

Federal Communications Commission

§ 68.2

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AUTHORITY: 47 U.S.C. 154, 303, 610.

Subpart A—General

AUTHORITY: Secs. 4, 5, 303, 710, 48 Stat., as amended, 1066, 1068, 1082 (47 U.S.C. 154, 155, 303, 610).

SOURCE: 45 FR 20841, Mar. 31, 1980, unless otherwise noted.

§ 68.1 Purpose.

The purpose of the rules and regulations in this part is to provide for uniform standards for the protection of the telephone network from harms caused by the connection of terminal equipment and associated wiring thereto, and for the compatibility of hearing aids and telephones so as to ensure that, to the fullest extent made possible by technology and medical science, people with hearing loss have equal access to the national telecommunications network, including advanced communications services.

[83 FR 8632, Feb. 28, 2018]

§ 68.2 Scope.

(a) Except as provided in paragraphs (b) and (c) of this section, and excluding subpart F, which applies only to ACS telephonic CPE, the rules and regulations of this part apply to direct connection of all terminal equipment to the public switched telephone network for use in conjunction with all services other than party line services. Sections 68.4, 68.5, 68.6, 68.112, 68.160, 68.162, 68.316, and 68.317, and other sections to the extent they are made applicable by subpart F of this part, also apply to ACS and ACS telephonic CPE that is manufactured in the United States or imported for use in the United States on or after February 28, 2020.

(b) *National defense and security.* Where the Secretary of Defense or authorized agent or the head of any other governmental department, agency, or administration (approved in writing by the Commission to act pursuant to this rule) or authorized representative, certifies in writing to the appropriate common carrier that compliance with the provisions of part 68 could result in the disclosure of communications equipment or security devices, locations, uses, personnel, or activity which would adversely affect the national defense and security, such equipment or security devices may be connected to the telephone company provided communications network without compliance with this part, provided that each written certification states that:

(1) The connection is required in the interest of national defense and security;

(2) The equipment or device to be connected either complies with the technical criteria pertaining thereto or will not cause harm to the nationwide telephone network or to employees of any provider of wireline telecommunications; and

(3) The installation is performed by well-trained, qualified employees under the responsible supervision and control of a person who is a licensed professional engineer in the jurisdiction in which the installation is performed.

(c) Governmental departments, agencies, or administrations that wish to qualify for interconnection of equipment or security devices pursuant to this section shall file a request with the Secretary of this Commission stating the reasons why the exemption is requested. A list of these departments, agencies, or administrations that have filed requests shall be published in the FEDERAL REGISTER. The Commission may take action with respect to those requests 30 days after publication. The Commission action shall be published in the FEDERAL REGISTER. However, the Commission may grant, on less than the normal notice period or without notice, special temporary authority, not to exceed 90 days, for governmental departments, agencies, or administrations that wish to qualify for interconnection of equipment or security

devices pursuant to this section. Requests for such authority shall state the particular fact and circumstances why authority should be granted on less than the normal notice period or without notice. In such cases, the Commission shall endeavor to publish its disposition as promptly as possible in the FEDERAL REGISTER.

[66 FR 7580, Jan. 24, 2001, as amended at 83 FR 8632, Feb. 28, 2018]

§ 68.3 Definitions.

As used in this part:

ACS telephonic CPE. Customer premises equipment used with advanced communications services that is designed to provide 2-way voice communication via a built-in speaker intended to be held to the ear in a manner functionally equivalent to a telephone, except for mobile handsets.

Advanced communications services. Interconnected VoIP service, non-interconnected VoIP service, electronic messaging service, and interoperable video conferencing service.

Demarcation point (also point of interconnection). As used in this part, the point of demarcation and/or interconnection between the communications facilities of a provider of wireline telecommunications, and terminal equipment, protective apparatus or wiring at a subscriber's premises.

Essential telephones. Only coin-operated telephones, telephones provided for emergency use, and other telephones frequently needed for use by persons using such hearing aids.

Harm. Electrical hazards to the personnel of providers of wireline telecommunications, damage to the equipment of providers of wireline telecommunications, malfunction of the billing equipment of providers of wireline telecommunications, and degradation of service to persons other than the user of the subject terminal equipment, his calling or called party.

Hearing aid compatible. Except as used at §§ 68.4(a)(3) and 68.414, and subpart F of this part the terms hearing aid compatible or hearing aid compatibility are used as defined in § 68.316, unless it is specifically stated that hearing aid compatibility volume control, as defined in § 68.317, is intended or is included in the definition.