



Administrative Council for Terminal Attachments (ACTA)

June 27, 2001

Virtual meeting

Draft Meeting Summary

Chair: Jimmy Salinas, SBC Corporation

2:00pm-5:00pm

1) Call to Order

Jimmy Salinas, ACTA Chair, called the meeting to order and welcomed all participants.

2) Attendance Check-in and Introductions

Tim Jeffries, ACTA Director, took roll call to establish the presence of a quorum. 10 Primary Representatives and one Alternate 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 asked if there were any suggested modifications. A Council Member noted that there were no contributions regarding the liability issue and expressed concern about addressing the work item without the information. Ed Hall explained that ATIS legal has a contribution underway for the next meeting and a status report would be given today during that agenda item.

A participant asked where the contribution for Agenda Item 6, ACTA Budget, could be found. It was noted that the contribution was originally made to the May 22, 2001 meeting, but that it was never addressed due to time constraints. The Contribution number is ACTA/01.05.22.15.

A Council Member noted that the June 4, 2001 Meeting Summary was not yet available for review and suggested modifying Agenda item 5 to cover only the May 22, 2001 Meeting Summary.

AGREEMENT REACHED #1: The agenda was approved and accepted with the exclusion of the June 4, 2001 Meeting Summary from Agenda item 5. The June 4 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. Tim Jeffries then went through the numbering sequence and introduced all contributions and noted the associated agenda items.

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:

Number	Contribution
ACTA-01-06-27-01	Agenda
ACTA-01-06-27-02	Participant Roster(Not yet available)
ACTA-01-06-27-03	June 4 Meeting Summary (Not yet available)
ACTA-01-06-27-04	Database Items for Terminal Registration

ACTA-01-06-27-05	Guidelines and Procedures for Terminal Registration
ACTA-01-06-26-06	ACTA Funding Possibilities
ACTA-01-06-27-07	OP&P v1.1
ACTA-01-06-27-08	Labeling Ex parte
ACTA-01-06-27-09	TR41 Report
ACTA-01-06-27-09a	Technical Criteria Submission Letter TIA/EIA-IS-883
ACTA-01-06-27-09b	Technical Criteria Submission Letter TIA/EIA-IS-968
ACTA-01-06-27-09c	Technical Criteria Submission Letter TIA/EIA-IS-168
ACTA-01-06-27-09d	TR 41 Report Cover Letter
ACTA-01-06-27-10	The Need for Tiered Access to TTE Database
ACTA-01-06-27-11	FCC Public Notice on Part 68
ACTS-01-06-27-12	May 22 Meeting Summary

5) Review and Approve May 22nd (accepted) & June 4th Meeting Summary

Jimmy Salinas introduced Contribution ACTA-01-06-27-12, May 22, 2001 Draft Meeting Summary, for review and comments. No comments were received. He then asked for a motion to accept the minutes as written. The motion and a second were received, and the motion passed unanimously.

AGREEMENT REACHED #2: The May 22, 2001 Meeting Summary was accepted and approved as submitted.

6) ACTA Budget

a) Secretariat Budget

Bill Klein introduced Contribution ACTA/01.05.22.15 and noted that, due to time constraints, it was never addressed at the May 22, 2001 ACTA meeting. Mr. Klein noted that the purpose of this presentation is to clear up any confusion expressed regarding his original presentation at the May 2, 2001 Inaugural Meeting. He noted that ACTA requested that he provide a more detailed budget with the database management completely broken into a separate line item.

A council member requested further information on which staff members' time would be included under the personnel charges in the budget presentation. Mr. Klein responded that the Director and Administrative Assistant, as well as others who support ACTA, were included but they may not be charging all of their time to ACTA related activities. A council member asked whether a database entry person would also be included in this cost. Mr. Klein responded that the cost for data entry was included under the personnel cost associated with the database maintenance.

A council member expressed concern that a full-time database manager seemed unnecessary. Tim Jeffries responded by noting that the FCC currently employs three persons to deal with the database. He also noted that the database manager at ATIS has duties that are broader than simply managing an access database.

ACTION ITEM #1: The secretariat will provide quarterly financial reports on the state of expenditures and relevance to the ACTA budget and highlight any expense overtures.

b) Revenue Sources

Clint Pinkham, ATLINKS, introduced Contribution ACTA/01-06-27-06, which addresses alternative means of funding for ACTA. He noted that the contribution was available for

review before the meeting and that it concludes that funding ACTA based on a database entry fee is unequitable to the Terminal Equipment Manufacturers (TEM) segment. Although he realizes that the FCC charged a similar fee, he noted that the FCC approved the equipment, thereby, providing a service to manufacturers. ACTA is not approving equipment and therefore, the fee would simply become a database entry fee. He referred participants to his contribution for further arguments against funding ACTA on the proposed fee schedule.

Clint noted that there are several reasons to seek additional funding mechanisms, among them the fact that he believes the FCC will not allow ACTA to fund the entire council with database entry fees because they violate rules put forth in the FCC R&O. A council member noted that he would prefer to take some time to evaluate each of the 12 suggestions in the contribution in order that each member understands the implications.

A council member noted that the budget includes database administration costs, as well as other costs associated with ACTA. He suggested that the database should be funded by levying fees on both those adding to the database and those accessing information from it. He further explained that perhaps the other costs associated with ACTA should be funded in some other way.

Jimmy Salinas suggested a working group to discuss this issue off line, as there would be insufficient time to consider it fully at this meeting. A council member noted his concern that the issue of revenue for ACTA was too important to take the issue to an offline working group. It was noted that each Council Member was free to volunteer to participate in such a group.

AGREEMENT REACHED #3: There will be a small working group to consider the contribution submitted by Mr. Pinkham regarding the ACTA revenue source. The group will accept contributions from others on additional ways that ACTA could generate a revenue stream. The group members will be:

- ***Chuck Bailey (LEC Representative)***
- ***Clint Pinkham, Chair (TEM Representative)***
- ***John Bipes (OIP Representative)***
- ***Cliff Chamney (IXC Representative)***
- ***Scott Roleson (Hewlett Packard)***
- ***Tim Jeffries (ACTA Director)***

ACTION ITEM #2: The ACTA Director will coordinate all set-up for meetings/conference calls for the Revenue working group.

ACTION ITEM #3: The Revenue working group will report back to ACTA at the July 11 face-to-face meeting with its recommendations regarding the feasibility of each of Mr. Pinkham's suggestions and on any contributions which may be submitted to the working group.

ACTION ITEM #4: The ACTA Director will produce a draft budget based on the current expenditures and income for consideration at the July 11 face-to-face meeting.

7) Work Items

a) Draft Proposed ANS Part 68 Standard (SP-3-0005 - TIA/EIA-968)

Steve Whitesell, Chair of TR41, introduced Contribution ACTA-01-06-27-09d, which is a letter from himself and the TR41.9 and 41.11 chairs updating ACTA on their activities pertaining to Part 68.

He noted that TIA TR41 was requesting acceptance of the documents submitted as Contribution ACTA-01-06-27-09. Mr. Whitesell noted that according to paragraph 77 in the R&O, ACTA can accept and put in place the technical criteria without undergoing the 30-day public review process because the criteria are identical to the existing FCC criteria.

It was moved that ACTA accept all technical criteria included in Contributions 09a and 09b, and the council will vote on 09c separately. A Council Member noted that he would be abstaining from this vote because there was insufficient time to review the documents.

Steve Whitesell noted that during ballot in TR41, there were few abstentions to these documents and that all votes were either to approve the document or to approve it with comments. A Council Member asked if there would be any harm in having the acceptance come at the next meeting so that all council members would have the opportunity to review the documents. Further, the documents could be accepted subject to a review period of whatever time was appropriate. Steve Whitesell noted that he is aware the FCC is anxious for ACTA to accept these documents and is concerned that it has taken too long to complete.

The Council Member indicating that he would abstain from the vote noted that since there were no comments on the stutter dial tone and ADSL document, he would vote on that document.

Jimmy Salinas suggested that each document be voted on individually.

Steve Whitesell moved that ACTA accept IS-968 as the technical criteria for Part 68 subject to a 2 week review, to ensure that all agreed to changes were included. The motion was seconded and passed with a unanimous vote.

AGREEMENT REACHED #4: ACTA accepts TIA/EIA IS-968 as the technical criteria for Part 68 subject to a 2 week review, in which any changes that were agreed to be made that are found not to be made are recorded into the document. This document will not be published on the ACTA web site until such a time that the ACTA has fully accepted it.

b) Addendum to cover FCC'S former Waiver Procedures

i) ADSL

ii) Stutter Dial Tone

Steve Whitesell moved that ACTA accept IS-883 as the technical criteria for connections of stutter dial tone detection devices and ADSL modems to the telephone network. The motion was seconded and passed with a unanimous vote.

AGREEMENT REACHED#5: ACTA accepts TIA/EIA IS-883 as the technical criteria for connections of stutter dial tone detection devices and ADSL modems to the telephone network.

c) Labeling proposal

Steve Whitesell moved that ACTA accept the labeling criteria and numbering scheme subject to a 2 week review, in which any changes that were agreed to be made that were found not to

be made are recorded into the document. The motion was seconded and passed with a unanimous vote.

AGREEMENT REACHED #6: ACTA accepts TIA/EIA TSB-168 as the labeling criteria and numbering scheme subject to a 2 week review, in which any changes that were agreed to be made that were found not to be made are recorded into the document. This document will not be published on the ACTA web site until such a time that the ACTA has fully accepted it.

d) Supplier's Declaration of Conformity Administrative procedures Guide

Tim Jeffries, ACTA Director, introduced Contribution ACTA-01-06-27-05, Guidelines and Procedures for Terminal Registration. Mr. Jeffries noted that the creation of this document began at ATIS, and the purpose is primarily to give people a guide on how to submit their registration filing for inclusion in the database. He noted that ATIS wanted to see if we could beat the deadline in order to facilitate the transition from FCC control to ACTA control. He noted that it was important to go beyond the original database items, so that additional items are available on site at the responsible party's location or on file with the Secretariat at ATIS. Tim highlighted some of the major points in the document.

Tim suggested that the document be accepted as a "straw man" with the understanding that it needs to undergo further editing and perhaps some additional information. A council member noted that section 5.6.8 was redundant and unnecessary. Mr. Jeffries noted that the statement required under 5.3.2 was that it complies with technical criteria and that 5.6.8 applies to the new rules and that there are some subtle differences between the two. Another council member noted that he is in agreement that the passage is, in fact, redundant. That passage was removed.

It was noted that there were several sections in which the wording needed to undergo serious editing. A Council Member suggested that ACTA needs to review the document and make comments before the July 11 face-to-face meeting at which time the document could be considered for approval. Mr. Salinas tabled the item for review and comments at the next meeting.

AGREEMENT REACHED #7: The Draft Guidelines and Procedures (Contribution ACTA-01-06-27-05) will be tabled until the next meeting to provide time for all council members to review the document.

ACTION ITEM #5: All council members will review the Draft Guidelines and Procedures (Contribution ACTA-01-06-27-05) and make comments before the July 11 face-to-face meeting. ACTA will consider the revised document for approval at that time.

e) Future changes and approach (e.g., V90 modems power limits, ADSL crosstalk limits, etc.)

Steve Whitesell, TR41 Chair, noted that this V90 modem power limits and ADSL crosstalk limits were on the agenda for the next TR41 and T1E1 joint meeting in August. Contributions addressing other DSL modems are expected at the joint T1E1.4 and TR41.9 meeting.

A Council Member noted that the V90 modem issue is different than the adsl crosstalk. He explained that the work was completed and approved on this topic two years ago, but that the FCC did not complete the actual changes. In addition, he suggested that the V90 modem work should be completed independently of the adsl crosstalk work. Mr. Whitesell agreed with the distinction.

f) RJ 31 update/disposition

Steve Whitesell noted that there is nothing further to report, but that there is a task group to work on this issue, but that they need to meet with this.

g) FCC Flowchart Update

Bill Howden, FCC, noted that everything seems to be running on schedule for the transition from FCC control to ACTA control to be complete by July 23. He highlighted some key parts of the flowchart which is available as Contribution ACTA-01-05-22-03, including the transition of the database which was turned over to ACTA on June 19, and the fact that the FCC will cease accepting petitions for waivers and applications on July 23, 2001. Mr. Salinas thanked Mr. Howden for the update.

8) Database Working Group

Tim Jeffries suggested that this item be tabled until July 11 face-to-face meeting, given the current time constraints.

9) ACTA Operating Principles and Procedures (OP&P)-

Tim Jeffries introduced Contribution ACTA-01-06-27-07, ACTA OP&P v.1.1. He noted that Megan Hayes, ACTA Secretariat, had revised the document pursuant to agreements reached at the June 4 Virtual Meeting and that the FCC R&O requires that the charter (contained within the OP&P) be sent to the FCC by July 2, 2001.

A motion was made to submit OP&P Version 1.1 to the FCC as to meet the requirements of the R&O. The motion was seconded and passed unanimously with one abstention.

AGREEMENT REACHED #8: OP&P Version 1.1 will be submitted to the FCC pursuant to paragraph 55 of the R&O.

ACTION ITEM #6: The Secretariat will hand deliver and submit via email OP&P Version 1.1 to the FCC by July 2, 2001.

10) Reports

a) Liability & Legal Issues (Action Item #9)

Megan Campbell, ATIS General Counsel, noted that she would prefer to do a presentation on potential liability issues at a face-to-face meeting, but that she had been working on Action Item #9 from the June 4, 2001 Virtual Meeting. (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 available on or before June 25, 2001 for discussion at the June 27 ACTA meeting).

Ms. Campbell noted that prior to the July 11 face-to-face meeting, she would submit a lengthy memo from ATIS outside counsel regarding the liabilities issue. She noted that this memo included case law and other information that would be most helpful to corporate counsels in advising their employees on this issue. She further noted that she would provide a shorter summary document along with the memo.

Dan Bart, TIA, noted that TIA Outside Counsel is currently traveling and may not be able to provide their memo before the next meeting. A Council Member noted that liability issues will

require discussion at the next meeting and urged Mr. Bart to ensure that his contribution was available before the next meeting

ACTION ITEM #7: ATIS and TIA Legal Counsels will draft summaries of the memos from their outside counsels regarding liability and submit them to ACTA by July 6, 2001.

b) Ex Parte Filing on Labeling/Database

This Agenda Item was not addressed due to insufficient time.

11) ACTA Correspondence

a) Correspondence from Mintz Levin

This Agenda Item was not addressed due to insufficient time.

b) ACTA vacancies

This Agenda Item was not addressed due to insufficient time.

12) Draft Statement of Work re: ACTA Secretarial Support

This Agenda Item was not addressed due to insufficient time.

13) Next Meeting

The next ACTA meeting will be a face-to-face meeting held at the ATIS Conference Center in Washington, DC. It will begin at 9:00am.

14) Adjournment

Jimmy Salinas adjourned the meeting at 5:15 ET.