation.

9 CHAIRPERSON ROOKER: Do we have a
10 discussion on this recommendation? All right. Do I
11 hear a move to accept the recommendation?

12 MS. RAGSDALE: So moved.

13 CHAIRPERSON ROOKER: Okay. And second?

14 MR. PRANGER: I second.

15 CHAIRPERSON ROOKER: All in favor of the
16 recommendation say aye, please.

17 ALL: Aye.

18 CHAIRPERSON ROOKER: Okay. Nays? The
19 recommendation is passed unanimous. Good work, folks.
20 All right. Let's move on.

21 MS. WILLIAMS: Mike, you want to take the
22 second recommendation?

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1 MR. DELCASINO: Yeah. Sure. Okay. In
2 the interest of time, the second recommendation
3 basically is a follow-on to some of the discussions
4 that we had with Thomas about why they tend to only
5 report the top five categories. That generally was
6 because a lot of the categories are zero categories in
7 any given quarter.

8 While we had some lengthy discussion about
9 that which basically led to this recommendation which
10 it certainly acknowledges all of the efforts on the
11 part of the Commission and Thomas' group in particular
12 in terms of delaying with a huge volume of calls on an
13 extremely wide spectrum of subjects.

14 Nevertheless, we decided that it was
15 advantageous to recommend that additional efforts be
16 done on the part of the Commission to train the CAMs,
17 do additional training of the CAMs to sensitize them
18 to the fact that there are other categories there and
19 then to pay particular attention when a call comes in
20 that it get recorded in the appropriate category.

21 CHAIRPERSON ROOKER: Okay.

22 MR. DELCASINO: So this recommendation

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1 basically asks for additional expanded training of the
2 CAMs.

3 CHAIRPERSON ROOKER: This is training
4 updating you're talking about? If there are new areas
5 of complaints, they would also have to be coded so it
6 would be an ongoing process?

7 MR. DELCASINO: Yes, that's correct.

8 CHAIRPERSON ROOKER: All right.

9 MS. WILLIAMS: One of the things, Shirley,
10 that we found and it was very helpful to have members
11 of the industry who deal with calls and have call
12 centers and how that can most effectively minimize
13 human error and bias in data. I think across the
14 board everyone agreed it was constant training of your
15 CAMs.

16 It's not just a one-shot deal. To the
17 extent that the FCC is already doing that, great, but
18 we want to make sure that the chairman the
19 commissioners understand that this is something that
20 needs to be ongoing, not just a one-shot deal once a
21 year.

22 CHAIRPERSON ROOKER: Right. As someone

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1 who runs an organization with a thousand volunteers
2 who are always asked to code their cases, I totally
3 appreciate the challenges involved here. All right.
4 Is there discussion on this recommendation? Is
5 everyone clear? Do we have any questions or concerns?
6 No? All right. Then do I hear a recommendation -- a
7 motion on this recommendation?

8 MS. GRANT: So move.

9 CHAIRPERSON ROOKER: Okay. Susan makes a
10 motion that we accept it. Linda seconds. All in
11 favor say aye.

12 ALL: Aye.

13 CHAIRPERSON ROOKER: Opposed? All right.
14 It's unanimously carried. All right. Issue
15 No. 3.

16 MS. WILLIAMS: The third recommendation
17 deals with -- when we got down to the discussion in
18 terms of was the quarterly report definitive in terms
19 of all the informal complaints or inquiries that come
20 into the FCC.

21 One of the things that many of us knows
22 that the FCC, particularly since Dane has been at the

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1 Consumer and Government Affairs Bureau, has been doing
2 a lot of outreach on a number of issues, particularly
3 in Indian country in terms of children, parents, and
4 things of that nature. Our concern was how is this
5 information -- is this information making its way into
6 the quarterly report.

7 What we found it's not necessarily -- that
8 may not necessarily be the case. What their
9 recommendation primarily deals with is making sure
10 that information makes it to the FCC quarterly report
11 and the FCC coming up with processes or procedures to
12 ensure that happens.

13 CHAIRPERSON ROOKER: What kind of form are
14 you talking about this taking? Just a listing of
15 categories? I'm a little unclear as to what form?

16 MS. WILLIAMS: What we're talking about,
17 to give you a very good example, we know that Kris
18 Monteith and the Consumer Government Affairs Bureau,
19 and Jeffrey Blackwell have been going to a number --
20 numerous outreach to Indian country. Are those issues
21 making its way into the quarterly report?

22 Do we see -- here is a segment of our

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1 population where this is telecom access. I think
2 Linda said it best in one of our working groups.
3 Lifeline issues is a major issue in Indian country.
4 Well, if you look at the quarterly report, you would
5 never know it.

6 CHAIRPERSON ROOKER: I see. Okay.

7 MS. WILLIAMS: There's got to be a way
8 that information that they are getting in outreach
9 makes its way back into the quarterly report so it
10 really is showing where those issues are.

11 CHAIRPERSON ROOKER: I'm totally in
12 agreement with you. I'm just a little bit --
13 recommendation No. 3 tells me what the concern is but
14 it doesn't suggest how it should be included in the
15 report because it's not being included now.

16 MS. WILLIAMS: What we're --

17 CHAIRPERSON ROOKER: Do we want to be more
18 specific? Maybe we don't. We just want to give broad
19 overview for the FCC as to what they should do? Is
20 that the goal?

21 MS. WILLIAMS: We wanted to give -- again,
22 we are very cognizant of the budgetary constraints

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1 that the FCC works under but we want to make sure,
2 again, that the chairman and the commissioners
3 understand that this is an important issue that they
4 have to address, fine procedures and ways to make sure
5 that this information is being reported.

6 CHAIRPERSON ROOKER: Okay. All right.
7 Susan, did you have a comment on that? Okay.
8 Basically you're saying it's not included now. It
9 should be included in the quarterly report. You're
10 giving the FCC the wherewithal to do -- you're asking
11 them to do it and how they choose to do it but to make
12 it available.

13 MS. WILLIAMS: Right.

14 CHAIRPERSON ROOKER: Don, your hand went
15 up first and then Joy and then Mike.

16 MR. SNOOP: Yeah. My concern is the
17 definition of -- I'm very sensitive to defining
18 complaints. On one spreadsheet we're talking about
19 bonafide complaints that are coming in. These are
20 questions, concerns taking place during outreach to
21 combine them with complaints made to boot one or the
22 other.

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1 When I say defining of complaints is
2 something that's very sensitive to me, in New Jersey
3 right now we're got a public hearing on Monday with
4 the Board of Public Utilities trying to define what a
5 complaint is because for a year now they have been
6 trying to implement a law changing the way the cable
7 industry records complaints because of different
8 legislation.

9 It can become a very sticky wicket so to
10 make it clear you may want to have these listed
11 absolutely. Chart them, list them, get them in, get
12 them on the issues list but to have them listed with
13 complaints you may dilute one or the other.

14 CHAIRPERSON ROOKER: Are you proposing
15 that it be a separate section of the report?

16 MR. SNOOP: Yes.

17 CHAIRPERSON ROOKER: That this be the
18 results of outreach to the --

19 MR. SNOOP: Yes.

20 CHAIRPERSON ROOKER: Okay. I think that
21 makes sense. Could we amend the recommendation to
22 state to the effect that it be part of the quarterly

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1 report but separated from the complaints themselves?
2 All right. Now, we may have some more comments on
3 that. Is your comment on that particular issue,
4 Susan? Okay. You want to do that?

5 MS. PALMER-MAZRUI: I would think they
6 would know to do that. That seems to me micro-
7 managing. I mean, anybody who is doing a report they
8 are going to talk about where the information comes
9 from. The intent of this is to make sure that things
10 that may not show up numerically like all 200 people
11 that we were talking about before may not have access
12 to basic service.

13 That is critical. That type of thing
14 should be captured. If you look at the data in terms
15 of numbers, it's not going to show up so this gives
16 them a vehicle. I don't think we need to go into that
17 level of detail.

18 CHAIRPERSON ROOKER: Okay. Now, we had
19 some other comments. Joy had a comment.

20 MS. RAGSDALE: See, Shirley, what you see
21 here is the demonstration of some of the conversations
22 that we've had in our working group.

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1 CHAIRPERSON ROOKER: I'm sorry.

2 MS. RAGSDALE: No, it's a good example of
3 why we have not been able to reach consensus as to
4 what is micro-management, what is providing
5 suggestions. Of course, the FCC has the option to
6 accept whatever suggestions that are given. I think
7 some guidelines would be helpful for the FCC to
8 consider, not to just present the problem but also
9 perhaps resolutions.

10 When you ask how, it could be accomplished
11 at a particular forum. They could issue surveys.
12 They could have questionnaires. Addressing Don's
13 problem or issue, they could then publish in a
14 separate vehicle. There are tools that could be used.

15 CHAIRPERSON ROOKER: You're leaving the
16 door open for them to do it.

17 MS. RAGSDALE: Right, but then at least
18 give them guidance as to what we're looking for and
19 not just lay open the door.

20 CHAIRPERSON ROOKER: Mike, did you have a
21 comment?

22 MR. DELCASINO: Yes. Just a quick

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1 comment. Susan I think hit the nail on the head.
2 When this subject first came up, it came up in the
3 context of this information never -- I was going to
4 say almost never but really never making it to a
5 quarterly report because the volumes were always below
6 the top five. We would have addressed this in
7 recommendation No. 1. If the Commission publishes all
8 of the categories this information would be available.

9 CHAIRPERSON ROOKER: Okay.

10 MR. DELCASINO: So absent them publishing
11 all the information, recommendation 3 arrives and
12 says, "Think of another way but you need to address
13 it."

14 CHAIRPERSON ROOKER: Okay. I've got you.

15 John, you had a comment?

16 MR. STENSGAR: Am I live? Can you hear
17 me?

18 CHAIRPERSON ROOKER: Pardon me for
19 pointing, folks. It's necessary sometimes.

20 MR. STENSGAR: Well, I guess I just
21 totally agree with the amendment to include the
22 outreach programs because then you are more defining

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1 the information as coming forward. I represent 52
2 tribes in the northwest and many of my constituents
3 would like to become consumers. I mean, they don't
4 have that option right now. As I said, those
5 numbers are skewed because they don't have access to a
6 phone to complain about something.

7 To take it a step further, I mean, I don't
8 know if this is the place but to further define how
9 the universal service fund dollars are distributed to,
10 for instance, Washington State, I understand that
11 Washington State receives in the neighborhood of \$3.6
12 million, but there is no way to clearly define where
13 those dollars are going, whether they are going to
14 north central Washington where I live, or whether they
15 are going to Spokane, Puget Sound, Yakima area where
16 they don't have connectivity issues that we have in
17 the rural parts of the Pacific northwest. I'm totally
18 in support of more defining what those numbers would
19 be. Thank you.

20 CHAIRPERSON ROOKER: Okay. All right.
21 Then I think we'll just leave the recommendation as it
22 is. You worked hard on it. Do I hear a motion to

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1 approve it? I'm not trying to cut off discussion. Is
2 the comfort level reached? Okay.

3 MS. WEST: I move.

4 CHAIRPERSON ROOKER: Linda is making a
5 motion. Andrea.

6 MS. WILLIAMS: Second.

7 CHAIRPERSON ROOKER: And seconded. All in
8 favor of the motion say aye.

9 ALL: Aye.

10 CHAIRPERSON ROOKER: Opposed? All right.
11 We passed it unanimously. Thank you very much.
12 Issue No. 4 really is in response to -- it's one of
13 those issues that came up in our discussion and was
14 almost like, "Oh, my goodness. People really don't
15 understand."

16 If they are not going to provide the trend
17 data analysis and then you're told, for example, in
18 terms of industry case, "Here are the numbers. You go
19 do it yourself," yes. But those who may live inside
20 the Beltway or they are familiar with the FCC
21 processes may know how to do that.

22 But what about those outside of the

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1 Beltway? It's very important. That's the whole
2 purpose of the Freedom of Information Act. We found
3 even among our working group did not understand or
4 know that the FCC actually had a process to get this
5 information.

6 What that process is is up on the website but we
7 feel it needs to be publicized more. I gave a classic
8 example which happened to me. My daughter is at the
9 University of Penn working at the School of Annenberg
10 and they are doing some research on impact of media on
11 various segments of society.

12 She was told to go and find some data and
13 didn't have a clue where to find it at the FCC, how
14 she should do this, so she calls mom. I said, "Go to
15 the FCC website. You see where it says FOIA? Click
16 that on." She said, "Oh, my God. You mean to tell me
17 we've been fretting over this for a week and it's
18 taken you less than five minutes?" I said, "Yes."

19 That's the level of understanding that I
20 think outside -- if you're not dealing with the FCC on
21 a daily basis, you may not know how to do that. The
22 purpose of the Freedom of Information Act is to make

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1 public information available and people should know
2 how to do that process.

3 CHAIRPERSON ROOKER: Okay. Do we have
4 discussion?

5 MR. STENSGAR: Move to approve.

6 CHAIRPERSON ROOKER: All right. We have a
7 move here to approve. Well, making a motion to accept
8 it. Do I hear a second for the motion?

9 MR. SNOOP: Second.

10 CHAIRPERSON ROOKER: Seconded. All in
11 favor of the motion say aye.

12 ALL: Aye.

13 CHAIRPERSON ROOKER: Opposed? Good job,
14 Complaint Working Group. That's super. Four down.
15 Wow. Now, do you have more to add?

16 MS. WILLIAMS: Not to this piece.

17 CHAIRPERSON ROOKER: Not for this meeting.

18 MS. WILLIAMS: No, to Linda West, and
19 we've already discussed more or less the
20 recommendation that she is going to make. She is
21 going to raise some other issues in regards to the
22 structure of our committee.

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1 CHAIRPERSON ROOKER: Okay. Linda.

2 MS. WEST: Good afternoon.

3 CHAIRPERSON ROOKER: Stick your hand up
4 again.

5 MS. WEST: Okay. Everybody has the letter
6 in their packets and because we are running short of
7 time and have a real full schedule or agenda, I'll cut
8 it short.

9 I want to express my delight of serving on
10 this committee for the last two years. I have learned
11 so much from everybody on the committee. I sincerely
12 hope that I have been able to share some insight for
13 some of them and to the problems and concerns that we
14 face out on Indian reservations and in rural America.

15 From a personal note I would like to
16 encourage everybody that is on this committee to
17 reapply. It took us until the third meeting to really
18 get started working by the time we set up the groups,
19 got kind of to know each other, defining things that
20 really were important to work on and concentrate on.

21 I feel that the next two years we could
22 accomplish so much more if we come in knowing pretty

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1 much what we've done and accomplished. It would be
2 hard for another Indian to come in and spend three
3 meetings just trying to inform people about our
4 particular situation out there. With that, I guess
5 I'll close. It's been a real, real pleasure.

6 CHAIRPERSON ROOKER: There is a letter in
7 the folder on the recommendations from the Consumer
8 Outreach Group. To that effect --

9 MS. WEST: Did you want me to read it?

10 CHAIRPERSON ROOKER: No, it's in the
11 packet. I don't think there is any particular reason
12 to. I appreciate your sentiments and that is why we
13 are encouraging everyone to reapply for the committee.
14 I think that it does take a while for groups to get
15 to know each other and start working effectively.

16 I believe that this last year as been just
17 really extraordinary in terms of people coming
18 together and the energy and the output from the group.

19 It's been very interesting to watch the dynamics
20 develop. I appreciate your comments. Do we have any
21 other comments on that or thoughts? Okay. Then we
22 have adopted your recommendations. Thank you all so

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1 much for your thought and energy and everything else.

2 Joy.

3 MS. RAGSDALE: If I may add one thing.
4 These are the formal recommendations that we had
5 ready. Of course, the group worked tirelessly to
6 address a number of issues. Because Lou Sigalos came
7 down here to hear our presentation, I just wanted to
8 raise the fact that they are still working on the
9 consumer focused whether it be a paper brochure or
10 creating a dedicated webpage for entities such as
11 ourselves so that the information that we need is
12 centralized. Their staff is still working on it and
13 they are not going to throw it in the file 13.

14 CHAIRPERSON ROOKER: Right. That's
15 wonderful. Thank you. Thank you to the FCC for the
16 support. All right. Okay. Well, thank you again,
17 group. That's been wonderful.

18 Moving along, we are coming to the report
19 and the recommendations of the Homeland Security
20 Working Group under Mike Duke's chairmanship. I just
21 like to tell you that Mike really stepped up to the
22 plate to do this because we kind of twisted his arm

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1 and he said, "Ow." We said, "We don't let go until
2 you do it." That's not really true. I'm just teasing
3 him. Mike, thank you. I'm ready for your report.

4 MR. DUKE: I was praying for thunder.

5 CHAIRPERSON ROOKER: Stick your hand up
6 again. She didn't take you seriously.

7 MR. DUKE: Okay. When Shirley grabbed
8 hold of my arm -- down in the south we have a story
9 about snapping turtles and when a snapping turtle
10 would bite you, he wouldn't turn loose until it
11 thundered so I was praying for thunder but it didn't
12 happen.

13 I would like to thank the members of our
14 Homeland Security Working Group for doing exactly
15 that, working. They worked hard. We came to the
16 table with a lot of questions and sometimes more
17 questions than we had answers and more issues than we
18 had answers for. We built through a series of
19 discussions both through teleconference and e-mail
20 consensus on some points that I think you will find to
21 be important.

22 This is certainly not a limited -- it's

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1 certainly an ongoing process. As you know, Homeland
2 Security is something that is going to be with us I
3 suspect from now on so these are issues that will get
4 visited and revisited probably any number of times and
5 expanded and added to and so forth.

6 First of all, again thanks to those on the
7 committee, as Shirley said earlier this morning, some
8 of the corporate representatives on the committees
9 provided us with some telephone conference avenues
10 that had they not been there and had they not been
11 participating we would not have been able to enjoy the
12 internal e-mail list set up by Scott which was also
13 very helpful and very essential in the preparation of
14 what you see here.

15 We have five recommendations and I assume
16 that we should do these as the last committee did and
17 then take them one by one?

18 CHAIRPERSON ROOKER: I think so, yes.

19 MR. DUKE: Okay. So our first
20 recommendation then is to encourage the transmission
21 of emergency information via both open captioning and
22 main channel audio announcements whenever doing so is

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1 technically feasible.

2 CHAIRPERSON ROOKER: All right.

3 MR. DUKE: I think some people may -- does
4 everybody understand what open captioning is?

5 CHAIRPERSON ROOKER: It's for everyone.
6 Isn't it?

7 MR. DUKE: Yes. Open captioning does not
8 require the activation of a setting on your
9 television. It's on the screen whether your closed
10 captioning is turned on or not. The feeling among the
11 group was that for emergency information that is very
12 important.

13 CHAIRPERSON ROOKER: It is very valuable.

14 MR. DUKE: So that's the first
15 recommendation.

16 CHAIRPERSON ROOKER: All right. Do we
17 have discussion? No? All right. Do I hear a motion
18 to accept the recommendation?

19 MS. WILLIAMS: Moved.

20 CHAIRPERSON ROOKER: All right. And
21 second?

22 MR. DUKE: Second.

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1 CHAIRPERSON ROOKER: The motion is on the
2 floor. Do I hear a vote -- yeah. All those in favor
3 say aye. Thank you, Susan.

4 ALL: Aye.

5 CHAIRPERSON ROOKER: Opposed? I'm going
6 to have to write that down.

7 MR. DUKE: Having been the chair before of
8 other things I can understand when the chair gets
9 tired.

10 CHAIRPERSON ROOKER: The chair's brain
11 just took a vacation. All right.

12 MR. DUKE: Yeah, it's after lunch on
13 Friday.

14 CHAIRPERSON ROOKER: Exactly. I didn't
15 drink enough caffeine I guess.

16 MR. DUKE: Okay.

17 CHAIRPERSON ROOKER: No. 2, Mike.

18 MR. DUKE: No. 2, our second
19 recommendation. "Encourage dialogue with telephone
20 service providers concerning the availability of
21 telephone relay services and text messaging for the
22 hearing and speech impaired during emergencies. Some

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1 of this was touched on briefly this morning in earlier
2 reports but it's something that overlaps."

3 CHAIRPERSON ROOKER: Okay. Do we have
4 discussion? Yes, Don.

5 MR. SNOOP: My question --

6 CHAIRPERSON ROOKER: Stick your hand up.

7 MR. SNOOP: Okay. My question is we're
8 talking about encouraging dialogue with telephone
9 service providers. Being kind of naive even though
10 I'm working for a local telephone company on the video
11 side of the business I really don't know a whole lot
12 about how this telephone relay service actually
13 operates. Is this something that is going to require
14 a mandate by regulatory agency for them to get done?
15 Do you anticipate or is it something you think you'll
16 get voluntary cooperation because it's not a lot of
17 cost?

18 MR. DUKE: We would hope -- I think
19 speaking for the committee we would hope it would be
20 voluntary. It was felt strongly by some of the
21 hearing and speech impaired, the members of the
22 committee, the hearing and speech impaired members of

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1 my committee, that this be done in order to get some
2 assurance that the relay service would be up and
3 running as quickly as humanly possible if it went down
4 in an emergency situation such as 9/11.

5 CHAIRPERSON ROOKER: Does that answer your
6 question, Don?

7 MR. SNOOP: Kind of, yes. Yes, I think
8 so.

9 CHAIRPERSON ROOKER: Okay. Debra.

10 MS. BERLYN: Your language here says
11 encourage dialogue. Do you need or do we need to get
12 anymore specific than that in terms of who at the FCC
13 needs to initiate that? Is it okay to keep it this
14 general?

15 MR. SNOOP: Help me out, committee
16 members. What do you think?

17 CHAIRPERSON ROOKER: What you're saying to
18 the FCC is you decide what department needs to do this
19 dialogue?

20 MR. SNOOP: Yes, let the FCC decide where
21 it needs to go. That's kind of the way it's worded
22 from the committee. Now, I'm open and I think the

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1 committee would be open to making it more specific if
2 you think it's necessary.

3 CHAIRPERSON ROOKER: Is there comments on
4 this? Yes. Diane, hi.

5 MS. BURSTEIN: Hi. How are you?

6 CHAIRPERSON ROOKER: Nice to see you.

7 MS. BURSTEIN: As a member of the
8 subcommittee I think that it was intentionally left in
9 this fashion because I don't believe we had enough
10 information to really have more specific
11 recommendations about how to proceed on this if I
12 recall the conversation.

13 MR. SNOOP: She's absolutely right.

14 CHAIRPERSON ROOKER: Okay. Eugene.

15 MR. SEAGRIFF: Mike, if I recall, at the
16 time of 9/11 phone service in general was not
17 available in the New York area because of a lot of
18 reasons. It was brought back in increments and
19 primarily permitted only for first responders and
20 government officials for some period of time. I guess
21 that's why you're just saying let's have some dialogue
22 about what to do rather than saying we got to have it?

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1 MR. SNOOP: Right.

2 CHAIRPERSON ROOKER: All right. Do we
3 have any other discussion? Claude?

4 MR. STOUT: Encourage is a possible word.
5 The phone service provider I think is a little
6 outdated. Maybe we should offer this to the
7 community. I suggest that we should encourage
8 dialogue between the business community and the
9 consumer and so forth in general. That way we could
10 keep our options more open.

11 CHAIRPERSON ROOKER: Would you say
12 telephone service providers and businesses or is that
13 redundant?

14 MR. STOUT: Encourage dialogue between
15 business community and the consumers with disabilities
16 or deaf, hard of hearing consumers and so on and so
17 forth.

18 CHAIRPERSON ROOKER: Susan.

19 MS. PALMER-MAZRUI: I think that business
20 is too broad. It goes beyond the scope of the FCC.
21 If you say telecommunication service providers and
22 businesses. You could do that and encourage that

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1 dialogue. I think if you just say businesses it looks
2 too broad.

3 CHAIRPERSON ROOKER: So telecommunications
4 would broaden it. Right?

5 MR. STOUT: Yes, it would.

6 CHAIRPERSON ROOKER: So then if we put
7 encouraged dialogue with telecommunication service
8 providers. That would expand it beyond just
9 telephone.

10 MR. STOUT: Again, when you talk about
11 business, you're talking about people who sell the
12 pagers. Those are not considered as
13 telecommunications. By doing business you are
14 including everyone.

15 CHAIRPERSON ROOKER: Oh, and pagers. Then
16 would you say -- is there some way we can word this to
17 include Claude's concerns which I see what he's
18 saying. That would be more inclusive. Andrea.

19 MS. WILLIAMS: What if we just used the
20 word communications?

21 CHAIRPERSON ROOKER: Communications. That
22 would work. Would that work, Claude?

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1 MS. WILLIAMS: Communication service
2 providers or communications industry? That takes in
3 broadcast.

4 CHAIRPERSON ROOKER: So we could say,
5 "With the telecommunications industry." Susan.

6 MS. GRANT: Shirley, I would just say the
7 communications industry. We have now the potential
8 for things like Voice over Internet Protocol which may
9 not even be deigned as telecommunications.

10 CHAIRPERSON ROOKER: Okay.

11 MS. GRANT: So make it broad.

12 CHAIRPERSON ROOKER: All right. Susan,
13 did you have something to add to that?

14 MS. PALMER-MAZRUI: Yes. I was wondering
15 if that also covers information service providers if
16 you are also looking at Internet types of things. I'm
17 not sure what the definition is.

18 CHAIRPERSON ROOKER: Well, I mean, what we
19 are really talking about here are the industries that
20 are oversight under which the -- of which the FCC has
21 oversight. Right? So do we want to put it that way?
22 That's really the issue, isn't it? The FCC can only

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1 deal with businesses over which they have regulation
2 authority.

3 MS. PALMER-MAZRUI: Right, but there might
4 be coordination with other businesses that are not
5 regulated by the FCC. For example, if a certain
6 format like your service provider provides an open
7 caption on emergencies, then it might mean that the
8 text messaging is a lower priority or it may mean it's
9 a very high priority.

10 If you are interacting with a service like
11 AOL instant messenger from text, how does that play
12 in? Even though it's not regulated, we're talking
13 about dialogue. So would the communications industry
14 meet that requirement? Mike and then Joe.

15 MR. DELCASINO: Shirley, how about to
16 perhaps solve this problem take the qualifier off and
17 just say, "Encourage dialogue with service providers."

18 Leave it completely open and then however the
19 Commission can work or is able to work with various
20 service providers, regulated or not regulated, would
21 be covered in that language.

22 CHAIRPERSON ROOKER: Okay. Joe, do you

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1 have a comment on that?

2 MR. GORDON: I was just going to say
3 something similar to what Michael said, if you say
4 service providers for telephone relay services. So
5 you say service providers that provide telephone relay
6 services which would include all that we have
7 mentioned.

8 CHAIRPERSON ROOKER: Well, you've already
9 said, "Service providers concerning the availability
10 of," so it would be a little bit redundant to say --

11 MR. GORDON: The availability of telephone
12 relay.

13 CHAIRPERSON ROOKER: That's what it says.
14 That's what it says. I think that is a good
15 suggestion. So what we will have now is to say,
16 "Encourage dialogue with service providers." The rest
17 of the paragraph would stand. All right?

18 MR. GORDON: Right.

19 CHAIRPERSON ROOKER: As amended do I hear
20 a motion to accept? David, do you have a question?

21 MR. POEHLMAN: I have no objection to the
22 language but does it -- unless we think it should also

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1 include equipment manufacturers. If the language
2 already does, then that's fine. Should we if it
3 doesn't?

4 CHAIRPERSON ROOKER: Do we want to ask
5 -- the question is do we want to put equipment
6 manufacturers. Okay.

7 MR. DUKE: In our discussions we really
8 didn't get into the specifics of manufacturing here.
9 I don't know why we didn't. We just didn't. It never
10 came up, I don't think. Some of the committee members
11 can correct me if I'm wrong but I don't think it ever
12 came up during the discussion.

13 CHAIRPERSON ROOKER: Well, it seems to me
14 service providers is kind of all encompassing but I
15 don't know if David feels strongly about adding
16 something.

17 MR. POEHLMAN: If it does, then that's
18 fine.

19 MS. PALMER-MAZRUI: I would think at least
20 for the table it would be very helpful to have the
21 equipment manufacturers there as well because the
22 service providers may say this is a great thing but it

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1 may not be technically feasible on the user end, the
2 equipment end. For a dialogue I think it can't hurt.

3 I would suggest service providers and equipment
4 manufacturers. All right. Do we want to amend it
5 that way? Byron.

6 MR. ST. CLAIR: As an ex-manufacturer I
7 would say no because I think all of the excitement
8 would be over by the time the equipment manufacturer
9 gets into it. Adding that, therefore, dilutes the
10 paragraph.

11 MS. PALMER-MAZRUI: I would say that this
12 would impact the design of equipment because the
13 equipment needs to be able to carry the signal or
14 carry the information. I'm not saying that in a
15 situation equipment manufacturers have to go and bolt
16 things on but I think in their long-term design
17 thoughts it could give them guidance.

18 CHAIRPERSON ROOKER: I think what we're
19 looking at here is this is guidance before there's an
20 emergency. Hopefully we are going to put things in
21 place so that when there is an emergency, if there --
22 hopefully there is never one, but then everything

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1 would be in place and that would include
2 manufacturers.

3 MS. PALMER-MAZRUI: I think a good example
4 is the TTY compatibility of digital wireless
5 equipment. The network had to provide the method to
6 get the information across, but then at the handset
7 end they actually had to have a jack in the equipment
8 and be able to attach to a TTY. I think in that case
9 they can provide helpful input.

10 CHAIRPERSON ROOKER: Okay. Well, we've
11 had the recommendation that we amend that to include
12 service providers and manufacturers. Unless there is
13 further discussion, do I hear a proposal to accept the
14 -- do I hear a motion to accept the recommendation as
15 amended?

16 What it would be is, "Encourage dialogue
17 with service providers and manufacturers concerning
18 the availability of..." etc. "Service providers and
19 equipment manufacturers." Okay. I stand corrected.
20 "And equipment manufacturers." Are we all right?
21 Okay. Do I hear a motion to accept -- a move to
22 accept it? Okay.

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1 MR. SNOOP: Move.

2 CHAIRPERSON ROOKER: All right. All in
3 favor of the motion say aye.

4 ALL: Aye.

5 CHAIRPERSON ROOKER: Okay. And opposed?
6 All right. We're moving right along here to No. 3.

7 MR. DUKE: Okay. Here comes your alphabet
8 soup for the afternoon. No. 3, "Encourage the
9 cooperation of the Federal Communications Commission,
10 Department of Homeland Security, and relevant private
11 industry to work to ensure that Integrated Public
12 Alert Warning System, or IPAWS, the OASIS Common
13 Alerting Protocol, and/or future developments of all-
14 hazards warning systems integrate into their digital
15 platforms appropriate means of disseminating timely
16 emergency information to all Americans with
17 disabilities as well as non-English speakers."

18 CHAIRPERSON ROOKER: That's a long
19 sentence. Andrea.

20 MS. WILLIAMS: Mike, I was wondering --
21 excuse my ignorance but can you explain what IPAWS is?
22 I'm not familiar with it.

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1 MR. DUKE: Help, Diane. Some of this
2 language came from Diane's office and some others. If
3 somebody here can answer that part better than I can,
4 please do.

5 MS. BURSTEIN: It wasn't me.

6 MR. DUKE: It wasn't you. Okay. Go for
7 it, Larry.

8 MR. GOLDBERG: There was a panel session
9 here at the FCC back I believe last summer on
10 emergency systems, people with disabilities. People
11 came together from -- I believe IPAWS comes from NOAA,
12 the National Oceanic and Atmospheric Administration.
13 There's ways of alerting people about whether hazards
14 and so forth and part of the whole emergency alert
15 system redesign that people are looking at.

16 Same thing with the Common Alerting
17 Protocol. That came from the Partnership for Public
18 Warning which has been part of the deliberations here
19 at the FCC on making sure that during emergencies the
20 network is reliable and that media security is
21 reliable.

22 MR. DUKE: And we did utilize information

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1 from that partnership in developing especially this
2 statement so, you're right, that's where it came from.

3 MR. GOLDBERG: And I should also mention
4 that the Department of Commerce has just announced a
5 series of grants from the Technology Opportunities
6 Program which includes public safety activities.

7 I'm happy to say one was awarded to us at
8 WGBH called Access Alerts to take on this issue of
9 particular and we'll be working with the American
10 Foundation for the Blind, the National Organization on
11 Disability, and a number of RERCs, Rehabit Engineering
12 Research Centers, and the Partnership for Public
13 Warning on exactly this issue. We hope to work also
14 with FEMA and DHS and the FCC on this. There should
15 still be a recommendation here for sure. It's not a
16 done deal. We are just beginning our work.

17 CHAIRPERSON ROOKER: Is there further
18 discussion on this recommendation?

19 MR. DUKE: Thanks, Larry, for that.
20 That's good.

21 CHAIRPERSON ROOKER: No discussion? All
22 right. Do I hear a motion to accept the

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1 recommendation?

2 MR. POEHLMAN: Move.

3 CHAIRPERSON ROOKER: David, are you moving
4 to accept it? All right. Second?

5 MR. DUKE: Second.

6 CHAIRPERSON ROOKER: Seconded. All in
7 favor say aye, or stick your hand up, whatever is
8 appropriate.

9 ALL: Aye.

10 CHAIRPERSON ROOKER: Thank you. Opposed?
11 All right. The motion carries. Thank you. No. 4.

12 MR. DUKE: No. 4, Larry just touched on a
13 little bit with his statement about the Department of
14 Commerce. It reads similar to No. 3 but it's much
15 shorter than goodness. "Recommend that the relevant
16 federal agencies appropriate funds to ensure that all
17 Americans have timely access to emergency information
18 including those with disabilities as well as non-
19 English speakers."

20 CHAIRPERSON ROOKER: Comments? Questions?
21 Larry.

22 MR. GOLDBERG: I see Dave has his hand up

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1 as well. Just to mention that the President did
2 announce an executive order to make sure that all
3 federal agencies are paying attention to this issue.
4 Someone here might have the better language on that.
5 That would relate to federal employees but I think
6 people are extending it even further. It doesn't
7 touch on the funding issue, however, which I think is
8 key to this question. David might have more on that.

9 CHAIRPERSON ROOKER: David.

10 MR. POEHLMAN: I might have a language
11 concern on style here. "Recommend that all relevant
12 federal agencies including those with disabilities as
13 well as those who speak other languages," and then
14 finish it with what was before it. That way you get
15 everything that is supposed to be included first and
16 then tell us what it is. If you do it the other way,
17 they might stop reading before they get to the
18 disabilities and people who speak other languages
19 part. That's just my personal opinion.

20 CHAIRPERSON ROOKER: Well, all Americans
21 is inclusive.

22 MR. POEHLMAN: Yeah, but it specifically

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1 states including and I just thought it would help if
2 we put it that way.

3 CHAIRPERSON ROOKER: You would put it,
4 "Recommend to the relevant federal agencies
5 appropriate funds to ensure that those with
6 disabilities --

7 MR. POEHLMAN: No, no, no.

8 CHAIRPERSON ROOKER: "That all Americans.

9 MR. POEHLMAN: "That all Americans
10 have --

11 CHAIRPERSON ROOKER: "...as well as --

12 MR. POEHLMAN: "...as well as..." Right.

13 CHAIRPERSON ROOKER: -- those with
14 disabilities and non-English speakers have timely
15 access to emergency information."

16 MR. POEHLMAN: There you go.

17 CHAIRPERSON ROOKER: Okay. All right. So
18 what we're saying is, "Recommend that the relevant
19 federal agencies appropriate funds to ensure that all
20 Americans including those with disabilities and non-
21 English speakers have timely access to emergency
22 information."

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1 MR. POEHLMAN: Not a change in the
2 regulation. Just a change in the order.

3 CHAIRPERSON ROOKER: Right. Did I get it
4 right, David?

5 MR. POEHLMAN: Yeah, that's right, if
6 everybody accepts it.

7 CHAIRPERSON ROOKER: All right. So the
8 recommendation has been amended. Do I have any
9 discussion on that?

10 MR. DUKE: Did you write that down? You
11 just said it very well. Okay. Thank you.

12 MR. MARSHALL: We have a transcript, thank
13 God.

14 MR. DUKE: Yes.

15 CHAIRPERSON ROOKER: All right. Do we
16 hear -- Susan suggests we accept it as amended. All
17 in favor? Is that seconded? Oh, John has a question.

18 MR. STENSGAR: Just a quick comment. The
19 funds may be there but how is the accountability of
20 those funds going to be there? I mean, come forward?
21 You know, talking about our area, there's universal
22 service dollars available to provide connectivity to

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1 the rural areas but there's no accountability on any
2 of those steps of how we have pockets of communities
3 that don't even have simple dial tone.

4 We can work with the FCC and other federal
5 agencies to get the funds but, you know, I guess my
6 concern is the accountability of where those funds are
7 going to be going and how they are going to be
8 utilized. Thank you.

9 CHAIRPERSON ROOKER: John, are you
10 suggesting that we amend it to put something in there
11 about accountability?

12 MR. STENSGAR: That would work. I think
13 it would take, I guess, a little more time for myself
14 to kind of digest it to really figure out how that
15 would be held accountable but I think we need to look
16 at the rural areas to where there is lack of service.

17 Not only TELCO but even basic television service.

18 I know of areas in like remote Wyoming
19 where some of those folks they only get one channel.
20 That's just talking with our -- service providers are
21 actually who access technical information to upkeep
22 the system in which I do in Keller, Washington where I

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1 maintain a TV translator station. Not all of those
2 folks receive TV.

3 CHAIRPERSON ROOKER: I believe we have
4 some discussion. I saw a couple of hands. Joy.

5 MS. RAGSDALE: Just a question. Are we
6 recommending that the FCC make sure that other federal
7 agencies have funds which is not within their purview?

8 MR. DUKE: No.

9 MS. RAGSDALE: What are we recommending?

10 MR. DUKE: We are recommending that --
11 maybe we did overstep here. I don't think we did but
12 we are recommending that relevant federal agencies,
13 and we didn't go into specific names because we might
14 leave one out and names change and so forth, but we
15 are recommending that -- I don't know where that needs
16 to go actually.

17 I would think the FCC through this
18 interagency council that we'll talk about here in No.
19 5 would be in a spot to recommend that. We are
20 recommending that the funds be available. The
21 accountability issue I think personally is kind of
22 beyond the scope of what the Homeland Security Work

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1 Group was instructed to do.

2 CHAIRPERSON ROOKER: I kind of think that
3 perhaps what John has brought up is a subject that
4 needs to be addressed in future meetings of the CAC
5 because it's a complete issue that probably is beyond
6 the scope of time we have today. Certainly your
7 thoughts on that are very provocative and I think that
8 would be well served to talk about the underserved.
9 Pardon the pun. I didn't intend that as a pun.
10 Sometimes I do but not that one. Susan.

11 MS. PALMER-MAZRUI: I have a couple
12 suggestions. I think Joy's point is accurate that we
13 are asking -- we are going beyond the scope but we
14 could encourage the FCC or suggest the FCC encourage
15 other relevant federal agencies to provide appropriate
16 funds and then add as another part of the list as an
17 example also individuals in rural areas.

18 CHAIRPERSON ROOKER: Okay. It might be
19 that we want to put 5 before 4 because 5 is
20 recommending that the FCC participate in this
21 interagency coordination.

22 MS. PALMER-MAZRUI: That's a good idea.

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1 CHAIRPERSON ROOKER: And then by putting 4
2 before No. 5 it makes sense to say that follow-up that
3 the FCC recommend or some such language.

4 MR. DUKE: That's why she's the chair,
5 folks.

6 CHAIRPERSON ROOKER: Just one brilliant
7 insight here per day.

8 MS. RAGSDALE: -- agency and not just
9 the --

10 CHAIRPERSON ROOKER: Right. Recommend
11 that the relevant agencies.

12 MS. RAGSDALE: I think that the
13 interagency --

14 CHAIRPERSON ROOKER: Through the
15 interagency coordinating council. Okay. So why don't
16 we look at No. 5 and then come back and do No. 4
17 because I think then that way --

18 MR. DUKE: We can certainly reverse the
19 order on these if you wish. That's not a problem for
20 us.

21 CHAIRPERSON ROOKER: It makes sense and
22 then we can say, "Recommend that the FCC through the

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1 Interagency Coordinating Council." Then we can work
2 on it so let's go to -- if that's all right.

3 MR. DUKE: Let's then assume that we are
4 going to treat what is listed on your sheet as No. 5
5 as No. 4.

6 CHAIRPERSON ROOKER: Okay. We're changing
7 the numbering.

8 MR. DUKE: That saves a little bit of time
9 on the vote. So we're going to shift the numbers.
10 What says 4 is going to become 5 and what I'm now
11 reading will become No. 4.

12 CHAIRPERSON ROOKER: Correct.

13 MR. DUKE: "Encourage the continued
14 participation by the FCC in the Interagency
15 Coordinating Council on Emergency Preparedness and
16 Individuals with Disabilities. The Commission
17 representative to this council is further encouraged
18 to report regularly to the CGB and to the Consumer
19 Advisory Committee as to the ongoing efforts of this
20 council to ensure emergency preparedness for all
21 citizens with disabilities."

22 CHAIRPERSON ROOKER: Okay. All right.

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1 There you have No. 4. Do we have any discussion on
2 that? No? Okay. Then do I hear a motion to accept
3 it?

4 MR. GORDON: Move.

5 CHAIRPERSON ROOKER: Motion is on the
6 floor. All in favor? A second? Someone second?

7 MS. WEST: Second.

8 CHAIRPERSON ROOKER: All right. Thank
9 you, Linda. All in favor of the motion.

10 ALL: Aye.

11 CHAIRPERSON ROOKER: Okay. Opposed?
12 Okay. Thank you. That's approved. Let's go back to
13 No. 5.

14 MR. DUKE: Okay. The new No. 5 then would
15 be something as was just said, "Recommend that the FCC
16 through this Interagency Council encourage relevant
17 federal agencies," etc., etc. Is that correct?

18 CHAIRPERSON ROOKER: Yes. "Encourage
19 relevant federal agencies to appropriate funds."
20 Let's see.

21 MR. DUKE: Yes, "To appropriate funds to
22 ensure that all Americans including those with

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1 disabilities and non-English speakers have timely
2 access to emergency information."

3 CHAIRPERSON ROOKER: Wait a minute.
4 Susan, do you have a comment?

5 MS. GRANT: We had discussed adding in
6 this list including people in rural areas as well.

7 MR. DUKE: Okay. Right.

8 CHAIRPERSON ROOKER: "...including with
9 disabilities, non-English speakers, and those in rural
10 areas." Then it would have, "...timely access to
11 emergency information."

12 MR. DUKE: Yes.

13 CHAIRPERSON ROOKER: Susan.

14 MS. GRANT: I have a quick question in
15 terms of do we really want to limit the FCC to working
16 within that council or do we want to let them approach
17 anyone they want to approach?

18 CHAIRPERSON ROOKER: Well, maybe we should
19 say, "The FCC encourage relevant federal agencies,"
20 and leave the council out? It makes it broader.

21 MR. DUKE: The question was raised awhile
22 ago can we do that?

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1 CHAIRPERSON ROOKER: I don't know. David,
2 use the microphone. We can't hear you.

3 MR. DUKE: Raise your hand.

4 MR. POEHLMAN: What we could do to make it
5 work is just put the word encourage before -- put the
6 word FCC before encourage so, "Encourage the FCC
7 to..." I'm sorry. "The FCC should encourage other
8 agencies to provide funding..."

9 CHAIRPERSON ROOKER: Susan.

10 MS. GRANT: I think they can go beyond
11 just that council because I know in certain areas like
12 hearing aid compatibility they encourage the FDA to
13 take action. In rural situations there may be other
14 agencies that may not be participating in that
15 council.

16 CHAIRPERSON ROOKER: Okay. We need
17 to --

18 MR. DUKE: One thing we could do if we
19 wanted to keep the council in there and right now,
20 quite frankly, I think most of the committee felt --
21 most of the work group felt that this council is a
22 pretty significant issue. If we wanted to both keep

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1 the council there, we could say, "Through this council
2 and other means," or whatever.

3 CHAIRPERSON ROOKER: Okay. All right.
4 Let's go back here and see if we can take a stab at
5 this and I'm probably going to butcher it. "Recommend
6 that the FCC through the Interagency Coordinating
7 Council..." Just shorten it there. "...and other
8 means encourage relevant federal agencies to
9 appropriate funds to ensure that all Americans
10 including those with disabilities, non-English
11 speakers, and those in rural areas..." I'm going
12 slowly so Scott can type. His little fingers are just
13 working away here. "...have timely access to
14 emergency information."

15 MR. DUKE: Perfect.

16 CHAIRPERSON ROOKER: Does that do it?

17 MR. DUKE: It suits the chair of the work
18 group.

19 CHAIRPERSON ROOKER: "Those with
20 disabilities..." Oh, be quiet, Susan. School teacher
21 over here wants to -- the English major is trying to
22 make us actually have proper English. Goodness.

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1 We've got it. All right. Don.

2 MR. SNOOP: I have a question which might
3 clarify something if the answer is what I think it is.

4 The Interagency Coordinating Council on Emergency
5 Preparedness, is this part of the Homeland Security
6 Department under Tom Ridge? If it is, then you've got
7 one-stop shopping.

8 If the FCC is already part of that group,
9 then I believe you've got one-stop shopping as far as
10 getting the message across because they have the
11 access to the budgetary information to get out to all
12 agencies whatever is required if I'm not mistaken.

13 CHAIRPERSON ROOKER: Are you saying that
14 other relevant federal agencies do not need to be?

15 MR. SNOOP: No, I'm not saying that. My
16 question was is the Interagency Coordinating Council
17 on Emergency Preparedness part of the Homeland
18 Security Department?

19 CHAIRPERSON ROOKER: Oh, yes.

20 MR. SNOOP: If it is, then it makes No. 5
21 a theta compli. It will become successful as we
22 modify the working on it.

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1 CHAIRPERSON ROOKER: I'm not sure what
2 your -- what are you saying to me? Is it unnecessary?

3 MR. SNOOP: Well, it's not necessary and
4 redundant. It kind of goes along with what we're
5 saying on No. 4.

6 CHAIRPERSON ROOKER: Okay.

7 MR. SNOOP: But it's not quite redundant.
8 I think it should stay in but my question was is this
9 part of the Homeland Security Division. If it is,
10 then we're in good shape.

11 CHAIRPERSON ROOKER: But you're not
12 recommending that we remove No. 5?

13 MR. SNOOP: No. Definitely not.

14 CHAIRPERSON ROOKER: Okay. Larry.

15 MR. GOLDBERG: The answer is yes. It is
16 part of the DHS and the presidential order established
17 it.

18 CHAIRPERSON ROOKER: You brought it up.
19 Isn't technology wonderful?

20 David, do you have a comment? No? Okay.
21 Do we have any further discussion? All right. We
22 have amended that motion and I think I've read it as

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1 amended. I'm getting my emotions in the way. All
2 right. Do I hear a motion that we accept the
3 recommendation as amended? All right. It's been
4 moved. A second? All right. All in favor say aye or
5 stick up your hand.

6 ALL: Aye.

7 CHAIRPERSON ROOKER: Opposed? All right.
8 It carries. Thank you.

9 MR. SNOOP: Thank you. That concludes our
10 report.

11 CHAIRPERSON ROOKER: We made it through
12 there. Thank you, Mike, and your committee.
13 Excellent job. All right. We're going to take a
14 break and we will come back in 15 minutes.

15 (Whereupon, at 2:23 p.m. off the record
16 until 2:43 p.m.)

17 CHAIRPERSON ROOKER: On a personal note I
18 would like to thank many of you who were aware that my
19 husband nine weeks ago today had a quadruple bypass.
20 He's doing great. I'm not longer driving him. It was
21 really kind of funny because -- well, it wasn't funny
22 actually. I didn't mean it that way. He went in the

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1 hospital thinking he might have -- don't tell Bill I
2 said it was funny. Scott is threatening me with the
3 transcript of what I just said.

4 He went into the hospital thinking he
5 might have to have a stent or two and ended up with a
6 quadruple bypass. For about the first five and a half
7 weeks after he was home I was the chauffeur. Now,
8 that's not unusual. I mean, women drive men all the
9 time, but most of the men don't sit in the back seat.

10 What happens when you've had your chest
11 cut open, they don't really want you to be hit in the
12 face with an -- in the chest with an air bag so he's
13 been sitting in the back seat and he's got chauffeur
14 Rooker up there and he's encouraging me to get a hat
15 and gloves. We've had some funny looks at some funny
16 places. People are probably thinking, "Boy, that
17 couple's really mad at each other."

18 I told him he could not make any back seat
19 comments. He could not be a back seat driver.
20 Anyway, I do want to thank you. He's doing extremely
21 well. He's back exercising and doing all the things
22 he loves to do so life's a lot better right now.

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1 Okay. Back to business. We are going to
2 get a report from Larry Goldberg on the
3 recommendations of the Broadband/DTV Working Group.
4 Larry, the floor is yours. Stick your hand up so she
5 knows where you are. There you go.

6 MR. GOLDBERG: Thank you, Shirley. The
7 Broadband Working Group got broader at the last
8 advisory committee meeting when I believe Dane stood
9 in front of the group and said there are some DTV
10 issues that really need to be dealt with. Since I
11 wasn't there -- this is the rule. If you don't show
12 up to a meeting, you get an assignment.

13 The Broadband Working Group became the
14 Broadband/DTV Working Group. But virtually everyone
15 on the group, and even more, wanted to dig into some
16 of the issues on digital television which are really
17 so complex and concern consumers so much.

18 So in addition to the other members of the
19 working group, Joe Gordon joined us. I didn't list
20 them in the recommendations but they are in your
21 package. We had some good discussion about what it is
22 exactly we felt we should be doing in this group and

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1 what are the consumer concerns.

2 As we begin trading documents around
3 listing what each of the members of the group felt
4 consumers should or would be concerned about, a lot of
5 it came out to be information, a need for clarity.
6 People just were confused about the issue. Dane
7 talked about it this morning. Go into a store and try
8 to figure out what to buy and it's very confusing.

9 A lot of our issues began circulating
10 around, what kind of information could the Commission
11 get out there that would really help people. We began
12 circulating the documents and then in, I think, early
13 fall we got the announcement that the outreach
14 campaign begun by the FCC "DTV-Get It!" at DTV.gov was
15 launched.

16 Just before that we had a very nice
17 briefing session with the head of the DTV task force
18 here at the FCC, Rick Chessen. Rick invited us to
19 contribute to this outreach effort. Then there was a
20 launch and I, for one, and some others felt like, "I
21 thought we were supposed to contribute to that?"

22 So in my own flaming hot-headed way I sent

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1 off an e-mail and that's what Dane was referring to
2 this morning. In the words of Michael Powell's
3 father, we had a "frank and candid exchange" and it
4 was good. We actually laughed quite a bit about it.
5 It was a good discussion.

6 The main point was this is a work in
7 progress. They were disparate to get something out
8 there because it was a strong initiative that the
9 Commission had to deal with these concerns of
10 consumers. His door was open. He wanted us to say
11 what it was we felt were important issues and let him
12 know right away.

13 We quickly began drafting this document
14 here which was basically ways that we hope that this
15 outreach campaign, which is a fairly high profile with
16 really good initiatives, might be enhanced, made
17 better by some of the things that we would like to
18 contribute to.

19 These recommendations, I'm sorry I didn't
20 number them, are pretty straightforward. I don't know
21 that it will cause that much controversy but we can
22 run through them. Before I do that, I should ask

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1 anyone else on the working group who wants to throw in
2 anything else about our discussions before we get into
3 the recommendations? You know who you are.

4 MR. GORDON: Can I say something?

5 MR. GOLDBERG: Joe.

6 MR. GORDON: It might be helpful for you
7 to just share with the committee something that always
8 comes up when I hear conversations about digital
9 television. What is a TV set and what is not a TV
10 set?

11 MR. GOLDBERG: Just one of so many
12 confusing issues. Issues of hardware, financially
13 related and otherwise. If you read the DTV.gov
14 website, you should look at it, the frequently asked
15 questions like that, a TV set which is governed by the
16 captioning rules. An analog TV means a piece of
17 hardware that has both a display and a tuner in it to
18 find as a receiver.

19 In the digital television world your tuner
20 and your displayer are quite often separate but the
21 FCC made a determination that is still covered by the
22 captioning rules has to have a built-in closed caption

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1 decoder. Now, the analog rules say it only applies to
2 TV sets that are 13 inches on the diagonal.

3 Well, if you've got a separate tuner and
4 display, the size is irrelevant so the FCC actually
5 talked about that and has dealt with that issue. In
6 fact, also in digital television quite often you are
7 using a wide screen aspect ratio. 13 inches on the
8 diagonal isn't relevant anymore so they are measuring
9 it differently.

10 That information is also on the DTV
11 website or in the Disability Rights Office
12 information. These are all complicated issues. As
13 Joe brings up, people still don't know whether they
14 should go out and buy a set yet. If you're a deaf
15 person you rely on captioning.

16 Can I really buy a set? One of the real
17 problems is if you go into one of the retail stores
18 none of the signal coming into that store have
19 captions on them so you can't even test out the closed
20 caption decoder if you wanted to because --

21 CHAIRPERSON ROOKER: Why is that, Larry?

22 MR. GOLDBERG: They are only using canned

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1 DVDs as a way of displaying information. There's no
2 over-the-air signals because the stores can't rely on
3 the over-the-air signal. God forbid that they show a
4 set in Best Buy and an ad for Circuit City comes on.

5 They use only canned material in the
6 stores. You want to see how the captions look? You
7 can't because the canned material is not captioned.
8 That's one of the recommendations we put in here.

9 Similar issues to that, if you really want
10 to see what an over-the-air signal looks like, you
11 want to see a baseball game or something you are
12 really used to watching instead of these ads, you
13 can't do it. You have to wait until you get it home.

14 These are part of the issues that people are
15 concerned about, some of which already is on the
16 DTV.gov website.

17 MR. SNOOP: The other issue that is
18 constantly being brought up, the difference between
19 DTV and HDTV, SDTV, EDTV, all the various A to Z kind
20 of nomenclature floating out there and the lack of
21 information you are going to get when you walk into
22 that showroom. You've got people that have a lot less

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1 experience than they should have trying to convince a
2 consumer they know what they're doing.

3 MR. GOLDBERG: On the second page of these
4 recommendations there's a series of bullets which is
5 just additional information we think should be
6 highlighted and nomenclature confusion is a big one
7 there. We are coming up to the shopping season again
8 and every year they're getting cheaper.

9 Every year you probably are just ready to
10 go ahead and make that big purchase, that big plasma
11 screen, but you really want to know what it is you're
12 getting. So, yeah, that's absolutely part of it as
13 well.

14 So should we go through the
15 recommendations?

16 CHAIRPERSON ROOKER: Sure.

17 MR. GOLDBERG: Okay.

18 CHAIRPERSON ROOKER: These are the
19 recommendations. You don't have the number but why
20 don't we number them as you go along.

21 MR. GOLDBERG: Okay. Good.

22 CHAIRPERSON ROOKER: And we'll take each

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1 one as you come to it and we'll vote on it. I think
2 that makes sense. Don't you?

3 MR. GOLDBERG: Um-hum. Yes.

4 CHAIRPERSON ROOKER: Okay.

5 MR. GOLDBERG: The first one is simply us
6 congratulating the FCC for starting their campaign so
7 let's not even number that one.

8 CHAIRPERSON ROOKER: No. I think down in
9 paragraph 3 is where you get to.

10 MR. GOLDBERG: Paragraph 3. No. 1, "The
11 Commission should consider convening a high-profile
12 panel on consumer concerns similar to the industry
13 panels convened on October 4, 2004, to bring these
14 issues to a wider public."

15 That relates to the launch of this "DTV-
16 Get It!" campaign when the FCC right in this room
17 brought in a series of industry representatives from
18 different trade organizations but there were no
19 consumer reps on this group. We thought, hey, it
20 would be great to bring in a new panel to talk about
21 consumer issues and DTV as equally high profile.

22 MS. BERLYN: Why the word "consider?" Why

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1 not urge them to convene it?

2 MR. GOLDBERG: Whatever words you like.

3 MS. BERLYN: I recommend convene it then.

4 MR. GOLDBERG: Okay. Strike "consider"
5 and say "convene." "The Commission should convene a
6 high-profile panel," etc.

7 CHAIRPERSON ROOKER: Okay. You have the
8 first recommendation modified to say "should convene."

9 Do I have any comments or discussion on that? Do I
10 hear a motion to accept it? Second? All in favor?

11 ALL: Aye.

12 CHAIRPERSON ROOKER: Opposed? All right.
13 Moving right along.

14 MR. GOLDBERG: No. 2, and this is in
15 keeping with the work that the Commission is already
16 trying to do as was described this morning.

17 "The Commission should strive to make all
18 of the DTV outreach materials and information,
19 distributed electronically or physically, accessible
20 to people with disabilities. This includes assuring
21 that the website itself is fully accessible according
22 to Section 508 Web accessibility guidelines,

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1 captioning videos on the site and those made available
2 to press and stores, and the tip sheets distributed to
3 stores for distribution to consumers."

4 These various outreach mechanisms are
5 described in the DTV outreach campaign and we just
6 want to make sure that everyone can access them.
7 There's a video on the very homepage of this site
8 which was Chairman Powell being interviewed on Tech
9 TV. That video itself isn't captioned and I've talked
10 to Dane how they can go ahead and get that captioned.

11 That's just an example. They are going to distribute
12 a lot of materials around the country.

13 CHAIRPERSON ROOKER: In your conversations
14 with Dane was your sense that we're going to be -- in
15 our new life after being rechartered that we're going
16 to be working closely on this and providing input, but
17 then individuals as well, individual consumer groups
18 such as you?

19 MR. GOLDBERG: I got the sense that they
20 wanted input on this and they are getting it from
21 many, many sectors. They wanted it from us as well as
22 individually as well as Rick Chesson and his group at

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1 the task force. It was an ongoing effort. I think he
2 talked about years, and it will be years.

3 CHAIRPERSON ROOKER: Yes, it was. That
4 was the conversation, too, that I had with him and I
5 was kind of asleep at the switch when all of this was
6 going on because my husband was -- we were undergoing
7 an interesting experience. Okay. Do we have comments
8 on this? Susan.

9 MS. PALMER-MAZRUI: Are you suggesting
10 that the FCC provide material and alternate media for
11 stores or that they make it available upon request or
12 just leaving it open to how they want to do it?

13 MR. GOLDBERG: I think this reads that the
14 store should also be provided one way or another with
15 alternate materials which what we're really talking
16 about is large print and Braille or electronic. If
17 those aren't available, then the store should be able
18 to point people to alternate versions but I would
19 leave it up to the Commission to figure out how to get
20 that out there.

21 CHAIRPERSON ROOKER: Do we have any other
22 discussion? Susan Grant.

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1 MS. GRANT: I don't know whether it's
2 appropriate here or in one of the sections further
3 down to suggest that they make sure that the public
4 education materials are developed considering factors
5 like low literacy and produced in multiple languages.

6 Would you rather that doesn't go in this section
7 because you're talking about other kinds of
8 accessibility issues and that goes somewhere else, or
9 would it be appropriate to try to put those concerns
10 in here?

11 MR. GOLDBERG: I think it would be
12 appropriate. Certainly the other languages part. I
13 know the Commission does have quite a bit of
14 information in Spanish, at least, and has made that a
15 priority so I think it would be appropriate to have it
16 here, too.

17 MS. GRANT: I know that Asian languages
18 are another important consideration in many parts of
19 the country, and other languages as well. I don't
20 think we necessary have to specify what languages, but
21 what I would just like to try to get across is that
22 the material should be not only physically accessible

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1 but that they should be understandable in terms of
2 being developed for people with low literacy levels
3 and being available in multiple languages.

4 MR. GOLDBERG: Plain speaking is always
5 helpful for all of us so I'm not sure being accessible
6 to the general lay public includes low literacy or if
7 you want audio versions basically for people who just
8 aren't real readers.

9 MS. GRANT: I think low literacy is really
10 important here because this isn't something that is
11 going to be optional for people. If they want to have
12 a television set work, they are going to have to know
13 what to do. Unfortunately there are a lot of people
14 out there who function at a very low literacy rate. I
15 really feel strongly that point needs to be specified.

16 MR. GOLDBERG: I see David has a comment
17 on this one.

18 MR. POEHLMAN: Yeah, Larry. I think what
19 Susan is trying to get at is the 7-Eleven cash
20 register type thing where you don't really have to be
21 able to read to understand what to do or what is meant
22 by what is there. A lot of materials that are put out

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1 for the general public are also illustrated in this
2 fashion. I don't think that it's a bad idea to note
3 that these kinds of implementations be encouraged.

4 MR. GOLDBERG: I could imagine language
5 such as -- they are probably going to need help
6 figuring out how to do this -- at the end of that
7 first sentence, "Distributed electronically or
8 physically, accessible to people with disabilities,
9 speakers of other languages, and consumers with low
10 literacy skills."

11 MS. GRANT: That's pretty good.

12 MR. GOLDBERG: And then they are going to
13 come back to you and say, "How do we do that?"

14 MS. WEST: Larry, am I on? I don't know
15 if low literacy is the point. It's just that a lot of
16 times when a Government agency puts out outreach
17 materials, you could have a college degree in English
18 and still not understand what they are trying to tell
19 you so I think plain speaking.

20 And as far as the multiple languages, in
21 every community where you have foreign speaking people
22 you always have someone that is adept enough in

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1 English to translate for them because I think maybe
2 that is a little far reaching to expect them because I
3 wouldn't even want to guess how many different
4 languages are spoken in this country. But if we could
5 word it somehow or you could word it somehow to where
6 it's plain English, you know, understandable.

7 CHAIRPERSON ROOKER: Okay. Are you making
8 a suggestion that we change that, Linda, or that we
9 should discuss? You're taking issue with the way it's
10 been stated. Do we want to discuss that? Diane?

11 MS. BURSTEIN: I just had one suggestion.
12 If you look at paragraph -- I guess it's the fourth
13 recommendation that suggest that the Commission would
14 seek input from this committee before it distributed
15 information widely and whether there are people here
16 who have experience with preparing materials that
17 would get to that issue. Maybe that is a better way
18 to have input into it rather than telling the FCC that
19 they have to do it that way. I just raise that as a
20 possibility.

21 CHAIRPERSON ROOKER: Let me just ask a
22 question. Does the accessibility Section 508, does

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1 that specifically refers to people with disabilities.

2 Maybe we are muddying the water in that paragraph by
3 putting in other requirements and rather making it
4 somewhere else because what you're referring to
5 specifically is in accordance with Section 508.
6 Right?

7 MR. GOLDBERG: That one mentions 508. You
8 could include others there or it could go further
9 down.

10 CHAIRPERSON ROOKER: All I'm saying is
11 would it be more appropriate to put that somewhere
12 else? I'm just asking the question.

13 MR. GOLDBERG: I think if it's worded the
14 way I said before and tag on, "And speakers of other
15 languages." Then it says, "Including 508." I think
16 it could fit in there.

17 CHAIRPERSON ROOKER: Okay. All right.

18 MR. GOLDBERG: As much as I'm quite
19 willing to tell the FCC what to do, I think anyone who
20 does outreach knows they have to speak plain English.

21 CHAIRPERSON ROOKER: Right.

22 MR. GOLDBERG: I'm a little hesitant to

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1 say speak plain English because that's like saying do
2 your engineering properly. Of course you try to.

3 CHAIRPERSON ROOKER: So you want to make
4 it accessible to people with disabilities and speakers
5 of other languages?

6 MR. GOLDBERG: I would say low literacy.
7 That's different than saying speak English. Don't be
8 ofiscating. That's almost a given, though. I know we
9 are always frustrated by it. I think they are doing a
10 better job these days and not using language that
11 doesn't help in the least.

12 CHAIRPERSON ROOKER: Stick your hand up.

13 MS. CLECKNER: Why don't we just combine
14 paragraph 4 in with this one so that we've just got
15 one inclusive piece that talks about the outreach
16 information. It includes how we are going to reach
17 all types of people with all levels of skills and
18 abilities and disabilities.

19 CHAIRPERSON ROOKER: Okay. So you're
20 talking about taking what would be paragraph 4, "When
21 developing tips sheets for widespread..." Is that
22 what you're referring to?

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1 MS. CLECKNER: Yes.

2 CHAIRPERSON ROOKER: And making it a part
3 of No. 2 rather than having it on its own?

4 MR. BOWEN: That becomes very burdensome
5 because the fact that what you're looking at in No. 4
6 is you're looking at the requirement for the FCC to
7 run it by us so that we can actually get our input
8 back to them prior to them. In No. 2 we're saying --

9 CHAIRPERSON ROOKER: It's different.

10 MR. BOWEN: You see what I'm saying?

11 CHAIRPERSON ROOKER: No. 4 really is
12 specific about the tip sheets which I would assume are
13 the physical --

14 MR. BOWEN: I think that should stand on
15 its own, No.

16 MR. GOLDBERG: Yeah, these tip sheets are
17 going to be very, very important. Dane said he'll be
18 sending them out frequently, they are talking hundreds
19 of thousands of print pieces. I know there was this
20 other complaint brochure that the committee did have a
21 chance to have input into and continues to and that
22 was pretty handy. These tip sheets are going to be

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1 pretty key. If it's going to be burdensome, clearly
2 we're not going to wait for quarterly meetings. There
3 will have to be another mechanism for the input.

4 CHAIRPERSON ROOKER: Right. We can do a
5 lot by e-mail. Okay. I think that kind of makes
6 sense. Do you have a problem with that?

7 MS. CLECKNER: That's fine. No.

8 CHAIRPERSON ROOKER: What we would do then
9 on paragraph 2 it would be as stated except that where
10 it says, "Accessible to people with disabilities," we
11 would put a comma in there. "Speakers of other
12 languages and low literacy skills." Or, "...people
13 with low literacy skills." Yeah, because you don't
14 address it to low literacy skills, do you?

15 MR. GOLDBERG: No. That's fine the way it
16 is, the way you read it.

17 CHAIRPERSON ROOKER: Okay. All right. So
18 we have paragraph 2 as amended. Do we have any
19 further discussion? Do I hear a motion that we accept
20 it? So moved. Seconded? All right. All in favor
21 say aye or raise your hand.

22 ALL: Aye.

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1 CHAIRPERSON ROOKER: Okay. Opposed? All
2 right. Working right along here. Paragraph 3. It's
3 got a lot of capital letters in it.

4 MR. GOLDBERG: There's a little example in
5 there, cut and paste from the FCC website so it comes
6 in all caps. "In the section of the DTV website which
7 pulls together all relevant Digital Television (DTV)
8 Regulatory Information..." And it's quoted from the
9 website as, "Read all the rules and regulations that
10 relate to the DTV transition." You click on
11 a button and it takes you to that website,
12 www.fcc.gov/dtv. "...a special effort should be made
13 to include Public Notices and regulations relating to
14 requirements for closed captioning in DTV."

15 Then I give this example of a document
16 which isn't there and it is the key document for
17 anyone to understand about closed captioning on DTV.
18 "Consumer and industry confusion regarding DTV closed
19 captioning requirements is still rampant." I'm
20 pulling out a very particular issue of which there may
21 be others and many others.

22 I did talk to Dane about that and the

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1 document that I'm referring to when it was also a
2 public notice that Thomas Chandler put out that,
3 again, called up attention of the captioning issues
4 that are still being ignored. And it's still not
5 there on the DTV.gov website.

6 CHAIRPERSON ROOKER: Is it done on the
7 website in language that's readable or is it done like
8 a public notice that's long and --

9 MR. GOLDBERG: The public notice that is
10 available once you search through the EDOCS, which
11 you've already talked about here, it's readable. It's
12 understandable.

13 CHAIRPERSON ROOKER: Okay.

14 MR. GOLDBERG: And then that even points
15 to the full regulation which is a little tougher. But
16 the public notice is two pages, pretty straight
17 forward. It's just not there in the list of DTV regs.

18 CHAIRPERSON ROOKER: What needs to be. So
19 you're proposing here that all the documents that
20 pertain to DTV be included not just -- some have
21 obviously just been oversight.

22 MR. GOLDBERG: It must be.

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1 CHAIRPERSON ROOKER: I would think a key
2 document like that would be included. Okay.

3 MR. GOLDBERG: Susan, did you have a
4 question?

5 CHAIRPERSON ROOKER: Susan?

6 MS. PALMER-MAZRUI: I may be fading out
7 here but is it listed on the disability rights section
8 or is it linked?

9 MR. GOLDBERG: That public notice is on
10 the disability rights section.

11 MS. PALMER-MAZRUI: Okay. So we should
12 probably have links between the two.

13 MR. GOLDBERG: We're trying to do a catch
14 all in that one section. Every single ruling about
15 DTV is all in one place and that's handy.

16 MS. PALMER-MAZRUI: No. I'm saying if you
17 go to either site you should be able to go back and
18 forth?

19 MR. GOLDBERG: Yes. Yes.

20 CHAIRPERSON ROOKER: Okay. We have
21 paragraph 3. Do we have any other comments on it?
22 Questions? Discussion? No? Do I hear a motion to

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1 accept it? All right. It's been moved that we accept
2 it. Second? All right. All in favor of accepting
3 the motion?

4 ALL: Aye.

5 CHAIRPERSON ROOKER: Opposed? All right.
6 It's done. Okay. No. 4.

7 MR. GOLDBERG: No. 4 are the tip sheets.
8 This is going to be probably the main way most people
9 will learn. They will go to the store. They are
10 confused. The store will hand out information from
11 Your Government, the FCC. It felt like a pretty
12 important place that we would have input.

13 It says, "When developing tip sheets for
14 wide spread consumer distribution, the Commission
15 should seek input from the CAC and allow time for such
16 input to be considered and incorporated prior to mass
17 printing and distribution."

18 CHAIRPERSON ROOKER: Larry, did you get
19 any sense for what kind of time frame we're talking
20 about?

21 MR. GOLDBERG: No. I didn't get a sense
22 when they are being shaped, when they might go out,

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1 when the first one is going so I don't really know
2 what the turnaround would be.

3 CHAIRPERSON ROOKER: We probably should
4 know that. I don't know that has actually been
5 established. I had asked that. I had asked Dane that
6 and I don't think they had really set up a time frame.

7 MR. GOLDBERG: Well, I'm sure these go
8 through an intense review process when they are being
9 written. Let the CSC have a week or four days, three
10 days. It should be doable. If they disagree with
11 what we recommend, they can turn them down but at
12 least have input.

13 CHAIRPERSON ROOKER: Okay. Any questions
14 or concerns? Discussion? Do I see a motion to accept
15 it? So moved. Second? All right. All in favor of
16 accepting the motion aye or stick your hand up.

17 ALL: Aye.

18 CHAIRPERSON ROOKER: Thank you. Any
19 opposed? All right. Moving along to No. 5.

20 MR. GOLDBERG: This was an exciting
21 activity. These were the folks who were at that panel
22 when they announced this outreach effort. They had

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1 the retailers in the Best Buys and Circuit Cities.
2 Because we know this has been one of the problems that
3 consumers can't test out the equipment, I thought what
4 a great opportunity to try to get them on board.

5 It says, "As the Commission works with the
6 Consumer Electronic Association, CEA, and the Consumer
7 Electronics Retailers Coalition, CERC, it should seek
8 solutions to the problem of lack of closed caption and
9 video described DTV content in stores where consumers
10 wish to examine these features of DTV equipment.

11 We haven't had much success trying to
12 break through on that one directly to the stores
13 themselves but if the FCC has got the ear of these
14 stores and associations, it would be a great way to
15 try to get solutions there.

16 CHAIRPERSON ROOKER: What are some of the
17 technical issues that are involved in that, Larry? Is
18 it the lack of signal? They don't want to put on
19 commercials or what is it? Do you know?

20 MR. GOLDBERG: It would be easy enough to
21 caption those DVDs that they are using. We don't
22 necessarily need --

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1 CHAIRPERSON ROOKER: That's true. You
2 don't need to have live feed.

3 MR. GOLDBERG: Not necessarily as long as
4 that material they are using, which is pretty wide
5 spread includes these features, then they are okay
6 anyway.

7 CHAIRPERSON ROOKER: You just need a demo.
8 You don't need it live. I got you.

9 MR. GOLDBERG: Or if they want to use off
10 their signal, they can do that, too.

11 CHAIRPERSON ROOKER: David.

12 MR. POEHLMAN: That's what I was going to
13 say.

14 CHAIRPERSON ROOKER: Okay. All right.
15 Interesting point. So that's not really matter of
16 money. It's just a matter of interest in getting it
17 done.

18 MR. GOLDBERG: Well, we will charge them
19 significant dollars.

20 CHAIRPERSON ROOKER: Larry's drumming up
21 business. I need to talk to you about this, Larry.
22 But, I mean, really that is not an issue of major

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1 expenditure.

2 MR. GOLDBERG: No, it should be quite
3 doable.

4 CHAIRPERSON ROOKER: Okay. Do we have any
5 other comments? John.

6 MR. STENSGAR: Just a quick question. One
7 of the other hats I wear is I maintain a TV
8 transmitter station and some of the folks receiving
9 those signals only have DCTVs and I don't want to just
10 assume that DCTVs are included in this.

11 MR. GOLDBERG: You said DCTVs?

12 MR. STENSGAR: Yes. Run off batteries.
13 12 volts.

14 MR. GOLDBERG: DC DTVs?

15 MR. STENSGAR: No, no. I mean, that's the
16 question because it's not only in my area but I know
17 throughout Indian country there are some areas that
18 they have no electricity to their houses and they have
19 come along where they have solar systems there so they
20 are getting lights and DC power to the units to run
21 water pumps. Some have the smaller DCTVs, direct
22 current TVs, versus alternating current. Anyway, I

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1 didn't want to assume. I wanted to ask the question
2 if those are included as well.

3 MR. GOLDBERG: I'm not an expert on the
4 question but if your television can operate properly
5 and you are receiving a digital television signal and
6 you can power it with batteries, it should do
7 absolutely everything. There's no loss of features.
8 I doubt there's any battery operated digital
9 television sets yet. They could operate by solar
10 power but I doubt there's any sets yet.

11 MR. STENSGAR: But, see, I mean, their
12 power source is DC current so these smaller TVs and
13 units, I don't know if they have any requirements
14 specifically for them as well, I mean, in looking at
15 the information provided and talking to other folks.
16 I know it is for AC, you know, the regular TVs that
17 everybody else in the country uses, the outlying areas
18 that power off of solar systems and are running off of
19 DC current TVs.

20 MR. GOLDBERG: Are you sure those aren't
21 getting converted signal from their generators or
22 solar systems to AC? Aren't they still using the same

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1 sets that you buy in any store?

2 MR. STENSGAR: No, no, no. They are using
3 12 volt TVs. Strictly 12 volt. I mean, one that you
4 would put in your RV so you can watch TV. These are
5 what they're using as their primary television sets in
6 their households.

7 MR. GOLDBERG: I'm watching a
8 representative from Panasonic shake his head and say,
9 "It doesn't exist yet."

10 MR. SNOOP: One of the -- go ahead, Susan.

11 CHAIRPERSON ROOKER: Susan.

12 MS. PALMER-MAZRUI: I think the captioning
13 requirement -- the DCTVs are usually small, under 13
14 inches, and so that's another issue as well that they
15 would not generally be captioned. There's two issues.
16 One is the captioning of small sets which you had
17 addressed earlier. The other is the need to examine
18 things that would be powered differently as an issue.

19 MR. GOLDBERG: Well, you are particularly
20 addressing the concerns of people on the emergency
21 preparedness side of things because battery operated
22 TV sets during emergencies are generally less than 13

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1 inches and, therefore, wouldn't be required to have a
2 caption decoder in it. That's for analog sets, not
3 just DTV. That's a separate concern.

4 The actual federal law which required the
5 captioned to be built into the sets explicitly says 13
6 inches on the diagonal so, unfortunately, it would
7 probably take a return to Congress to deal with this
8 smaller than 13-inch size restriction.

9 CHAIRPERSON ROOKER: Go ahead.

10 MS. PALMER-MAZRUI: But didn't you say
11 earlier that this particular when it goes to digital
12 that the 13 inch may not fit?

13 MR. GOLDBERG: When you've got a separate
14 tuner and display.

15 MS. PALMER-MAZRUI: When you've got a
16 separate tuner and display. How is the power usage on
17 those?

18 MR. SNOOP: It all depends. It depends
19 whether it's plasma, LCD.

20 MR. GOLDBERG: I imagine you could
21 ostensibly have a battery operated digital television
22 set eventually. Not right away. Less than 13 inches

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1 not right away either. Soon. Soon enough I'm sure
2 but not in the near future.

3 I'm not sure how we answer the question
4 except it's probably a whole separate issue that needs
5 to be taken up along with the emergency preparedness
6 side of things because people will be wanting to be
7 able to rely on battery operated communication
8 systems.

9 CHAIRPERSON ROOKER: Okay. Do we have
10 further comment or discussion? Yes. Go ahead.

11 MS. PALMER-MAZRUI: I don't know if this
12 is too late in the process but would it be appropriate
13 to suggest that the FCC -- I don't know if we can do
14 it because it may be late, like I said, but examine
15 the impact of the conversion to digital on areas that
16 rely on or don't have electrical power or rely on
17 DCTVs now? You know, people in rural areas. Is it
18 too late to do that in the process?

19 MR. MARSHALL: I think the way we could
20 get around it is to amend the Homeland Security report
21 which was noticed and all that good stuff and then put
22 something in there about it and you need to do that

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1 today, I think, not having a separate recommendation
2 for it elsewhere.

3 CHAIRPERSON ROOKER: Byron, stick your
4 hand up.

5 MR. ST. CLAIR: First off there's a clerk
6 in the Report and Order for Translators that repeat
7 digital stations that they do not have to shut off --
8 excuse me. In the Report and Order about Digital
9 Translators, it also states that the analog
10 translators do not have to automatically shut off at
11 the end of the so-called digital conversion so we may
12 have a peculiarity where we have transmitters picking
13 if a digital station and transmitting it in analog.

14 Secondly, I think this business of the
15 small sets and what they will do, digital small sets
16 will take care of itself in time but this whole thing
17 is four or five years away and I don't see it as a
18 problem at this time. I think it will just all take
19 care of itself.

20 MR. POEHLMAN: Yes, with digital that's
21 true, but we're talking about captioning and small
22 sets during emergency situations that aren't digital.

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1 MR. STENSGAR: With the discussions that
2 we've just went through, I think I would like to amend
3 it to include DC powered televisions.

4 MR. GOLDBERG: Amend which where?

5 MR. STENSGAR: I just bring the question.

6 MR. GOLDBERG: No, I like the idea of
7 including this in the Homeland Security recommendation
8 because it's relevant to that. It raises the issue it
9 might require a petition of some sort that due to the
10 pressures of communications during emergencies to urge
11 the FCC to consider the impact on battery powered
12 communication devices such as televisions and decoders
13 and in rural areas and the impact of their existing
14 rulemakers on that.

15 CHAIRPERSON ROOKER: Are we looking at
16 making an amendment to the Homeland Security?

17 MR. GOLDBERG: It was Scott's idea, not
18 mine.

19 CHAIRPERSON ROOKER: But it makes sense.
20 Mike.

21 MR. DUKE: Would it -- our first
22 recommendation from Homeland Security addressed the

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1 issue of open captioning and audio announcements.
2 Would that not cover these sets that he's talking
3 about, the little five and seven-inch sets that run on
4 AA batteries and so forth?

5 MR. GOLDBERG: That's absolutely true. If
6 that one was adopted, you don't need a closed
7 captioning decoder.

8 CHAIRPERSON ROOKER: Okay. So we're all
9 right on that. Okay. Well done, Mike. You have
10 really covered all the bases.

11 MR. STENSGAR: Just a quick question.
12 Would the technology in those little TV sets have the
13 capabilities to do that?

14 MR. GOLDBERG: Yes. It's just like
15 showing another picture.

16 MR. STENSGAR: Thank you.

17 CHAIRPERSON ROOKER: All right. What does
18 that do to No. 5? It doesn't do anything to it, does
19 it? Okay. So we have recommendation No. 5. Is there
20 further discussion?

21 MR. GOLDBERG: We didn't change anything
22 on 5.

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1 CHAIRPERSON ROOKER: "As the Commission
2 works with the Consumer Electronic Association...it
3 should seek solutions to the problem of lack of
4 closed-captioned..." Okay. Do I have any further
5 discussion? All right. Do I hear a motion to accept
6 it? All right. And second. I've got it. All in
7 favor stick up your hand or say aye.

8 ALL: Aye.

9 CHAIRPERSON ROOKER: Okay. Opposed? All
10 right. Thank you. Okay.

11 MR. GOLDBERG: No. 6 is a grab bag of
12 other issues we wanted to make sure the FCC was aware
13 of and would include as they continued doing outreach
14 so there is one, two, three, four, five, six, seven,
15 eight other issues, at least, and I'm sure there will
16 be others, that we are just suggesting as an
17 opportunity to give more feedback on other issues.

18 They include the hardware-related
19 financial issues in the transition from analog to
20 digital television. People are worried that they are
21 going to have to buy a new TV set or will they be
22 given a decoder or if they have cable. People are

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1 confused about the financial issue.

2 The nomenclature confusion brought up
3 previously, what's DTV versus HDTV and SDTV and
4 digital cable, and DVD. A nice alphabet soup one
5 there.

6 Access services -- the continuity and
7 reliability of closed captioning and video
8 description. Consumers are concerned about what they
9 are going to lose and what they will continue having.

10 Emergency warnings and emergency
11 information. What will continue, what will be new in
12 digital television. There are actually new
13 opportunities and that information needs to get out.

14 CHAIRPERSON ROOKER: Will digital
15 television make it easier to provide this kind of
16 information?

17 MR. GOLDBERG: There's lots of other
18 enhancements that can be done in digital TV. There
19 are so many more capabilities so, yes.

20 Interference issues and cable reception of
21 off-air signals within the Grade B contour. It's
22 either Byron or Don that threw that one in there. I

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1 forget who.

2 CHAIRPERSON ROOKER: I'm not sure what
3 grade B contour is and should I ask?

4 MR. SNOOP: Well, let me put it to you
5 very simply. Grade B contour is the FCC's definition
6 of if you look on a map it looks like a coffee cup
7 circle where it actually draws from the transmittal
8 and it has a 35-mile radius from the transmitter. If
9 you are within that so-called grade B contour, you
10 should be -- that's where they determine whether a
11 signal is actually a must carry for a cable system or
12 not. It should also be able to be generally received
13 by the populous in that neighborhood.

14 MR. GOLDBERG: So I think it really comes
15 down to an issue they are already trying to grabble
16 with and that is terrestrial broadcasting and cable
17 reception and what's the difference and what do I do
18 about it and do I need a separate antenna or an AB
19 switch. All these things have come up. Some of the
20 information is already there but it's still a hot
21 issue.

22 FCC ideas regarding accelerating the

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1 transition via equipment subsidies. That one might be
2 dead now. Congress has brought up the notion of -- a
3 radical example was the city of Berlin, Germany
4 actually gave out a box to every single consumer so
5 they can transfer over to digital television over
6 night. It's a very different environment than this
7 country but it's been brought up that they could
8 accelerate the transition if somehow there was
9 equipment subsidies.

10 CHAIRPERSON ROOKER: Equipment subsidies
11 to whom?

12 MR. GOLDBERG: All consumers.

13 CHAIRPERSON ROOKER: Consumers.

14 MR. GOLDBERG: So that if you really
15 wanted the channels to be given back to the feds by
16 December 2006, one way to accelerate that is to give
17 everyone a couple hundred dollars. You like that, uh?
18 You can't spend it on beer. I think that's not in
19 ascension right now but it's still being discussed.
20 People heard about it and they got excited so the FCC
21 needs to discuss it.

22 Then there are standards and variations

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1 consumers will experience as they receive DTV over the
2 air via cable, via satellite, via the emerging VDSL
3 which is Very-high speed Digital Subscriber Line.
4 It's like Internet line. Fiber-to-the-home, FTTH.
5 These are all other ways of delivering digital
6 television by phone companies. Again, consumer
7 confusion. People need to help -- FCC needs to help
8 people to sort that out.

9 And a very important one that the consumer
10 electronics people are very concerned about,
11 compatibility with recording devices, the TIVOs,
12 personal video recorders, DVD records, etc., and the
13 display devices that go with it. A list of hot issues
14 that people are confused about and that's us on the
15 Committee so if you imagine if we're confused, the
16 rest of the consumers are, too. That's a catch-all
17 for recommendations of things that this outreach
18 effort include.

19 CHAIRPERSON ROOKER: What is your sense of
20 how long consumers will be able to receive regular
21 analog? I know that the television stations where we
22 have Call for Action many of them are running both

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1 systems right now. Some of them are just in the
2 transition period of going into digital. Is the
3 requirement a hard requirement that it be 206, 2006?

4 MR. GOLDBERG: It's still being debated
5 both in Congress and the FCC so it certainly won't be
6 the end of 2006. No one can really imagine that
7 happening. But now there's discussion of 2007, 2009.

8 Basically they want to spend this money to help
9 offset the deficit. They want the signals back. The
10 Fairy Plan here at the FCC being discussed and deals
11 being made between broadcasters and cable casters to
12 accelerate this but I doubt very much it will be
13 within the 2006 year.

14 CHAIRPERSON ROOKER: It seems to me that
15 the people in a hard place right now are going to be
16 the ones that need to replace their television set.

17 MR. GOLDBERG: Yes. What do you buy?

18 CHAIRPERSON ROOKER: John, did you have a
19 comment.

20 MR. STENSGAR: Well, I guess the last
21 information I heard was -- well, originally I heard
22 '07 because I also maintain a TV translator station

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1 that's in a high-unemployment, low-income area so the
2 community has basically provided that service since
3 '82 and I've helped maintain it since '85.

4 The latest information I received was 2010
5 that we needed to ensure that we did some type of
6 conversion. I appreciate hearing they are looking at
7 dollars for consumers because the areas that my
8 translator serves will have to provide, or look at
9 providing, converter boxes.

10 I mean, we're going to have to change our
11 translator station itself but all the individual
12 community consumers are going to have to change -- you
13 know, they are not going to be able to go out and
14 purchase new TVs so we are going to have to get some
15 type of converter box for them to install in their
16 houses. But the latest I heard was 2010 will be the
17 deadline, even though in Spokane one station is
18 transmitting totally digital and I understand that's
19 KREM2 which is coming off the translator just fine.

20 CHAIRPERSON ROOKER: Okay. Joe.

21 MR. GORDON: I have a question for Larry.
22 Whether it's 2007 or 2010, not before 2007, my

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1 question is how will that affect the 1106 requirement
2 for closed captioning?

3 MR. GOLDBERG: Those are still standing,
4 both for analog and digital, so that doesn't change in
5 the least. There's a TV show Matt Groenig, the guy
6 you made the Simpsons, call "Futurama." The opening
7 episode had -- it's set in the year 20000 and they
8 announce that, "Coming soon, high definition TV." It
9 could be a while.

10 There's a movement afoot to accelerate
11 this through deals with the cable. So much of this
12 country now is cabled. In some areas 75, 80, 90
13 percent. If the cable networks can make these deals
14 with the broadcasters for carriage, it could move
15 things even faster so there's negotiations going on.
16 David.

17 MR. POEHLMAN: Thanks, Larry. Yeah, I see
18 a lot of movement in that direction just in Comcast.
19 Every month they say, "We just brought on another HDTV
20 station." Foodarama, you know. Now you can watch the
21 24-hour food supermarket, people going in and out.
22 Anyway, the thing that I want to bring up, though, is

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1 I just bought a new TV set, or got a new TV set.

2 I won't tell you the long story of what
3 happened but it's just a regular old TV set but I've
4 got it plugged into my digital cable box. Now, it
5 occurs to me that if you've got a digital cable box no
6 matter when the completion of conversion takes place,
7 you can run that digital cable box on whatever old set
8 is connected to the box. Right?

9 MR. GOLDBERG: Diane, you're being so
10 quiet here.

11 MR. POEHLMAN: You don't have to buy a new
12 computer -- I mean, a new TV or anything.

13 MS. BURSTEIN: Since it's the end of a
14 long day, this is a much longer discussion than we
15 have time to have, I'm sure, about how this is all
16 going to fit together.

17 MR. GOLDBERG: I think what we're just
18 pointing to is that people need information. That's
19 all we're trying to recommend here and clearly we do.

20 CHAIRPERSON ROOKER: Amen. Even after
21 talking to Dane and the chairman about digital
22 television, I don't have a clue. It wasn't that they

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1 didn't help try to educate me but it's very confusing.

2 I don't know what I would do if I wanted to go out
3 and buy a television right now.

4 MR. GOLDBERG: It's also not done yet. As
5 I said, there's negotiations going on left and right
6 and broadcasters now sending out four, six channels at
7 a time and it's a question of what they will be able
8 to receive.

9 CHAIRPERSON ROOKER: I think the basic
10 question for consumers if I buy a digital television,
11 there's more than one option but even if I do that,
12 will I be able to use it? I may or may not.

13 MR. GOLDBERG: Most of the time you can
14 use you.

15 CHAIRPERSON ROOKER: You can?

16 MR. GOLDBERG: You might need someone to
17 come over and help hook it up but you get some
18 beautiful pictures these days.

19 So that's recommendation 6. Lots of ideas
20 that we're hoping the FCC addresses in their outreach
21 campaign.

22 CHAIRPERSON ROOKER: So basically this is

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1 suggesting things that we should look at. Is there
2 some further discussion on this?

3 MR. GOLDBERG: I think only that there are
4 probably dozens and dozens of others but let the next
5 chartered group suggest those.

6 CHAIRPERSON ROOKER: Okay. Now, I don't
7 know. I guess we should talk about the issues
8 themselves first and then your last paragraph because
9 I have to make a recommendation on that. All right.
10 We've had a discussion on the bullet points here. Do
11 you have any further questions or comments? Do I hear
12 a motion that we accept them? All right. Second?
13 Okay. All in favor?

14 ALL: Aye.

15 CHAIRPERSON ROOKER: Opposed? Okay. Away
16 we go. The last paragraph talking about closing the
17 loop, it would not be possible to report within 90
18 days because the new CAC won't really be in effect
19 until the middle of March. Is that your date, Scott?

20 MR. MARSHALL: Well, appointment is the
21 middle of March and the first meeting the end of
22 April.

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1 CHAIRPERSON ROOKER: Right, but I guess
2 the new members by the middle of March will have been
3 appointed to the new CAC.

4 MR. GOLDBERG: Can I change my
5 recommendation?

6 CHAIRPERSON ROOKER: 90 days would not be
7 practical.

8 MR. GOLDBERG: How about this. "Finally,
9 as a means of closing the loop for these
10 recommendations, we would appreciate that the newly
11 chartered CAC receive a formal response to these
12 recommendations at their first meeting."

13 CHAIRPERSON ROOKER: Good.

14 MR. MARSHALL: I like agendas to come
15 together quickly.

16 CHAIRPERSON ROOKER: It's already jammed.
17 So we would appreciate that the newly chartered one
18 receive a formal response to these recommendations at
19 their first meeting. Okay. All right. I don't think
20 we have to vote on that. That makes sense. Okay.
21 Good job. Excellent. Okay. We've completed
22 the formal part of our agenda.

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1 Before I go to public comment, I would
2 like to first off take the time to thank all of you
3 because this has really been an extraordinarily
4 educational and exciting experience for me. I love
5 seeing the energy and creativity that's going on in
6 this group and I really feel good about it. I would
7 just like to open the floor for your comments or
8 thoughts or anything else. Joy.

9 MS. RAGSDALE: Just a question. Scott had
10 created our distribution list. How long will those
11 stay active so we can still communicate?

12 CHAIRPERSON ROOKER: Oh, good question,
13 Scott. The e-mail distribution list.

14 MR. MARSHALL: I can still leave them up
15 until the next committee is around. Does that work
16 for you?

17 MS. RAGSDALE: Yeah, that's fine. Sure.

18 MR. MARSHALL: Okay.

19 CHAIRPERSON ROOKER: That's a good
20 question. All right. Any other comments? Andrea.

21 MS. WILLIAMS: This is really a question
22 sort of following up on the last issue that we had in

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1 terms of closing the loop. Could we make that a
2 recommendation for all the recommendations that we
3 made here today?

4 CHAIRPERSON ROOKER: Oh, sure.

5 MS. WILLIAMS: Sometimes things get --

6 CHAIRPERSON ROOKER: Okay.

7 MS. WILLIAMS: Especially for the -- it's
8 very -- I know for our committee it was very helpful
9 to have the last committee's notes and minutes
10 available --

11 CHAIRPERSON ROOKER: Sure.

12 MS. WILLIAMS: -- so we weren't
13 reinventing the wheel.

14 CHAIRPERSON ROOKER: So that by the next
15 meeting of the CAC, the newly chartered CAC, that we
16 have available the status of recommendations that have
17 been made by today. We had an update from Dane.

18 MS. WILLIAMS: On some of the
19 recommendations.

20 CHAIRPERSON ROOKER: Yeah, but weren't
21 those issues we discussed today?

22 MS. WILLIAMS: No, they didn't answer

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1 them.

2 CHAIRPERSON ROOKER: Okay. So I guess
3 what we need to do is then identify the issues that
4 are outstanding that were not discussed this morning
5 that weren't put some kind of a closure on and then
6 have an update on all outstanding issues. That would
7 work, right?

8 MS. WILLIAMS: Right.

9 CHAIRPERSON ROOKER: At the next FCC.

10 MS. WILLIAMS: In a meeting that NASUCA
11 had with DANE, I believe, last month he would not be
12 able to give an action status if it's been
13 incorporated in a proceeding so it would help if
14 certain recommendations be made if he can tell us what
15 proceeding they were adopted in. If it's still open,
16 then we at least know it's still being considered.

17 CHAIRPERSON ROOKER: I don't think he
18 could tell us if they were adopted in a proceeding. I
19 think he could tell us if there was a proceeding going
20 on.

21 MS. WILLIAMS: He can tell if it's
22 incorporated into a proceeding as part of the record.

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1 CHAIRPERSON ROOKER: Can they do that?

2 MR. MARSHALL: We'll have to work our a
3 mechanism but I think we can do it.

4 CHAIRPERSON ROOKER: Okay. I think that's
5 a great suggestion. David, did you have something
6 else to add?

7 MR. POEHLMAN: No, we took care of it.

8 CHAIRPERSON ROOKER: Okay. All right.
9 Any other questions or comments? Okay. Then I would
10 like to open the floor to the public for public
11 comment. Do we have anyone here who would like to
12 address the Committee and the FCC through the public
13 forum?

14 MS. ROBINSON-SHADDOX: Is this working?
15 Hi. Good afternoon everyone. I'm Roanne Robinson-
16 Shaddox. I'm here today as representative of the
17 Board of the Native Networking Policy Center. I just
18 wanted to --

19 CHAIRPERSON ROOKER: Would you repeat that
20 name again?

21 MS. ROBINSON-SHADDOX: Yes. Roanne
22 Robinson- Shaddox.

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1 CHAIRPERSON ROOKER: Just for our records,
2 Roanne Robinson?

3 MS. ROBINSON-SHADDOX: Shaddox, S-H-A-D-D-
4 O-X, hyphenated.

5 CHAIRPERSON ROOKER: Thank you.

6 MS. ROBINSON-SHADDOX: I'm here today --

7 CHAIRPERSON ROOKER: And you're with?

8 MS. ROBINSON-SHADDOX: The Native
9 Networking Policy Center.

10 CHAIRPERSON ROOKER: The Native Networking
11 Policy Center. Thank you. I'm sorry but we just need
12 to get it right.

13 MS. ROBINSON-SHADDOX: I appreciate it. I
14 know I'm speaking a little fast. I'm trying to be
15 cognizant of your time frame.

16 CHAIRPERSON ROOKER: That's okay.

17 MS. ROBINSON-SHADDOX: But I just wanted
18 to thank the Advisory Committee for allowing the
19 public to participate in today's session. It's been
20 very informative. I would like to particularly
21 appreciate and recognize our Native representatives on
22 the board, John Stensgar and Linda West, who I had the

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1 pleasure of meeting for the first time today.

2 As you heard today, Native access is a
3 challenge. We have a lot of issues. We have a lot of
4 commonalities with the disability community and
5 others. We appreciate so many of the members of the
6 Committee recognizing that our access issues are
7 valid.

8 There's a lot of challenges, a lot of
9 complexities to these issues but we appreciate the
10 Committee's past year of work working to integrate
11 those issues into your dialogue and into the
12 recommendations that are going to the Commission.

13 I heard a lot today about outreach and
14 just wanted to encourage as the Commission performs
15 outreach to the communities and as the Committee
16 hopefully continues its work in the next year or so to
17 remember minority press outlets and getting word out
18 whether it's about DTV or other important issues that
19 have been addressed by this committee.

20 I just wanted to say hello and introduce
21 the Native Networking Policy coalition to the members
22 here and appreciate the committee opening this up to

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1 the public. Thank you.

2 CHAIRPERSON ROOKER: Thank you very much.

3 We appreciate you being here and your nice comments.

4 Do we have anyone else from the public that would
5 like to take over the microphone? All right. We do.

6 MR. TREAS: My name is Larry Treas. I'm
7 with the Michael Group and I want to thank --

8 CHAIRPERSON ROOKER: Would you spell your
9 last name for us, Larry, please?

10 MR. TREAS: T-R-E-A-S.

11 CHAIRPERSON ROOKER: T-R-E-A-S. Thank
12 you.

13 MR. TREAS: And I want to thank you all
14 for the opportunity to allow me to be a part of some
15 of your working groups as a nonvoting member and to
16 get to know each one of you better.

17 CHAIRPERSON ROOKER: Thank you. All
18 right. Do we have anyone else? No? Okay. Do you
19 have any comments, questions, concerns? All we've got
20 to worry about is that we don't eat too much on
21 Thanksgiving. It's next week. Can you believe that?

22 Well, look. I would just like to thank

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1 all of you for being here. It's been a really
2 delight. Hope you have a wonderful holiday and I hope
3 to see you next year. Thank you.

4 (Whereupon, at 3:40 p.m. the meeting was
5 adjourned.)
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