

MEMORANDUM

To: IEEE 802 Executive Committee
[STDS-802-SEC@listserv.ieee.org]
From: Hassan Yaghoobi and Jose Puthenkulam
Date: September 8, 2006
Re: LMSC Appeal Panel decision on the Request for Cancellation of Letter Ballot 1 in light of Decisions Taken by IEEE 802.20 Chair

We thank the appeal panel for considering our appeal [1]. While we respectfully disagree with the ruling of the appeal panel [2], we believe it will not benefit anyone to continue pursuing this matter by requesting a rehearing of the appeal.

However, because we are concerned that the appeal panel's decision may be considered by some as instructive for future IEEE activities, we feel compelled to write at this time to highlight the way in which we believe the panel erred in its ruling.

We believe the appeal panel was incorrect in determining that the 802.20 P&P section 2.9.2 does not apply to the draft specification developed by the 802.20 Working Group. The plain English reading of the text of the P&P is not confusing and needs no interpretation:

*"2.9.2 Draft Standard Balloting Requirements
Before a draft is submitted to WG letter ballot, it shall meet the following requirements:
..."*

Nevertheless, the appeal panel inexplicably determined that the rule creates a "gray area" in the case of a Working Group that does not employ Task Groups, and decided that the rule was intended only to apply to drafts developed by a Task Group. We agree with the appeal panel that the 802.20 P&P should be rewritten to avoid future confusion about 2.9.2.

Although we have elected not to request a rehearing regarding our appeal, it seems clear to us that the appeal panel erred in its decision of August 3, 2006, and that the decision's justification is based on errors and misinterpretation of the clear language of the 802.20 P&P as well as erring in equating the proposals adopted via the TSP to a draft. We hope that the 802 EC will proactively ensure that the common sense reading of WG Policies and Procedures, as well as their spirit and intent, will be followed in order to create an open and fair standards development process.

Thank you for your consideration,

Sincerely,

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References

- [1] 802 EC Appeal, February 16, 2006, Hassan Yaghoobi and Jose Puthenkulam
- [2] LMSC Appeal panel decision, Aug 3 2006