ADMINISTRATIVE COUNCIL FOR TERMINAL ATTACHMENTS (ACTA)

MEETING DATE:	August 16, 2001
TITLE:	ACTA Filing Issues
SOURCE*:	Tim Jeffries ACTA Director
PURPOSE:	**Discussion and Informative**
DISTRIBUTION TO:	ACTA

ABSTRACT

The ACTA Secretariat has received numerous inquiries over the past few weeks in relation to ACTA's filing procedures and requirements relevant to situations not detailed in the Guidelines and Procedures Rev.: 1.0 document. Provided are some issues and recommendations for ACTA discussion.

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FCC vs. ACTA Product-Label:

Issue: Re-sellers of TTE products want to remove certain information from an existing FCC registered/approved product's label; namely the Grantee's Name.

Recommendation: Products registered/approved under the FCC approval structure should continue to comply with all the requirements pertaining to its approval; including product-labeling requirements. Product-label information can be changed to the ACTA-adopted labeling scheme (which grants parties greater flexibility in the product-label information) by filing a re-approval notice.

Use of TCB Codes:

Issue: The FCC Common Carrier Bureau (CCB) unofficially issued Part 68 Telecommunications Certification Bodies (TCB) a unique code for database maintenance and tracking purposes only. TCBs are asking about the nature and continued use of this code.

Recommendation: Use of the TCB codes currently assigned must continue to ensure the ACTA and FCC databases remain alike as the FCC is continually providing updates to the central database during this transitional period. Going forward, efforts to align TCB codes with those assigned by the FCC OET and/or TCB Council should be initiated. TCB codes are used to link a TCB to its database entries. A list of codes is available on request.

Continuing Compliance Requirements:

Issue: With the FCC's privatization of Part 68, requirements regarding Continuing Compliance (§68.200) were deleted. Parties are seeking guidance as to ACTA's requirements (if any) for establishing replacement specifications.

Recommendation: Responsible Parties must retain all relevant test results, test procedures, and quality control documentation necessary to demonstrate (for enforcement purposes) that the terminal equipment complies, and will continue to comply, with all relevant FCC Part 68 Rules and ACTA-adopted technical criteria. Submission of such information, as traditionally filed with the FCC, is not required.

ACTA Fees Payable by Credit Cards:

Issue: The ACTA Secretariat has requested that filing fees be payable by check. Parties are requesting acceptance of other methods; i.e., credit cards.

Recommendation: While electronic payment will be available once web-based filings are implemented, in the interim, payment should be by check. Credit card companies typically retain 4-5% of the amount charged for processing whereby placing a (avoidable) financial burden on ACTA. An alternative method of payment, until such time that the ACTA Funding Working Group devises other alternatives, is bank-to-bank electronic transfers. Parties wishing to pursue this method can contact the ACTA Secretariat for account-routing information. Parties using this service must pay for the service (i.e., ~$12 transfer fee).

Authorized U.S. Service Center:

Issue: Responsible Parties acting only as an Original Equipment Manufacturer (OEM) may not (directly) maintain a US Service Center. Clarification relevant to ACTA's requirements for Responsible Parties to identify its US Service Center is therefore needed.

Recommendation: While an OEM is not required to directly control or maintain a US Service Center under certain conditions (i.e., barred from marketing a product under its name), identification of a Service Center is required. Therefore, Responsible Parties shall identify the US Service Center used by the company(s) marketing (i.e., re-selling) the product.

Modifications & Notice of Change on Previously Registered Products:

Issue: Parties filing with ACTA to revise/update previously registered products are required to submit all items currently specified by ACTA; e.g., Indemnification & Liability Statement, and a Supplier's Declaration of Conformity or TCB Certificate. Previously registered products undergoing modifications and/or notice of change therefore, in essence, must be 're-approved'.

Recommendation: Parties modifying and/or expanding the registration 'umbrella' of previously approved products shall declare (via the SDoC method) or have a TCB certify that the products comply with the relevant Part 68 rules and/or ACTA-adopted technical criteria. Parties utilizing the SDoC method must provide the SDoC with the modified and/or additional products, in accordance with the FCC R&O.

Additionally, the Indemnification & Liability statement is deemed a 'blanket' requirement and, as such, must be included with all filings submitted to ACTA, unless otherwise noted.

Going forward, ACTA should discontinue reference to previously defined filing classifications (i.e., original, modification, notice of change, and re-certification) as ACTA will require the same basic information for all filings.

Point of Contact for SDO and TCB Council:

Issue: ACTA currently instructs parties to contact the relevant SDO, TCB, or TCB Council for guidance on 'technical' questions. Without specific contact information for the various organizations referenced, questions may go unanswered.

Recommendation: SDOs submitting technical criteria to ACTA should provide instructions (in the specification) on where to submit (i.e., email) technical inquiries. This information should also be posted on ACTA's website. A point of contact, in addition to a website address, for the TCB Council should also be established and posted.