

Minutes
Technical Standards Committee
Thursday, January 21, 2000
Dallas/Ft. Worth Marriott
Irving, TX

Chair: Bill Groener; Production Arts (PRG)

Recording secretary: Karl G. Ruling; ESTA

Members attending: Frank Stewart; Specialty Tech Services
Mike Garl; James Thomas Engineering, Inc.
Colin Waters; TMB Associates
Edward Paget; Jones & Phillips Associates, Inc.
Mike Wood; High End Systems
Mitch Hefter; Rosco/Entertainment Technology (Rosco Laboratories)
Ken Vannice; NSI Corporation (Leviton Manufacturing Co., Inc.)
Tim Cox; PLASA
Tera Johnson; Electronic Theatre Controls, Inc.
Lori Rubinstein; ESTA (ex officio)

Visitors: Louis Bradfield; Bally's Las Vegas
Edwin S. Kramer; IATSE Local 1
Roger L. Lattin; IATSE Local 728

1 Opening remarks

Bill Groener called the meeting to order at 1:00 p.m.

Groener noted that Lori Rubinstein had distributed a list of ESTA committees with contact information. Groener asked for any corrections. Mike Garl noted that his area code is now 865.

2 Attendance and membership (Five required for quorum.)

2.1 Attendance

A canary colored sign-in sheet was circulated.

Bill Groener looked around the room, saw ten voting members, and announced that we have a quorum.

2.2 Welcome Tera Johnson

Bill Groener welcomed Tera Johnson, our new member of the Technical Standards Committee.

2.3 Welcome to visitors

Bill Groener offered a welcome to visitors, and then asked everyone in the room to briefly introduce themselves.

3 Approval of minutes from the previous meeting

Groener asked for approval of the revised draft minutes (TSC/1999-0010r1). Ted Paget moved that they be accepted. The motion was seconded. There was no discussion offered. The motion was accepted unanimously with a show of hands.

4 Call for patents and anti-trust statement

Bill Groener read the following statements to the committee:

"ESTA intends to publish no standard that contains protected intellectual property, unless that property can be licensed by anyone for a reasonable fee. ESTA uses a process of open patent disclosures to implement this intent. ESTA does not conduct patent searches and does not warrant that its standards contain no protected intellectual property.

"In keeping with the open disclosure policy, I ask if anyone present wishes to notify the Technical Standards Committee of the existence of a patent or copyright that might protect material in a standard being developed by a working group. You need not be the holder of the patent or copyright in order to notify the TSC of its existence."

No patent issues were identified by the assembly.

"The ESTA Board of Directors and the leadership of this Technical Standards Committee will reject or nullify any actions that restrain trade. Anyone who feels that an action restraining trade is being or has been taken is requested to bring the matter to the attention of the chair immediately. Anyone who feels that actions in restraint of trade have been taken and not properly annulled is requested to notify the TSC chair or ESTA president immediately.

"ESTA legal counsel has informed us that any member of this committee may be found individually liable for any action that restrains trade taken by this committee. An individual convicted of a violation of the Sherman Act may be fined as much as \$100,000 and be imprisoned for up to three years. An easy to read pamphlet describing restraint of trade is available from the Technical Standards Committee."

Ruling identified some restraint of trade issues dealing with Rigging projects BSR E1.4 and BSR E1.8, but suggested that these issues should be dealt with as part of the Rigging Working Group report.

5 Approval of agenda

Mike Wood move that we accept the agenda as written. The motion was seconded. The motion was accepted unanimously on a voice vote.

6 Old business

6.1 Financial reports

6.1.1 Treasurer's report

Frank Stewart presented his report, which only covers expenses to the end of last year. The report was discussed. Colin Waters offered his thanks for the format of the report.

6.1.2 Status of contributions and pledges

Lori Rubinstein reported that the VAT refund donation plans suggested by Jack Schmidt has been a success. Only two companies have declined to donate their VAT refund to ESTA.

Action items:

- Mike Wood and Bill Groener will write a thank you letter to Jack Schmidt.
- GAMPRODUCTS declined to contribute its VAT refund. Larry Schoeneman agreed to speak to Joe Tawil to see if there was cause for this.

Groener went over the donations received and possible donors list. The appropriate contacts for the various possible donors were discussed, and people were given assignments as to whom they should ask for new donations or fulfillment of pledges already made.

Groener noted that we are anticipating \$62,000 to \$63,000 in pledges. If those pledges are added to the amount already collected, we are now able to cover our budgeted expenses.

Groener said that the challenge for this group is to come up with \$90,000 to 100,000 in contributions or supplemental income each year. We should figure out some other ways of funding, rather than going to the same donors again and again. If we don't have any other ideas, we will have to continue with the current practice.

Ken Vannice suggested some ideas that had been discussed at the Electrical Power Working Group meeting in November. One is the possibility of doing the LDI Institute power session in a different circumstance to generate more funding for ESTA. Lori Rubinstein spoke to the issue, and said that the sessions are not the big money makers for Intertec that people think it is. However, she had suggested to Jackie Tien that ESTA should get \$500 or 50% of the profit, whichever is greater. Rubinstein will report back on Tien's response.

Vannice also suggested a used equipment sale and a possible ESTA swag sale. The latter idea was well received, but Lori Rubinstein pointed out that the former would compete with members. The consensus was that a used equipment sale would be okay if people donate the equipment. Vannice suggested a silent auction.

Roger Lattin suggested approaching ShowBiz Expo to do courses and classes there. Lori Rubinstein said that the courses and classes at LDI are almost too much to do there now without offering other classes elsewhere.

Groener suggested that a business plan would really be needed to present the above sales ideas. In order to justify the mobilization that would be required to have a used equipment sale, silent auction, or swag sale, we should be able to estimate upfront costs and a return on investment.

Tera Johnson suggested that the LDI Institute classes could be better marketed as benefiting ESTA. This may help LDI Institute attendance. The present sponsorship notice easily can be interpreted to mean that ESTA pays Intertec for the sessions rather than benefits from them.

6.1.3 Accounting of TSP documents sold and on-hand

Lori Rubinstein presented the report. It only covers the period since we started distributing through "ESTA Publications" of USITT.

6.2 Working group reports

6.2.1 Photometrics

6.2.1.1 E1.9, nutrition label

Karl Ruling reported that the working group had agreed upon the resolutions to the first public review comments. The group was now going to discuss the revised standard at this Saturday's meeting, and perhaps move that it be sent to a second public review.

6.2.1.2 Revamp/renew IES procedures

Ruling reported that he had received an email message from Jody Good, indicating that progress was being made on this. Good would not be at this meeting, but would have a full report at the next.

6.2.1.3 Public information project

Ruling reported that Tom Pincu and Daniel Haydt had made a presentation at the last meeting, which was generally well-received. Pincu is scheduled to give a presentation at USITT. At the last meeting, Pincu and Haydt were assigned the job of writing up their presentation into something that can be published

6.2.2 Control Protocols

6.2.2.1 E1.3, Analog

Ruling reported that the task group's resolutions to the last set of public review comments will be offered to the working group Saturday. The document probably will go to fourth public review.

6.2.2.2 E1.11

Mitch Hefter reported and outlined the areas of disagreement unearthed with the Request for Comments. Over 300 comments were received. Ted Paget pointed out that there is a fundamental disagreement between people who want a remodeling of the original standard and those who want it to be completely rewritten.

Ruling raised the question of what constitutes a majority on letter ballots for actions that are outside the P&P. The CPWG had a motion to accept an interim start code policy by letter ballot. The motion was accepted by a simple majority but failed by a supermajority. Which criteria should be used?

Mike Wood moved that any motion submitted to the TSC by a working group should have the support of at least a supermajority as defined by the P&P. Ted Paget seconded the motion. The motion was accepted unanimously with a show of hands.

Groener suggested that the informal alternate start code registration started by USITT should be continued. It is generally hoped that E1.11 will be done before the supply of unregistered alternate start codes is exhausted.

6.2.2.3 Report of ACN task group

No report from the task group.

Tim Cox reported that PLASA will continue to support Philip Nye's participation in the ACN meetings with a contribution toward his expenses of up to a maximum of £3,000.

6.2.3 Fog and Smoke

6.2.3.1 E1.5, glycol/glycerin fog

6.2.3.1.1 The Stink Test

Larry Schoeneman reported that the Equity/League study has not been published.

Larry Schoeneman reported that he had been directed by the working group to write Life Sciences Consultancy a letter asking them to either work with us or sever the relationship, and that no response in a reasonable time would be considered a severance. He hadn't done it yet.

Groener and Rubinstein suggested that the letter should be sent certified.

6.2.3.1.2 Sampling project

Mike Wood said he had purchased a sampling pump and a stack of sampling tubes. Has arranged with some local presenters to do some tests in the Austin, TX area. He will then pass it on to other people in the working group to do testing.

Larry Schoeneman said that Draeger tubes were suggested too, because they are so cheap. The working group would see first if there is a good correlation between the sampling pump results and the Draeger tube results. If there is, then we could use the less expensive technique over a wider field.

6.2.3.2 Fog book, third edition

Mitch Hefter moved that the text be accepted. Larry Schoeneman seconded. The motion was accepted unanimously by a show of hands, with no abstentions and no objections.

6.2.3.3 E1.14, Standard for fog machine manuals

Larry Schoeneman described the purpose of the standard.

Ruling reported that BSR E1.14 is on the ESTA website and will be available for public review until 5:00 p.m. ET, March 14, 2000.

6.2.3.4 Product stewardship

Mike Wood said that little had been done on the project since the last meeting.

6.2.4 Rigging

6.2.4.1 E1.2 – Aluminum truss standard

Mike Garl said that resolutions to the comments have been sent to the working group and will be voted on at this meeting.

6.2.4.2 E1.4 – Manual rigging systems standard

Ruling reported that the comment resolutions offered by the task group for the last set of public review comments have been accepted by the working group, although there are some dissenting votes that will need to be resolved.

Ruling stated his opinion that the draft standard and the comment resolutions could conceivably restrain trade. This is because the draft standard is construction-based rather than a performance based. It describes a few particular ways of building a manual rigging system. Thus, it will tend to stifle technical development and keep competitors with other designs out of the market. Furthermore, the task group is rejecting comments that suggest it should be opened up by simply citing the opinions of unnamed manufacturers and not offering technical substantiation. This is against ESTA and ANSI principles of fairness.

The other problem, according to Ruling, is that the task group has made little attempt to resolve comments to the satisfaction of the commentor. The working group has also seemed to forget this, and has rubber-stamped resolutions that do not reject the comments and do not offer any technical substantiation for the rejection.

Ruling says he plans to object to many of the comment resolutions, which will force the working group to revisit them.

It was agreed by all that the working groups need to be reminded of their responsibility to oversee the work of the task groups, just as it is the responsibility of the TSC to oversee the work of the working groups. It was also agreed that the P&P should take of Karl Ruling's concerns, and that we should let it play out.

6.2.4.3 E1.6 – Powered rigging systems

Ruling reported that a new document had been received from the task group, but that comment resolutions had not been offered.

6.2.4.4 E1.7 – Recommended practice for flying performers

Ruling reported that the last public review closed December 21, and the comments had been forwarded to the working group and task group.

6.2.4.5 E1.8 – Speaker enclosures rigging standard

Ruling reported that the comment resolutions offered by the task group for the last set of public review comments have been accepted by the working group, although there are some dissenting votes that will need to be resolved.

Michael Akrep had complained about the E1.8 standards-drafting process and that it was being dominated by a single commercial interest. (See the text of the message is appended to these minutes. It includes Akrep's contact information.) The consensus of the TSC was that proper procedures have been followed so far, so Akrep's complaints are without basis. Nevertheless, Akrep's charges must be taken seriously.

Mike Garl moved that Bill Groener and Mike Wood write a letter responding to Michael Akrep stating that the procedure has not been violated, but that we appreciate his concern. It shall remind him that he has an opportunity object to the resolutions to his comments if he finds them unacceptable. The motion was seconded. The motion was accepted unanimously with a show of hand.

6.2.4.6 E1.10 – Building structural requirements standard

Ruling reported that the comment resolutions offered by the task group for the last set of public review comments have been accepted by the working group, although there are some dissenting votes that will need to be resolved.

6.2.4.7 E1.13 – Arena scoreboards and speakers

Ruling reported that the TSC had approved the public review. The standard is now on the ESTA website and will be in public review until 5:00 p.m. ET, April 11, 2000.

6.2.4.8 British Standards – update

Tim Cox reported that he didn't have anything of note to report.

6.2.5 Camera Cranes

6.2.5.1 E1.12, American National Standard for Camera Cranes task group

Ruling reported that no progress has been made on BSR E1.12. The working group is focusing its efforts on the operator's handbook.

6.2.5.2 Operators handbook task group

Ruling said that a new draft of the handbook had been sent to the working group for comment, and that the comments on the draft will be addressed at the Monday, 24 January working group meeting in Burbank, CA.

Ruling said that a question the working group will ask at the meeting is, "Who owns the copyright to this book?" The unanimous opinion of the TSC was that ESTA owns the copyright. The assignment of copyright to ESTA and ASC E1 is part of the working group application.

Ruling said that the distribution of this document and the division of any profits will also be an issue at the meeting. Groener suggested that we will sell the document through our regular channels. The profits (should there be any) will first go to cover Ruling's expenses not covered by donations made through PERA. Then we can negotiate a proportional split of any remaining profits between ESTA and PERA.

6.2.6 Power

6.2.6.1 Task group on a recommended practice for selection, installation, and use of portable feeder cable.

Ken Vannice said the group has only recently gotten organized, but that it had a great meeting this morning.

6.2.6.2 Task group for a recommended practice for use of GFCI (Residual Current Devices) in entertainment applications.

Vannice reported that Mitch Stein is now the leader. The project may expand to cover outdoor weatherproof equipment in general.

6.2.6.3 Task group to write a configuration standard for HMI power cables and/or head to ballast cables.

Colin Waters reported the group had a meeting and progress was made.

6.2.6.4 EMC task group

Vannice gave a report on some recent events on the EMC front. (A written version of that report is appended to these minutes.)

Vannice deferred to Tim Cox, who reported that the January 1, 2001 withdrawal date will apply to EN61000-3-2. Draft amendments to IEC 61000-3-2 and IEC 61000-3-3 and their European equivalents have been circulated within the relevant standards committees at international, European and national levels. If voting is in favor of the amendments it is likely that they will be published later this year.

6.3 Report on liaisons to other industry groups

6.3.1 NFPA

Larry Schoeneman reported that the committee for NFPA 160 Flame effects is going to have a meeting, but he is not sure when.

Hefter and Vannice reported that the NEC meetings are going well. The proposals submitted by USITT had been accepted.

6.3.2 EMC Workshops/LFEIC

(See 6.2.6.4 above and the appended report from Vannice.)

6.4 Action items from last meeting

6.4.1 TSC members are to consider possible candidates for TSC membership.

Colin Waters suggested that a person from Vari-Lite could be asked to serve on the TSC. Groener said we are looking for people who can make specific contributions, not just company affiliations, and that we should identify strong individuals regardless of where they are employed.

6.4.2 Bill Groener and Mike Wood are to write letters of thanks to Steve Terry and Anne Valentino.

Groener and Wood said this has been done.

6.4.3 Steve Carlson was to submit for the record the Vari-Lite patent # 5,769,527 that may have bearing on ACN.

Ruling says he has it. Carlson submitted it.

6.4.4 Fundraising

6.4.4.1 WG chairs will bring up fundraising at the working group meetings

This was done.

6.4.4.2 Fundraising will be mentioned on Saturday morning at the LDI Industry Standards Update session.

This, too, was done

6.4.4.3 We will have a strategy session Sunday morning, 11/21, in the ESTA suite.

This was done. The update on targets for fundraising at this meeting was based on the Sunday morning meeting.

6.4.5 The TSC needs to vote on approving the new text for the Introduction to Modern Atmospheric Effects.

This was done as item 6.2.3.2 above.

6.4.6 Ruling was directed to contact the Hippodrome Theatre to find out what happened there last year when an actor refused to perform on stage and Equity backed him.

Ruling did so, and reported on what had happened. The theatre management consulted the Equity Letter of Agreement and found that it had no prohibition against fog. So, although Equity threatened to penalize the theatre, the fog was used, and Equity did not attempt to level any penalties. The actor gave his two-weeks notice and quit, and was replaced. The new LOA offered by Equity had a prohibition against most types of fog. The theatre's management struck it out. Equity complained. Both sides have agreed to await the results of the Equity/League Study before pursuing this further. In the meantime, the theatre continues to operate under a letter of agreement with Equity that contains no fog ban.

6.4.7 The motion to withdraw the "ESTA Standard for Construction and Use of Wire Rope Ladders" (Rig/95-2050r8) needed to be forwarded to the ESTA Board.

Groener reported that this was done, and the motion passed.

6.4.8 The TSC needs to vote on sending BSR E1.13 to public review.

This was accomplished by letter ballot.

6.4.9 Mitch Hefter was directed to come up with some suggested wording indicating compliance with our standards and to send it to David Saltiel for approval.

The following words were offered via email to the TSC:

General Policy Statement:

"ESTA and Accredited Standards Committee E1 (for which ESTA serves as the secretariat) do not approve, inspect, or certify any installations, procedures, equipment, or materials for compliance with codes, recommended practices, or standards. Compliance with an ESTA standard, recommended practice, or American National Standard developed under Accredited Standards Committee E1 is the responsibility of the manufacturer or provider. Any markings, identification, or other claims of compliance do not constitute certification or approval by ESTA or Accredited Standards Committee E1."

"Note: Draft or proposed standards or recommended practices are subject to change. Conformance to a draft or proposed standard or recommended practice is no assurance that the product or service complies to the final approved standard or practice or any other version thereof. "

Suggested wording for manufacturers or providers claiming compliance with an ESTA standard, recommended practice, or American National Standard developed under E1:

"This product conforms to the specifications appearing in ESTA standard xx, revision #yyyy."

or

"This product conforms to the specifications appearing in American National Standard E1.xx-yyyy."

or

"This product conforms to the specifications appearing in ANSI E1.xx-yyyy."

References to draft documents must clearly state that the final version may be substantially different, and therefore compliance with the adopted version is not guaranteed.

Ken Vannice moved that we do not endorse the use of references to draft standards in product or construction specifications. The motion was seconded. By show of hands, the motion was accepted unanimously.

Ted Paget moved that we adopt the wording offered above for recommendation to manufacturers or others writing product or construction specifications for referring to our standards, with the deletion of the reference to draft documents. The motion was seconded. By show of hands, the motion was accepted unanimously.

6.5 Previously tabled motion to adopt "Competent" and "Qualified" uniform definitions

At the July 10, 1998 Rigging Working Group meeting, the motion was offered, seconded and passed, that the following definitions should be forwarded to the TSC with the recommendation that they be used in the other standards and in the ESTA Style Guide:

Qualified person: a person who by possession of a recognized degree or certificate of professional standing, or who by extensive knowledge, training, and experience, has successfully demonstrate the ability to solve or resolve problems relating to the subject matter and work.

Competent person: a person who is capable of identifying existing and predictable hazards in the workplace, and who is authorized to take prompt corrective measures to eliminate them.

The TSC took this recommendation from the Rigging Working Group as a motion. It was unanimously defeated by a show of hands.

7 New business

Bill Groener offered a summary of the morning's TSP process brainstorming session. There were not many people there, but the consensus was that we need to do better marketing for ESTA in general, as well as for the TSP. Groener proposed holding another strategy session from 10:00 a.m. to noon on Wednesday, March 22, in the ESTA Suite at the Adams Mark Hotel in Denver, CO.

8 Other business

It was noted that on the evening of March 22 USITT will have their 40th birthday party. All should attend who can.

Colin Waters asked for an electronic version of the Working Group Meeting Guide for Chairpersons to be sent to him via e-mail.

Colin Waters asked that Ruling add target times to the agenda items next time so we can keep on schedule. Groener said it was a good idea.

9 Schedule for future meetings

Lori Rubinstein announced that the meetings on July 14, 15, 16 will follow the same schedule as this set of meetings. She asked that, if any changes are needed, to let her know very soon.

10 Adjournment

Mike Garl moved that the meeting adjourn. The motion was seconded. The motion was accepted unanimously on a voice vote. Groener declared the meeting adjourned at 5:23 p.m.

TSC Membership at the End of the 21 January 2000 Meeting

Name	Company	Parent Co./Org Represented	Vot Stat.
Tera Johnson	Electronic Theatre Controls, Inc.	Electronic Theatre Controls	P
Mike Wood	High End Systems	High End Systems	P
Larry Schoeneman	Interesting Products, Inc.	Interesting Products, Inc.	P
Mike Garl	James Thomas Engineering, Inc.	James Thomas Engineering, Inc.	P
Edward Paget	Jones & Phillips Associates, Inc.	Jones & Phillips Associates, Inc.	P
Ken Vannice	NSI Corporation	Leviton Manufacturing Co., Inc.	P
Tim Cox	PLASA	PLASA	P
Tony Douglas-Beveridge	PLASA Standards Office	PLASA	A
Bill Groener	Production Arts (NJ)	PRG	P
Mitch Hefter	Rosco/Entertainment Technology	Rosco Laboratories	P
Steve Carlson	Rosco/Entertainment Technology	Rosco Laboratories	P
Frank Stewart	Specialty Tech Services	Specialty Tech Services	P
Colin Waters	TMB Associates	TMB Associates	P
Rodney F. Kaiser	J.R. Clancy Inc.	USITT	A
Jay O. Glerum	Jay O. Glerum & Associates, Inc.	USITT	P
Eckart Steffens	SOUNDLIGHT	VPLT	A
Florian Von Hofen	VPLT	VPLT	P

Date: Mon, 17 Jan 2000 15:00:32 -0500
From: Michael Akrep <makrep@polarfocus.com>
Organization: Polar Focus, Inc.
X-Mailer: Mozilla 4.7 [en] (WinNT; U)
X-Accept-Language: en
To: "Karl G. Ruling" <kruling@esta.org>
Subject: BSR E1.8 January meeting
X-MIME-Autoconverted: from 8bit to quoted-printable by mail1.javanet.com
id PAA30361

Dear Karl,

This email is about design factor as addressed in the ESTA BSR E1.8 "Entertainment Technology—Loudspeaker Enclosures Intended for Overhead Suspension—Classification, Manufacture and Structural Testing."

I am emailing you to stress the importance of the this fundamental element in the proposed standard. It seems as though the open process of the standard creation may be failing to catch a real problem. I unfortunately cannot attend the January meetings in Irving, Texas, so I am sending you this email to express my concerns.

In BSR E1.8 revised 19 July 1997, the only design factor mentioned was 10:1. In the comments for that document, no one requested or suggested a reduction of design factor was necessary.

In BSR E1.8 revised 8 January 1999, you will find the following passage, "Enclosure suspension hardware shall be designed to withstand the forces imposed by its rated load, with a minimum design factor of 5[:1]...". Separately, the following passage addresses the enclosure design factor, "An enclosure shall be designed to withstand the forces imposed by its rated load, with a minimum design factor of 10[:1]..." In the comments to this revision dated October 18, 1999, the two comments about the new 5:1 design factor were negative. This was out of a total of six people commenting.

In BSR E1.8 revised 18 October 1999, the design factor change from 10 to 5 was still there. No one asked for it, and two comments complained about it, but it was still there.

I have been informed that a new standard is in process in Germany that will use a 12:1 design factor. Do we really want to be moving backward as Europe is moving forward? Do we really want a standard that falls so far below that of Europe, that US enclosure manufacturers could be in full compliance with the ESTA standard, yet be shut out of the European marketplace?

A 5:1 design factor is acceptable in the U.S. industrial market, where the following conditions typically apply:

- Everyone is wearing hard hats.
- All rigging is painted safety orange or yellow.
- All rigging beams have large painted WLLs.
- Many facilities have audible (warning buzzers, etc.) and visible (beacons or strobes, etc) warnings of the movement of rigged loads.

Audio rigging primarily is used over the heads of innocent members of the public. People attending church, concerts, sporting events, and plays should expect that they would be safer standing under the loudspeaker cluster than in a steel mill standing under a crane. I urge you to reject the proposed document since it incorporates a 5:1 design factor.

Andrew Martin is the person in the U.S. with the most commercial interest in suspending loudspeakers. Andrew Martin is, as far as I know, the only person in the entertainment industry who uses a 5:1 design factor. Andrew Martin inserted the 5:1 design factor with no input from anyone else. Andrew Martin rejected negative comments about the 5:1 design factor.

If you look at the most recent comments, you will see a distinct trend. When a comment refers to a change for spelling, grammar, or sentence structure, it almost always accepted. When a comment requests a change in content, it is almost always rejected. I believe that the 5:1 design factor has been inserted and retained to reflect Andrew Martin's commercial interest. I believe the safety of products within the scope of the document and the safety of the public both took a back seat to Andrew Martin's commercial interests.

Earlier in this process, the E1.8 draft contained various requirements for insurance. There is no good reason for a technical standard to require insurance. There is a bad reason for a technical standard to require insurance. That reason is the Technical Standard is a rewrite of the commercial information provided in Andrew Martin's company literature. If you examine the early drafts of E1.8, and compare them to Andrew Martin's company literature, you find many startling similarities. Both have discussions of insurance, which are not normally included in a Technical Standard. Both have discussions of materials traceability, which are not normally included in a Technical Standard. Both have frequent mentions

of 'certified', which is meaningless unless a standard already exist against which something can be 'certified' by an independent testing agency such as UL. To quote Jay Glerum, "Certified by whom, to do what?"

I have been told by a member of ALMA (American Loudspeaker Manufacturer Association) that Andrew Martin offered his 'Technical Standard' to ALMA for adoption. They rejected it altogether, refusing even to use it as a draft. It was interpreted as an attempt by Andrew Martin to make his product line and design approach the 'official' standard of ALMA.

All of these discussions about Technical Standards are technical in nature. Many of the people involved in the standards process are engineers. Those folks who aren't engineers, mostly have extensive training in the military or private sector industry. To the best of my knowledge, Andrew Martin has a bachelor's degree as a musician, and an MBA.

Here we have a situation where:

1. The person controlling the standards process has the biggest commercial interest of anyone on the committee in the scope of the standard.
2. The person controlling the standards process appears to be using his own commercial literature as a basis for the standard.
3. The person controlling the standards process appears to be manipulating the process to reflect his own commercial interests, to the detriment of the interests of the industry and public safety.
4. The person controlling the standards process for a Technical Standard appears to have the least technical credentials of any person on the committee.
5. The person controlling the standards process has sent me documents for review without the normal ESTA review form. I requested the review form, thinking it was an oversight. Andrew responded that this review process was between the two of us, and no review form was necessary. This, by definition, is no longer an open process.

At what point does this pattern cross the threshold of the definition of "Restraint of Trade?"

Sincerely,
Mike Akrep

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Polar Focus, Inc.
P.O. Box 3, 217 Russell Street
Hadley, MA USA 01035-0003
413-586-4444

Audio Rigging
<http://www.polarfocus.com>

ESTA Harmonics Update

by

Ken Vannice

1/20/00

1. The US FCC is considering upgrading its requirements to be similar to the IEC International Special Committee on Radio Interference (CISPR) 22 on conducted emission limits. The FCC is seeking comments.
2. The Canadians that helped to write the USCCEMC 99-01 "white paper" apparently weren't representative of Canada. The Canadian TAG and CSA wants to amend the "white paper" before adopting it. This will require the US group to meet and consider.
3. The pressure to delay the effectively date of the IEC standard 61000-3-2 isn't progressing very smoothly. There is a lot of finger-pointing going on. The IEC and CENELEC feel it is an EC issue and the EC thinks it is a standards issue. The justification for the delay is that the standard has "holes" in it. CENELEC is pressuring WG1 to band-aide the standard immediately.
4. As we surmised the US is being accused of pressing issues after the fact. This has resulted in the surfacing of numerous US documents over the years that have been ignored or buried during the standards-making process.
5. There was a meeting of the US TAG to regroup on Jan 13 and 14 in Philadelphia. I don't have the results of that meeting yet.