## FCC FORM 855: HEARING AID COMPATIBILITY CERTIFICATION INSTRUCTIONS FOR SERVICE PROVIDERS

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#### I. PURPOSE

The Federal Communications Commission (FCC) requires that certain digital mobile Service Providers electronically file FCC Form 855 certifying whether or not they are in compliance with the Commission's wireless hearing aid compatibility requirements. This Hearing Aid Compatibility Certification (Certification) is required to be filed by January 15 of each calendar year using the same electronic system Device Manufacturer use to file FCC Form 655. The use of the Commission's electronic filing system ensures that each Service Provider's certification includes all the required information in a consistent format, facilitates filing subsequent certifications, and enables the FCC's compilation of data. The electronic system also provides

<sup>&</sup>lt;sup>1</sup> The last FCC Form 655 that Service Providers filed was for the 2017 calendar year and was due by January 15, 2018. In order to ensure an orderly transition to the new website and annual certification requirements for Service Providers, the Commission waived the January 15, 2019 FCC Form 655 reporting requirement for Service Providers that would have covered the 2018 reporting period. Instead, the Commission determined that the first Service Provider certifications would cover that same 2018 reporting period. These certifications will be due after the Commission publishes notice in the Federal Register announcing OMB approval of the new certification requirement and setting forth the due date for the first service provider certifications. *See* 47 CFR § 19.20(m). The next Service Provider certifications covering calendar year 2019 will be due by January 15, 2020 and annually by January 15 thereafter.

the public with improved access to review the filed certifications.

#### II. WHO MUST FILE A FCC FORM 855 CERTIFICATION?

Certain digital mobile service providers, including mobile virtual network operators ("MVNOs") and resellers, are required to annually file a FCC Form 855 Certification with the Commission stating whether or not they are in full compliance with the Commission's hearing aid compatibility rules. Specifically, this certification requirement applies to "providers of digital mobile service in the United States to the extent that they offer terrestrial mobile service that enables two-way real-time voice communications among members of the public or a substantial portion of the public, including both interconnected and non-interconnected VoIP services, and such service is provided over frequencies in the 698 MHz to 6 GHz bands." 47 CFR § 20.19(a) (1)(i). Entities meeting this definition are referred to herein as Service Providers.

#### III. ACCESS TO ELECTRONIC FILING SYSTEM FOR FCC FORM 855

#### A. Obtaining an FCC Registration Number (FRN)

In order to access the electronic filing system for Hearing Aid Compatibility, each Service Provider must use its FCC Registration Number (FRN). A company may choose to obtain a new FRN for the purpose of filing its FCC Form 855 Hearing Aid Compatibility Certification or it may use an existing FRN that is assigned to it. If an agent files certifications for multiple entities, the agent should obtain a separate FRN for each certifying entity. The same FRN can be used for the entity's future filings. FRNs can be obtained at <a href="https://apps.fcc.gov/coresWeb/publicHome.do">https://apps.fcc.gov/coresWeb/publicHome.do</a> (see Figure 1 in the Appendix).

#### B. Accessing the Hearing Aid Compatibility Reporting Site

The Certification site can be accessed at <a href="http://wireless.fcc.gov/hac/index.htm?job=home">http://wireless.fcc.gov/hac/index.htm?job=home</a>. This web page contains a link to the License Manager Login page (see Figure 2 in the Appendix) in the FCC's Universal Licensing System (ULS). The Login page can also be accessed through the FCC Forms page (<a href="https://www.fcc.gov/licensing-databases/forms">https://www.fcc.gov/licensing-databases/forms</a>) on the main FCC website, or the Equipment Authorization System page (<a href="https://apps.fcc.gov/oetcf/eas/">https://apps.fcc.gov/oetcf/eas/</a>) on the FCC Office of Engineering and Technology (OET) website. After login, click "My Reports," then "File Hearing Aid Compatibility Certification" on the left panel to start filing your certification (see Figure 3). If you want to update a submitted or saved certification, click the "HAC Submitted" or "Saved" link (see Figure 4). If you do not see the "My Reports" link, that means you have already submitted a certification for the current filing window. You must then click the "HAC Submitted" link from the "My Applications" summary page to update your certification. This mechanism is installed to prevent a Service Provider from submitting two Certifications for the same filing period (i.e., submitting a new certification rather than amending the existing certification).

#### IV. INSTRUCTIONS FOR COMPLETING THE FCC FORM 855 CERTIFICATION

By January 15 of each calendar year, Service Providers must file Certifications electronically using the FCC Form 855 interface. The certifications provide information for the preceding year –January 1<sup>st</sup> through December 31<sup>st</sup>. When the 15<sup>th</sup> of the month falls on a weekend or holiday, the Certification is due on the next business day. The electronic filing system is designed to be user-friendly with many illustrative texts and information icons. If you are a returning filer, the system will allow you to pre-fill certain information from your previous submission, update and add any necessary information. Because the electronic FCC Form 855 interface periodically

changes, you must review the accuracy of all copied or pre-filled information, and update and/or complete any missing information.

#### A. Company Information

You should provide the requested information for the Service Provider. You can edit the Service Provider information while in this section (see Figure 5, **Figure 6**, and Figure 7). Letters, numbers and common punctuation characters may be used to enter your information. The system will accept the following characters: , . ' \_ - ( ) ? ! @ [ ] : ; # " \$ | / &. However, common word processing software will often embed hidden characters that convey additional information, typically about formatting, and are considered 'invalid characters' by the electronic version of the form. Invalid characters are detected by our data entry system when copying text from word processing software into a data entry field. These characters may appear as a square or other symbol such as + ~ \* etc. Instead of copying information from word processing software, one alternative is to copy that information from a basic text editor that does not embed hidden characters. Windows Notepad is one example of a basic text editor. Another alternative is to delete the text and re-key the information directly into the data entry field.

- Company Information: If you are a returning Service Provider, click "Copy Company Information from previous submission." The system will load your previously submitted company information (see Figure 5). If you are a new Service Provider click "Continue" at the bottom of the page and go to the company information section and fill in the requested information (see Figure 6 and Figure 7).
- *De Minimis* Exception (see Figure 6): Under the *de minimis* exception, Service Providers that offer two or fewer digital wireless handsets in the U.S. for a particular air interface are under some circumstances exempt from requirements to offer hearing aid-compatible handsets over that air interface. Specifically, beginning September 8, 2012, companies that are not "small entities" as defined by the U.S. Small Business Administration, and that have not been "small entities" within the last two years, will not qualify for the *de minimis* exception after their first two years offering handsets or services over an air interface even if they offer two or fewer handsets over that air interface. A Service Provider that qualifies for the *de minimis* exception is still subject to the annual certification requirements. See 47 CFR Sections 20.19(e) and 20.19(i).
  - O You must answer the question: "Did the Service Provider offer any handsets to subscribers in the United States during the certification period?" A handset is a device used in delivery of covered services that contains a built-in speaker and is typically held to the ear in any of its ordinary uses. ("Typically" encompasses any intended or anticipated ordinary use and does not mean "usually" or "most often."). If you answer "No" to this question, the system will use this information to take you directly to the Certification section after you finish the Company Information section.
  - O If you answer "Yes" to this question because the Service Provider offered at least one handset to subscribers during the pending certification period, you should answer the question: "Has the Service Provider been offering handsets in the United States for at least three years prior to the end of the certifying period?" A Service Provider that offers two or fewer handsets over an air interface is eligible for the *de minimis* exception if it has been offering handsets over that air interface for less than two years. Answer this question "No" only if the Service Provider has been offering handsets in the U.S. for less than three years prior to the end of the certifying period (i.e., two years prior to the beginning of the certifying period) over ALL air interfaces; otherwise answer

- "Yes." A "Yes" answer does not affect the applicability of the *de minimis* exception to a particular air interface if the Service Provider has been offering handsets over that air interface for less than two years prior to the relevant date. If you answered "No" to this question, enter the "Date that the Service Provider began offering handsets in the United States" in the relevant box in the "MM/YY" format. For example, April 2011 should be entered as 04/11, not 04/2011 or 4/11.
- O Answer the question: "Is the Service Provider a small entity?" A small entity is eligible for the *de minimis* exception for any air interface over which it offers two or fewer handsets. Answer "Yes" if the Service Provider has 1,500 or fewer employees, including employees of a parent, subsidiary, or affiliate company under common ownership or control; otherwise, answer "No."
- o If you answered "No" to the "Is the Service Provider a small entity?" question above, answer the question: "Was the Service Provider a small entity at any time during the three years prior to the end of the certifying period. A Service Provider is eligible for the *de minimis* exception for any air interface over which it offers two or fewer handsets if it has been a small entity within the previous two years. Answer this question "Yes" if the Service Provider has been a small entity within the last three years prior to the end of the certifying period (i.e., two years prior to the beginning of the certifying period); otherwise answer "No." If you answered "Yes" to this question, enter the "Date that the Service Provider ceased to be a small entity" in the relevant box in the "MM/YY" format. For example, April 2011 should be entered as 04/11, not 04/2011 or 4/11.
- Company Information (see Figure 7): Provide the company name for the certifying entity. If the certifying entity also has a "Doing Business As (dba)" name, include both the company name and the dba name in the Company Name box. The format can be "Company Name dba Doing Business As Name."
- Brand Name(s) Included: You should provide the brand names under which the Service Provider is offering services. For example, if the Service Provider is offering both postpaid and prepaid services under a common brand name *ABC*, enter *ABC* in the box. If the Service Provider is offering a postpaid service under a brand name *ABC* and a prepaid service under another brand name *XYZ*, enter *ABC* and *XYZ* in two separate boxes. If the Service Provider has more than five brand names, enter the first four names separately in the first four boxes, and enter all the remaining names in the last box using format "EDF/GHI/LMN."
- Address: You should provide the company address for the Service Provider. If the Service Provider is a non-U.S. company, please use the Service Provider's U.S. business office address for filing purposes. If the Service Provider does not have a U.S. business office address, please use its U.S. agent's address.
- Contact Information: You should provide the name, 10-digit U.S. phone number, 10-digit U.S. FAX number, and e-mail address of the contact person for the Service Provider. If the Service Provider is a non-U.S. company, please use the contact person's U.S. business contact information for filing purposes. If the contact person does not have U.S. business office contact information, please use the Service Provider's U.S. agent's contact information. All fields are required except the U.S. FAX number. If the contact does not have a U.S. FAX number, leave the field blank.

- Filing Agent: If the certification is being filed by an agent (such as a law firm) in the U.S. on behalf of a Service Provider, select "Yes" and provide the name, address and contact information for the agent as well.
- Once you have completed the Service Provider's company information, click "Save and Continue" at the bottom of the page. The system will take you to the certification page (see Figure 8).

#### B. Certification

You must certify whether the Service Provider was in full compliance with all the Commission's wireless hearing aid compatibility requirements throughout the relevant reporting period. These requirements include applicable deployment benchmarks, web site posting, labeling, and disclosure requirements, among others. This certification requirement applies to all covered Service Providers, including *de minimis* service providers. The person making the certification must be a knowledgeable executive of the Service Provider (see Figure 8).

- If you are a knowledgeable executive certifying that the Service Provider *was in full compliance* with all the applicable hearing aid compatibility requirements for the relevant reporting period, then check the box labelled "in full compliance" (see Figure 8).
  - O By checking this box, the Service Provider represents and warrants, and the person certifying is declaring under penalty of perjury that the certification is truthful and accurate. The Service Provider also acknowledges that false statements and misrepresentations to the Commission are punishable and may subject it to enforcement action.
  - O After checking the "in full compliance" box, you should provide the percentage of hearing-aid compatible handsets the Service Provider made available in the calendar year covered by the certification (see Figure 8). You can derive this percentage by determining the number of hearing aid-compatible handsets offered across all air interfaces during the year divided by the total number of handsets (hearing aid-compatible and non hearing-aid compatible) offered during the year.
  - O Next, you must provide the publicly accessible web site address of page(s) containing the hearing aid compatibility information required by the Commission's hearing aid compatibility rules (see Figure 8). A *de minimis* Service Provider is not required to provide this information but may provide this information if it wishes to inform the Commission and the public of the web site address where the applicable information can be found.
  - O Next, after checking the "in full compliance" box, YOU MAY, BUT ARE NOT REQUIRED TO use the "Upload Document" button to submit an attachment that provides additional information about your compliance or your entries on the form. (see Figure 8)
  - O Lastly, you must provide the "Party Authorized To Sign" information (see Figure 8). You must provide the party's first name, middle initial, last name, address, phone, email, title, and the date.
  - O After completing this information, click on the "Submit Filing" button on the bottom of the page.

- If you are a knowledgeable executive certifying that the Service Provider was not in full compliance with all the applicable hearing aid compatibility requirements for the relevant reporting period, then check the box labelled "not in full compliance" (see Figure 9).
  - O By checking this box, the Service Provider represents and warrants, and the person certifying is declaring under penalty of perjury that the certification is truthful and accurate. The Service Provider also acknowledges that false statements and misrepresentations to the Commission are punishable and may subject it to enforcement action (see Figure 9).
  - O After checking the "not in full compliance" box, you should use the "Upload Document" button to submit an attachment explaining which wireless hearing aid compatibility requirements the Service Provider was not in full compliance with, and when the non-compliance began and (if applicable) ended with respect to each requirement (see Figure 9).
  - O Next, you should provide the percentage of hearing-aid compatible handsets the Service Provider made available in the calendar year covered by the certification (see Figure 9). You can derive this percentage by determining the number of hearing aid-compatible handsets offered across all air interfaces during the year divided by the total number of handsets offered during the year.
  - O Next, you must provide the publicly accessible web site address of page(s) containing the hearing aid compatibility information required by the Commission's hearing aid compatibility rules (see Figure 9). A *de minimis* Service Provider is not required to provide this information but may provide this information if it wishes to inform the Commission and the public of the web site address where the applicable information can be found.
  - O Lastly, you must provide the "Party Authorized To Sign" information (see Figure 9). You must provide the party's first name, middle initial, last name, address, phone, email, title, and the date.
  - O After completing this information, click on the "Submit Filing" button on the bottom of the page.

## V. SUBMITTING, UPDATING AND PRINTING FILED FCC FORM 855 CERTIFICATIONS

After completing the certification section, you must then submit the Service Provider's certification by selecting the "Submit Filing" button at the bottom of the Certification screen (see Figure 8). The system will then provide you with a Filing Confirmation Number. **Please write down this confirmation number for your future reference** (see Figure 10). You must **submit** your certification on or before the filing deadline. Failure to submit your certification in a timely manner may trigger FCC enforcement action.

**Saving without Submitting Your Certification**: You can stop at any time while completing the certification by selecting the "Quit Application" button at the top-right corner of the screen. Whenever you select "Quit Application," the pending certification will be saved and put into the "Saved" category (see Figure 4). A "Saved" certification is not considered to be a "Hearing Aid Compatibility Certification." You must remember to **submit** the certification on or before the filing deadline. To submit a saved certification, you must update the certification and submit it.

If you are accidentally timed out by the system, the pending certification will be placed in the "Saved" category. You will need to re-log into the system and update the pending certification (see below on updating a saved certification).

**Updating Your Certification**: You can update your saved or submitted certification at any time before the filing deadline. However, you **cannot** update your certification once the deadline has passed. To update your certification, you need to access the electronic Form 855 and go to the "Saved" category if you have a saved certification or the "HAC Submitted" category if you have a submitted certification (see Figure 4). After clicking on the appropriate link to your certification (either "*Not Assigned*" or a File No.), select "Continue" or "Update" to update your saved or submitted certification (see Figure 11 or Figure 12). The system will take you directly to the Company Information screen (see Figure 5). From there, you can update your certification. After completing your update, you must submit your certification again in order for it to be considered "HAC Submitted." A submitted certification that has been opened for updating but not re-submitted will be placed in the "Saved" category and not the "HAC Submitted" category.

FCC Form 855 Certifications always have a purpose code of "HA." Knowing this will help you find your Certification.

**Printing Your Certification**: When you are on the Filing Confirmation screen, you can view your certification by clicking the "Print Certification" button () at the top of the screen (see Figure 10). The system will generate a PDF file that contains all the information you have entered into your certification as well as the FRN you used for filing the certification.

#### VI. FCC NOTICE REQUIRED BY THE PAPERWORK REDUCTION ACT OF 1995

We have estimated that each response to this collection of information will take, on average, a half (0.5) hour. Our estimate includes the time to read the instructions, look through existing records, gather and maintain the required data, enter the data in the on-line template, and submit it electronically. If you have any comments on this estimate, or how we can improve the collection and reduce the burden it causes you, please write the Federal Communications Commission, AMD-PERM, Washington, D.C. 20554, Paperwork Reduction Project (3060-0999). We also will accept your comments via the Internet if you send them to PRA@fcc.gov. DO NOT SEND COMPLETED FCC FORM 855 CERTIFICATION TO THIS ADDRESS.

Remember – You are not required to respond to a collection of information sponsored by the Federal government, and the government may not conduct or sponsor this collection, unless it displays a currently valid Office of Management and Budget (OMB) control number. This collection has been assigned an OMB control number of 3060-0999.

Service Providers failing to file FCC Form 855 certifications in a timely fashion may be subject to penalties under the Communications Act, including sections 502 and 503(b).

THE FOREGOING NOTICE IS REQUIRED BY THE PAPERWORK REDUCTION ACT OF 1995, PUBLIC LAW 104-13, OCTOBER 1, 1995, 44 U.S.C. SECTION 3507.

#### **APPENDIX**

Figure 1 Register and Receive an FCC Registration Number

Obtain a new FCC Registration Number (FRN) for the purpose of filing Hearing Aid Compatibility annual certifications for each reporting entity. The same FRN can be used again to file future certifications for the entity. Each certifying entity should use its own FRN. -0× ■ 69 × Google (C) • 🖚 https://f/jallfoss.fcc.gov/coresWeb/publicHome.d p. Edit View Favorites Tools Help PCC Registration System Home • 🔝 Feeds (J) • 📾 Print • 🔂 Page • 🎯 Tools • ECC Home | Search | Updates | E-Filing | Initiatives | For Consumers | Find People **FCC Registration** FCC > FCC Registration < FCC Site Map **FCC Registration** If you wish to conduct business with the FCC, you must first register through the FCC's COmmission REgistration System (CORES). Upon registration, you will be assigned a FCC Registration Number (FRN). This number will be used as uniquely identify you in all transactions with the FCC. News releases related to the FCC Registration Number. UPDATE SEARCH REGISTER → Update your registration information → Search for public FRN information Register and receive your FRN REGISTER • UPDATE • SEARCH

Figure 2 Login Page

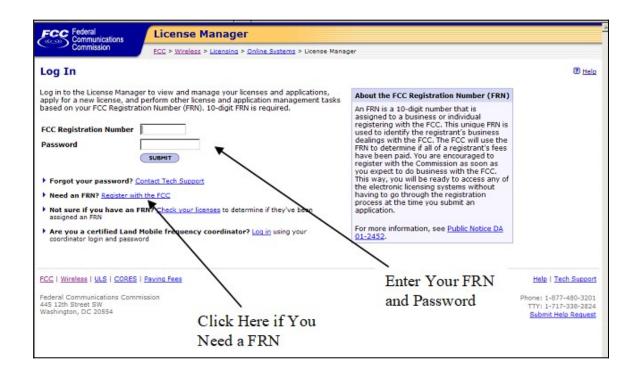


Figure 3 License Manager Page



Figure 4 My Applications Page -- Summary

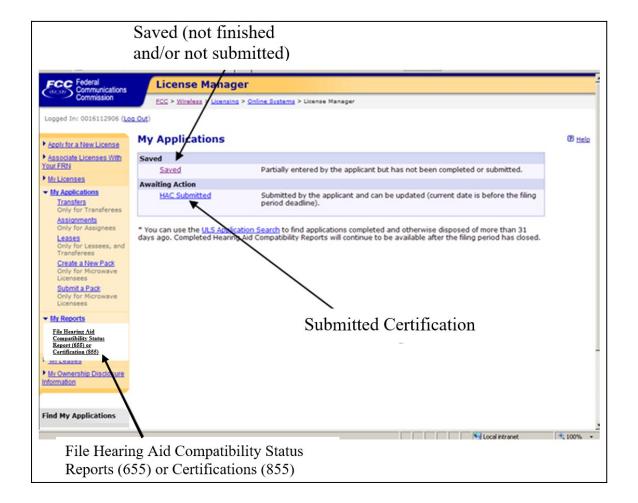


Figure 5 Company Information Page 1

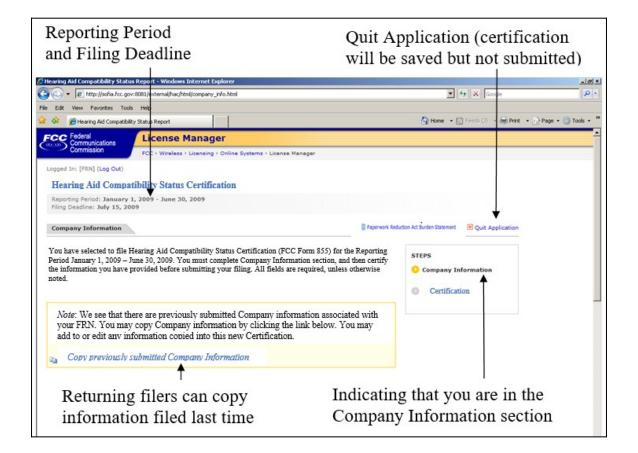


Figure 6 Company Information Page 2

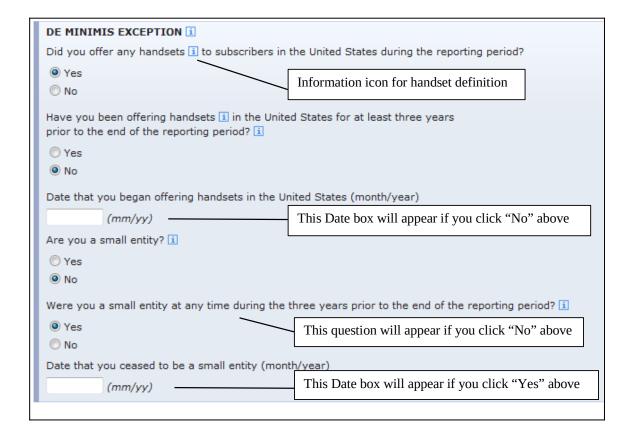
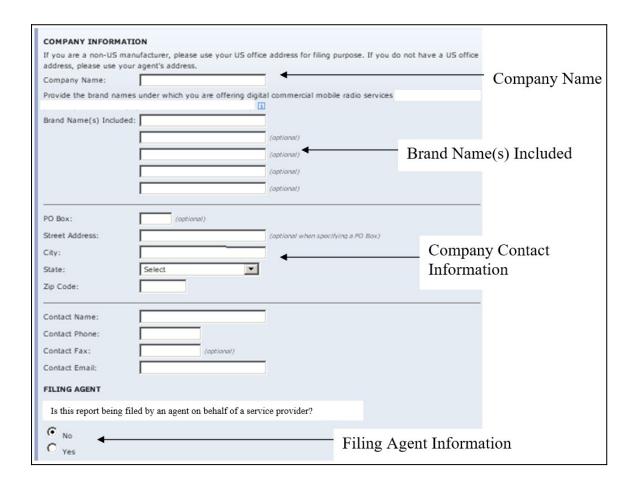


Figure 7 Company Information Page 3



# **Figure 8 Certification Page A** (for Service Providers in Full Compliance)

FCC Federal Communications	License Manager		
Commission	FCC > Wireless > Licensing > Online Systems > License Manager		
Logged In: [FRN] (Log Out)			
Hearing Aid Compatibility Status Certification			
Reporting Period: Januar	y 1, 2009 - June 30, 2009		
Certification Print Certification Print Pr			
with the Federa	geable executive [of company x] regarding compliance I Communications Commission's wireless hearing aid equirements at a wireless service provider covered by ents.	STEPS Company Information Certification	
the Federal Con compatibility re requirements.	geable executive [of company x] regarding compliance with immunications Commission's wireless hearing aid quirements at a wireless service provider covered by those provider was (choose one)		
[ v ] (in f	full compliance)		
(not	in full compliance)		
wireless hearing	ng the applicable time period with the Commission's aid compatibility deployment benchmarks and all other s hearing aid compatibility requirements.		
under penalty of certification is c accurate statement that false statement punishable under	presents and warrants, and I certify by this declaration f perjury pursuant to 47 CFR § 1.16 that the above consistent with 47 CFR § 1.17, which requires truthful and ents to the Commission. The company also acknowledges tents and misrepresentations to the Commission are er Title 18 of the U.S. Code and may subject it to the company also of the Act.		
	JT ARE NOT REQUIRED TO upload an attachment that mal information about your compliance or your entries on		
Upload I	Document		
	earing-aid compatible handsets the service provider made calendar year covered by this certification.		
	s (if applicable) of page(s) containing hearing aid formation required by Section 20.19(h)		
First Name: Middle Initial: Last Name: Address: Phone: Email:	(Optional)	Submit Filing	
Title: Date:		1	
WILLFUL FALSE STA IMPRISONMENT (U.	ATEMENTS MADE ON THIS FORM OR ANY ATTACHMENTS ARE PUNISHABLE BY FI S. Code, Title 18, Section 1001) AND/OR REVOCATION OF ANY STATION LICEN Title 47, Section 312(a)(1)), AND/OR FORFEITURE (U.S. Code, Title 47, Section	SE OR CONSTRUCTION	
« Back	ertification Signature	Submit Filing >>	

### Figure 9 Certification Page B

(for Service Providers Not in Full Compliance)

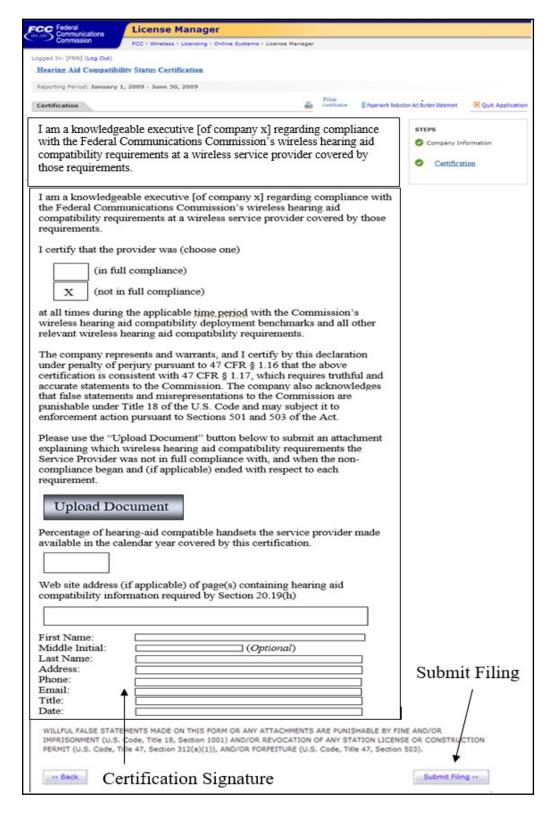


Figure 10 Confirmation Page

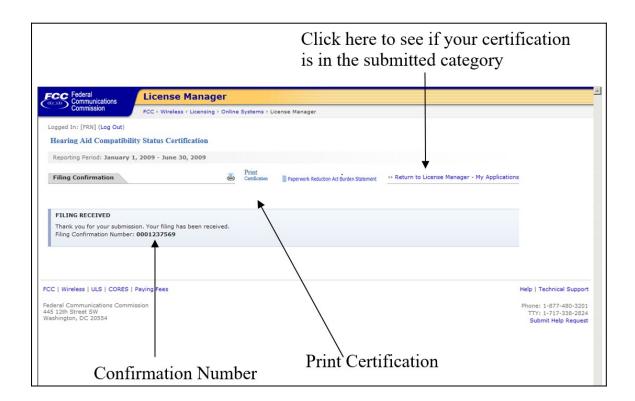


Figure 11 My Applications Page -- Saved Certification

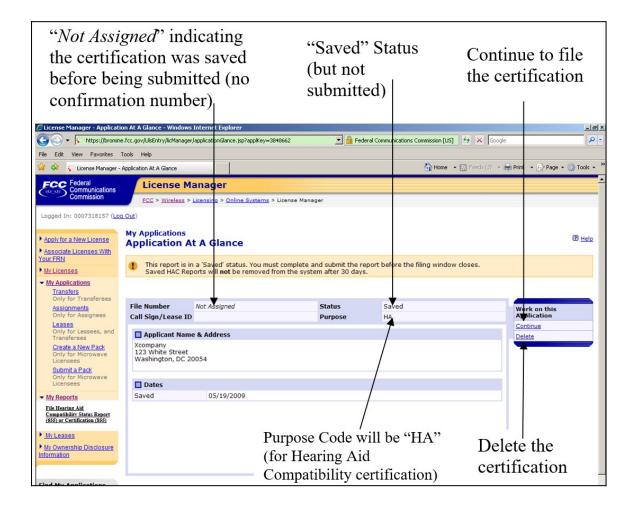


Figure 12 My Applications Page -- Submitted Certification

