



## **Administrative Council for Terminal Attachments (ACTA)**

June 4, 2001

Virtual meeting

### **Draft Meeting Summary**

**Chair: Jimmy Salinas, SBC Corporation**

**2:00pm-5:00pm**

#### **1. Call to Order**

Jimmy Salinas, SBC, ACTA Chair, welcomed participants and called the meeting to order at 2:16pm.

#### **2. Attendance Check-in and Introductions**

Ed Hall took roll call to establish the presence of a quorum. Thirteen members of ACTA were in attendance, and a quorum was reached. All participants took the opportunity to introduce themselves.

#### **3. Agenda Review and Approval**

Jimmy Salinas introduced the agenda and noted that the agenda had been previously posted on the web site for the council members to review. The ATIS Secretariat noted that sometimes it is necessary to hit refresh on the browser to obtain the most recent version of a document for download. A committee member noted that there is usually a zip file available to attendees, and he was unable to locate it on the web site. The Secretariat responded that due to the late date of the contribution deadline they were unable to put the file together prior to the meeting.

***ACTION ITEM #1: The Secretariat will zip all contributions for ACTA meetings and post them to the ACTA Web site for easier downloads.***

***ACTION ITEM #2: The Secretariat will ensure that all contributions are saved as contribution numbers whenever possible.***

***ACTION ITEM #3: The Secretariat will ensure that whenever possible the contributions will be numbered on the same location (the upper right hand corner).***

***AGREEMENTS REACHED #1: The agenda was approved with the exclusion of agenda item #5, Review and Approve the May 22 Meeting Summary. The May 22 Meeting Summary was not available for review.***

#### **4. Call for and Introduction of Contributions**

Jimmy Salinas asked for any additional contributions and none were submitted. Ed Hall then went through the numbering sequence and introduced all contributions and matched them with the agenda topics. Please note that all contributions are available on the ACTA Web Site at:

<http://www.part68.org/records.htm>.

Contributions were submitted and numbered as follows:

<b>Contribution Number</b>	<b>Title</b>
ACTA-01-06-04-01	Agenda
ACTA-01-06-04-02	Participant Roster
ACTA-01-06-04-03	May 22 Meeting Summary (Not yet available)
ACTA-01-06-04-04	<a href="#">OP&amp;P v. 1</a> (8)
ACTA-01-06-04-05	<a href="#">Proposed Revisions to Section 8.2</a> (8)
ACTA-01-06-04-06	<a href="#">G.SHDSL Technical Criteria Submission</a> (6)
ACTA-01-06-04-07	<a href="#">HP Concerns about ACTA Letter</a> (6)
ACTA-01-06-04-08	<a href="#">ACTA Director Activities</a> (10)
ACTA-01-06-04-09	<a href="#">ACTA's Draft Letter to the FCC</a> (6)
ACTA-01-06-04-10	<a href="#">Director Responsibilities</a> (8)
ACTA-01-06-04-11	<a href="#">Liability Concerns</a> (6)
ACTA-01-06-04-12	<a href="#">ACTA's Draft Liaison Letter to TR 41.11</a> (6)
ACTA-01-06-04-13	<a href="#">Godfrey's Resignation</a> (7)
ACTA-01-06-04-14	<a href="#">Adornato's Resignation</a> (7)
ACTA-01-06-04-15	<a href="#">Eitel's Resignation</a> (7)
ACTA-01-06-04-16	Disability Accessibility Correspondence (6)

## 5. ACTA Correspondence

- **TR41.11 liaison draft response (Action Item #2<sup>1</sup>)**

Ed Hall introduced contribution #12, the draft response to TR41.11. A participant commented that he was in general agreement with the liaison content, however, he expressed concern regarding the cost of sending a representative to all meetings of TR41.11. It was suggested that other committees such as TR41.9 might also benefit from the presence of a representative of ACTA. It was noted that Tim Jeffries, the newly hired Director of ACTA, would be the representative. The word “most” was added in reference to the number of meetings attended simply to provide for any issues that may come up that would preclude the Director’s attendance of these meetings.

***AGREEMENT REACHED #2: The liaison to TR41.11 was approved as modified. TR41.9 and TR41.9.1 were added as committees for attendance by a representative of ACTA.***

***ACTION ITEM #4: The Secretariat will send the TR41 liaison letter as modified before the next meeting of TR41.***

- **Correspondence from Mintz Levin (Action Item # 15)**

It was noted that Globspan withdrew their correspondence from the May 22, 2001 meeting (ACTA-01-05-22-09). Therefore, the Secretariat did not draft a response as agreed upon at that meeting. Mintz, Levin submitted a contribution to this meeting (ACTA-01-06-04-06) requesting additional action by ACTA for approval of G.shdsl modems. A participant noted that the questions get into some legal interpretation of the FCC’s R&O. There was a motion to have ATIS legal counsel review the FCC R&O as it would apply to the contribution from Mintz, Levin and report back to the ACTA. The motion was seconded and carried unanimously.

***AGREEMENT REACHED #3: It was agreed to have Megan Campbell review the FCC R&O and provide the council with an analysis of the three bullet items on the second page of the correspondence from Mintz, Levin (ACTA-01-06-04-06).***

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<sup>1</sup> All Action Items and Agreements refer to those made at the 5/22/01 meeting unless otherwise indicated.

***ACTION ITEM #5: Megan Campbell will review the R&O and provide a memo back to the council with her deliberations on the matters presented by Mintz, Levin in their correspondence (Contribution ACTA-01-06-04-06).***

- **Letter to FCC re: “contract” discussion at May 22 meeting (Action Item # 9)**

It was noted that several different proposed modifications were submitted in regards to this letter. It was also noted that there was some confusion surrounding the Agreement Reached (Agreement Reached #11 and Action Item #9) at the May 22, 2001 ACTA meeting regarding this letter. A participant noted that the letter drafted by Megan Campbell did follow the agreement as it was written and posted to the web site. A Council Member suggested that the letter be more general so that all could agree to its contents. Another Council Member noted that the letter *should* be as specific and detailed as possible, rather than expecting the FCC to respond and guide the proposed work.

There was concern that the FCC R&O assumes that ACTA is an independent legal entity, and this letter would help clarify the issue. A council member noted that he felt the second to last paragraph was the more substantive part of the letter. Therefore, it should be left there as a proactive way to assess the FCC’s agreement. Bill Howden, of the FCC, responded by quoting a letter that was previously sent to the FCC as an example of how another group proposed their work path. The participants commented that this sounded like an acceptable and straightforward model to follow.

It was suggested that a date deadline be given to the FCC for a response. There was a response that the deadline be broader—with no specific date requested, just allotting a reasonable amount of time. A Council Member suggested adding that the council is proceeding based on this letter and implying that the work will proceed barring any comment from the FCC. It was requested that the Secretariat check the reference to R&O paragraph 41. Other editorial changes were made to the letter, and a Council Member motioned to accept it as modified. The motion was seconded and carried unanimously with one abstention from Anh Wride, LAB Interest Segment Representative.

***AGREEMENT REACHED #4: The letter to the FCC requesting clarification on the word “contract” was accepted as modified (ACTA-01-06-04-09a).***

***ACTION ITEM #6: The letter to the FCC requesting clarification on the word “contract” will be signed by the Chair and sent by the Secretariat.***

- **Correspondence from Hewlett-Packard (Action Items #11 & 12)**

Ed Hall introduced this correspondence and opened the floor for discussion.

It was recommended that the objections to the selection of ACTA Director should not be addressed at this meeting as a Director has been chosen. A concern was put forth that perhaps the sponsors had moved too rapidly in naming a Director. However, it was agreed that the point was no longer relevant.

A participant questioned if any action needed to be taken regarding this letter at this time. The response was that this letter simply contained concerns, and action would be needed if they grew into larger issues. It was suggested by a member of the organization submitting the letter that this letter be kept for informative and reference purposes.

There was a suggestion that the sentence in the Hewlett Packard letter suggesting that the service providers were the primary beneficiaries of the database was too narrow. A participant responded

that his company feels there is no benefit to manufacturers at this point. Another participant noted that the manufacturers would benefit in the future, for example, in the increased speed of products to market.

A participant expressed concerns that the sponsors were not willing to fund ACTA, even in part. A council member went on record stating that the FCC mandated that sponsors were there to provide services, not as a funding organization.

A Council Member asked whether a response to this letter was necessary at this time. It was noted that a response may not be necessary at this point, however, it was requested that the relevant conversations be included in these minutes. Scott Roleson, the author of this letter, noted that keeping his letter for future reference was a satisfactory approach.

***AGREEMENT REACHED #5: ACTA will accept proposals for the broad-based funding of ACTA. All proposals should be submitted as contributions.***

***AGREEMENT REACHED #6: The letter from HP will be kept for future reference to nuance future discussions.***

- **Other**

Ed Hall introduced contribution #16 as an e-mail correspondence explaining why ACTA member Beth Wilson was not in attendance at today's meeting: she requested closed captioning services for the conference call. The Secretariat found a company to provide closed captioning, RapidText, but discovered that captioned conferencing requires five-days notice, specific software downloads, and costs \$150 an hour. The request to enable captioning was not submitted in time to make the five-day notification deadline. Ms. Wilson responded with her disappointment and requested that it be noted in the meeting report that her lack of attendance at this meeting is in conjunction with the price for providing the closed captioning service. Ed Hall noted, that while the funding of such an activity was of concern, there were other issues, including software download and the minimum 5-day notification required for captioning that also effected the inability to provide the accommodation for this meeting.

Alternatives were suggested such as providing closed captioning service from a different source or providing TTY service. It was noted that Ms. Wilson does not choose to use TTY capabilities. It was also noted that closed captioning was the service the Secretariat attempted to provide.

A Council member noted that perhaps Ms. Wilson's statement that she was not "permitted" to attend may not be an accurate term. A participant asked if ACTA is required by ADA to provide closed captioning. It was noted that Ms. Wilson had not provided alternative suggestions to closed captioning, if that accommodation was unavailable. There were questions brought forward about whether these are reasonable accommodations and how ACTA can address them.

It was noted by a member that being given the choices presented, the two options are to have closed captioning available, or for all ACTA meetings to be held as face-to-face meetings in Washington DC. There was discussion suggesting that the Secretariat continue to look into other available options. A council member motioned that the Secretariat be tasked with exploring other options and that ACTA provide captioning in the interim. The motion was seconded and carried unanimously.

***ACTION ITEM #7: The ACTA Director will research the feasibility of fulfilling the accommodation request from Beth Wilson. All reasonable alternatives to RapidText will be considered. In the interim,***

***RapidText will be provided for all ACTA virtual meetings. The sponsors will provide funding until such time as the ACTA has an income stream.***

***ACTION ITEM #8: The ACTA Director and ATIS General Counsel will contact Beth Wilson to advise her of the actions which will be taken on her request for accommodations.***

Steve Whitesell introduced Contribution ACTA-01-06-04-11, which suggests some ways for the sponsors to act to alleviate the anxiety of the Council Members with regard to the liability issues. Steve Whitesell, through the contribution moved that the sponsors' legal counsels render independent written opinions regarding the liability exposure, if any, to the ACTA and its individual member. The motion was seconded and carried unanimously.

***ACTION ITEM #9: Steve Whitesell's contribution on liability issues (ACTA-01-06-04-11) will be accepted as an action item for the sponsors. Specifically, the legal counsels of the ACTA sponsors (ATIS and TIA) will render independent written opinions on the liability exposure, if any, to ACTA and its individual members in carrying out the responsibilities assigned to ACTA by the FCC's Report & Order in CC Docket No. 99-216. These opinions shall also include suggested actions that ACTA can take to limit any such liability to which it and its individual members may be exposed. The opinions shall be made available by June 25, 2001.***

6. Reports

- ACTA Director re: ACTA vacancies (Action Items # 1, 10)

It was noted that due to resignations, there were several vacant seats on ACTA. The Secretariat explained that since the May 22, 2001 Meeting, resignations from John Godfrey, TEM Interest Segment Representative, Pierre Adornato, NEM Interest Segment Representative, and Jim Eitel, LEC Interest Segment Representative were submitted. A Council Member moved that the ACTA Director reissue the request for nominations to include notice of the additional resignations. The motion was seconded and carried unanimously.

***ACTION ITEM #10: ACTA Director will reissue request for nominations for vacant seats.***

- Liaisons (to include Action Item #16): This item was not discussed due to insufficient time.
- Other

7. ACTA Operating Principles and Procedures (OP&P)

- Discussion on Director responsibilities (Action Item # 12 & 13)

Steve Whitesell introduced Contribution ACTA-01-06-04-10, which proposes changes to OP&P Section 6.2.1: ACTA Director. Mr. Whitesell noted that his proposed changes clarify the language in the section. He moved that ACTA accept his proposed changes for Section 6.2.1. The motion was seconded and carried unanimously.

***AGREEMENT REACHED #7: Modifications to OP&P Section 6.2.1: ACTA Director (ACTA-01-06-04-10) were approved and accepted as submitted.***

- Other

Steve Whitesell introduced Contribution ACTA-01-06-04-05, which proposes changes to Section 8.2: Email Exploder Lists of the OP&P. Mr. Whitesell noted that he has concerns that the ACTA sponsors, Secretariat and chair are included on the lists for each Interest Segment. Steve Whitesell moved that ACTA accept his proposed changes for OP&P Section 8.2. The motion was seconded and carried unanimously.

***AGREEMENT #8: Modifications to OP&P Section 8.2: Email Exploder Lists (ACTA-01-06-04-05) were approved and accepted as submitted.***

***ACTION ITEM #11: The Secretariat will modify the OP&P per Agreements Reached #7 and #8 and post it to the ACTA web site as Version 1.1.***

8. Draft Statement of Work re: ACTA Secretarial Support (Action Items #8)  
Ed Hall noted that he had not taken any action on this due to the fact that the Letter to the FCC requesting clarification on this issue had not yet been sent.

10. Database Working Group

- a. Proposed work plan
  - Determine Required Data Items
  - Provisions of Applicant Codes for TCB's and SDOC's
  - Establishment and usage of TCB codes
  - Identify requirements to enable direct TCB and SDOC input to Database
- b. The database working group will be comprised of:
  - ACTA Director
  - Jimmy Salinas (SBC)
  - Lee Chen (temporary database administrator)
  - Steve Whitesell (TEM Representative)
  - Greg Slingerland (Chair of TR41.11)
  - Clint Pinkham (TEM Representative)
  - Cliff Chamney (IXC Representative)
  - Anh Wride (LAB Representative)
  - Scott Roleson (Hewlett Packard).

The first database meeting will take place on June 6 Virtual Meeting 1:00 PM ET.

11. Work Items

- a. Draft Proposed ANS Part 68 Standard (SP-3-0005 - TIA/EIA-968)  
This item was not addressed due to insufficient time.
- b. Addendum to cover FCC's former Waiver Procedures
  - ADSL
  - Stutter Dial ToneThis item was not addressed due to insufficient time.
- c. Labeling proposal  
This item was not addressed due to insufficient time.
- d. Supplier's Declaration of Conformity Administrative procedures Guide  
This item was not addressed due to insufficient time.
- e. Future changes and approach (e.g., V90 modems power limits, ADSL crosstalk limits, etc.)  
This item was not addressed due to insufficient time.
- f. RJ 31 update/disposition  
This item was not addressed due to insufficient time.

g. Other issues

This item was not addressed due to insufficient time.

12. Next Meeting

The next meeting is scheduled for June 27, 2001 from 2-5pm ET as a Virtual Meeting.

13. Adjournment

Jimmy Salinas adjourned the meeting at 5:30pm.