

# **2000 Biennial Regulatory Review of Part 68 of the Commission's Rules and Regulations CC Docket No. 99-216 ACTA Duties**

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# Outline

## New Paradigm for Technical Criteria Development

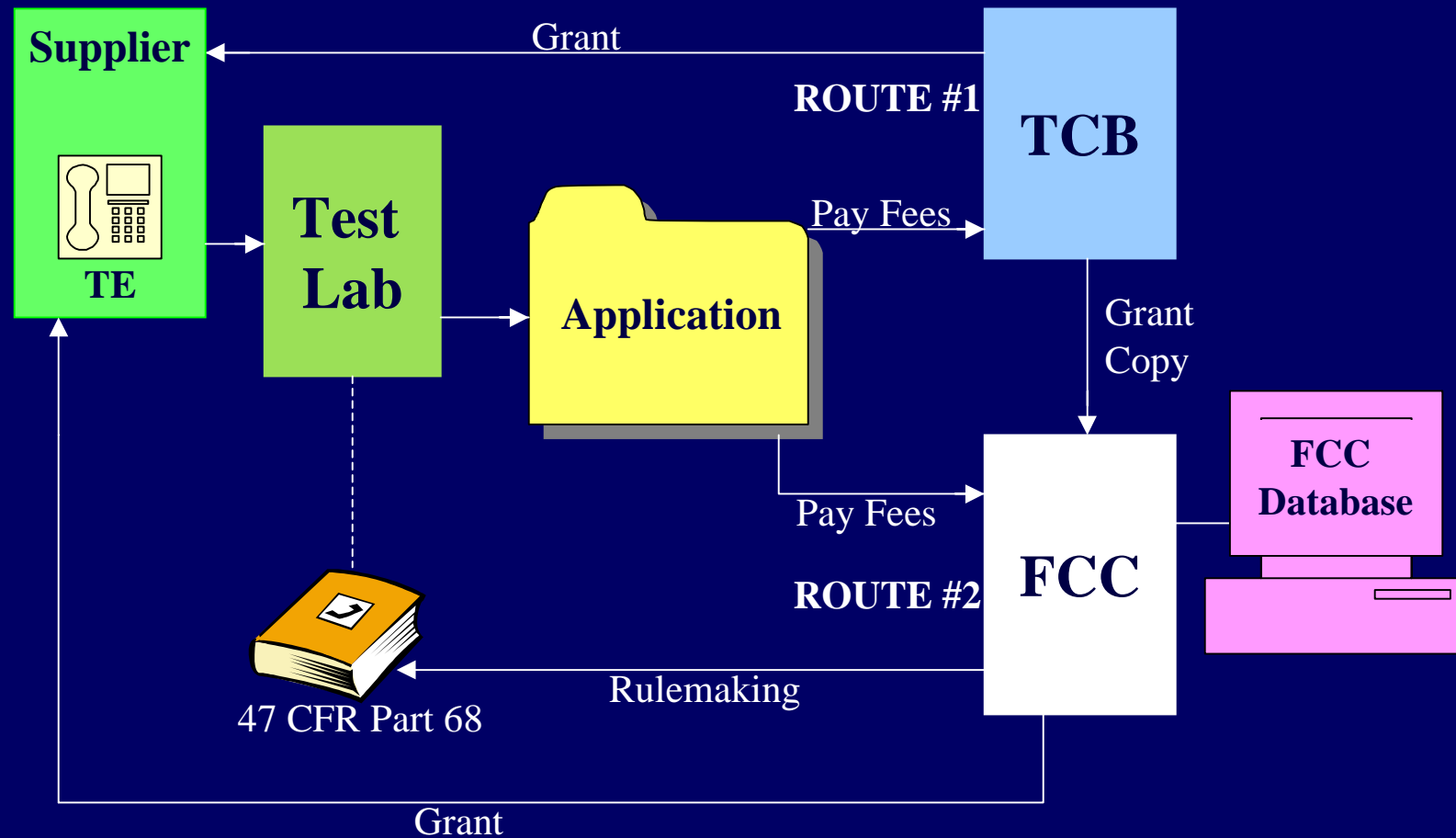


## Part 68 BACKGROUND

## STREAMLINING ORDER

## New Paradigm for Equipment Approval





**Current Process under Part 68**

# **The Heart of the New Process**



## **Administrative Council for Terminal Attachment**

# Administrative Council (ACTA)

## Subpart G

- ACTA is a non-governmental entity created to act as a clearinghouse publisher of technical criteria developed by ANSI-accredited SDOs ([Para 49](#))
- ACTA cannot make substantive decisions regarding the technical criteria ([Para 49](#))
- ACTA cannot be controlled by any particular telecom segment ([Para 50](#))
- ACTA must be fair and impartial ([Para 50](#))
- ACTA must be separate from any SDO to eliminate bias ([Para 50](#))
- ACTA must have a balanced membership to represent a cross-section of the industry (FCC names TEM, NEM, IXC, LEC, LAB and OIP as initial segments) ([Para 51](#))

# ACTA Membership

**NON-VOTING CHAIR**

**IXC**

**2 Primary  
1 Alternate**

**LEC**

**2 Primary  
1 Alternate**

**TEM**

**2 Primary  
1 Alternate**

**NEM**

**2 Primary  
1 Alternate**

**LAB**

**2 Primary  
1 Alternate**

**OIP**

**2 Primary  
1 Alternate**

**Interested Observers**

## ACTA (cont.)

- Individual member's industry segment should be counted to ascertain the balance of membership, not the office held in industry organizations ([Para 51](#))
- ACTA's membership must be limited to a workable number ([Para 51](#))
- ACTA must rotate the membership so that all interested individuals are given the chance to participate ([Para 51](#))
- ACTA must adopt technical criteria by publishing the criteria developed by any ANSI-accredited SDO ([Para 52](#))
- Upon receiving the submitted technical criteria, ACTA must publish a Public Notice ([Para 52](#))

## ACTA (cont.)

- Interested parties have 30 days to appeal any aspect of the technical criteria to the SDO, ANSI BSR (if ANS) or FCC ([Para 52](#))
- The party appealing the proposed technical criteria must provide notice to ACTA ([Para 52](#))
- If no appeal is filed, then ACTA will publish the technical criteria. The FCC will consider then that the criteria are presumptively valid ([Para 52](#))
- ACTA must establish and maintain a database of approved equipment ([Para 53](#))
- ACTA may perform the database administrator function by itself or contract with one of the sponsors to be the administrator of the database ([Para 53](#))



## ACTA (cont.)

- ACTA must devise a centralized database to be accessible to the public and to disability community, at no cost ([Para 109](#))
- ACTA must ensure that the database is created and maintained in an equitable manner ([Para 110](#))
- Database cannot allow any entity or segment to gain a competitive advantage ([Para 110](#))
- ACTA is free to devise and consider how to create the database, but the database must contain sufficient info for the carriers, FCC and US Customs to carry out their function ([Para 110](#))

# ACTA (cont.)

- At **T5 = ( T + <=180) (T = Jan 24, 2001)** → ACTA must provide to FCC:
  - a detailed report of the structure of the database
  - details on how ACTA will administer the database
  - info required to be included in the database
  - procedures for including compliance info in the database
  - details on how the public will access the info.

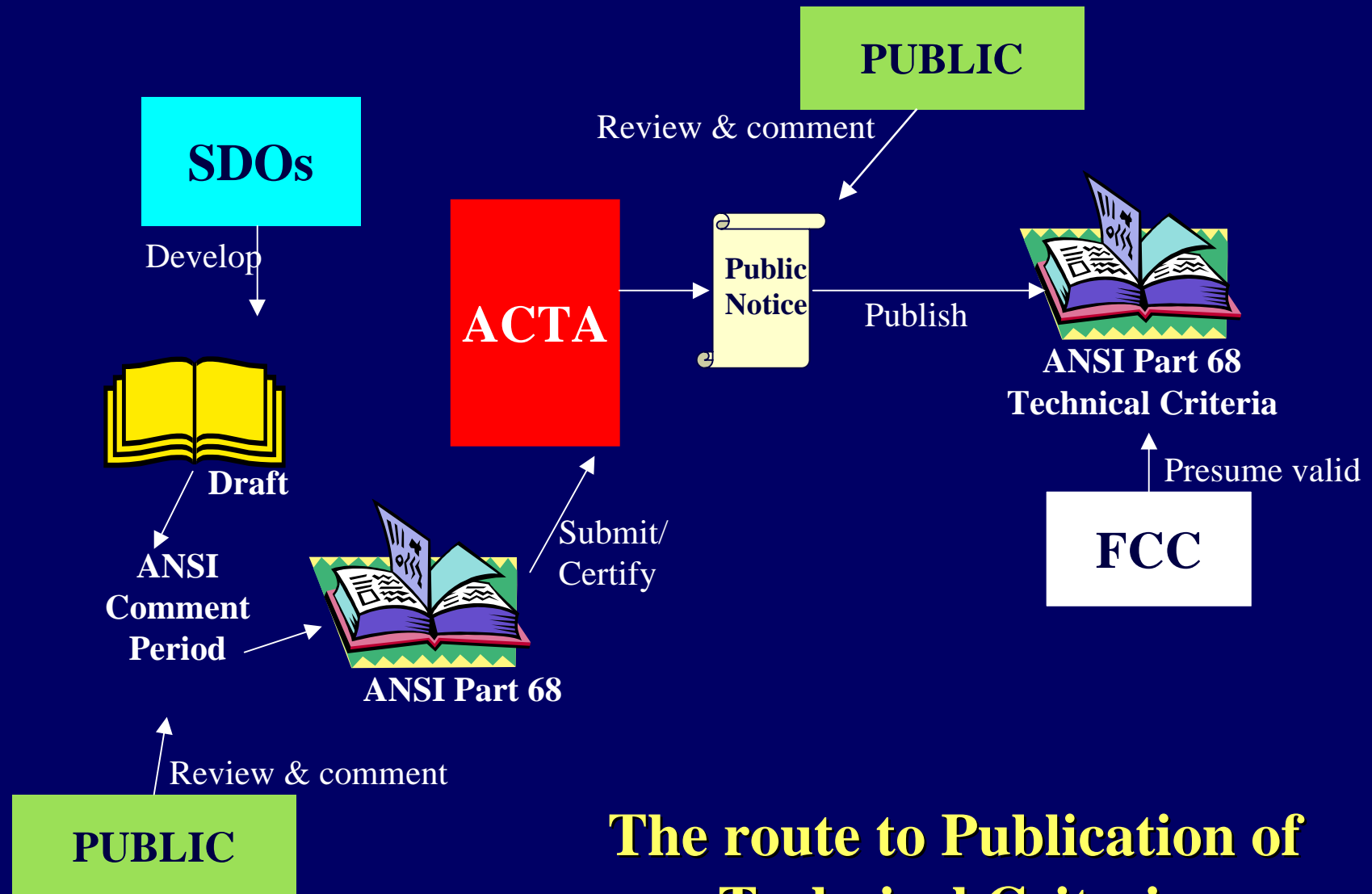
## ACTA (cont.)

- ACTA assumes many of the FCC's current Part 68 functions: ([Para 53](#))
  - Respond to inquiries from the public regarding the proper interpretation and application of Part 68 technical criteria.
  - Refer these inquiries to an appropriate SDO or TCB.
  - Respond to inquiries from the public regarding the technical criteria ACTA publishes and the technical criteria currently in Part 68
  - Respond to inquiries from the public regarding approved equipment.
- ACTA can determine the most appropriate way to perform the functions.

# ACTA (cont.)

What ACTA must do to publish technical criteria ([Para 54, 68.608](#))

- Accept submissions of proposed technical criteria from ANSI-accredited standards development organizations or committees
- Ascertain that the SDOs have made certifications regarding no conflict with existing criteria and applicability to the four harms
- Provide a public notice to inform industry as thoroughly as practicable of the identity of the proposing SDO and of the proposed technical criteria
- Assuming no comments, publish the SDO-submitted criteria thirty days after public notice, thereby making the technical criteria presumptively valid under the Commission's rules.



## The route to Publication of Technical Criteria

## ACTA (cont.)

- ACTA may undertake any other admin functions to coordinate industry's development and review of potential technical criteria ([Para 55](#))
- ACTA may provide notice to interested parties of new standards/revisions being developed for publication as technical criteria ([Para 55](#))
- ACTA may coordinate the actions of various SDOs to ensure that all parties have notice of the undertaking ([Para 55](#))
- ACTA may NOT engage in standards development, policy making or dispute resolution ([Para 55](#))

## ACTA (cont.)

- ACTA must have a charter setting forth its functions, operations and standards for providing balanced membership ([Para 55](#))
- ACTA's charter must be available to the public and to FCC within 60 days of ACTA's first meeting ([Para 55](#))
- Sponsors and ACTA to work on funding mechanisms ([Para 56](#))
- There is no established time frame during which ACTA must act to adopt an expedited interim standard process ([Para 57](#))
- ACTA must however follow ANSI due process procedures ([Para 57](#))

# Numbering & Labeling

68.300, 68.354, 68.612

- ACTA must develop TE numbering and labeling requirements (Para 114)
- ACTA must develop and maintain rules on customer instructions (Para 114)
- If ACTA chooses to keep the FCC registration number, ACTA must include in the labeling rules a warning that FCC no longer directly approves equipment (Para 114)
- ACTA must include labeling requirements in its technical criteria (Para 115)
- ACTA must report its progress to FCC at time **T5 = T + <=180**) (**T = Jan 24, 2001**) (Para 115)



# The Sponsoring Organizations



# Sponsoring Organizations

## 68.602

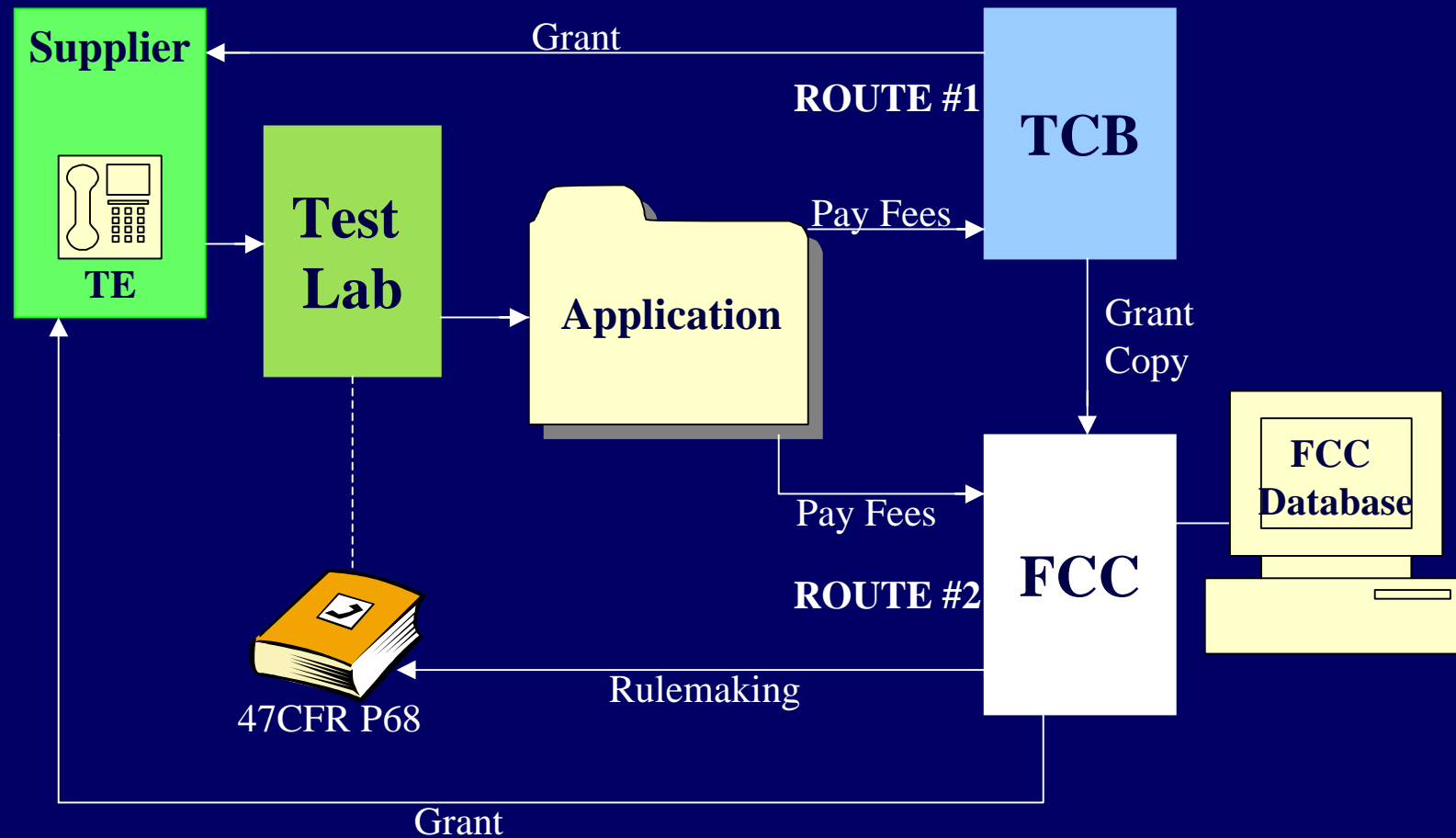
- Primary on-going purpose of sponsors is to provide admin and secretariat support to ACTA ([Para 39](#))
- Sponsor's involvement is dependent on ACTA. ACTA may choose to have the sponsor operate the database ([Para 39](#))
- Sponsors cannot make substantive decisions regarding the technical criteria nor influence the decision-making process of ACTA or of any SDO ([Para 39](#))
- Sponsors must ensure that industry populates ACTA in a manner consistent with ANSI criteria for balance and open membership ([Para 40](#))

# Sponsoring Organizations (cont.)

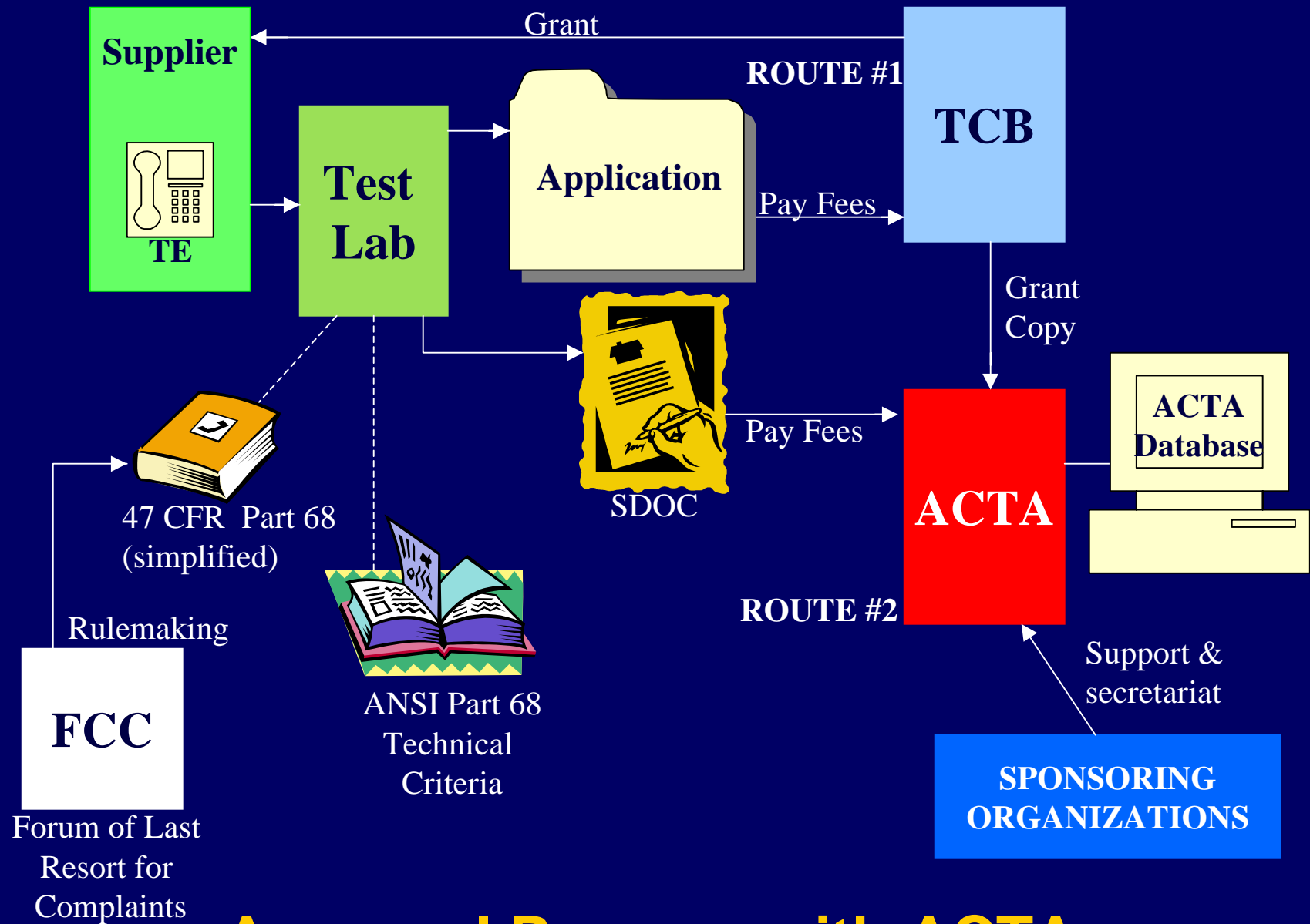
- Sponsors must notify the industry of the intent to establish ACTA ([Para 40](#))
- Sponsors must fulfill secretariat functions for ACTA after it is populated ([Para 41](#))
- After ACTA has been established, sponsors-ACTA relationship is contractual ([Para 41](#)).
- ACTA may contract the sponsors to provide public notice for ACTA's actions and for appeals ; and to coordinate the industry's initiation of standard development projects ([Para 41](#))
- ACTA may contract with the sponsors to support ACTA's functions ([Para 41](#))

# Sponsoring Organizations (cont.)

- TIA and ATIS are designated to sponsor ACTA for 4 years. Both are jointly and severally responsible for observing the provisions of the FCC Rules on point ([Para 44](#), [68.602](#))
- Term limit for sponsors ([Para 47](#))
  - Four years from the date of entering into operations, ACTA has the option to vote to change its sponsor and/or secretariat organization
- FCC will monitor ACTA's operations to ensure that there are no anti-competitive or discriminatory practices
- FCC will accept substantiated complaints regarding the sponsor's compliance with FCC rules
- FCC retains the right to review the identity of the sponsors at any time ([Para 48](#))



## Current Equipment Approval Process under Part 68



## Approval Process with ACTA

