

Telecommunications Industry Association

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

In the Matter of)
)
2000 Biennial Regulatory Review of Part 68 of) CC Docket No. 99-216
the Commission's Rules and Regulations)

**REPLY COMMENTS
OF THE
TELECOMMUNICATIONS INDUSTRY ASSOCIATION**

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July 7, 2000

703-907-7703

The Telecommunications Industry Association (“TIA”) offers the following reply comments in Docket 99-216:

Substantial Evidence Does Exist For a Declaration of Conformity (“DoC”)

In its letter, dated June 21, 2000, Underwriters Laboratories Inc. (“UL”) states that “Declaration of Conformity may be a viable solution. However, we would like to call your attention to GEN Docket 98-68, Paragraph 13, which stated ‘...We decline to expand further the DoC Program to equipment subject to Part 68 registration at this time.’ We have not seen substantial evidence to change this position.”

TIA respectfully submits that the document TIA filed on July 29, 1999, “Supplemental Comments subsequent to the Commission’s fora on deregulation/privatization of equipment registration and telephone network connection rules,” provides substantial reasons and evidence as to why the DoC program should be expanded to include Part 68 registration. These include the successful implementation of DoC procedures in several countries, the successful application of DoC procedures by the Commission for portions of Part 15, the rationale and benefits for DoC expansion, and the expected benefits to consumers, industry, and government. In addition, the document addressed a number of implementation considerations relating to the proposed DoC process.

The TIA position, as stated in the Conclusion of the filed document, is that, by allowing the DoC option, the public will benefit by having access to advanced telecommunications equipment sooner and at lower cost. In addition, the Commission will realize lower operating costs, and industry will have a simpler and

more efficient authorization process. It was also stated that a change to DoC for equipment subject to Part 68 at this time would be consistent with international trends in conformity assessment. Indeed, in Europe, the implementation of the Radio and Telecommunications Terminal Equipment Directive (“RTTE”), in April 2000, made the concept of DoC applicable to all telecommunications equipment.

TIA also has recommended that manufacturers of telecommunications equipment should have the option of availing themselves of the Telecommunications Certification Body (“TCB”) process in addition to the proposed DoC process.

The Gatekeeper or Council and its Representation

TIA notes that the preponderance of commentors are in favor of having a gatekeeper function. Several also comment on the organization or type of organization that should fulfill this role. The Alliance for Telecommunications Industry Solutions (“ATIS”) claims that it is uniquely qualified for this role because of its broad base of participation and its neutral nature. The American Council of Independent Labs (“ACIL”), Communication Certification Labs (“CCL”), and Phonex all mention the possibility of a Federal Advisory Committee (“FAC”) fulfilling the gatekeeper function, but suggest aligning it more closely with the Canadian Terminal Attachment Program Advisory Committee (“TAPAC”) model.

The United States Telecom Association (“USTA”) believes that the gatekeeper function should be separated from the Standards Development Organization (“SDO”) function and suggests creation of a FAC might be a way of accomplishing this. Nortel Networks suggests TIA TR-41, with the support of T1E1, for the gatekeeper

role.¹ Hewlett-Packard and KTL also note TIA TR-41's long history of involvement with the FCC on Part 68 issues.² Lucent Technologies endorses TIA but also indicates it would support the formation of a council to provide the gatekeeper function. TIA has suggested the formation of a Terminal Attachment Council ("TAC") patterned to a large extent after TAPAC and has indicated its willingness to provide the secretariat function for the TAC.

TIA agrees that the ATIS-sponsored T1 Committee, and in particular its T1E1 Subcommittee that deals with network interface criteria, is an American National Standards Institute ("ANSI")-accredited SDO with an ANSI process that meets the openness and fairness criteria sought by the FCC. However, the listing of industry segments represented in the ATIS structure specifically does not include testing laboratories, which TIA views as a major stakeholder. In addition, TIA does not believe that small telecommunications equipment manufacturers are particularly well represented in T1 or ATIS.

TIA believes that its TAC proposal goes the "extra mile" in ensuring that all stakeholders would be made aware of and have a voice in the development of the technical standards that would address the harms identified in Part 68. It is patterned to a large extent after the Canadian TAPAC model that ACIL, CCL, and Phonex suggested should be considered as an alternative to a FAC, and it would meet USTA's criteria for separation of the gatekeeper and SDO functions.

¹ Nortel Networks Comments at i and 6.

² Hewlett-Packard Comments at 2; KTL Dallas, Inc. Comments at 1.

Name of TIA’s proposed Council

In its June 23 comments and in the paragraphs above, TIA uses the name Terminal Attachment Council (“TAC”) for the gatekeeper entity. Since the Commission currently has a Technology Advisory Council comprised of industry participants, and it is commonly referred to as the TAC, in order to avoid an obvious source for potential confusion, TIA would recommend the use of the acronym CTA (“Council for Terminal Attachment”) in the future for its proposed gatekeeper entity.

Conclusion

TIA encourages the Commission to act in an expeditious manner to complete this rulemaking, and to adopt TIA's recommendations. When the final rules are enacted, TIA is prepared to work with the FCC and other government agencies in sponsoring workshops to help educate the industry about the new options made available and is prepared to serve as a secretariat for the CTA.

Respectfully submitted,

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I, Stephanie Montgomery, an employee of the Telecommunications Industry association, do hereby certify that on this the 7th day of July, a copy of the foregoing Reply Comments was served upon the following via U.S. First class Mail.

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