

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)	
)	
Effects on Broadband Communications)	PS Docket No. 10-92
Networks of Damage to or Failure of Network)	
Equipment or Severe Overload)	

**REPLY COMMENTS OF THE
ADMINISTRATIVE COUNCIL FOR TERMINAL ATTACHMENTS**

The Administrative Council for Terminal Attachments (ACTA) submits these reply comments in response to the comments filed in the above-referenced docket.¹ ACTA is pleased to see that commenters acknowledge the important role that industry-led groups such as ACTA play in promoting broadband survivability.²

I. Background

ACTA is an open organization co-sponsored by the Alliance for Telecommunications Industry Solutions (ATIS) and Telecommunications Industry Association (TIA) that was created as a result of the FCC's decision to privatize significant portions of its Part 68 rules. ACTA was tasked with responsibility for administering key aspects of the FCC's rules aimed at preventing harm to the telephone network caused by the connection of terminal equipment and associated wiring. ACTA's responsibilities include: (1) adopting technical criteria and acting as the clearing-house for the publication of technical criteria for terminal equipment developed by ANSI-accredited standards development organizations; and (2) establishing and maintaining a

¹ *In the Matter of Effects on Broadband Communications Networks of Damage to or Failure of Network Equipment or Severe Overload, Notice of Inquiry*, FCC-10-62 (rel. April 21, 2010).

² See e.g., ATIS Comments at 14, AT&T Comments at 24, Telcordia Technologies Comments at 4, Comcast Corporation Comments at 17.

registration database of equipment approved as compliant with the technical criteria. ACTA fulfills its mission through an open and consensus-based process and with active participation from key stakeholders, including service providers, manufacturers, testing laboratories and other interested parties.

II. Discussion

In the *Notice of Inquiry (NOI)*, the FCC seeks to understand broadly about the resiliency of broadband communications networks and to explore potential measures to reduce network vulnerabilities related to network equipment, severe network overload, physical damage, and inadequate redundancy.³ While ACTA supports and appreciates the FCC’s effort to gain a better understanding of network survivability, it agrees with other commenters that one of the many responsibilities of the FCC is to “do no harm” to the ongoing industry work that focuses on promoting and developing technical standards for network reliability.⁴

A. FCC Should Clarify that its Part 68 Rules Apply to All Devices that Connect or Potentially Can Connect to the PSTN

As the body designated by the FCC to administer Part 68 terminal attachment rules, ACTA urges the FCC to consider in this proceeding the potential impact that failures to comply with Part 68 rules and the ACTA-adopted technical criteria could have on the survivability of communications networks, including broadband networks. ACTA notes that wireline carrier facilities serve as the backbone for modern broadband communications networks that enable consumers to communicate using a multitude of platforms, i.e., voice, video, or data exchange. ACTA therefore urges the FCC to protect the PSTN and broadband networks by reiterating that all devices that connect, or potentially can connect, to the PSTN and private line services

³ *NOI* at ¶ 3.

⁴ *See* ATIS Comments at 1.

provided over wireline facilities that are owned by providers of wireline telecommunications must be compliant with Part 68 rules, the ACTA-adopted technical criteria, and must be registered in ACTA's Part 68 database located at <http://www.part68.org/filingmain.aspx>.

ACTA has become increasingly aware of telecommunications devices that are purportedly intended for IP-based use only, yet are equipped with standard RJ-11 type connections. ACTA believes that these types of multi-functional communication devices fall within Part 68 rules and urges the Commission to clarify this matter. Part 68 applies to **all** telecommunications terminal equipment that can be directly connected to the public switched telephone network, including private line services provided over wireline facilities that are owned by providers of wireline telecommunications.⁵ Moreover, these devices, if non-compliant, could frustrate the established purpose of Part 68, which is "to provide for uniform standards for the protection of the telephone network from harms caused by the connection of terminal equipment and associated wiring thereto."⁶

This risk of harm to the network is exacerbated by "the increasing use of broadband communications networks for telecommunications-type services [that] has blurred the distinction between the PSTN and IP-based communications networks."⁷ To many consumers, there is little difference between terminal equipment that may be connected to the PSTN and those that may be connected to the broadband network. These consumers may assume that, if terminal equipment has an RJ-11 connector, that it can be connected to the PSTN whether or not the manufacturer intends for such use. If non-compliant terminal equipment is attached to the PSTN, it could harm the network and threaten both PSTN and broadband services, including 911. Additionally, ACTA is concerned that terminal equipment, which is not tested according to

⁵ 47 CFR Part 68.100.

⁶ 47 CFR Part 68.1

⁷ *NOI* at ¶ 5.

Part 68 rules and ACTA-adopted technical criteria, may not include the required hearing aid compatibility capabilities pursuant to the FCC rules.

Therefore, ACTA urges the FCC through this examination to clarify that **all** devices that connect, or potentially can connect, to the PSTN, including private line services provided over wireline facilities that are owned by providers of wireline telecommunications, must be compliant with Part 68 rules and ACTA-adopted technical criteria.

B. FCC Should Support Current Industry Initiatives Developing Network Reliability and Survivability Standards

In the *NOI*, the FCC seeks comment on the role it should play in reducing network failure and promoting best practices.⁸

ACTA encourages the FCC to support the efforts of organizations such as the Alliance for Telecommunications Industry Solutions and the Telecommunications Industry Association in addition to the work being done by ACTA. Significant work regarding network reliability and survivability has been done and is underway through these organizations and by the industry in other organizations. ACTA believes that an effective role for the FCC is to collaborate with the industry on these efforts and refrain from creating regulatory mandates that “would not be appropriate – and indeed be counterproductive – to fostering the survivability goals.”⁹

ACTA also believes that increased enforcement of Part 68 non-compliance could play a role in reducing network failures and positively contribute to the FCC’s survivability goals.

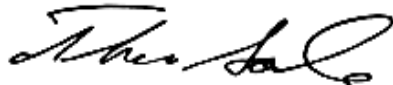
⁸ *NOI* at ¶11.


⁹ See AT&T Comments at 24.

III. Conclusion

ACTA appreciates the opportunity to provide reply comments in this proceeding and encourages the FCC to fully consider the application of its Part 68 rules on broadband communications network terminal equipment as it develops measures to enhance network survivability. ACTA welcomes the FCC's participation in its quarterly meetings and engagement on relevant matters.

Respectfully submitted
by the Alliance for Telecommunications
Industry Solutions as Secretariat to
the Administrative Council for Terminal
Attachments

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