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PUBLIC NOTICE

PART 68 COMPLIANCE ACTA ADVISES TELEPHONE TERMINAL EQUIPMENT SUPPLIERS TO REVIEW COMPLIANCE WITH PART 68 RULES May 1, 2015

The Administrative Council for Terminal Attachments (ACTA) reminds suppliers of Telephone Terminal Equipment (TTE) of the obligation to comply with the requirements of Part 68 of the Federal Communications Commission (FCC) rules (47 C.F.R. Part 68). Part 68 requires, among other things, that TTE that is to be connected to the Public Switched Telephone Network (PSTN), and wireline carrier facilities used to provide private line services, be tested and approved to ensure compliance with ACTA-adopted technical criteria. Part 68-compliant TTE must also be listed in the database of approved equipment maintained by ACTA.

The FCC has the responsibility for taking enforcement action against companies that fail to comply with Part 68 rules. These critical rules provide uniform standards for the protection of the telephone network from harms caused by the connection of terminal equipment and associated wiring, and for the compatibility of hearing aids and telephones to ensure that persons with hearing aids have reasonable access to telephone networks.

What do the Part 68 rules require?

Part 68 of the FCC rules governs the connection of TTE to the PSTN and wireline carrier facilities used to provide private line services. Under Part 68, TTE that is to be connected to the PSTN or wireline carrier facilities used to provide private line services must meet ACTA-adopted technical criteria for preventing four proscribed harms. These harms are: (1) electrical hazards to operating company personnel, (2) damage to network equipment, (3) malfunction of billing equipment, and (4) degradation of service to customers other than the user of the TTE and that person's calling and called parties.¹

Part 68 rules establish processes to identify, publish, and update ACTA-adopted technical criteria, and also to approve TTE for attachment to wireline carrier networks. Once a supplier has demonstrated conformance with applicable ACTA-adopted technical criteria, the supplier must apply to the ACTA to have its approved TTE listed in the ACTA database of approved terminal equipment. The ACTA database contains the master list of all TTE that are approved for connection directly to wireline carrier networks in the United States. The database is accessed by the FCC, U.S. Customs and Border Protection, and the public to verify that TTE conforms to Part 68 rules and applicable ACTA standards. For this reason, it is important that approved TTE be listed in the ACTA database and the associated Responsible Party contact information be kept up to date.

¹ See 47 C.F.R. §68.3.

TTE suppliers must also ensure that proper labeling is on the product and appropriate consumer instructions are provided with the equipment. The current requirements for labeling and consumer instructions are available at the ACTA website, <http://part68.org/documents.aspx>.

In addition to rules concerning attachment of TTE to wireline carrier networks, Part 68 also contains provisions to protect consumers and to allow them to access competitive services. These include, for example, rules concerning Hearing Aid Compatibility and Volume Control (HAC/VC) for telephones, dialing frequency for automated dialing machines, source identification for fax transmissions, and technical criteria for inside wiring.

What happens if TTE providers do not comply with Part 68 rules?

The FCC has the authority to enforce compliance with Part 68. Pursuant to FCC rules in 47 C.F.R. §68.423, the Commission may “conduct such inquiries and hold such proceedings as it may deem necessary to enforce the requirements” of Part 68, including conducting investigations. Persons with information relevant to an investigation, e.g., concerning the alleged provision of non-compliant TTE for connection to the PSTN, or to wireline carrier facilities used in providing private line services, may provide such information to the FCC. The FCC considers formal and informal complaints against common carriers for alleged violations of Part 68 rules pursuant to the general rules regarding complaints against common carriers, which are found in 47 C.F.R. §§ 1.720-1.736 and §§ 1.716-1.719, respectively. Additionally, the FCC’s Consumer and Governmental Affairs Bureau considers informal consumer complaints regarding Part 68’s hearing aid compatibility and volume control rules pursuant to 47 C.F.R. §§ 68.415-68.420.

The FCC may impose substantial monetary penalties and public notification for failure to comply with the Part 68 rules and requirements.

Need more information?

For general information regarding the FCC’s Part 68 terminal attachment rules, please contact the FCC Wireline Competition Bureau at (202) 418-0940. For general information regarding Part 68 hearing aid compatibility and volume control rules, please contact the FCC Consumer and Governmental Affairs Bureau at (202) 418-1400.

For information on the process for listing your equipment on the ACTA Database, please contact the Administrative Council for Terminal Attachments at www.part68.org or contact acta@atis.org.