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Alliance for Telecommunications
Industry Solutions

*Problem Solvers to the
Telecommunications Industry*

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William F. Caton
Secretary
Federal Communications Commission
1919 M Street, N.W.
Room 222
Washington, DC 20554

**Re: Implementation of Section 273 of the Communications
Act of 1934, as amended by the Telecommunications
Act of 1996 - CC Docket No. 96-254**

Dear Mr. Caton:

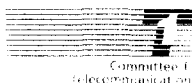
Enclosed herewith please find an original and eleven (11) copies of
the comments of the Alliance for Telecommunications Industry
Solutions, Inc., in the above-referenced proceeding.

If you have any questions, please call me at (202) 434-8828.

Sincerely,

Susan M. Miller
Vice President and General Counsel

COMMITTEES



cc: International Transcription Services
Secretary, Network Services Division, Common Carrier Bureau

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**Before The
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C.**

In the Matter of

**Implementation of Section 273
of the Communications Act of 1934
as amended by the Telecommunications
Act of 1996.**)
)
)
)

CC Docket No. 96-254

Susan M. Miller
Vice President and General Counsel

Alliance for Telecommunications Industry Solutions, Inc.
1200 G Street, N.W.
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Washington, D.C. 20005
(202) 434-8828

February 24, 1997

**Before The
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C.**

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In the Matter of

**Implementation of Section 273)
of the Communications Act of 1934)
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Act of 1996.)**

TABLE OF CONTENTS

	<u>Page(s)</u>
SUMMARY.....	i
COMMENTS.....	1
I. INTRODUCTION AND STATEMENT.....	2
II. OVERVIEW OF ATIS-SPONSORED COMMITTEE PROCESSES.....	4
A. ACCREDITED COMMITTEE T1.....	4
B. NON-ACCREDITED ATIS COMMITTEES.....	9
III. SECTION 273(d)(2): PROPRIETARY INFORMATION.....	13
IV. ROLE OF ATIS IN ACCESS TO GENERIC NETWORK REQUIREMENTS AND STANDARDS DEVELOPMENT PROCESS.....	14
V. CONCLUSION.....	15

SUMMARY

The Alliance For Telecommunications Industry Solutions (“ATIS”) respectfully submits information regarding its thirteen (13) sponsored committees as ATIS has extensive experience with sponsoring both an accredited standards developing committee -- Committee T1, as well as non-accredited consensus resolution committees and forums -- the Carrier Liaison Committee and its subtending Network Interconnection/Interoperability Forum, Ordering and Billing Forum, Industry Numbering Committee, and Toll Fraud Prevention Committee; the Telecommunications Industry Forum; the Network Reliability Steering Committee; and the SONET Interoperability Forum, among others. ATIS notes, however, that it nor any of its subtending committees and forums appear to establish, at this time, “industry-wide standards for telecommunications equipment or customer premises equipment, or industry-wide generic network requirements for such equipment” as contemplated by the Act.

ATIS submits that while it takes no position on how to define “standard,” Committee T1 as an ANSI-accredited Committee, is sensitive to the antitrust compliance issues which may be presented by the standards development processes. As such, Committee T1 has established procedural safeguards and rigorous procedures to ensure that its standards processes operate fairly and that its members are not exposed to antitrust risks. These procedures are detailed herein.

ATIS further submits that while the Commission distinguishes between those standards developed by accredited entities and those that are not accredited, at least in the context of its committees, non-accredited processes need not mean that the processes used are less effective in ensuring that the activities of these groups are “open and accessible to the public.” Nor does it

mean that the output (e.g. “de facto standards”) are somehow tainted or established in an environment with “competitive problems.” The non-accredited ATIS-sponsored committees, such as the CLC discussed more fully herein, are required to incorporate certain fundamental principles of due process in their operating procedures as safeguards to ensure that the activities of the group will not result in antitrust difficulties for itself or its participants.

With respect to Section 273(d)(2) as it pertains to the prohibition on use of proprietary information, the ATIS-sponsored Committee T1 has adopted the ANSI patent policy which does not preclude the adoption of a proposed American National Standard which includes the use of a patented technology so long as the patent holder will license the technology without compensation or under reasonable terms and conditions. The ANSI policy seeks to encourage early disclosure of patents so as to promote greater efficiency in standards development.

Finally, ATIS submits that while the discussion of industry-wide generic network requirements occurs quite randomly and infrequently in the ATIS-sponsored committees/forums, ATIS encourages the future discussion of these requirements and changes to them in ATIS committees. With regard to the role that ATIS might play in ensuring parties have access to these industry-wide generic requirements and standards development processes, ATIS believes that it could be of assistance should it be asked to do so. One such vehicle by which ATIS could facilitate such access would be through its active and extensive homepage on the world wide web.

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