

**ADMINISTRATIVE COUNCIL FOR TERMINAL ATTACHMENTS (ACTA)
MEETING DATE: 4/17/2002**

Contribution

TITLE: ACTA Responsibilities Per R&O 00-400
SOURCE: Clifford E. Chamney, Sprint, IXC Primary Member
PURPOSE: Information
DISTRIBUTION TO: ACTA & Interested Parties

ABSTRACT

These extracts of the Privatization R&O, FCC 00-400, in the language of the FCC, on the subject of ACTA powers and responsibilities, consolidate the FCC intent for ACTA into about 10 pages. The contributor adds section headings, a table of contents, and an index to assist in finding these powers. A review of this contribution (or FCC 00-400) reveals that ACTA has discretion in a number of areas, including labeling, customer instructions, and information submitted and maintained. It also indicates that ACTA was intended to operate as a consensus body. A limitation of this tool is that any pertinent text of the announced but unreleased Order on Reconsideration is necessarily not included.

NOTICE

This contribution is provided to ACTA for information, to assist it in the performance of its duties.

The contributor provides this contribution for review, reference, and discussion. The contributor reserves the right to withdraw or modify this contribution or any portion thereof, or to add to it.

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INTRODUCTION:

A full reading of the Report & Order reveals that ACTA powers and responsibilities are indeed limited, but that they are significantly greater than is suggested by the TEM White Paper.

This new contribution attempts to find all FCC 00-400 discussion references to their decisions on ACTA roles and responsibilities, and offer them in the FCC's own words. This requires about 10 pages of text. The formatting has been changed to separate different thoughts or subjects, and to make the Commission's words bold. The search terms included 'council', 'entity' and 'gatekeeper'.

The actual rules, as published in the Federal Register, are found in a separate contribution from this contributor, ACTA-02-03-25-04.

The FCC mandated ACTA to exercise judgement and be proactive in some limited areas. The FCC apparently envisioned that ACTA would operate as a consensus body. The full FCC language on ACTA, copied into in this contribution, helps explain some of the intent behind the rules published in the Federal Register.

A careful reading of these extracts reveals there are several areas where ACTA could or should change its activities.

These extracts from FCC 00-400 tend to confirm some points in the TEM White Paper, and contradict others. No attempt is made here to flag which is which. I will only point out here my opinion that a large portion of the White Paper is devoted to changes that could quite easily and more appropriately be proposed as specific text to the OP&P.

The usefulness of this tool is limited in that it does not include information from the announced but unpublished Order on Reconsideration. However, it is offered now, intending to be received in time for consideration along with the TEM White Paper, at the 4/17/2002 ACTA virtual meeting.

This contribution is intended to be a balanced tool, providing a comprehensive reference to help improve the future compliance, effectiveness, and efficiency of ACTA in its role of serving industry.

1. Compiling and Publishing.

From para. 2.

We find, moreover, that a private industry committee (“Administrative Council for Terminal Attachments” (Administrative Council)) shall be responsible for compiling and publishing all standards ultimately adopted as technical criteria for terminal equipment.

2. Decisions.

In para. 4 the FCC anticipated ACTA could make controversial decisions.

We also maintain enforcement procedures for terminal equipment compliance and an appeal procedure for the Administrative Council’s decisions.

3. Labeling & Other Non-Technical Requirements.

In para. 6, the FCC announced some of its intentions regarding labeling and other non-technical requirements.

The Administrative Council will work with the TCBs to develop labeling and other non-technical requirements.

4. Documentation that Technical Criteria are Not Duplicative or in Conflict.

In para. 22, the FCC mandated ACTA to review one portion of SDO Technical Criteria.

22. Accordingly, we conclude that any standards development organization (SDO), accredited under the ANSI Organization Method or the Standards Committee Method, can establish technical criteria for terminal equipment pursuant to ANSI consensus decision-making procedures, and, as discussed in detail below, submit such criteria to the Administrative Council for Terminal Attachments established by industry.

As discussed in detail in Section III.B.2.C of this Order, the Administrative Council would review the criteria only for supporting documentation from the SDO certifying that the submitted technical criteria are not duplicative or in conflict with any other existing technical criteria required for terminal equipment.

The Administrative Council must publish the submitted criteria as technical criteria for terminal equipment. Upon publication, the Commission would consider the technical criteria to be presumptively valid such that they comply with the rules for proscribing harm to the network, subject to *de novo* review on appeal.

This seems to say ACTA must receive and review the Technical Criteria submitted by SDOs to confirm the presence of their certification, and any supporting documentation, that the technical criteria are not duplicative or in conflict with other existing technical criteria, and only for that purpose.

5. Ensure Uniformity.

In para 23, the FCC announced its view that ACTA should ensure uniformity.

At the same time, this structure will place responsibility on a single gatekeeper Administrative Council to ensure uniformity and to refer conflicts in technical criteria back to the originating SDO for resolution.

6. ACTA Not FCC Agent.

In para. 24 it is made clear that ACTA is not merely the agent of the Commission.

We agree with TIA that although private industry would be developing presumptively valid technical criteria pursuant to our rules and subject to our *de novo* review, the Commission is not

itself establishing technical criteria, nor is industry acting as the agent of the Commission.

7. Rebuttable Presumption.

Later in para. 24 the FCC states its view of the importance of ACTA work..

Accordingly, we conclude that the APA and other federal statutes pertaining to rulemaking procedures are not applicable to industry adoption of technical criteria for terminal equipment. This is so because, when the industry adopts technical criteria for terminal equipment, it will not be adopting a rule. Rather, it will be making a private interpretation of a Commission rule prohibiting harms caused by terminal equipment to the public switched telephone network. In effect, conformity with the technical criteria establishes a rebuttable presumption that the equipment complies with our rules proscribing harm to the public switched telephone network.

8. Gatekeeper.

In para. 26 the FCC announced input recommending that the gatekeeper should not be an SDO.

In their comments, and more thoroughly in *ex parte* communications provided at the request of the Commission's staff, TIA and ATIS explained that some of the functions outlined for the gatekeeper SDO in the *Notice* are inconsistent with functions of an ANSI-accredited standards development organization. Each party suggested that the gatekeeper should be a committee separate from standards development organizations.

9. Consensus Body.

In para. 27 the FCC intended that ACTA would operate as a consensus body.

We stated in the *Notice* that we intend for the gatekeeper to make its consensus processes open to all interested parties. We sought comment on whether it is necessary for us to impose additional requirements on the gatekeeper other than the standard ANSI requirements to ensure these goals.

10. Due Process.

In para. 30 the FCC decided that maintenance of due process in network harms prevention requirements was a priority.

Finally, the process for establishing technical criteria for terminal equipment would be accomplished with due process comparable to a Commission rulemaking proceeding, but in a manner faster and more responsive to industry innovation.

11. Administrative Functions.

31. We adopt TIA's proposal that we require industry to establish an Administrative Council for Terminal Attachment (Administrative Council).

We find merit in TIA's and ATIS's arguments that the entity responsible for publishing the technical criteria should be a committee or some other organization rather than a standards development body.

According to the structure outlined in this Order, the entity should not be a standards development organization because it will not be developing standards. Its functions will be administrative in nature.

12. Experts.

In para 31 the FCC announced that ACTA should be composed of industry experts. Experts would seem to be required only if expertise must somehow be applied.

It will be a committee of interested industry experts that will, subject to our guidelines and procedures adopted herein, perform the functions of publishing technical criteria proposed by

ANSI-accredited SDOs and, as discussed in Section IV.C of this Order, maintain a database of approved terminal equipment.

13. Sponsor.

32. We further conclude that the Administrative Council should be convened by a suitable private industry sponsor or sponsors and that it should operate under the auspices of such sponsor.

14. Industry Dividing All FCC Functions Except Enforcement and Final Appeal.

In para. 32 the FCC wanted industry to assume all Part 68 functions except enforcement and final appeals.

As discussed *supra*, private industry is well equipped to take over all functions except enforcement and final appeal processes. Accordingly, we choose a sponsor for the Administrative Council based upon the principles outlined in the Notice for the gatekeeper itself.

15. Ensuring Continuity.

33. We find that the industry Administrative Council model is the one best able to ensure continuity in the development of technical criteria for terminal equipment while, at the same time, enabling the industry to develop rapidly equipment for the provision of advanced services.

16. Consumers.

In para. 33 the FCC intended for industry including ACTA to serve some consumer interests.

We agree with those commenters suggesting that permitting industry to develop technical criteria for terminal equipment benefits all segments of the industry and consumers alike and therefore it is in the public interest.

17. Overall Administrator of Technical Criteria.

In para. 34 the FCC announced it intended for ACTA to be the overall administrator of technical criteria.

34. For all of these reasons, we adopt the industry Administrative Council model for overall administration of technical criteria for terminal equipment.

18. ACTA Controlled by Industry.

Later in para. 34 the FCC reiterated some of its basic intentions.

Although the Administrative Council does not, itself, establish technical criteria, the Administrative Council publishes technical criteria for terminal equipment submitted to it by ANSI-accredited standards development organizations.

The Administrative Council is also responsible for operation and maintenance of a database of approved equipment.

Initially, the Administrative Council shall have a sponsoring organization that may be responsible for the administrative functions of the Administrative Council.

The Administrative Council, does not, however, report to the sponsoring organization. Instead, the Administrative Council is subject only to the control of industry.

19. ACTA Separate from Sponsor.

The separation of ACTA and the sponsoring organization(s) was reiterated in para. 36.

As stated above, the record in this proceeding makes clear that not only should industry

standards development functions remain separate from the functions of a gatekeeper committee or organization, in most instances, organizations that function in a manner similar to that we proposed for the gatekeeper are often sponsored by industry associations such as the Telecommunications Industry Association (TIA) or Alliance for Telecommunications Industry Solutions (ATIS). These sponsoring associations often perform administrative or secretarial functions on behalf of industry committees and fora similar to the gatekeeper proposed in the *Notice*. For these reasons, as described in detail below, we recognize the sponsor and the gatekeeper as two distinct entities.

20. Council Determines Sponsor functions.

In paras. 39 & 40 the FCC announced some functions of the sponsor.

39. Although the first responsibility of the sponsor is to send out a call to the industry to convene an organizational meeting for the purpose of establishing the Administrative Council for Terminal Attachments discussed below, the primary ongoing purpose of the sponsoring organization will be to provide administrative and secretarial support to the Administrative Council.

The sponsor's administrative functions may be as broad or as narrow as the Administrative Council determines.

For instance, the sponsor may merely organize and facilitate the Administrative Council's meetings.

If the Administrative Council chooses, the sponsor may also operate and maintain the database of approved equipment.

As discussed below, the Administrative Council will delineate clearly and publicly the arrangement it enters into with the sponsor.

Under no circumstances, however, will the sponsoring organization make substantive decisions regarding technical criteria for terminal equipment, nor will it in any other way attempt to influence the decision-making process of the Administrative Council or any standards development organization submitting standards to the Administrative Council for adoption as technical criteria for terminal equipment.

40. The sponsoring organization is responsible for ensuring that the industry populates the Administrative Council in a manner consistent with ANSI criteria for a balanced and open membership.

We require the sponsor to notify the industry that it intends to establish a Administrative Council with membership that is balanced in terms of the points of view represented.

21. ACTA Public Notices; Appeals; and Coordination of Assignment of Projects.

In para. 41 the FCC outlines some ACTA responsibilities which it may assign to the sponsor(s).

41. After the Administrative Council is populated, the sponsor is responsible for fulfilling secretariat functions for the Administrative Council.

After the Administrative Council is in being, then its relationship with the sponsor becomes contractual.

The Administrative Council may contract with the sponsor to provide the appropriate public

notice for its actions and for appeals to it.

The Administrative Council may also contract with the sponsor to coordinate the industry's assignment of standards-development projects, and take other actions that will support the Administrative Council's functions and coordination of industry standards-setting processes.

22. Purpose: Clearing House for Technical Criteria.

In para. 49 the ACTA purpose is stated.

49. The purpose of the Administrative Council is to act as the clearing-house publishing technical criteria for terminal equipment developed by ANSI-accredited standards development organizations.

23. Requirements on ACTA.

The FCC described its criteria for ACTA.

b. Criteria for the Administrative Council.

50. We conclude that the Administrative Council should be a non-governmental entity that is not controlled or dominated by any particular telecommunications industry segment.

The Administrative Council must be fair and impartial.

We believe that the separation of the sponsoring organization, the Administrative Council, and standards development functions eliminates any concerns regarding even the appearance of bias on the part of the Administrative Council.

51. The Administrative Council must have a membership fairly balanced in terms of the points of view represented.

In meeting this requirement, we anticipate the Administrative Council membership will represent all segments of the industry including local exchange carriers, interexchange carriers, terminal and network equipment manufacturers, test laboratories, and other interested parties.

We agree with ATIS that the individual member's industry segment, rather than the office held in industry organizations, such as Committees T1 or TR41, should be counted to ascertain the balance of membership.

We require that the Administrative Council limit the number of Administrative Council members to a workable number.

This requirement, however, shall not be used to limit arbitrarily participation by any one segment of the industry.

In addition, to the extent there is interest among industry members, the Administrative Council is required to rotate the Administrative Council membership to give all interested individuals an opportunity to participate, and to avoid placing undue burden on specific individuals.

24. ACTA Functions: Adopt Technical Criteria.

The FCC designated these functions of ACTA.

c. Functions of the Administrative Council

52. We conclude that the Administrative Council will adopt technical criteria for terminal equipment through the act of publishing criteria developed by ANSI-accredited standards development organizations.

This process will operate as follows: Immediately upon receipt of submitted technical criteria, the Administrative Council will publish a public notice detailing the technical criteria and the standards development organization responsible for its submission.

Interested parties will have 30 days to appeal any aspects of the proposed technical criteria to the standards development organization, to the American National Standards (ANS) Board, or to the Commission. Simultaneously with the appeal, the party appealing the proposed technical criteria must provide notice of this appeal to the Administrative Council.

If no appeals are filed within 30 days after the Administrative Council's public notice, then the Administrative Council will publish the technical criteria, and the Commission will consider the criteria presumptively valid.

25. ACTA Functions: Database.

53. The Administrative Council will also be responsible for establishing and maintaining a database of equipment approved as compliant with the technical criteria. The Administrative Council may perform this database function on its own, or may make arrangements with one of the sponsoring organizations to be the administrator of the database.

26. ACTA Functions: Many Functions.

The Administrative Council will assume many of the Commission's current Part 68 functions, including responding to inquiries from the public regarding the technical criteria it has published, including the technical criteria that are currently in the Part 68 rules, and approved equipment.

27. ACTA Functions: Discretion.

It is within the Administrative Council's discretion to determine the most appropriate way to perform many of these functions.

28. ACTA Functions: Inquiries.

For instance, the Commission receives approximately 60 inquiries per month regarding the proper interpretation and application of the Part 68 technical criteria. We require the Administrative Council to refer such inquiries to an appropriate standards development organization or TCB.

29. ACTA Functions: Inquiries.

ACTA Means of Accomplishing; ascertaining 'no conflict' and 'harms applicability'.

54. The Administrative Council will accomplish these responsibilities by:

- Accepting submissions of proposed technical criteria from ANSI-accredited standards development organizations or committees;
- Ascertaining that the SDO's have made certifications regarding no conflict with existing criteria and applicability to the four harms, as discussed *infra*;
- Providing a public notice to inform industry as thoroughly as practicable of the identity of the proposing SDO and of the proposed technical criteria;
- Publishing the SDO submitted criteria thirty days after public notice, thereby making the technical criteria presumptively valid under the Commission's rules.

30. ACTA Determines Own Functions Re Coordination. Prohibitions.

55. The Administrative Council may undertake any other administrative functions that it deems necessary to coordinate industry's development and review of potential technical criteria.

We agree with TIA that these functions, currently performed on an *ad hoc* basis by individuals coordinating among interested standards development organizations, may find a locus in the Administrative Council.

For example, the Administrative Council may provide notice to interested parties of new standards being developed for publication as technical criteria. It may also coordinate, if necessary, which industry SDOs will take on a particular development project, and ensure that all interested parties have notice of the undertaking.

We note, however, that the Administrative Council must not engage in standards development, policymaking, or dispute resolution.

In order to ensure that the Administrative Council is functioning according to the requirements and principles set out in this Order, the Administrative Council must establish a “charter” that will set forth its functions, its operations, and its standards for providing balanced membership.

31. ACTA Funding; Participation of Small Business and Individuals.

56. Finally, we conclude that it is not necessary for us to establish specific funding mechanisms for the Administrative Council. We believe that the Administrative Council and the joint sponsoring organizations, TIA and ATIS, are in the best position to determine financing arrangements.

We are also confident that they will ensure successfully that small businesses and individuals are able to participate in the standards-setting and to purchase the Council’s published standards.

We note that TIA and ATIS, in their proposal for a joint Administrative Council sponsorship are considering issues pertaining to funding of the Administrative Council.

Because the relationship between the sponsoring organizations and the Administrative Council will be a contractual one, subject to our overarching policies of accessibility and openness, we leave these matters within the Administrative Council's purview.

32. Industry New Authority

In para. 59.

In addition, our rules do not preclude other ANSI-accredited standards development organizations from developing technical criteria for submission to the Administrative Council for publication. Thus, we conclude that we are not adopting a new process for industry, but instead we are adding new authority to existing industry procedures and functions.

33. "Harm".

65. Maintaining the term “harm” enables the Commission to monitor terminal equipment approval and ensure that the requirements enumerated in this Order will be satisfied in an expeditious and nondiscriminatory manner. We believe that maintaining this term in Part 68 will not limit the authority of the Administrative Council, TCBs, standards development bodies, or other private entities that we charge with responsibilities in this Order.

34. ACTA Receives, Redirects, Calls Time on Appeals.

71. *Appeals of Technical Criteria Before Publication by the Administrative Council.* We adopt our proposal to require a party, aggrieved by an SDO’s decision to submit technical criteria to the

Administrative Council for publication, to appeal this decision through the SDO's ANSI-accredited appeal procedures.

Simultaneously with the appeal, the party appealing the proposed technical criteria must provide notice of this appeal to the Administrative Council.

If no appeals are filed within 30 days after the Administrative Council's public notice, then the Administrative Council will publish the technical criteria, and the Commission will consider the criteria presumptively valid.

72. Appeals of Technical Criteria After Publication by the Administrative Council. If the Administrative Council receives an appeal regarding published technical criteria, the Administrative Council shall refer the proposed technical criteria and the comments back to the submitting SDO.

The SDO shall first try to satisfy the objecting party's concerns, subject to a time limitation imposed by the Administrative Council; if that process is unsuccessful the party filing an objection must exhaust its appeal process through ANSI.

Regardless of whether an appeal is initiated before or after the Administrative Council publishes technical criteria, the Commission will not recognize technical criteria as presumptively valid until the appeal has been resolved by the SDO, and, if review is sought here, by the Commission.

35. ACTA Oversight Responsibility, in para 77.

Our new Part 68 rules will provide that the Administrative Council, thereafter, has the responsibility to maintain, change, or if appropriate, eliminate the criteria, subject to the Commission's guiding principles and procedural requirements that we establish herein.

36. ACTA Documentation to Identify Responsible Party; Provide Accountability; Enable Enforcement of Technical Standards

In para. 84.

In order to maintain a sufficient level of accountability for suppliers, we conclude that an organized system of equipment approval procedures that require appropriate documentation remains necessary. This documentation will identify the party responsible for compliance with the technical criteria, provide accountability, and enable sufficient enforcement of the technical standards to satisfy the public's interest in protecting the PSTN. As we explain below, we defer to the industry to compile and maintain a database of all necessary approval information.

37. Means of Demonstrating Conformance with ACTA Technical Requirements; Declaration (minimum Info); Updates

In Para 99.

Under the Commission's SDoC process, the supplier is required to test accurately the equipment and provide a written declaration that the terminal equipment conforms to applicable Administrative Council technical criteria.

The declaration shall include, at the minimum, (1) the identification and a description of the supplier and the product, (2) a conformity statement and referenced standards, (3) the date and place of issue of the declaration, and (4) the signature, name and function of person making declaration.

We require the supplier to notify the Administrative Council of any changes in this information.

38. ACTA Information to Allow Tracing Suppliers

In para. 101.

101. Moreover, we implement additional requirements to ensure that the public will be able to trace suppliers that declare non-compliant equipment as conforming to Administrative Council technical criteria so that they may be held legally accountable for any resulting harm to the PSTN.

If the supplier does not have a functional and reliable website, then we require the supplier to inform the Administrative Council of such circumstances so that it may make a copy available on its website.

In addition, we require the supplier to send a copy of the SDoC, along with any other information the Administrative Council requires, to the Administrative Council to ensure that consumers and wireline providers of telecommunications can readily obtain a copy.

Finally, as explained below, we require the Administrative Council to implement numbering and labeling requirements and maintain a database of all Commission approved, TCB certified, or supplier-declared terminal equipment that will ensure that consumers and wireline providers of telecommunications can readily obtain the supplier's identity.

39. ACTA Technical Criteria

In para. 104.

Moreover, suppliers that fail to comport with the rules established by the Commission or by the Administrative Council may face enforcement action from the Commission. We are confident that, by adopting two safe and effective methods of equipment approval, TCB approval and SDoC, our procedures will allow suppliers to develop and bring to market products incorporating new features and technology in an efficient manner that will decrease delays, encourage deployment of new technology, and lower costs to consumers.

Moreover, we continue to believe that it is in the public interest for responsible parties to formally certify that their equipment has been tested to meet the Administrative Council technical criteria.

40. ACTA Database

In para. 108.

In lieu of the Commission continuing to maintain and manage the database of all terminal equipment, we agree with the majority of commenters that the Administrative Council should assume these responsibilities.

We find compelling TIA's argument that the details of the database structure, content, and maintenance are better left to the Administrative Council to establish.

We believe that, after privatizing the registration process, industry will be in a better position than the Commission to assess the database requirements and to develop and implement such requirements and accompanying procedures.

109. Moreover, we agree with commenters that the accuracy of the database can be best achieved by limiting the required information and by using electronic filing procedures. Accordingly, we require the Administrative Council to devise a centralized, accurate database that is readily available and accessible to the public, including individuals with disabilities, at nominal or no costs. In addition, we believe that entities submitting information to the database, whether they obtained their approval from a TCB or utilized the SDoC process, should submit pertinent information regarding their identity and approved equipment to the

database administrator.

110. We also charge the Administrative Council with the responsibility to ensure that the database is created and maintained in an equitable and nondiscriminatory manner.

The manner in which the database is created and maintained must not permit any entity or segment of the industry to gain a competitive advantage.

The database shall be available to the Commission and the U.S. Customs Service at no cost. We defer to the Administrative Council to consider ITI's proposal to integrate the terminal equipment database with a global database of compliance information in order to facilitate trade, enhance the competitiveness of US industry, and reduce the cost and burden for suppliers, customers, and regulators.

41. ACTA Labels

In para. 113.

These labels are necessary to identify adequately terminal equipment as an approved piece of terminal equipment that customers are entitled to connect to the PSTN.

42. ACTA Terminal Numbering and Labeling Requirements, as Deemed Necessary

In para. 114 & 115.

114. We agree with TIA that, subject to fulfilling the requirements of government and industry for information, the Administrative Council shall develop any terminal equipment numbering and labeling requirements it deems reasonable and necessary.

We are persuaded by TIA that industry committees are better positioned than the Commission to assess the future need for labeling and database requirements and to develop such requirements.

Accordingly, we will not promulgate specific rules for numbering and labeling as we proposed in the *Notice*. Instead, we defer to the Administrative Council to resolve, as it deems reasonable and necessary, specific issues regarding labeling and numbering we raised in the *Notice*.

115. We require the Administrative Council to include any labeling requirements in its technical criteria and only to adopt labeling requirements that address both equipment approved by TCBs and equipment that has been approved through the SDoC process.

While we are leaving the specific format up to the industry, we require labeling to contain sufficient information for providers of telecommunications, this Commission, and the U.S. Customs Service to carry out their functions, and for consumers to easily identify the supplier of their terminal equipment.

Moreover, as with the creation of the database, the Administrative Council shall adopt a numbering and labeling scheme that is nondiscriminatory, creating no competitive advantage for any entity or segment of the industry.

43. ACTA Customer Instructions Responsibility

In para. 114.

Furthermore, we defer the responsibility to maintain and alter as they deem reasonable and necessary the customer instructions rules to the Administrative Council.

44. ACTA Determines Information Required

In para. 130.

The Administrative Council and the TCBs are no longer obligated to use Commission Form 730. We defer to the Administrative Council to determine what information it will require from TCBs and from suppliers using the SDoC process for equipment approval.

45. ACTA Review of Technical Criteria

In para. 138.

The Administrative Council would review the criteria only for supporting documentation from the SDO certifying that the submitted technical criteria are not duplicative or in conflict with any other existing technical criteria required for terminal equipment.

46. FCC Goals.

In para 142.

The Commission's goals were to produce an absolute minimum of expense to both the government and private industry, to the benefit of the ultimate consumer, while at the same time protecting the PSTN from harms that could be caused by the connection of faulty terminal equipment.

47. ACTA Encourage Participation.

In para 151.

151. In the Order, the Commission concluded that in establishing technical criteria, the Administrative Council must use procedures that will encourage all interested parties, including small manufacturers, to be involved in the standards setting process.

In addition, the Commission entrusted affordable participation in the technical criteria development process by small businesses to the Administrative Council, while maintaining a right of Commission review of the industry processes should that be necessary.

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