



June 10, 2019

Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

RE: Docket No. 12-108

Dear Madam Secretary:

The National Federation of the Blind appreciates the opportunity to comment on Google Fiber's amended petition for limited waiver of the Federal Communications Commission's ("the Commission") rules requiring the accessibility of user interfaces on covered navigation devices.<sup>1</sup>

In Google Fiber's initial Petition for Limited Waiver<sup>2</sup> filed on December 19, 2018, a waiver of two years from the date of the petition, was requested for four "less frequently used functions: (1) activating video description; (2) display of current configuration options; (3) activating set-top box configuration options; and (4) adjusting the presentation and display of closed captioning."<sup>3</sup> In the Amended Petition for Limited Waiver<sup>4</sup> filed on May 13, 2019, the request was changed so that only the display of current configuration options and the activation of set-top box configuration options would fall under the two-year waiver.<sup>5</sup> The requested waiver period for activation of video description and adjusting the presentation and display of closed captioning was reduced to one year from the date of the original petition.<sup>6</sup>

To refer to these features as "less frequently used"<sup>7</sup> and use that as a justification for a delay in compliance is insultingly dismissive of the very group of Americans that the accessibility features are designed to help. In the discussion of accessibility, the frequency of use for a specific feature is irrelevant. The purpose of that feature's presence is so that everyone, regardless of disability, is able to use the program or service. We would remind Google Fiber, and all technology companies for that matter, to keep these principles in mind when discussing accessibility moving forward.

Additionally, while we are encouraged by Google Fiber's decision to reduce their own accessibility timeline for the above features, it is important to note that the Twenty-First Century Communications and Video Accessibility Act of 2010 was signed into law on October 8, 2010, with a compliance deadline eventually set for December 20, 2018.<sup>8</sup> By the time Google Fiber filed the initial Petition in December 2018, a full eight years had passed in which the accessibility deficiencies mentioned in the petition had not been addressed. This is very disappointing and these accessibility features should have been addressed long before now.

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While we are disappointed in Google Fiber's dismissive attitude and the seeming disregard it has for the accessibility features of its products, we are encouraged by the nearness of the deadlines being set to rectify the accessibility deficiencies. Therefore, at this time, we do not oppose Google Fiber's Amended Petition for Limited Waiver, but we will be mindful of any petitions filed on Google Fiber's behalf regarding these subject areas in the near future. Finally, we urge the Commission to deny any future waiver to extend the deadlines which Google Fiber has set for themselves.

Sincerely,



Mark A. Riccobono, President  
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200 East Wells Street  
Baltimore, MD 21230

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<sup>1</sup> 47 CFR § 79.108

<sup>2</sup> Petition for Limited Waiver of Google Fiber Inc. (December 19, 2018) ("Petition")

<sup>3</sup> Petition, p. 1

<sup>4</sup> Amended Petition for Limited Waiver of Google Fiber Inc. (May 13, 2019) ("Amended Petition")

<sup>5</sup> Amended Petition, p. 2

<sup>6</sup> Id.

<sup>7</sup> Petition, p. 1

<sup>8</sup> 47 C.F.R. §§ 79.108(b)