

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

In the Matter of)
)
)
BellSouth's Petition for Declaratory)
Ruling or, Alternatively, Request)
for Limited Waiver of the CPE Rules)
to Provide Line Build Out (LBO))
Functionality as a Component of)
Regulated Network Interface Connectors)
on Customer Premises)

REPLY COMMENTS
OF THE
SECRETARIAT TO THE
AMERICAN NATIONAL STANDARDS INSTITUTE - ACCREDITED
STANDARDS COMMITTEE T1 - TELECOMMUNICATIONS

To: The Commission

O.J. Gusella, Jr.
Committee T1 Secretariat

Susan M. Miller
Counsel to Committee T1
Secretariat

c/o Exchange Carriers
Standards Association, Inc.
5430 Grosvenor Lane
Suite 200
Bethesda, Maryland 20814-2122
(301) 564-4505

Date: February 14, 1989

TABLE OF CONTENTS

	<u>PAGE</u>
SUMMARY	ii
I. <u>BACKGROUND</u>	3
II. T1.403 -- Draft American National Standard on Carrier to Customer Installation - <u>DS1 Metallic Interface</u>	6
A. The DS1 Metallic Interface Standard Was Developed And Supported By Industry <u>Consensus</u>	6
B. The DS1 Metallic Interface Standard Does Not Address The Issues Raised In The BellSouth <u>Petition</u>	10
C. Consideration of Regulatory, Legal, And Policy Issues Are Beyond The Scope of <u>Committee T1</u>	10
III. <u>CONCLUSION</u>	12

SUMMARY

The Secretariat to the Accredited American National Standards Committee T1 - Telecommunications files these Reply Comments in response to those direct Comments on the BellSouth Petition submitted by IDCMA. In particular, these comments address certain misstatements by IDCMA relating to Committee T1's membership, processes, structure, and Committee T1's role in telecommunications standards-setting.

Committee T1 and its subtending Technical Subcommittees and Working Groups develop American National Standards and technical reports by consensus. One such standard -- T1.403-the Carrier to Customer DS1 Metallic Interface Standard -- is referenced in IDCMA's Comments. The summary of the voting on T1.403 reflects that 77 members from T1's four interest group categories voted affirmatively on the standard's approval. Of the two negative votes on the standard, one negative vote is on grounds unrelated to the concerns expressed by IDCMA's Comments, and will be addressed in a new T1 study project. Thus, only one negative vote remains on the draft DS1 Metallic Interface Standard with respect to the issues raised by IDCMA. Under ANSI procedures, even two negative votes are not inconsistent with consensus.

The draft standard is an interface standard and is silent on the location of the LBO functionality. IDCMA fails to cite any provision within the draft DS1 Metallic Interface Standard that is to the contrary. Thus, it remains the responsibility of the service provider to determine how the standard is implemented consistent with FCC Part 68 Regulations.

Finally, contrary to IDCMA's suggestion, questions involving regulatory, policy or legal issues are beyond the scope of Committee T1 and its processes. For Committee T1 to judge such issues would reach T1 in areas never considered by T1 to be within its jurisdiction and would require expertise that is not found in Committee T1.

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

In the Matter of)
)
BellSouth's Petition for Declaratory)
Ruling or, Alternatively, Request)
for Limited Waiver of the CPE Rules)
to Provide Line Build Out (LBO))
Functionality as a Component of)
Regulated Network Interface Connectors)
on Customer Premises)

REPLY COMMENTS
OF THE
SECRETARIAT TO THE
AMERICAN NATIONAL STANDARDS INSTITUTE - ACCREDITED
STANDARDS COMMITTEE T1 - TELECOMMUNICATIONS

The Secretariat to the American National Standards
Institute-Accredited Standards Committee T1-Tele-
communications ("Committee T1" or "T1") hereby files these
Reply Comments with the Federal Communications Commission
("FCC" or "Commission") in response to the Commission's
Public Notice released December 29, 1988, DA 88-1966
("Notice").¹ The Notice requested comments on

¹ The following parties filed comments in response to
the Commission's Notice: American Telephone and Telegraph
Company ("AT&T"); Ameritech Operating Companies ("Ameritech");
Avanti Communications Corporation ("Avanti"); Bell Atlantic
Telephone Companies ("Bell Atlantic"); Fujitsu America, Inc.,
("Fujitsu"); GTE Service Corporation ("GTE"); Independent Data
Communications Manufacturers Association Inc. ("IDCMA");
Kentrox Industries, Inc. ("Kentrox"); Larse Corporation
("Larse"); Mountain States Telephone and Telegraph Company
("Mountain States"); North American Telecommunications
Association ("NATA"); NYNEX Telephone Companies ("NYNEX");
Pacific Companies ("Pacific"); Southwestern Bell Telephone
Company ("SWBT"); United States Telephone Association
("USTA"); and Verilink Corporation ("Verilink"). The instant
Reply Comments employ the foregoing abbreviations in referring
to the comments in this proceeding.

BellSouth Corporation's ("BellSouth") petition for a declaratory ruling, or in the alternative, a request for a limited waiver to allow line build out ("LBO") functionality to be provided in the transmission path of 1.544 Mbps (DS1) services as a component of regulated network interface connectors, or jacks, located on customer premises ("Petition").

The T1 Secretariat submits these Reply Comments to address misstatements in the Comments of IDCMA, relative to Committee T1 and its development of American National Standards. Specifically, contrary to IDCMA's assertions: (1) the DS1 Metallic Interface Standard developed by Committee T1 ("T1.403") is supported by a consensus of the industry; (2) the draft standard does not address the issue raised by the BellSouth Petition -- i.e., the placement of LBO functionality; and (3) regulatory, legal, and policy issues are beyond the scope of Committee T1. By these Reply Comments, the T1 Secretariat does not take any position with respect to BellSouth's Petition.

I. BACKGROUND

Committee T1 is sponsored by the Exchange Carriers Standards Association, Inc. ("ECSA"). ECSA is a not-for-profit corporation, voluntarily established by the exchange carrier industry to address technical interconnection and other standards issues in the post-divestiture telecommunications environment. Established in February, 1984, Committee T1 members include all segments of the telecommunications industry. Its mission is to develop technical standards and reports supporting the interconnection and interoperability of telecommunications networks at interfaces with end-user systems, carriers, information and enhanced service providers, and customer premises equipment. These include switching, signaling, transmission, performance, operation, administration and maintenance aspects. Committee T1 is also concerned with procedural matters at points of interconnection, such as maintenance and provisioning methods and documentation, for which standardization would benefit the telecommunications industry.

Committee T1 is accredited by the American National Standards Institute ("ANSI") and is open in membership to all parties with a direct and material interest in the

telecommunications standards-setting process. To be ANSI-accredited as an American National Standards Developer like Committee T1, the Committee's procedures must meet the requirements of open membership, balanced participation, and substantial due process, as well as the criteria for approval and withdrawal of American National Standards as established by ANSI. Further, ANSI accreditation requires: (1) continuity of administrative oversight and support of its activities; (2) designation, publication, and maintenance of the standard(s) produced; (3) provision of an appeals mechanism; (4) co-operation with ANSI in standards planning and coordination activities of mutual interest; (5) advisement of ANSI on the initiation and scope of new standards activities expected to result in American National Standards; (6) advisement of ANSI of the initiation of activities related to revision, reaffirmation, or withdrawal of American National Standards; and (7) consideration of applicable international standards.

The ANSI Board of Standards Review ("BSR") reaffirms accreditation of standards developers at selected intervals or upon request to confirm that there is firm adherence to these criteria. Pursuant to the most recent re-accreditation which occurred March, 1987, the Committee T1 has been determined to be in full compliance with these criteria.

The Committee T1's structure and procedures are designed to, among other things, ensure that all parties with a direct and material interest in the telecommunications standards-setting process will have the opportunity for fair and equitable participation in the Committee T1 process without dominance by any single interest and that they have a means to contribute their expertise and to have their views considered. Interested parties include exchange carriers, interexchange carriers (including enhanced service providers), manufacturers (including equipment vendors), users and general interest (including user groups, professional associations, and governmental agencies).

Currently, T1 has 89 voting members in its four interest categories: 19 exchange carriers, 11 interexchange carriers, 42 manufacturers and 17 users and general interest members. Contrary to IDCMA's claim that "[C]PE manufacturers and vendors are much less actively represented, and that there is very little participation by users" (See IDCMA comments, at 4, n.3.), two-thirds of the manufacturers with voting membership are CPE manufacturers. Seventy percent of the voting members in the User and General Interests category are within the

generally understood group of telecommunications service users.² Thus, actual participation in Committee T1 reflects levels of representation and active participation that are quite different than the observations made by IDCMA.

II. T1.403 -- DRAFT AMERICAN NATIONAL STANDARD ON THE CARRIER TO CUSTOMER INSTALLATION-DS1 METALLIC INTERFACE.

A. The DS1 Metallic Interface Standard Was Developed And Supported By Industry Consensus.

Committee T1 and its subtending Technical Subcommittees and Working Groups develop American National Standards, project proposals, and technical reports by "consensus." Under T1's bylaws, which are modeled on ANSI procedures, consensus is established when

[s]ubstantial agreement has been reached by those participating in the consideration of the subject at hand. Substantial agreement means more than a simple majority, but not necessarily unanimity. Consensus requires that all views and objections be considered, and that concerted effort be made toward their resolution. 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 (consensus) of the majority.³

² Other significant users of telecommunications products and services participate in Committee T1 but are included in other membership groups because their primary business is the supply of telecommunications products or services. IBM, for example, is such a member.

³ See T1 Bylaws, Chapter 4.2.4; see also ANSI Procedures for the Development and Coordination of American National Standards, Section 1.3.3.

A summary of the voting on T1.403, as reported to ANSI, reflects that 77 members from T1's four interest group categories voted affirmatively on the standard's approval while two negatives were reported. Subsequently, a default letter ballot was issued informing the T1 membership of the negative votes. No additional support was stated for either negative vote.⁴ The negatives were voted for very different reasons. One of the negative votes is unrelated to the concern raised by IDCMA, and involves an issue to be addressed in a new T1 Technical Subcommittee Study Project. Thus, in truth, only one negative vote remains related to the issue raised by IDCMA.

Under ANSI's definition, this summary of the votes on the DS1 Interface Standard reflects overwhelming industry consensus, a consensus that includes interests from every industry segment - exchange carriers, interexchange carriers, manufacturers of all types, including CPE manufacturers, users, and other general interest members. Contrary to what IDCMA would have this Commission believe, even two negative votes are not inconsistent with consensus.--

⁴ The "default letter ballot" process is used by Committee T1 to address views and/or objections that are raised in the context of a letter ballot vote on a proposed standard. The "default" process affords all voting members the opportunity to affirm or change their votes in view of objections expressed in any negative votes that are cast.

There is also some misunderstanding by IDCMA of Committee T1's processes to forward standards to ANSI and ANSI's involvement in the standards review and approval process. The process that ANSI uses has two steps: (1) a public review and comment period (ANSI Form BSR-8), and (2) a letter ballot to approve the standard as an American National Standard (ANSI Form BSR-9).

On March 31, 1988, the T1 Secretariat forwarded the DS1 Metallic Interface Standard to ANSI on BSR-8, a form which requests that ANSI list the proposed Standard in Standards Action, an ANSI bi-weekly periodical sent to over 10,000 standards users in the industry, including business and government; professional and technical societies and trade associations that develop standards; public and consumer interests; and the media. The publication in Standards Action invites review and comment from the industry in order to broaden the basis of consensus beyond Committee T1 and to provide an opportunity to identify and remedy oversights, inadequacies, and conflicts with other standards.⁵ ANSI listed the DS1 Metallic Interface Standard in its publication, putting the standard out for a sixty day review and comment period beginning April 22,

⁵ See Guide to Submitting Standards to ANSI for Approval, published by ANSI.

1988 and closing June 21, 1988.⁶ No comments were received objecting to the DS1 Standard pursuant to this process.

The January 9, 1989 submittal to ANSI (that IDCMA references) is a submittal for approval of the standard as an American National Standard. It is a BSR-9 form which gives ANSI's Board of Standards Review the basis for determining whether substantial agreement has been reached on a proposed new or revised standard. It provides for a vote tally, a record of unresolved objections to the approval, and information on steps taken to harmonize the domestic proposal with work on parallel international drafts.⁷ The ANSI Board of Standards Review has begun its review of the proposed standard, and is in fact nearing close of the final letter ballot, the second step in the process, to adopt the standard as a national standard. The letter ballot will close on February 22, 1989.

Thus, other than the negative votes to the T1-developed DS1 Metallic Interface Standard on the grounds stated by IDCMA in objection to the standard, widespread industry review of the standard reveals total approval of the standard.

⁶ Again, there is some confusion of the process and the standard's status by IDCMA. As indicated, the ANSI review process actually began April 22, 1988, when the standard was first issued in Standards Action, not January 9, 1989 as IDCMA indicates.

⁷ See Guide to Submitting Standards to ANSI for Approval, published by ANSI.

B. T1.403 -- The DS1 Metallic Interface Standard Does Not Address The Issues Raised In The BellSouth Petition.

The proposed standard, as T1 has developed it, is an interface standard. It is silent on the location of the LBO, and does not require that it be placed in the network or in some network equipment. IDCMA fails to cite any provision within the draft DS1 Metallic Interface Standard which is to the contrary. To the extent that any service provider decides it is appropriate to implement the standard and use a transmit LBO and place it in the network, it would be the responsibility of that carrier to determine how the standard may be implemented consistent with FCC Part 68 regulations; like BellSouth is requesting in its Petition.

C. Consideration of Regulatory, Legal, And Policy Issues Are Beyond The Scope of Committee T1.

With respect to IDCMA's comment on the inconsistency of the proposed standard with Commission rulings, and Committee T1's refusal to consider legal or policy issues,⁸ the T1 Secretariat submits that questions such as these, involving regulatory, policy or legal issues are beyond the scope of Committee T1 and its processes. As noted above, and set forth in the Committee T1's Bylaws, the scope of Committee T1's activities and its

⁸ See IDCMA Comments, at 5.

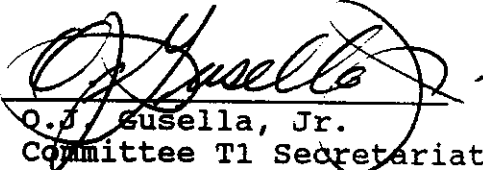
responsibilities as approved by ANSI, are limited to the development of standards and technical reports on those functions and characteristics related to the interconnection and interoperability of telecommunications networks at interfaces with end user systems, carriers, information and enhanced service providers, and related procedural matters at the point of interconnection. Thus, as IDCMA correctly points out, "[t]he development of a Committee T1 standard should have no bearing on the application, interpretation, or amendment of the Commission's rules (emphasis added)." For the Committee T1 to judge regulatory, policy or legal issues would involve areas T1 never considered to be within its jurisdiction and would require areas of expertise that do reside not within Committee T1.

III. CONCLUSION

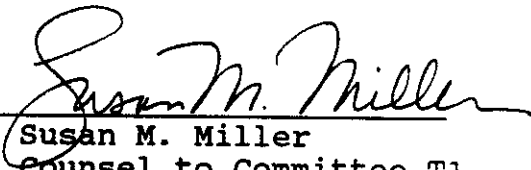
The Secretariat to the Committee T1 respectfully submits these Reply Comments to respond to any misconceptions or misunderstandings with respect to Committee T1, its role, its membership and its processes. The Committee T1 will continue to ensure that open membership, balanced participation, and substantial due process are afforded to all participants to safeguard the integrity and efficiency of the standards formulation process.

Respectfully submitted,

By:


O.J. Gusella, Jr.
Committee T1 Secretariat

By:


Susan M. Miller
Counsel to Committee T1
Secretariat

c/o Exchange Carriers Standards
Association, Inc.
5430 Grosvenor Lane
Suite 200
Bethesda, Maryland 20814
(301) 564-4505

Date: February 14, 1989

CERTIFICATE OF SERVICE

I, Vermel Allen, hereby certify that on this 14th day of February, 1989, a copy of the foregoing Reply Comments of the T1 Secretariat of the American National Standards Institute - accredited Standards Committee T1 - Telecommunications was mailed first class, postage prepaid or delivered by hand, to the individuals named in the attached list.



Vermel Allen

Service List

William B. Barfield
Thompson T. Rawls, II
1155 Peachtree Street, NE
Suite 1800
Atlanta, GA 30367-6000
Attorneys for AMERICAN TELEPHONE AND TELEGRAPH COMPANY

Floyd S. Keene
Michael S. Pabian
30 South Wacker Drive, Flr. 38
Chicago, IL 60606
Attorneys for AMERITECH OPERATING COMPANIES

Paul H. Fredette
Aquidneck Industrial Park
Newport, RI 02840
Chief Technical Officer for
AVANTI COMMUNICATIONS CORPORATION

James R. Young
Lawrence W. Katz
1710 H Street, N.W.
Washington, D.C. 20006
Attorneys for BELL ATLANTIC TELEPHONE COMPANIES

Judith St. Ledger-Roty
Nancy J. Thompson
Pierson, Ball & Dowd
1200 18th Street, N.W.
Washington, D.C. 20036
Attorneys for FUJITSU AMERICA, INC.

Daniel L. Bart
1850 M Street, N.W.
Suite 1200
Washington, D.C. 20036
Attorney for GTE SERVICE CORPORATION

Herbert E. Marks
James L. Casserly
Squire, Sanders & Dempsey
1201 Pennsylvania Avenue, N.W.
Washington, D.C. 20004
Attorneys for INDEPENDENT DATA COMMUNICATIONS
MANUFACTURERS ASSOCIATION, INC.

R. Michael Senkowski
David E. Hilliard
Wiley, Rein & Fielding
1776 K Street, N.W.
Washington, D.C. 20006
Attorneys for KENTROX INDUSTRIES, INC.

Michael Lefkowitz
Director Product Planning
4600 Patrick Henry Drive
Santa Clara, CA 95054
LARSE CORPORATION

Dana R. Rasmussen
Lawrence E. Sarjeant
Randall S. Coleman
1020 19th Street, N.W.
Suite 700
Washington, D.C. 20036
Attorneys for MOUNTAIN STATES TELEPHONE AND TELEGRAPH COMPANY
NORTHWESTERN BELL TELEPHONE COMPANY
PACIFIC NORTHWEST BELL TELEPHONE COMPANY

Albert H. Kramer
Robert F. Aldrich
Wood, Lucksinger & Epstein
2000 M Street, N.W.
Suite 500
Washington, D.C. 20036
Attorneys for NORTH AMERICAN TELECOMMUNICATIONS ASSOCIATION

Mary McDermott
Jacqueline E. Holmes
120 Bloomingdale Road
White Plains, NY 10605
Attorneys for NYNEX TELEPHONE COMPANIES

James P. Tuthill
Jeffrey B. Thomas
140 New Montgomery Street
Room 1524
San Francisco, CA 94105
and
Stanley J. Moore
1275 Pennsylvania Avenue, N.W.
Washington, D.C. 20004
Attorneys for PACIFIC COMPANIES

William C. Sullivan
Melanie S. Fannin
Michael J. Zpevak
Diana J. Harter
1010 Pine Street, Room 2305
St. Louis, Missouri 63101
Attorneys for SOUTHWESTERN BELL TELEPHONE COMPANY

Martin T. McCue
Vice President and General Counsel
U.S. Telephone Association
900 19th Street, N.W.
Suite 800
Washington, D.C. 20006-2105
Attorney for UNITED STATES TELEPHONE ASSOCIATION

Andrew D. Lipman
Catherine Wang
Swidler and Berlin
3000 K Street, N.W.
Washington, D.C. 20007
Attorneys for VERILINK CORPORATION