

ACTA Ex Parte – Summary and Enforcement WG Status Report

On January 26, 2012 representatives from ACTA met with representatives from the FCC's Wireline Competition and Enforcement Bureaus. The following individuals were in attendance:

- Kirk Burgee, Chief of Staff, WCB
- Rodger Woock, Division Chief, WCB Industry Analysis Technology Division
- Cathy Zima, Deputy Chief, WCB Industry Analysis Technology Division
- Jon Reel, Attorney, WCB
- Karen Onyeije, Associate Chief, EB
- Suzanne Tetreault, Deputy Chief, EB
- Ricardo Durham, Deputy Chief, EB Spectrum Enforcement Division
- Neal McNeil, Assistant Chief, EB Spectrum Enforcement Division
- John Poutasse, Acting Chief, EB Spectrum Enforcement Division
- Jim Haynes, ACTA Chair
- Milton Bush, ACTA Enforcement WG Chair and OIP Representative
- Brian Scarpelli, TIA Liaison to ACTA
- Jean-Paul Emard, ATIS Liaison to ACTA
- Tom Goode, ATIS General Counsel
- Kerriane Conn, ACTA Secretariat

During the meeting, the ACTA requested that the Commission provide the ACTA and the industry with guidance regarding what equipment and services should fall under Part 68 and thus require registration under the ACTA terminal equipment database. The ACTA also noted the need for greater education and enforcement of the Commission's Part 68 rules and provided information suggesting that some manufacturers may be disregarding the Commission's Part 68 rules. A full copy of the Ex Parte is available at: http://www.atis.org/legal/Docs/ACTA/ACTA%20Ex%20Parte_CCDocketNo99-216.pdf.

The overall response from both the WCB and EB was very positive. FCC participants were very engaged, interested and inquisitive. The ACTA representatives were thanked for the presentation, and it was noted that the presentation was informative with relevant data. Representatives from both Bureaus stated that they wished to go back to their respective offices and digest the information in the presentation. ACTA representatives noted that the next General Council meeting would be held on April 12th in Washington DC and requested that the Commission send a representative to the meeting to provide the Council with an update on FCC activities related to Part 68 activities.

A number of questions/action items were carried out of the meeting. The Enforcement WG met on March 6, 2012. It was noted that the main purpose of this meeting was to review the January ACTA Ex Parte with the FCC and to discuss both action items and next steps.

Next steps were discussed and the group agreed to send a letter to the FCC responding to the action items from the Ex Parte and reminding the FCC staff of the April 12th meeting. The ACTA Secretariat will draft the letter and circulate it to the WG for review. The goal is to have the letter sent to the FCC ASAP.

Participants discussed a number of possible items to include in the letter. Action items were assigned to participants in order to provide the Secretariat some text/concerns for the letter. Some of items to be addressed in the letter are:

- Reminder about the April 12th meeting
- Answers to action items posed during the Ex Parte
- Items ACTA would like to hear about during the meeting:
 - o Question regarding VoIP rules, specifically “PSTN or the equivalent” and what ACTA should do with VoIP equipment regarding registration in the database
 - o Update on Part 68 Enforcement Issues
 - o Reaction to the ACTA Ex Parte
 - o Input on proposed series of educational public notices covering both compliance and ACTA database related issues.

A letter to the FCC was sent on March 29, 2012. This letter is contained in **ACTA-12-010**.

The WG has not scheduled its next meeting.