§ 1728.30 Inclusion of an item for listing or technical acceptance.

(a) Scope. RUS, through its Technical Standards Committees “A” and “B,” will determine the acceptability of certain standards, standard specifications, standard drawings, and items of materials and equipment to be used in transmission, distribution and general plant (excluding office equipment, tools, and consumer-owned electric wiring facilities).


(c) Review by Technical Standards Committee “A.” All proposals for listing a product in the List of Materials must be addressed to Technical Standards Committee “A.” This committee will consider all proposals made by sponsors of specifications, drawings, materials, or equipment in categories for which RUS has established criteria for acceptability. A sponsor may be a manufacturer, supplier, contractor or any other person or organization which has made an application for listing or has requested an action by the committee. Committee “A” will consider all relevant information presented in determining whether an item should be accepted by Technical Standards Committee “A.” Formal rules of evidence and procedure shall not apply to proceedings before this committee.

(d) Action by Technical Standards Committee “A.” (1) Committee “A” may take one of the following actions:

(i) Accept an item for listing without conditions (domestic items only),
(ii) Reject an item (domestic or nondomestic),
(iii) Accept an item for listing with conditions (domestic items only),
(iv) Table an item for a time period sufficient to allow the sponsor to be notified and furnish additional information (domestic or nondomestic),
(v) Grant technical acceptance with or without conditions for a period of one year from the date of notification by RUS (nondomestic items only).

(2) All committee decisions regarding the actions listed above must be unanimous. If the vote is not unanimous, the item shall be referred to Technical Standards Committee “B.” Written notice of Technical Standards Committee “A’s” decision, stating the basis for the decision, will be provided to the sponsor.

(3) Items accepted without conditions by the Technical Standards Committees will be considered to be accepted on a general basis. No restrictions as to quantity or application will be placed on items which have received general acceptance. Items accepted subject to certain conditions, such as limited use to gain service experience, or limited use appropriate to certain areas and conditions, will be considered to be accepted on a conditional basis. The conditions will be cited as a part of the listing provided for in §1728.60, or as part of the technical acceptance for nondomestic items.

(e) Appeal to Technical Standards Committee “B.” A sponsor may request a review of an adverse decision by Technical Standards Committee “A” within ten (10) days of notification of such decision by submitting a letter requesting such review to Technical Standards Committee “B” (Electric).

(f) Action by Technical Standards Committee “B.” Committee “B” may take any of the actions listed for Committee “A” in §1728.30(d). However, for a Committee “B” action to be effective it must be by majority vote. Failure to obtain a majority on one of the proposed actions shall mean that the product will not be listed or accepted. Committee “B’s” determination shall be

1Nondomestic items are items which do not qualify as domestic products pursuant to RUS “Buy American” requirement.
Rural Utilities Service, USDA

§ 1728.50 Removal of an item from listing or technical acceptance.

(a) Removal Actions. An item of material or equipment may be removed from the listing or technical acceptance in accordance with the following procedures upon determination that the item is unsatisfactory or has been misrepresented to the owner or RUS.

(b) Notification by the Committee. The sponsor of an item of material or equipment will be notified in writing of a proposal to remove such item from the listing or technical acceptance.

(c) Supplemental Information. Within ten (10) days of receipt of such notification, the sponsor may submit to Committee “A” a letter expressing the sponsor’s intent to submit written supplemental technical information relevant to Committee “A’s” determination. The sponsor must submit such information within twenty (20) days from the submission of its letter to Committee “A.” Committee “A” will have the discretion of making a decision following the expiration of the time periods provided in this paragraph.

(d) Action by the Technical Standards Committee “A.” Committee “A” may take one of the following actions:

1. Order the immediate removal of the item from the listing, or technical acceptance,
2. Condition the item’s continued listing, or technical acceptance,
3. Recommend a basis of settlement which will adequately protect the interest of the Government, or

should contact the Chairman, Technical Standards Committee “A” (Electric), at the above address, before any sample is shipped.