



PTC 100

**Spark Telepermit
General Conditions**

Access Standards

Spark Limited

Wellington

NEW ZEALAND

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References

Telecommunications Act 2001

Telepermit website www.telepermit.co.nz

ISO/IEC 17025 Standard Application Document for accreditation of testing and calibration facilities

1 Telepermit Overview

Section 106 of the Telecommunications Act 2001 states that "a person may only connect equipment to a network or anything connected to a network that is owned or operated by an operator who has agreed to the connection". Spark's agreement to the connection of any equipment to one of its networks is given by Spark granting a Telepermit to a specific product or equipment type.

The process of granting a Telepermit is also subject to the Commerce Act which in practical terms means that Spark may not take advantage of its market power by either unreasonably denying permission for third parties to connect or arbitrarily varying the requirements for its own products.

Telepermit (PTC) Specifications provide a clear and consistent set of requirements which each specific product must meet to be considered for the grant of a Telepermit. The PTC specifications are technical specifications which detail the various parameters of the customer equipment at the network interface. This is to ensure that the customer equipment will operate correctly when connected to a Spark network.

Spark's wireline services are often delivered to the end customer by a copper cable pair which is owned by Chorus. The Chorus cables are also subject to requirements for connection which are documented by the Telecommunications Carrier's Forum (TCF). The Telepermit requirements include these requirements, so a Telepermit automatically covers the regulatory requirements for using the Chorus network as well as Spark's requirements.

Services may also be delivered to the end customer by fibre optic cable terminated with customer Located Network Equipment (CLNE) or by the mobile network. The mobile network termination may be a customer owned device such as a mobile phone or tablet, or in some cases mobile CLNE may be deployed to deliver traditional wired services such as Telephony or Internet services using the mobile network as the access technology.

In addition to meeting the requirements of the relevant PTC Specification, the product must also meet the other mandatory regulatory requires for a product of its type. These include, but are not limited to, the following:

- Electrical safety (for both product and external power supply if applicable)
- Electromagnetic Compatibility
- Radio Frequency requirements for transmitting devices, for example, Bluetooth, WiFi, Cordless telephones, mobile devices etc.
- Power supply efficiency
- Human exposure to radio frequency fields
- Lithium ion rechargeable batteries

The specifications covering these requirements are published by national or international organisations which include:

- NZS (New Zealand Standards)
- AS (Australian Standards)
- AS/NZS (Joint Australia New Zealand Standards)
- ETSI (European Telecommunications Standards Institute)
- IEC (International Electrotechnical Commission)
- FCC (Federal Communications Commission)

2 Test Laboratories

Testing against the relevant specifications is performed by accredited test laboratories. Testing against PTC specifications is carried out by laboratories accredited by Spark.

A list of accredited test laboratories can be found on the Telepermit website:

(http://www.telepermit.co.nz/recognised_testing_authorities.html).

The process for obtaining accreditation from Spark is documented on the Telepermit website:

(http://www.telepermit.co.nz/ACCREDITATION_OF_TESTING_AUTHORITIES.pdf).

Spark alone is authorised to accredit test laboratories for testing against PTC Specifications.

For testing against other regulatory requirements, laboratory accreditation is undertaken by IANZ (International Accreditation New Zealand) and other accreditation bodies recognized by IANZ.

3 Telepermit Process

3.1 Devices for connection to a fixed network

1. A sample of the product is sent to an accredited Test Laboratory for testing against the appropriate PTC Specification. Other test reports for the other regulatory requirements are also obtained. These may already be available from the manufacturer or may have to be commissioned from an accredited laboratory.
2. The test reports shall be in the name of the proposed Telepermit holder, or authorization must be given by the report owner for the proposed Telepermit holder to use the reports.
3. Upon receipt of the full test results, a formal Telepermit application form is completed and forwarded to Spark New Zealand's Access Standards Team with the appropriate test reports.
4. Access Standards assesses the documentation submitted and if satisfactory, a unique Telepermit number will be assigned to that product. A letter will be sent to the applicant which includes the artwork for a label which is subsequently affixed to the product.
5. Full test results are required for all Telepermit applications. Approval letters or certifications from overseas are not acceptable as evidence of full compliance.
6. A fee for this assessment is charged, the fee structure is documented on the Telepermit website (www.telepermit.co.nz)
7. All Telepermits granted will be listed on a Register. This register is published on the Telepermit website at http://www.telepermit.co.nz/ptc_register.html

3.2 Devices for connection to a Mobile network

- (1) The process for obtaining a Telepermit for a mobile device is different from that for fixed network devices principally in that some of the testing must be undertaken by Spark as it requires access to elements of the network which are not accessible to third party laboratories.
- (2) Other regulatory requirements for mobile devices are similar to those for fixed network devices with test reports from accredited laboratories being required as part of the application submission to Spark.
- (3) The group within Spark which does the testing is Device Testing, and this group is also responsible for the granting of the final Telepermit for compliant mobile devices. The process is

initiated by completing an application form (http://www.telepermit.co.nz/process_index.html) and emailing to device.testing@spark.co.nz .

(4) Mobile devices do not generally have Telepermit labels affixed to them for cosmetic reasons, particularly for handheld devices such as smartphones. However, the Telepermit holder may affix a Telepermit label to a device for marketing or other reasons if desired.

(5) Telepermitted mobile devices are not listed on a public register as devices with identical product names may be intended for other networks using different radio frequency bands and may not have been tested for bands over which Spark has management rights and is responsible for.

4 Telepermit System Operating Principals

4.1 Connection to Network

Only equipment granted a Telepermit and clearly exhibiting the appropriate Telepermit label may be connected either directly or indirectly to a Spark network.

- *Label display exception for mobile devices, see clause 3.2 (4) above*
- *Indirect connection includes devices which may be connected behind the part of the service delivery plant or equipment which is directly connected to the Spark network. This includes customer equipment connected to a Spark service via Chorus (or other Local access provider) plant, or a voice device connected to a PBX. It is limited to customer equipment which has an impact on end to end service such as a Telephone. Data equipment such as Ethernet routers or switches are not covered by the Telepermit system unless they include voice processing functions or a network interface. For example, a router integrated with a DSL modem.*

4.2 Right to grant Telepermit

Spark shall have the sole right to grant Telepermits for connection with any network it operates in New Zealand.

4.3 Conditions of granting Telepermit

A Telepermit will be granted for any equipment which has been shown to meet the minimum requirements set out in the relevant specifications and compliance with this Specification (PTC 100).

In some circumstances Spark may allow minor non-compliances against the requirements documented in the various PTC specification where it is deemed that the effect of the non-compliance will be negligible to the network integrity or users of the non-compliant equipment.

- *Users of the non-compliant equipment include the user at both ends of a connection. Therefore, it includes the effect that non-compliant equipment might have on the user of fully compliant equipment on the other end of the connection.*
- *An example of this is Send loudness rating (SLR). Equipment with non-compliant SLR will cause no problems for the person using that device, but may cause difficulties for the person at the other end.*

4.4 Exclusive rights of Telepermit holders

The grant of a Telepermit to a holder shall be exclusive to the holder and shall not extend to any other person or organisation or to equipment not supplied by the holder.

4.5 Transfer of Telepermits

A Telepermit holder may not transfer a Telepermit to another person or organisation without the written consent of Spark. Such consent will not be unreasonably withheld.

4.6 Telepermit holder

A Telepermit holder shall be either a New Zealand registered company or a New Zealand resident.

4.7 Telepermit Applicant

Notwithstanding clause 4.6 of this Specification a Telepermit application may be lodged by any person or organisation on behalf of the proposed Telepermit holder, provided the Telepermit Application form has been signed by the proposed Telepermit holder or an authorised representative of that organisation subject to clause 4.6 of this Specification

4.8 Confidentiality

All information received for the purposes of gaining a Telepermit and all correspondence is stored on a secure server accessible only by Access Standards. No information will be shared with Spark personnel or any outside party unless there is a request to do so from the Telepermit holder.

4.9 Changes to Specifications

From time to time it is necessary to change PTC Specifications. Reasons for such changes include:

- Changes to network.
- Changes to the way a particular network is used.
- Changes to CPE functionality.
- Operational issues with some modes of CPE operation

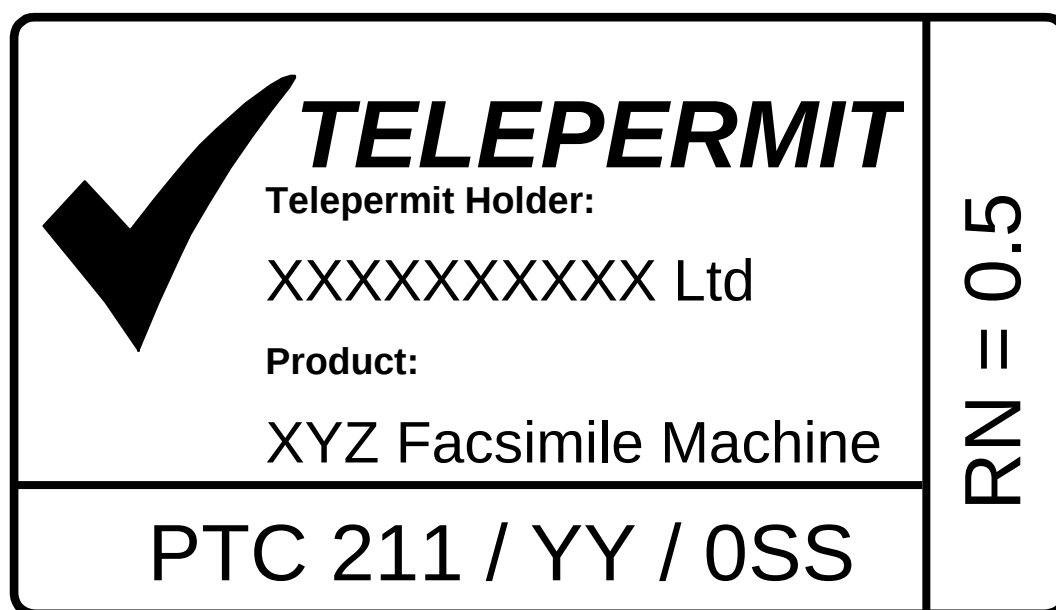
When a specification is changed or a new Specification introduced, as much notice will be given as possible. In general notice of 3 months will be given if possible, although in some cases it is appropriate that the changes take effect immediately.

4.10 Telepermit website

The vehicle for releasing all new information pertinent to the Telepermit system shall be the Telepermit website (www.telepermit.co.nz) . This includes all PTC Specifications and notice of changes to network interface conditions, as well as contact details for Access Standards and all accredited Test Laboratories.

5 Telepermit label

An example of a Telepermit label is shown below:



When a Telepermit is granted, the Telepermit holder will receive a letter which contains the conditions of the Telepermit grant and the artwork for a Telepermit label.

The label contains the following information:

- The Telepermit holder
- The product name
- The Telepermit number in the form: PTC <PTC series> / <last two digits of the year> / < 3 digit sequence number, starting from 000 each year>
- If the product is connected to an analogue PSTN service a “RN” will be included. This is the “Ringer Number”. Where there are more than one devices connected to a single analogue line, all the ringers should function correctly provided the sum of the RNs is less than 5. On products which don’t connect to an analogue line, the field is omitted.

This label shall be reproduced and affixed to all items offered for sale for connection to a Spark network.

The size of the label is not defined, other than it must be large enough to be legible. A practical minimum size would be approximately 22 mm x 15 mm. The actual ratio of the lengths of the sides will vary in practice according to the amount of information contained on a particular label. This will vary with the name of the product and also Telepermit holder.

The colour of the printing on the original label was Pantone PMS 375 (Green) on a white or silver background, although black on a white background is now also considered acceptable.

The Telepermit label may be included as a part of a larger label carrying other information such as other regulatory information, equipment ratings etc.

The Telepermit label or parts thereof may be used for marketing purposes and included on packaging and documentation.

6 Validity of Telepermit

There is no time limit to the validity of a Telepermit, although network changes may necessitate an effective expiry date. For example, the Telepermit for a rotary dial phone is still valid for an existing phone, but as networks which support decadic dialling are phased out are replaced by those which do not support it, the Telepermits effectively expire. It is up to the Telepermit holder of older products to be aware of their obligations under the Fair Trading Act and Consumer Guarantees Act, and not sell products which may be incompatible with the current networks or at least ensure that customers are aware of any potential incompatibilities.

7 Changes to Product

Any changes to the design of a Telepermitted product invalidate the Telepermit unless the changes are cleared by Access Standards. In some cases, this may require partial or full retesting of the product.

8 Limitation of Spark Liability

- (1) Spark makes no representation or warranty, express or implied, with respect to the sufficiency, accuracy, or utility of any information or opinion contained in this Specification. Spark expressly advises that any use of, or reliance on such information is at the risk of the user. Spark shall not be liable for any damage or injury incurred by any person or organisation arising out of the sufficiency, accuracy or utility of any such information or opinion.
- (2) Where equipment not supplied by Spark is connected to its network, Spark shall in no way be responsible for the correct operation of such equipment or for any malfunction of the equipment due to faults on a Spark network.
- (3) Where Spark exercises its right under this Specification to disconnect from its network any equipment not supplied by it, Spark shall not be liable for any claim or compensation arising from such disconnection.
- (4) Where faulty operations are experienced on the Spark network, Spark shall not be liable for any expenses incurred by it should such faults later be proved to have been due to other supplier's equipment, or its associated wiring or incorrect operation by a customer.
- (5) Spark shall not be liable for the use of Telepermitted equipment malfunctioning or causing faults or damage to networks operated by other network operators. Other network operators may permit Telepermitted equipment to be connected to their networks at their own risk.