

Administrative Council for Terminal Attachments (ACTA)

Operating Principles and Procedures

Version 6.0

The ACTA is sponsored by the Alliance for Telecommunications Industry Solutions (ATIS) and the Telecommunications Industry Association (TIA)

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About ACTA

The ACTA is an open organization established to: (1) adopt technical criteria and to act as the clearinghouse, publishing technical criteria for terminal equipment developed by ANSI-accredited standards development organizations; and (2) establish and maintain a registration database of equipment approved as compliant with the technical criteria. ACTA is jointly sponsored by the Alliance for Telecommunications Industry Solutions (ATIS) and Telecommunications Industry Association (TIA).

Table of Contents

ABOUT ACTA	I
1 INTRODUCTION	1
2 CHARTER: MISSION, SCOPE, AND RESPONSIBILITIES	1
2.1 MISSION	1
2.2 SCOPE	1
2.3 RESPONSIBILITIES	1
3 MEMBERSHIP AND ACTA ORGANIZATION	2
3.1 MEMBERSHIP.....	2
3.1.1 <i>Company Registration</i>	2
3.1.2 <i>Company/Organization Voting Participant</i>	2
3.2 COUNCIL ORGANIZATION - SIZE AND STRUCTURE.....	2
3.2.1 <i>Interest Segments</i>	2
3.2.2 <i>Invited Guests</i>	3
3.3 ACTA CHAIR AND VICE CHAIR	3
3.3.1 <i>Nomination Process</i>	3
3.3.2 <i>Selection Process</i>	3
3.3.3 <i>Term of Office</i>	3
3.3.4 <i>Responsibilities</i>	3
3.3.5 <i>Vacancy</i>	3
4 MEETINGS	3
4.1 MEETING SCHEDULE.....	3
4.2 MEETING NOTIFICATION AND AGENDA	4
4.3 MEETING NOTES.....	4
5 RESOLUTION PROCESS.....	4
6 SPONSORS AND SUPPORT.....	4
6.1 SPONSORS	4
6.1.1 <i>Responsibilities</i>	4
6.1.2 <i>Term</i>	4
6.2 ACTA SUPPORT	5
6.2.1 <i>Administrative Support</i>	5
6.2.2 <i>Database Maintenance and Support</i>	5
6.2.3 <i>General Counsel Support</i>	5
6.2.4 <i>Additional Responsibilities</i>	5
7 INTELLECTUAL PROPERTY	6
8 ACTA WEBSITE AND EXPLODER LIST(S)	6
8.1 ACTA WEBSITE	6
8.1.1 <i>ACTA Online Filing (“AOF”) System</i>	6
8.1.2 <i>ACTA Website Privacy Statement and Policies</i>	6
8.2 E-MAIL EXPLODER LISTS	6
8.2.1 <i>Subscribing to an E-mail Exploder List</i>	6
8.2.2 <i>Sending a Message to an E-mail Exploder List</i>	7
9 APPEALS PROCESS.....	7
9.1 COMPLAINT	7
9.2 RESPONSE	7
9.3 HEARING	7
9.4 PANEL	7
9.5 CONDUCT OF HEARING	8

ACTA Operating Principles and Procedures - Version 6.0

9.6 DECISION 8

9.7 FURTHER APPEAL 8

10 PUBLICATION OF DOCUMENTS BY THE ACTA..... 8

10.1 PUBLICATION POLICIES AND REQUIREMENTS 8

 10.1.1 *Product and Technology Neutrality Policy* 8

 10.1.2 *Patent Policy*..... 8

 10.1.3 *Publication Requirements*..... 9

10.2 TECHNICAL CRITERIA DOCUMENTS..... 9

 10.2.1 *Submission Procedures* 9

 10.2.2 *Public Notice*..... 9

10.3 APPEALS OF TECHNICAL CRITERIA AFTER PUBLICATION BY THE ACTA 9

10.4 INFORMATIONAL DOCUMENTS 10

11 REVISIONS TO THE OPERATING PRINCIPLES AND PROCEDURES 10

ANNEX A: TECHNICAL CRITERIA SUBMISSION PROCEDURES 11

ANNEX B: SAMPLE TECHNICAL CRITERIA SUBMISSION COVER LETTER 12

Administrative Council for Terminal Attachments (ACTA)

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Version 6.0

1 Introduction

The Administrative Council for Terminal Attachments (“ACTA”) was established pursuant to the Federal Communication Commission’s (“FCC”) *Report and Order* in the 2000 Biennial Review of Part 68 of the Commission’s Rules and Regulations, CC Docket No. 99-216, released December 21, 2000 (“*Order*” or “*R&O*”). The *Order* privatized the process by which technical criteria for the prevention of harm are established for customer premises or terminal equipment that may be sold for connection to the telephone network, and for the approval of such equipment to demonstrate compliance with the relevant technical criteria. The *Order* directed the industry, through the co-sponsorship and support of the Alliance for Telecommunications Industry Solutions (“ATIS”) and the Telecommunications Industry Association (“TIA”) to establish the ACTA as the open body that would assume the Federal Communication Commission’s Part 68 role for those items privatized in the *Order* (47 C.F.R. § 68.602). The initial ACTA meeting was held on May 2, 2001.

In October 2017, the FCC released new rules regarding Hearing Aid Compatibility (HAC) for wireline and wireless handsets. The *Report and Order and Order on Reconsideration*, CG Docket No. 13-46WT, Docket No. 07-250WT, Docket No. 10-254, released October 26, 2017, amends Part 68 to apply, for purposes of HAC compliance, the same testing, attestations of compliance, registration, labeling, and complaint handling requirements that previously applied only to Customer Premises Equipment (CPE) directly connected to the public switched telephone network (PSTN) to advanced communications services (ACS) telephonic CPE such as Voice over Internet Protocol (VoIP) telephones. These rule amendments require “responsible parties” for ACS telephonic CPE to register such equipment in the ACTA terminal equipment database.

2 Charter: Mission, Scope, and Responsibilities

2.1 Mission

The ACTA is an open organization with a mission to: (1) adopt technical criteria for terminal equipment to prevent network “harm” (as defined in 47 C.F.R. § 68.3) and HAC-compliant ACS telephonic CPE through the act of publishing such criteria developed by the American National Standards Institute (“ANSI”) accredited standards development organizations; and (2) establish and maintain database(s) of equipment approved as compliant with the technical criteria.

2.2 Scope

The ACTA assumes the coordination and management role for the adoption of technical requirements for terminal equipment and HAC-compliant ACS telephonic CPE, and the associated database(s) as further detailed in Section 2.3. The ACTA will not make substantive technical decisions regarding the development of technical criteria.

2.3 Responsibilities

The ACTA’s major responsibilities shall be to perform the following in an equitable and nondiscriminatory manner not permitting any entity or segment of the industry to gain a competitive advantage:

- 1) Provide public notice for thirty (30) calendar days of intent to adopt technical criteria as submitted by an ANSI-accredited standards development organization. (47 C.F.R. § 68.608)
- 2) Adopt technical criteria for customer premises equipment developed by ANSI-accredited standards development organizations. (47 C.F.R. § 68.608)
- 3) Provide information to the public and respond to inquiries from the public regarding ACTA-adopted technical criteria and Part 68 technical criteria, including any transition periods associated with the adoption of any new adopted technical criteria.

ACTA Operating Principles and Procedures - Version 6.0

- 4) Operate and maintain a database of equipment, approved as compliant with the technical criteria, meeting the requirements of the FCC and U.S. Customs Service for enforcement purposes. (47 C.F.R. § 68.610)
- 5) Ensure the database is created and maintained in an equitable and nondiscriminatory manner not permitting any entity or segment of the industry to gain a competitive advantage. (47 C.F.R. § 68.610)
- 6) Establish and maintain an appropriate labeling methodology for terminal equipment and HAC-compliant ACS telephonic CPE. The labeling methodology must meet the requirements of the FCC and the US Customs Service for enforcement purposes, as well as provide consumers a method to identify the source and model number of the terminal equipment or HAC-compliant ACS telephonic CPE. (47 C.F.R. § 68.612)
- 7) File with the FCC a detailed report of the database structure and associated procedures. (47 C.F.R. § 68.610)
- 8) Coordinate the Industry's notification of technical criteria projects to avoid duplication of effort. (R&O ¶ 55)
- 9) Manage such other tasks as necessary and within the ACTA's scope that were formerly part of the FCC's Part 68 functions.
- 10) On an annual basis, through a self-assessment led by the Chair and Vice Chair, the ACTA will ensure that the management, structure, activities, and decisions of the ACTA are independent from all external influences.
- 11) The ACTA may arrange for some of its administrative functions (administrative, database, etc.) to be performed by external organizations, including the sponsoring organizations, as allowed in the Report and Order, providing that the arrangement that it enters with these organizations is clearly and publicly delineated. (R&O ¶ 39)
- 12) Specify Customer Instructions. (47 C.F.R. § 68.218 and 68.324)
- 13) Provide information to the public concerning the ACTA processes and procedures.
- 14) Maintain the ACTA website and exploder list(s). See Section 8.1. for more information.

3 Membership and ACTA Organization

3.1 Membership

Membership in the ACTA is open to any organization, company or group having an interest in the business of the ACTA.

3.1.1 Company Registration

Companies shall register with the ACTA by submitting written correspondence declaring an Interest Segment, identifying a "Company/Organization Voting Participant" and providing contact information for the Company/Organization Voting Participant. A call for new companies shall be issued via the ACTA website, ACTA e-mail exploder list, and at the ACTA Meetings on a yearly basis.

3.1.2 Company/Organization Voting Participant

Each Member shall identify a Company/Organization Voting Participant as that company/organization's primary contact for ACTA-related business. Company/Organization Voting Participants shall vote on behalf of their company. Each Member company can appoint an Alternate, in the case that the primary Voting Participant is unable to vote.

3.2 Council Organization - Size and Structure

The ACTA shall be comprised of:

- 1) Interest Segment Voting Members
- 2) Non-voting Invited Guests
- 3) A Chair and Vice Chair

3.2.1 Interest Segments

Voting Members shall come from the following Interest Segments:

- A. Service Provider Segment ("SPS")

ACTA Operating Principles and Procedures - Version 6.0

- B. Manufacturer Segment (“MS”)
- C. Testing Laboratories Segment (“LAB”)
- D. Other Interested Parties Segment (e.g., consumer groups and associations representing individuals with disabilities) (“OIP”)

3.2.2 Invited Guests

The non-voting category shall be for “Invited Guests.” This category shall include the FCC (United States), Industry Canada (Canada), and Comision Federal de Telecomunicaciones (Mexico) Representatives. The ACTA may agree to add other individuals, organizations, or entities to the Invited Guests category provided the individual, organization, or entity would not appropriately fall into one of the Interest Segments identified in Section 3.2.1.

3.3 ACTA Chair and Vice Chair

3.3.1 Nomination Process

Nominations for the position of ACTA Chair and Vice Chair shall be accepted from all interested parties provided the nomination is accompanied by: 1) information detailing the nominee’s applicable experience; and 2) written support from the nominee’s employer.

3.3.2 Selection Process

The ACTA Chair and Vice Chair will be elected by a simple majority of Voting Members, with each company having one vote. For elections held during meetings, the election is by a simple majority of those present at the time of election. For elections held via electronic balloting, the election is by a simple majority of those casting votes. If there is one candidate, the election shall be by acclamation. For purposes of determining the simple majority, abstentions or invalid ballots are not counted. If there are multiple candidates and no one candidate receives a simple majority on the first ballot, a second ballot is held between the top two vote-receiving candidates.

3.3.3 Term of Office

The Chair and Vice Chair shall be elected to serve a two (2) year term or until a successor is elected. In the event that the Chair or Vice Chair for any reason loses the support of his employer, the term of office will immediately expire and procedures for Chair or Vice Chair vacancy will be implemented (see Section 3.3.5).

An individual shall be limited to serving two (2) consecutive two (2) year terms, unless there is no interest from another individual in which case an individual may serve more than two (2) consecutive two (2) year terms.

3.3.4 Responsibilities

The Chair and Vice Chair shall preside at all meetings of the ACTA and ensure that the principles and procedures set forth in this document are adhered to. The Chair or Vice Chair shall not use the position to influence the decision-making process of the ACTA.

3.3.5 Vacancy

In the event that a leadership position becomes vacant, the ACTA may temporarily appoint an acting Chair or Vice Chair to preside until the next full meeting of the ACTA during which an election must take place.

4 Meetings

4.1 Meeting Schedule

The ACTA shall establish a meeting schedule based upon need. The ACTA shall meet at least annually, and typically hold virtual meetings. Once determined, the meeting schedule shall be posted to the ACTA website.

ACTA Operating Principles and Procedures - Version 6.0

Meetings are open to members, non-voting invited Guests, the FCC, and other interested parties. While the views of all parties will be heard and considered by the Administrative Council in its discussions, only the elected members of the Council participate by voting. An ATIS representative shall attend the ACTA meetings. A quorum is not required for the ACTA to conduct business.

4.2 Meeting Notification and Agenda

A meeting notification and draft agenda typically shall be posted to the ACTA website at least fourteen (14) calendar days in advance of all regularly scheduled ACTA meetings. Special exceptions may be made on an as-needed basis.

4.3 Meeting Notes

Meeting notes shall be recorded for all ACTA meetings. The meeting notes shall serve as the official record. The meeting notes shall include, at a minimum, an attendee register, a summary of the points noted, agreements reached, and action items for each agenda item. The meeting notes shall be reviewed by the Chair and Vice Chair and published on the ACTA website within twenty-one (21) calendar days from the close of the meeting. The ACTA participants will be notified when the notes are available for review on the ACTA website. Any edits to the published notes should be sent to acta@atis.org within fourteen (14) calendar days of notification of posting. If edits are received, an updated set of meeting notes, reflecting relevant member input, would be posted as modified for seven (7) calendar day review. If no edits are received, the notes will be considered approved as posted.

5 Resolution Process

Consensus is the method used by the ACTA to reach resolution of issues. Consensus is established when substantial agreement has been reached among those participating in the issue at hand. Substantial agreement means more than a simple majority, but not necessarily unanimous agreement. Consensus requires that all views and objections be considered, and that a concerted effort be made toward their resolution. Guests shall have the opportunity to express their views and to influence the opinions of Voting Members (see Section 3.2. for explanation of member types). However, the opinions of Guests are not considered by the leadership in determining whether consensus has been achieved. Under some circumstances, consensus is achieved when the minority no longer wishes to articulate its objection. In other cases, the opinions of the minority should be recorded with the report of the substantial agreement, or consensus, of the majority. When there are questions or disputes regarding consensus, leaders or participants should ask an objecting participant(s) to state the rationale for the objection and provide an opportunity for full discussion aimed at achieving full understanding and consideration of the objection. A participant's silence is perceived as agreement by the ACTA and its leadership. If participants do not agree, they should be encouraged to speak up and voice their opinion.

A participant may appeal the final resolution of an issue in the manner provided for in Section 9.

6 Sponsors and Support

6.1 Sponsors

The Alliance for Telecommunications Industry Solutions (ATIS) and the Telecommunications Industry Association (TIA) shall jointly sponsor the ACTA.

6.1.1 Responsibilities

The sponsors should ensure that the ACTA is populated in a manner consistent with the criteria of the ANSI for a balanced and open membership. The sponsors shall also fulfill support functions as defined by the ACTA.

6.1.2 Term

ATIS and TIA shall serve in the roles of sponsor of the ACTA. ATIS and TIA shall continue in the roles of sponsors unless the ACTA directs otherwise.

6.2 ACTA Support

The sponsors shall provide the administrative and other necessary support as defined by the ACTA and pursuant to written agreement.

6.2.1 Administrative Support

Administrative duties shall include those assigned by the ACTA. The following is an illustrative, not exclusive list.

- Maintenance of official Membership and Company/Organization Voting Participants rosters;
- Development and maintenance of the ACTA website and e-mail exploder lists;
- Meeting planning and registration;
- Publish technical criteria;
- Publish informational documents;
- Document distribution and publication;
- Publish and distribute Public Notices;
- Recording meeting notes;
- Administrate elections of ACTA Leadership; and
- Other duties as assigned by the ACTA.

6.2.2 Database Maintenance and Support

Database maintenance and support duties shall include:

- Processing of forms/applications;
- Processing of SDOCs and TCB certifications;
- Processing requests for RPCs;
- Administrating annual RPC Data Validation program; and
- Ensuring public accessibility to necessary information.

6.2.3 General Counsel Support

ATIS shall provide legal support including:

- Review and negotiate agreements on behalf of the ACTA (if any);
- Support and provide guidance on regulatory matters; and
- Represent the ACTA with government agencies on regulatory matters.

6.2.4 Additional Responsibilities

ATIS shall attend all meetings of the ACTA and have primary responsibility for carrying out the directives of the ACTA, including the day-to-day management of its activities and oversight of all duties. ATIS shall ensure that the ACTA abides by these Operating Principles and Procedures and may facilitate ACTA meetings in the absence of the Chair or Vice Chair.

Additional essential duties and responsibilities will include:

- Provide ongoing support, guidance, and advice to the ACTA in the development, implementation and achievement of the strategic objectives and direction.
- Work closely with the ACTA to identify problem areas and develop and implement appropriate action plans to address these concerns.
- Provide administrative support.
- Develop the budget and manage the finances of the ACTA, including identification and development of cost recovery mechanisms and models,
- Initiate action plans that increase awareness of the ACTA and the issues being addressed, including maintaining an up-to-date ACTA website.

7 Intellectual Property

Except as otherwise provided herein, all intellectual property rights (“IPR”), including without limitation all copyrights, trademarks, service marks, patents and trade secret rights claimed in documents submitted to the ACTA shall remain the property of the submitting party or entity and the ACTA shall not claim any rights thereto. As a condition to submitting documents to the ACTA, however, the submitting party or entity must grant the ACTA a license to reproduce and distribute consistent with the processes defined these operating procedures.

For information about IPR associated with the technical standards adopted by the ACTA (as explained in Section 2.3), please refer to the technical standards and/or the ANSI-accredited standards development organizations that published the standard.

8 ACTA Website and Exploder List(s)

All ACTA documentation and information shall be distributed electronically via the ACTA website, email, and/or ATIS Workspace.

8.1 ACTA Website

The ACTA website is: www.part68.org. The website and/or ATIS Workspace: (1) contains all meeting materials (e.g., meeting agendas, contributions, meeting records, and calendar), ACTA publications, and information/instructions regarding the equipment approval process; (2) is the primary vehicle for the review of proposed ACTA adopted technical criteria, pursuant to the thirty (30) calendar day public notice period prescribed in 47 C.F.R. § 68.608 and links to all ACTA adopted technical criteria; and (3) is the primary vehicle for ACTA publication of proposed and final adopted informational documents.

8.1.1 ACTA Online Filing (“AOF”) System

The ACTA website includes the ACTA Online Filing (“AOF”) System. This system allows for the online filing of approved terminal equipment and HAC-compliant ACS telephonic CPE to the ACTA database. Use of the AOF system is restricted to those persons who conform to the criteria listed in the *Guidelines & Procedures for Submittal of Information to the ACTA for Inclusion in the Database of Approved Telephone Terminal Equipment and Customer Premises Equipment (CPE) used with Advanced Communications Services (ACS), including Voice-Over Internet Protocol (VoIP) Telephones*. Use of or attempted fraudulent access to the AOF System by those persons other than authorized filers is strictly prohibited.

8.1.2 ACTA Website Privacy Statement and Policies

The latest version of the ACTA Website Privacy Statement and Policies are available on the ACTA website at www.part68.org/privacy.aspx.

8.2 E-Mail Exploder Lists

ATIS shall provide and maintain an exploder list for email communication and the conduct of ACTA business. The exploder list provides general notification and communication to the membership (e.g., council meetings, posted materials) and is open to all interested parties.

8.2.1 Subscribing to an E-mail Exploder List

Parties may request to subscribe to the ACTA e-mail exploder list by sending an e-mail to ATIS (acta@atis.org). Subscribing parties will receive a confirmation via e-mail.

8.2.2 Sending a Message to an E-mail Exploder List

Parties may send e-mail messages to an ACTA e-mail exploder provided that the subject matter is relevant to the work of the ACTA. The ACTA e-mail exploder list shall not be utilized to disseminate solicitations, product endorsements, proprietary information, or other legally sensitive information.

9 Appeals Process

Individuals and entities possessing directly and materially affected interests and believing that they have been or will be adversely affected by the actions or inaction of the ACTA shall have the right to appeal such action or inaction. However, should the action or inaction at issue be one relating to the activities of a Standards Developing Organization (“SDO”) submitting technical criteria to the ACTA, the appeals processes afforded by that SDO must be utilized. Further, should the action or inaction at issue be one relating to the process by which an American National Standard (ANS) or proposed ANS was developed, the American National Standards Institute (“ANSI”) appeals process must be utilized.

In the case of action or inaction appropriate for the ACTA appeals process, individuals and entities are encouraged to first approach the ACTA leadership with an informal complaint before pursuing the official appeals process detailed in this section.

9.1 Complaint

The appealing party shall file a written complaint with ATIS within thirty (30) calendar days after the date of notification of action or at any time with respect to inaction. The complaint shall state the nature of the objections, including any adverse effects, the section of these Operating Principles and Procedures or other ACTA document that may be at issue, the action or inaction itself, and the specific remedial actions that would satisfy the appealing party’s concerns. Previous efforts to resolve the objections and the outcome of each shall be noted.

9.2 Response

Within thirty (30) calendar days after receipt of the complaint, a written response shall be issued to the appealing party by the ACTA Chair and Vice Chair or ATIS specifically addressing each allegation of fact in the complaint. The appellant shall inform ATIS within thirty (30) calendar days, if the written response does not satisfy the appellant’s concerns, and a formal hearing is required.

9.3 Hearing

If the parties are unable to resolve the written complaint informally in a manner consistent with these Operating Principles and Procedures, ATIS shall schedule a hearing with an appeals panel on a date agreeable to all participants, giving at least fourteen (14) calendar days’ notice.

9.4 Panel

ATIS will provide the appealing party a list of individuals who have agreed to be considered as candidates to serve on the ACTA appeals panel. This list will include individuals with standards or other equivalent industry forum experience. The appeals panel shall consist of three (3) individuals who have not been directly involved in the matter in dispute, and who will not be materially or directly affected by any decision made or to be made in the dispute. At least two (2) members shall be acceptable to the appealing party and at least two (2) shall be acceptable to responding party. A questionnaire seeking background information and potential bias will be served on possible candidates for the appeals panel and copies will be made available to the appealing party. Initially, each side, starting with the appealing party, shall alternately strike a name from the list, until only one remains and that candidate shall be the chair of the appeals panel. Each party will then select one other name from the list.

ATIS will provide each member of the appeals panel with a copy of the complaint filed pursuant to Section 9.1 above, a copy of these Operating Principles and Procedures, and any meeting notes pertaining to the matter. The appeals panel may serve questions to the parties before the hearing to assist in focusing the issue. Any answers received will be made available to the other party and that party will be allowed to submit a brief response.

ACTA Operating Principles and Procedures - Version 6.0

No party will communicate with any member of the appeals panel once convened and until a decision has been rendered except as provided for in this Section 9.

9.5 Conduct of Hearing

The appealing party has the burden of demonstrating adverse effects, improper actions or inactions, and the efficacy of the requested remedial action. The respondent has the burden of demonstrating that the ACTA and ATIS took all actions in compliance with these Operating Principles and Procedures and that the requested remedial action would be ineffective or detrimental. Each party may adduce other pertinent arguments, and members of the appeals panel may address questions to individuals.

The hearing shall be conducted in an informal manner and subject to such rules as the appeals panel sets forth. The appeals panel and the parties shall not be bound by any formal rules of evidence. Representatives of other interested parties shall be allowed to observe the hearing but will not be permitted to directly participate unless requested to participate by the appeals panel.

9.6 Decision

The appeals panel shall render its decision in writing within thirty (30) calendar days, stating findings of fact and conclusions, with reasons therefore, based on a preponderance of the evidence. Consideration may be given to the following position, among others, in formulating the decision: 1) finding for the appealing party, remanding the action to the ACTA or ATIS with a specific statement of the issues and facts in regard to which fair and equitable action was not taken; 2) finding for the respondent, with a specific statement of the facts that demonstrate fair and equitable treatment of the appealing party and the party's objections; 3) finding that new, substantive evidence has been introduced, and remanding the entire action to the ACTA or ATIS for appropriate reconsideration.

9.7 Further Appeal

Any party believing that a fair and equitable decision was not rendered through the above appeals process may appeal to the Federal Communications Commission as provided for in 47 C.F.R. § 68.614.

10 Publication of Documents by the ACTA

For purposes of this section, the term "publish" in the context of ACTA adopted technical criteria documents is limited to the acts of website posting for public review/notification and subsequent listing as an ACTA-adopted technical criteria file for free-download.

10.1 Publication Policies and Requirements

This section applies to all documents adopted and published by the ACTA.

10.1.1 Product and Technology Neutrality Policy

The ACTA does not recommend products or technologies. Nothing contained in any document(s) adopted and published by ACTA shall violate this policy or shall be construed as conferring by implication or otherwise that the ACTA is recommending any specific product or technology to anyone.

10.1.2 Patent Policy

Nothing contained in any document(s) adopted and published by ACTA shall be construed as conferring by implication, estoppel or otherwise, any license or right under any patent, whether or not the use of any information in the ACTA-adopted document necessarily employs an invention of any existing or later issued patent.

10.1.3 Publication Requirements

Documents adopted and published by the ACTA shall have the ACTA-adopted logo and date affixed to the front cover and shall include appropriate preface and disclaimer text.

10.2 Technical Criteria Documents

The requirements for technical criteria submitted to the ACTA and the requirements for SDOs that develop and submit technical criteria to the ACTA have been established by the FCC in 47 C.F.R. § 68.604. The ACTA only shall adopt technical criteria documents submitted by ANSI-accredited SDOs. Each individual document in a family of documents that make up a terminal equipment or HAC-compliant ACS telephonic CPE technical criteria standard shall be submitted and processed as a technical criteria document.

The ACTA expects that the submitting SDO shall specify a mandatory compliance date for each submitted technical criteria document in a correspondence attached with the technical criteria adoption request (see Appendix B). The mandatory compliance date is the date after which the ACTA adopted technical criteria must be used and cited for terminal equipment or HAC-compliant ACS telephonic CPE approvals. The interval between the date the ACTA adopted technical criteria is published and the mandatory compliance date for that document provides a transition period during which new terminal equipment or HAC-compliant ACS telephonic CPE, or previously approved equipment that is modified, may be approved by using and citing, or not using and not citing, the particular ACTA adopted technical criteria document at the discretion of the Responsible Party.

The ACTA expects that the submitting SDO specify a single mandatory compliance date for all criteria within a particular ACTA adopted technical criteria document as this avoids the administrative problems associated with multiple mandatory compliance dates.

10.2.1 Submission Procedures

The ACTA submission procedures for technical criteria documents are provided in Annex A. A sample cover letter for technical criteria document submission is provided in Annex B.

10.2.2 Public Notice

The ACTA shall issue a public notice of its intent to adopt proposed technical criteria and make the technical criteria available for public download and review from the ACTA website (e.g., www.part68.org) for a thirty (30) calendar day comment period as established by the FCC in 47 C.F.R. § 68.608.

Parties aggrieved by the submitting SDO's decision to submit technical criteria to the ACTA for publication must appeal the decision through the SDO's ANSI-accredited appeal procedures.

During the thirty (30) calendar day public notice period, interested parties may appeal any aspect of the proposed technical criteria to the SDO or to the FCC. Parties appealing the proposed criteria must also provide notice of its appeal to the ACTA. Procedures for filing comments, whether appeals, oppositions, or general comments, are provided in Section 10.3.

If no appeals or comments are filed within the allotted thirty (30) calendar days, the ACTA will adopt the technical criteria and, as established by the FCC in § 68.7(b), and it will become the presumptively valid technical criteria for the protection of the telephone network from harms caused by the connection of terminal equipment or the new HAC-complaint ACS telephonic CPE. The ACTA will advise the SDO of the ACTA publication requirements in Section 10.1.3.

10.3 Appeals of Technical Criteria after Publication by the ACTA

If the ACTA receives an appeal regarding an ACTA adopted technical criteria, the ACTA shall refer the matter to the authoring SDO and impose a time limitation for resolving the objection in accordance with that SDO's established procedures.

Technical criteria adopted and published after the thirty (30) calendar day public notice period will be deemed to be presumptively valid technical criteria for the protection of the telephone network from harms caused by the connection of terminal equipment or HAC-compliant ACS telephonic CPE and will remain so during appeal, unless

ACTA Operating Principles and Procedures - Version 6.0

they are subsequently invalidated by the authoring SDO, the ACTA, ANSI, or the FCC. (See Federal Communications Commission, In the Matter of 2000 Biennial Regulatory Review of Part 68 of the Commission's Rules and Regulations, Order on Reconsideration in CC Docket No. 99-216, released: April 10, 2000.)

10.4 Informational Documents

The ACTA may develop, adopt, and publish informational documents. Such documents shall be identified as "for information" and posted on the ACTA website. The ACTA may discontinue the publication of any ACTA-adopted informational document at any time for any reason.

11 Revisions to the Operating Principles and Procedures

These Operating Principles and Procedures are maintained by the ACTA. Proposed revisions to these Operating Principles and Procedures should be written and submitted to the ACTA along with rationale supporting the requested change. ATIS will present the proposed revisions to the ACTA for review, consideration, and ultimate decision. Any approved revisions to these Operating Principles and Procedures will be effective upon publication.

Annex A
(Informative)

Annex A: Technical Criteria Submission Procedures

As provided for in 47 C.F.R. § 68.604, any ANSI-accredited Standards Development Organization ("SDO"), observing ANSI consensus decision-making procedures, may establish technical criteria and submit such criteria to the ACTA. When submitting technical criteria, the SDO must certify, in writing, that:

- 1) The submitting SDO is an ANSI-accredited SDO;
- 2) The technical criteria that it proposes for adoption does not conflict with any current ACTA adopted technical criteria or with any technical criteria submitted and pending for adoption;
- 3) The technical criteria that it proposes for adoption are limited to preventing harms to the public switched telephone network, identified in § 68.3 of Part 68; and
- 4) The technical criteria were developed in accordance with ANSI requirements for consensus and due process.

Submission Procedures

SDOs submitting proposed technical criteria to the ACTA shall observe the following procedures:

- 1) All submissions shall be sent to the ACTA via acta@atis.org.
- 2) All submissions must be provided in PDF format and accompanied by a signed cover letter including: SDO point of contact, identification of technical criteria submitted, the necessary certifications as identified in 47 C.F.R. §68.604, a grant of permission to the ACTA providing for the distribution, reproduction and publication of the proposed technical criteria and, a representation of rights in the submitted technical criteria, and the proposed mandatory compliance date. A sample cover letter is provided as Annex B.

Annex B: Sample Technical Criteria Submission Cover Letter

Date

ACTA (acta@atis.org)
c/o ATIS
1200 G Street, NW
Suite 500
Washington, DC 20005

RE: Technical Criteria Submission - *<insert title of technical criteria or other identification>*

ACTA :

The *<SDO name>* submits the technical criteria identified above for adoption by the ACTA. In doing so, and pursuant to 47 C.F.R. § 68.604, *<SDO name>* hereby certifies that: 1) the organization is ANSI-accredited and in good standing under the ANSI Essential Requirements and has been during the development of the submitted technical criteria; 2) the submitted technical criteria does not conflict with any ACTA adopted technical criteria or with any technical criteria submitted and pending for publication (as determined through the public process observed in developing the submitted technical criteria); 3) the submitted technical criteria are limited to preventing harms to the Public Switched Telephone Network as identified in § 68.3; and, 4) the criteria were developed in accordance with applicable ANSI requirements.

The *<SDO name>* hereby grants the ACTA and ATIS the right to reproduce, distribute and publish the submitted technical criteria identified above (the "Material") for the limited purpose of public notification pursuant to 47 C.F.R. § 68.608.

In connection with the Grant, *<SDO name>* hereby represents and warrants that it owns all rights to the Materials, including as respects all copyrights thereto, or otherwise is authorized to grant such rights as respects the Materials, and all matters contained therein, to the ACTA and ATIS for the Limited Purpose. *<SDO name>* further represents and warrants that the Grant, and the ACTA's use of the Materials consistent with the Grant, will not violate any rights of any third-party. *<SDO name>* agrees to hold harmless and indemnify the Administrative Council for Terminal Attachments, ATIS, its sponsors, and all persons acting on its behalf, of and from any and all claims, liabilities, costs and expenses (including reasonable attorneys' fees) arising from, relating to or incurred as the result of any use of the Materials by the ACTA or ATIS consistent with the Grant.

The *<SDO name>* additionally recommends that the criteria in this document may be applied to terminal equipment or HAC-compliant ACS telephonic CPE approved after publication of this document (*insert document number*) by the ACTA and that the criteria in this document shall be applied X months after publication of this document by the ACTA.

Any questions regarding this submission shall be directed to *<insert SDO contact name and information>*.