Policy Process Steering Committee (PPSC) Policy Development Process (PDP) Work Team (WT)
TRANSCRIPTION
Thursday 07 April 2011 at 13:30 UTC

Note: The following is the output of transcribing from an audio recording of the Policy Process Steering Committee Policy Development Process (PDP) Work Team (WT) meeting on Thursday 07 April 2011, at 13:30 UTC Although the transcription is largely accurate, in some cases it is incomplete or inaccurate due to inaudible passages or transcription errors. It is posted as an aid to understanding the proceedings at the meeting but should not be treated as an authoritative record. The audio is also available at:

http://audio.icann.org/gnso/gnso-ppsc-pdp-20110407-en.mp3

On page:
http://gnso.icann.org/calendar/#apr
(transcripts and recordings are found on the calendar page)

Participants on the Call:
Jeff Neuman - Registry Stakeholder Group - Work Team Chair
Alan Greenberg – ALAC
James Bladel – Registrar Stakeholder Group
David Maher - gTLD Registry Stakeholder Group
Alex Gakuru - Non Commercial Stakeholder Group
Wolf-Ulrich Knoben – ISP
Paul Diaz - Registrar Stakeholder Group
Tatiana Khramtsova - Registrar Stakeholder Group
John Berard – Commercial and Business Users Constituency

ICANN Staff:
Glen de Saint Gery
Marika Konings
Gisella Gruber-White
Margie Milam

Absent apologies:
Avri Doria - Non Commercial Stakeholder

Coordinator: Thank you. This call is now being recorded, please go ahead.

Gisella Gruber White: Thank you. Good morning, good afternoon to everyone. On today's PPSC

PDP call on Thursday the 7th of April we have Alex Gakuru, Jeff Neuman,

James Bladel, David Maher, Paul Diaz, Wolf Ulrich-Knoben, Tatyana

Khramtsova. From staff we have Marika Konings, Glen de Saint Géry, Margie Milam and myself, Gisella Gruber. Apologies today we have from Avri Doria.

If I could please also remind everyone to state their names when speaking for transcript purposes. Thank you, over to you, Jeff.

Jeff Neuman: Thank you. This is Jeff Neuman, Chair of the PDP work team. And welcome back everyone. I know we've had a little bit of a hiatus since the San Francisco meeting and so now we're getting back into it. And the first thing I want to cover on this call is a review of the timeline and then go into the comments that were received.

And so just for the record we've received a number of comments and a summary, an analysis of those comments will be out hopefully by next week. We received some initial set of comments from the registrars but they are asking for a little additional time to kind of hone in on those comments and they'll resubmit them hopefully by the end of this week or certainly by early next week.

With respect to - is there anyone else that knows of any comments that may be coming in late on this call? Marika, do we know of any groups that have not responded - any stakeholder groups or constituencies that have not responded? Alex?

Marika Konings: This is Marika. I see Alex raising his hand because indeed the - we haven't received anything from the NCSG amongst others.

Jeff Neuman: Okay so Alex.

Alex Gakuru: Yes, thanks Jeff. I just wanted to report that Avri posted a message yesterday asking the group - to call the group to post any comments if they have. So I do not know whether somebody is going to do that but that message was posted to the policy group at the NCSG. Thank you.

Jeff Neuman: Okay thank you Alex. And if you find out in the next day or two if there are going to be any comments submitted if you could just first of all encourage them to get it in, you know, by next week at the latest and then also - or let us know if there's not going to be any comments. Just let us know either way.

Alex Gakuru: I will, thank you.

Jeff Neuman: So according to the document up on Adobe right now is the timeline that we had agreed upon back in January when we submitted it to the Council. If you notice we're pretty much on schedule although, you know, on here if you look at the second - and that's actually - there's only one page - if you look at the bottom of the page it talks about preparing the final report March 25 through April 30 and consideration by the PPSC of the final report May 1 through June 27.

One of the things that's going to come up on the GNSO Council meeting agenda today hopefully if there's time is a discussion on whether this report needs to go to the PPSC or whether there's still a need for the PPSC. Right now there's a, you know, we've done a lot of work on this, we've done a lot of comment periods.

I'm not sure what the value of having this go off to another intermediary group will be. And in addition if there are any issues that the Council still feels like are unresolved that it wants to send to a group there's now - or will be after this Council meeting today hopefully a fully constituted standing committee that's meant to address certain issues that are referred to as by the GNSO that involve implementation issues of the recommendations.

So if there are open items they could be referred to that group if that's what needs to happen. So again I just want to run this by you. I'm hoping that the PPSC is disbanded and that may give us a few more weeks then to finalize

the report and submit it to Council well in time for the Singapore meeting and hopefully that'll get done and we can look towards wrapping up our work.

If you look at the comments that we received - if we put that up on the - well let me ask actually are there any questions on that timeline or any of the - those topics? And Wolf I believe, you're on the call, right?

Wolf Ulrich-Knoben: Yes I am.

Jeff Neuman: And so Wolf knows all about that standing committee correct?

Wolf Ulrich-Knoben: Yes. Now we are just in the stage of drafting the charter...

Jeff Neuman: Right.

Wolf Ulrich-Knoben: ...for the standing committee. Tonight we will talk about that.

Jeff Neuman: Right and so Wolf is the interim chair of the drafting committee.

Wolf Ulrich-Knoben: Yes.

Jeff Neuman: Okay so going onto the comments that we received a lot of these comments we're going to kind of go through quickly because they're just either I concur or just basically supportive statements. I'm also going to ask when we go through this if there are comments that we feel that we've already discussed prior to the publication of the report we can move more quickly through those unless anyone strongly objects.

The goal here is not to rehash any of the debates that we've had unless there's some new information that, you know, did not have and that new information may change the outcome. So even though this is 18 pages long or something like that I don't think that this will take us nearly as long to go

through as the previous set of comments simply because of the nature of the comment.

So that being said if we want to just jump into the first set of comments which is bylaws versus, you know, the manual (unintelligible) in the bylaws versus the PDP manual the comment that was pretty much shared by a number of the groups including some comments we received in San Francisco was that it would be helpful from an implementation point of view if we made clear in the recommendation or in the report whether the recommendation relates to the bylaws which is Annex A or the operating procedures or the PDP manual.

So that's something I think in the next version that we send around. I think between Marika and myself and others that we can make sure that each - next to each recommendation we make it clear where that recommendation would go.

And anyone feel free to raise your hand, jump in if I'm moving too quickly or not quickly enough. For streamlining the process the ALAC supports are comments and basically has - it's basically a comment of support. For the - the INTA recommends - and I think this is a good recommendation - that we should put short titles for each of the recommendations to help readers navigate through the report.

And there were suggestions provided in that submission. Anyone disagree with that? CADNA submitted a comment - this is not really a comment for anything in the report itself for us to do but just reiterating that the transparency and accountability are keys and they're glad that we're doing a PDP review now and the recommendations are a good step towards that. So we'll just say thank you for that comment.

The PC has raised a comment that says that the report is not yet a guide for perspective participants in a PDP. The manual is helpful but too long. A short practical manual on the PDP without references to the work team

recommendation - sorry - without references to the work team or recommendation number should be developed. Marika, you have a comment?

Marika Konings: Yes this is Marika. And I think on this comment might be useful to refer to the experience with the GNSO working group guidelines where once the guidelines were finalized then basically a summary was developed and, you know, that was passed back to the PPSC for review and then submitted to the Council and - for wider distribution.

So I think it's a very valid point but at the same time it might not be appropriate to do that yet until the whole process is approved and we have a final process in our hands and I think that basis will be much easier to develop such a summary guide for, you know, for the broader community.

Jeff Neuman: So I think that's a good comment for our response and that we make it clear in the report that the final manual - when we go back - after these recommendations are adopted then we'll have a final manual that will be much more in line with the BC comment.

To the extent we have time to do that before Singapore that would be great but like I said it wouldn't be approved by then but if we can give them a sample of how it would look that might give them some more comfort. But we'll see how we progress.

The flow chart - comment on the flow chart was that it's useful but overly complex. A simplified one for Council initiated work only is needed. Showing timelines would also be useful.

So another comment from the INTA is that the chart should be included as part of the manual and advises that certain information should be included in the chart which is - they required ICANN general counsel opinions in scope as well as the existence of an optional impact analysis showing the stage at

which this optimal impact analysis enters the revised process of initiating a PDP.

And if I recall I think these comments were brought up by (Ann) in San Francisco as well when she got up to the mic. And I guess she's part of INTA so I'm guessing that's why her comments got picked up in that statement.

And there's another comment on the flow chart from the registries saying - differentiating between the in scope - adding - sorry - in scope is 33% of each house or 66% of one house.

So I think, you know, the comments generally on the flow charts are good, that it should be included. I think we kind of put it together last minute before getting this out so I think these are helpful suggestions and I think we can make a number of different flow charts if we have time that indicate different paths and going into detail and trying to make a more simple one and then people can delve into the more complex charts if they chose to.

Kind of like the charts that they have for the new TLD process where it starts out with a simple process and then they break down processes, you know, you could always click on something in there and you could see a more detailed breakdown if you wanted to.

Got a quiet crowd here today. Everyone still there?

Alex Gakuru: Yes. Yes.

Jeff Neuman: Okay. Those were all the general comments on the report and on general topics. Then from here on we - the comments are tied to the recommendations. I think there may be some more towards the end that are overarching ones. Anymore comments on general?

Okay so Stefan submitted a comment on Recommendation 1 asking the rationale for leaving a place to - or what is the rationale for leaving in place the possibility for an advisory committee or the board to request an issue report How does the work team see the GNSO Council's scope - sorry, how does the work team see the GNSO Councils cope with such outside influences?

And I think we had this discussion before - Stefan's comments were received before San Francisco and I think we discussed this one previously and it was just the - it was a request by the Board Governance Committee and our initial discussions that we decided not to change some of those areas.

It's still on the same - I'll take everyone's temperature - everyone still have the same thoughts of not really, you know, kind of what we were given and we decided not to change that? Anyone have any other response for Stefan? Alex.

Alex Gakuru: Yes, I think what I'm - I just wanted to raise for discussion not really adding - to change our recommendation is maybe we become receptive to the fact that now GAC is playing a bigger role also - supposing in future GAC wants to have what's so-called outside influences whether we maybe we have catered enough or we stick by what we have because they are going to be participating on certain work teams and workgroups; they have already started.

And I think a good example is the one of JAS so maybe just to bring it to the group's attention just in case we want to discuss. If we want to stick with this that's okay. It's really for discussion not a suggestion in any way whatsoever. Thanks.

Jeff Neuman: Right. Well I think - realistically I think that the only group that's really ever going to submit requests directly to us for an issue report is the ALAC. I think the GAC sees themselves - well I know they see themselves as advising the

Board. And I would doubt very much that there would be any direct requests by the GAC to the GNSO Council for an issue report.

That said I don't see any reason to take that out as an option for them if nothing else for, you know, the political - or the optics of it. Paul.

Paul Diaz: Thanks Jeff. Yes, I agree with you with regards to the GAC and I don't think we should specifically withhold their opportunity to seek an issue report or seek some sort of policy work. I would be concerned though if the GAC given its - the way it participates in ICANN - look realistically there's no way on god's green earth any GAC member is going to be involved in the actual policy development work.

And if all of a sudden we started seeing the GAC maybe because they've been lobbied by other interests pushing for a variety of policy initiatives I would certainly want to see other members of the GNSO lining up and supporting that because it would strike me as inappropriate for the GAC to start demanding on this - various policy work and then not having any of its members participate in the development process.

You know, we do run the possibility here when we broadly talk about ACs - agreed, ALAC is by far the one that's going to drive things but they participate, no problem. But we do run the possibility of creating an unintended consequence by giving GAC the opportunity to request things.

But then, you know, leaving it to the rest of the community to develop with all the constraints on resources and everything else that's already been mentioned in our report.

Jeff Neuman: I think that's right. All right, any other comments? Okay the next comment is on the development of the PDP manual. And it's - says should not hold up policy development efforts. The interim working arrangement must be

achieved by (pending) adoption of a final policy development process manual.

So there's no - Marika, does this mean that, you know, they want us to focus on getting our recommendations out and then worry about the manual afterwards? Is that what it's trying to say or is there some other meaning here...

((Crosstalk))

Marika Konings: Yes, this is Marika. I didn't completely understand because I think our intention or at least the work team's intention was to move everything up at the same time like, you know, to the Council and to the Board noting that of course something like the manual which would be part of the GNSO operating procedures might need changes.

But, you know, that is possible that further details might be added over time. But I thought the intention of the work team was to move everything at the same time up because they're closely connected. And at the same time I think the manual itself actually doesn't require further approval as that's, you know, oversight by the Board and the recommendations itself or the new Annex A will need to go to the Board.

So it's actually likely that it will be the other way around where the manual is ready as such before it actually - you know, the new Annex A or recommendations as such have been, you know, reached the Board level for approval. So that was my take on it.

Jeff Neuman: Okay. Well let's - so that's just something to think about. If indeed we're working on two different tracks and it seems that the recommendations or the manual is lagging behind. But I think it's just something to keep in mind.

Stefan submitted a comment saying what use does the template have if it's not - basically if it's not mandatory? And if it's not mandatory they're worried about people not - you know, taking shortcuts and not filling in the template.

So does anybody have any thoughts on that? Should - is there a change in people's thinking? Do we think the template should be mandatory? I know Alan, you know, Alan is not on the phone but he was one who was definitely not in favor of a mandatory template.

There's other comments on here just to go through that CADNA recommends that the use of a template is mandatory. The registry says it should be flexible enough so that it can be required and the INTA said it should be limited to defining the issue, identifying problems and providing the rationale for investigating when a policy development is needed.

If there's other elements such as supporting evidence and economic impacts are desirable these should be explored through an impact analysis. So it seems like everyone is pretty much saying that it should be required with the exception of INTA who's saying it depends, you know, we need to see what's in there.

Let's see, so it's a little bit different thinking than what we came out with in our report. So what does everyone - what does everyone think on this? Should we change our recommendation to make it mandatory and then just look at the elements a little bit more carefully to make sure they're flexible enough?

All right let me make the recommendation - okay James.

James Bladel: Sorry Jeff, a little slow on this here. You know, I think that there were some of us that were in favor of making this compulsory and then there were some of us that wanted to keep it more flexible. And I don't know that we have everyone on this call that, you know, that maybe, you know, I would be really

reluctant to change our existing recommendation just, you know, you know, I don't think that we have all the voices here today.

Jeff Neuman: Yes so let me - Marika if for next time can we look at the template again and just carefully and see if there's anything in there - just retake a look at this issue and see if we can make it mandatory but it's also flexible enough to make sure that - to make sure that we address the concerns that Alan has and INTA?

Marika Konings: Okay.

Jeff Neuman: James.

James Bladel: Yes, sorry, just real quick follow up. Maybe the answer is to make the - you know, to make the issue's report mandatory but with some mandatory elements but otherwise having other elements that would be flexible but I know that's complicated.

Jeff Neuman: No I'm sorry you said the issue - you mean the template? So have the template mandatory, have some mandatory questions on there but have other questions that are made discretion - or optional or at least made more flexible so that, you know, they can - there's a number of different ways to answer them, is that what you're saying basically?

James Bladel: Right or they can be omitted entirely depending on the situation, right.

Jeff Neuman: Okay. Marika.

Marika Konings: Yes this is Marika. I don't think that would be too difficult to set up a template like that where you basically indicate, you know, what needs to be filled in. And I think in any event the idea would be to leave sufficient space there that people can add, you know, whatever information they think is helpful or

relevant in relation to the request so I think we should be able to accommodate that and indeed have some, you know, basic.

And I think it's the same way, you know, with the setup of the issue's report where we discussed as well that certain elements need to be in there but there's, you know, a lot of flexibility on other elements that might need to be added as relevant so I think it's more a question then for the work team to define which of those elements should be required.

And I think then on the other elements, you know, I think we have here or some - I think we already mentioned some areas. And again that's something we can add over time as well.

Jeff Neuman: Okay so let's do that. Maybe not for next time but make that one of the action items for after we get through these comments. We could actually start that conversation online on email anyway if we want.

Okay Issue 5 or - okay Recommendation 5, policy development efforts should not be delayed while - oh we already received that one didn't we? Okay Recommendation 6 is comments - we got comments from both INTA and the registries. And it should say - the registries say it would be helpful to better define what in scope means.

It's noted that some of these distinctions are made in other recommendations but they should also be made in this recommendation as well. And INTA says it's concerned that the request for the ICANN staff manager to express an opinion as to whether the PDP should be initiated may result in delays. Also this appears to be beyond the responsibilities of ICANN staff.

Okay let's - with the registry one I think that comment is more of we define elsewhere where - what in scope means and maybe we just move that discussion up so that when someone's reading the report in order they

understand what we're referring to. So I don't think it's - it's not any substantive change.

Recommendation - sorry INTA is making a recommendation about what's proper for ICANN staff. Does anyone have any thoughts on that? Marika.

Marika Konings: I mean, this is Marika. I think that - the current way, you know, what is missing on issue's report or what needs to be in there it doesn't prevent us from stating our opinion. So in that sense, you know, I think here's we're requesting it is maybe this - adding something.

But at the moment there's nothing preventing us from putting our views in there and I think on previous occasions we have stated on certain issue reports where we thought it wasn't appropriate or timely or for whatever reason to initiate a PDP we've stated that. And it has been on several occasions as well ignored by the Council but that's another matter.

So I'm not really sure how it wouldn't, you know, fit with our responsibilities or what we're, you know, currently already doing.

Jeff Neuman: Yes so I, you know, this is one of those items that's been in the PDP since it started or I shouldn't say started - not since it started since the evolution in reform process back in '02, '03. This element has been in the PDP and required from the beginning.

I don't think it delays anything. I'm not sure why they think it will delay it except may result in additional discussion. But I don't think it's a delay. And I - does anyone - let me ask the question do people on this work team does anyone agree with the INTA comments or disagree?

All right let me try asking a different way; does anyone believe that we should change our recommendation requiring that the ICANN staff express an

opinion as to whether the PDP should be initiated? Does anyone believe we should change that recommendation?

Sorry what does - the no means we don't think they should change that? Sorry it's like double negative.

James Bladel: Don't think we should change our recommendation.

Paul Diaz: Correct, do not change, Jeff.

Jeff Neuman: All right Alex...

((Crosstalk))

Alex Gakuru: ...Alex. I think we shouldn't change.

Jeff Neuman: Okay. Does anyone want to help offer a rationale just to - so Marika can jot it down? All right how about - oh James, okay.

James Bladel: Yes, you know, I think throughout this process we've gone to some lengths to ensure that staff was functioning kind of as a disinterested facilitator in the policy development process.

And I think that - if we get them at this early in the game if we get them on the record, you know, the opinion on whether or not a PDP should go forward I think that that's - it's going to have a lot of inertia in the process and it's going to carry throughout, you know, all of the deliberations and into the recommendation.

So I just don't know how you could have them express an opinion early in the process and not, you know, have that pop up throughout the life of the PDP. I don't know if that's what you're looking for but that's kind of how I feel about it.

Jeff Neuman: Well I think that's part of it. I think - and again I'll take off my chair that - at a personal level I think it helps ensure the integrity of the process and also makes it, you know, helps to define objectively what they believe can be accomplished through a PDP or should be accomplished and frankly what's in their missions.

I think as you said there the disinterested party or should be a disinterested party and, you know, there's often a lot of emotion behind certain issues as they're the ones that could be seen in the middle, hopefully, as putting an objective light on certain issues. Paul.

Paul Diaz: Thanks Jeff. I agree with what you've said and what James said as well. You know, and I guess a couple things to note, staff is committed to getting the issue report done within 45 days. You know, if the only thing holding up that initial report was a determination of whether this should even go forward and whatnot, you know, they would know that fairly early on and can work with Council.

I don't think that the concerns that staff is unduly going to influence that argument holds any water. I mean, look at the reality, the things - PDPs that have been initiated over the last couple years and, you know, the one that always just sticks in my craw was the whole Fast Flux one, you know, it was a PDP that never should have happened.

It got through the process with the bare minimum of support. Staff and most of the people on GNSO who were against it kept talking about, you know, it's not an ICANN issue, there's no data, etcetera, etcetera, etcetera. To have had staff - they did say in their issue report that they didn't think that there was enough information to move forward and questioned the scope and all the rest yet it still went.

I think it's very important that staff has the ability and is looked to, to provide impartial assessment about whether or not this makes sense as policy work.

And I feel that the criticisms the staff may, you know, unduly influence the policy process are misplaced in this case.

Jeff Neuman: Okay. And Alan has just joined. Alan, how are you feeling?

Alan Greenberg: Better than yesterday.

Jeff Neuman: Well good, good. We are on - right now we're on page - we're at the bottom of Page 4 on recommendation - we were just talking about Recommendation 6 and the comments that we received on it. And - so the group has agreed that we should keep in the recommendation that staff provide its opinion as to whether the PDP should be initiated. We're talking about the INTA comment that we received.

Alan Greenberg: Okay thank you.

Jeff Neuman: So we're jumping now to issue - so Marika, you have what you need as far as the rationale?

Marika Konings: Yes, I'll write something up and of course everyone is free to, you know, edit or provide suggestions when I send it out.

Jeff Neuman: Okay. I'm going to take the next two comments - I'm sorry the next two recommendations, 10 and 11, together because they're sort of interrelated and then we can discuss those.

So the BC has raised a comment on - sorry the INTA has raised a comment that they agree the maximum timeframe for the creation of a preliminary issue's report should be 45 but should allow for exceptions for an additional 30 days to ensure that requests are addressed in a timely manner.

The BC states that they're concerned about the report being over-engineered. This is a preliminary issue report. They say it's intended to be

short and factual not solving or adding opinion on its merit. An additional public comment period at this stage is redundant and a waste of time.

INTA says that they agree to - they agree to be posted for public comment would recommend a short comment window to ensure that the initiation of the PDP is not delayed. And CADNA supports the recommendation as it will incorporate - will allow critical public input (later) in the process.

So it seems like there's general support except from the BC. There's - well there's support I should say from the IP groups and the - CADNA. The, you know, what do people think? I mean, I'll kind of take off my hat and, you know, on a personal level I do think that a preliminary issue's report that has a comment period is a good idea.

It's in fact something that I'm advocating for the UDRP work that's going on now. And I don't think there's too much resistance to that. But let me open up the floor to any - make sure everyone still agrees that a preliminary issue report and a public comment period is a good idea and then we'll address some of the more specifics. Alan.

Alan Greenberg: Thank you. I - by the way I think it's important when we talk about this that it is a preliminary issue report not a preliminary issue report. You know, it's not an early version of it, you know, which is going to be expanded because some people are talking about it as it being, you know, it should just be a very brief one because it's just the preliminary version.

My understanding is it is the one that staff thinks is the final one if no comments were to come in. And maybe we need to make that clear. In terms of the substance I may be one of the people who requested this in that at the very least the requester of the issue report must be in a position to comment and say whether it really addressed the issues that were being requested.

In line with the standard ICANN practice that evolved and grew into a full comment period. I don't think we can have a new set of procedures which omit the first part and therefore I think it's the norm that it be a full comment period but under no conditions I think can we eliminate the concept all together including comments from the originator of the request. Thank you.

Jeff Neuman: Okay. Thanks, Alan. (John).

(John):   Hey, good morning Jeff. So speaking on behalf I think of the BC the thinking was that this - the preliminary issue report be - having a comment period on that essentially allowed the same comments to be filed at separate times. And so the thinking was why do we need to have - why do we need to have a comment period twice that the subject matter on which it's being - the comments remains the same.

So within the BC there was a thought that we could accelerate the process a bit by focusing the comment on a single period which would not - nothing would be slipping through un-investigated but it would just merely make it a single bite of the apple rather than two.

Jeff Neuman: So, (John), can you - so what are the two comment periods?

(John):   Well the - there's a preliminary issue report which is the product - the work product of the team - of the group, yes?

Jeff Neuman: So the issue reports right now are drafted by ICANN staff alone.

(John):   So there's a preliminary issue report which then leads to an issue report.

Jeff Neuman: Right but there is no comment period right now between an issue report and the Council voting on it. So if you don't have the preliminary issue report without - you don't have a comment period after that there is no comment

period before PDP is launched. Someone jump in if I'm wrong about that. Right, Marika?

Marika Konings: You're correct.

Jeff Neuman: Right so...

(John):   That's correct.

((Crosstalk))

(John):   I will carry that back to the BC then because I think there was a misunderstanding.

Jeff Neuman: Okay.

Alan Greenberg: There's a required comment period...

((Crosstalk))

Alan Greenberg: ...initiation.

Jeff Neuman: Hold on a second. Let's - one at a time. So (John) finish up and then Alan.

(John):   No, no, go ahead, Alan, I'm done.

Alan Greenberg: Yes, no, I was just saying there is a required comment period soon after initiation but not before so far as know.

Jeff Neuman: Right. So the goal here was to make sure that ICANN staff got it right that the issue was adequately described. In the case that Alan was talking about if it's ALAC for example that asked for an issue report that it would be ALAC would get a chance to look at it before it got submitted to the Council.

Or if it was a group that requested an issue report that they could look at it, make sure it adequately reflects the issue as they believe it before it gets submitted to the Council to have a vote on it. Let me go to Alex and then back to Alan I guess.

Alex Gakuru: Yes. Alex speaking. I think I will hold back the two comments I had because (John) has said he is taking the issue back to BC for them to discuss. The only thing I would want to maybe - us to clarify is when there is an issue or issue's report as was raised by Alan so that we are clear we are discussing or the preliminary issue's report or not an issue report so that w are clear. Thanks.

Jeff Neuman: Yes I think that is an important distinction. And I think that should be made clear. I am going to - go to Marika and then - Marika, do you understand that last comment?

Marika Konings: Sorry, what did you say?

Jeff Neuman: So the last comment was - and it kind of dovetails on what Alan had said which is that the - we need to make it clear that the preliminary issue report is - it's what ICANN staff considers to be the actual issue report that's put out for comment, it's not meant to be an outline or it's not meant to be a non-final type product.

It needs to be understood that if there are no comments received to the issue report then that's going to be the final one that's submitted to the Council.

Marika Konings: Right. And the comment I wanted to make as well and I think, you know, we have highlighted then the recommendation but maybe it's something we need to call out even more than this comment period is really intended to, you know, get input on the issue's report itself.

It's if, you know, we miss anything, if there's something that's there that's incorrect and also to provide the Council input on whether they should initiate or not a PDP. I think we should really highlight that this is not the idea here to - in that comment period to talk about solutions or, you know, what needs to be done to address the issues but that this is really a focus - a comment period on the issue report itself and see if indeed anything was missed and possible advice to the Council.

So I think, you know, we've highlighted in the recommendation but maybe we need to even make it more clear what this comment period intends to do. And again then as well indeed highlight that the preliminary issue report is what staff considers, you know, their best effort and, you know, scoping out this issue and hopefully in most cases, you know, would get the most information and no need to make any additional changes.

Jeff Neuman: Okay. Margie and then I'll go back to Alan.

Margie Milam: Yes, this is Margie. I agree with that and in drafting the UDRP thing that's what I'm intending to do, have it be the, you know, consider the final thing. Once we get the public comments that might, you know, lead to some changes or if there are also changes.

Or if there are also changes that happen between the publication and, you know, and the time that we produce the final just in case something would happen outsides of the public comment period we might incorporate that as well. But the idea is it's certainly not an outline at lest what I'm working on right now for the UDRP.

Jeff Neuman: Okay good. (John), did you have - was that leftover hand? Okay, Alan.

(John):   Yes it is leftover, sorry.

Jeff Neuman: Okay, Alan.

Alan Greenberg: Yes when I put my hand up it was just to perhaps rephrase what we're doing for (John)'s benefit to take back to the BC. Essentially what the recommendation is saying is we don't want Council to vote on the wrong issue to commence or to not commence a PDP that it should be working with as close to a version as possible that does reflect what the original concern is. And that's the, you know, the substance of it. Thank you.

Jeff Neuman: Okay so the action item then is for (John) to go back to the BC, discuss it with them and make sure that it was not just kind of a misunderstanding and then to come back for the next call or through email to address that.

If we jump forward then to workshops - the role of workshops we got three comments on that. Basically the BC comments that - it says the workshops should not be mandatory. INTA says that work teams should clarify that it's optional but not required. And Stefan made a comment saying, you know, how is it determined which issues require a workshop and which don't?

Marika, can you remind us what do we - do we say in the report it's mandatory?

Marika Konings: This is Marika. No we actually say that the PDP work team recognizes the value of workshops on perspective issues prior to the initiation of a PDP. It is therefore recommending that information on the potential role of workshops and information gathering events be provided in the PDP manual.

In addition the PDP work team recommends that the GNSO Council should consider requiring such a workshop online or face to face on a specific issue during the planning and initiation phase for a specific issue. Furthermore the PDP work teams recommends that invitations and/or announcements for workshops are communicated as broadly as possible.

Jeff Neuman: So, I mean, it sounds like we're all on the same page it's just we may need an extra sentence to, you know, to be clear. We're not saying this is mandatory but it in general is a good idea. You know, essentially that's the concept. Alan.

Alan Greenberg: Yes, it may be worth noting that in the past I can't remember any case where there were not at least - where there was not at least one workshop prior to the initiation phase that it has become practice whether we mandate it or not so.

Jeff Neuman: Yes, I think that's definitely - I think it's worth pointing out. (Unintelligible) agreed and then - so I think that's how we'll respond to that. Marika.

Marika Konings: Yes this is Marika. Maybe something that we can clarify because in this sentence where we talk about that, you know, the recommended GNSO Council should consider requiring such a workshop maybe if we add something like on sort of an issue just to make clear that indeed it's not a general statement we were making for every issue there should be a workshop but, you know, to make it more clear that the - what we're actually saying that we think it's in most cases probably a good idea but not necessarily in all.

Jeff Neuman: Yes. I think that's right. Okay any other comments on that?

Alex Gakuru: Yes a quick one. Just to clarify what Marika just said I think what we were recommending is the GNSO may require that the working group hold a workshop. Is that not what we meant?

((Crosstalk))

Jeff Neuman: No because there is no working group yet...

Alex Gakuru: Well...

Jeff Neuman: Right, this is prior to the initiation.

Alex Gakuru: Okay because I was confused - excuse me - when we talk about the specific ones so it may be prior to initiation - okay I'll back out; let's leave it alone.

Jeff Neuman: Okay. Marika you have another comment?

Marika Konings: Yes, this is Marika. So it is indeed specifically raised to - prior to initiating a PDP and I think it's something for example that we're considering now in the context of the UDRP when we're saying well maybe it's a good idea to have that workshop either to help, you know, scope out the issues as part of the issue report or it might be as well a case after the issue report is published and, you know, maybe staff says like well we think some further discussion is required or more input needed.

                   That the Council would say well maybe we need to have a workshop or some kind of meeting in which we can discuss the issues on the table and get community input before we actually decide on whether or not to initiate a PDP. I think that's the objective...

((Crosstalk))

Marika Konings: ...mention of the workshop.

Jeff Neuman: Yes and the discussion focuses not on what the solutions are but just what are the different issues and sub-issues within there to kind of - you know, I think it almost in terms of - if people remember way back - I don't even remember where in the world we were.

                   But when this work team started we had a very initial discussion of pretty much, you know, everyone just tell us what you think the issues are with the PDP of what issues we're going to have to address and then we took that list

that we got out of that meeting and then we created the five stages. I mean, it just helped organize the thoughts.

We didn't really discuss what the answers were to any of those questions but got out there, you know, all the issues like timeframes and, you know, everything we're discussing now is really a result of that very first workshop meeting we had. And I think that's kind of - that was very helpful in organizing our work. It's also helpful I believe at a preliminary stage - even before the Council votes on whether to initiate the PDP.

So going - moving onto the next set of comments are all on impact analysis. And if you recall this is where we had said that a impact analysis may be requested and it's not mandatory but it was a "may." And it talked about this is where Avri had the footnote in there about including the term human rights.

What we did there was an impact analysis on - and used the elements of the words from the Affirmation of Commitments. The registries said that we needed to define public interest in consumer trust. Any analysis of competition should be performed by qualified competition authorities.

Analysis of human rights should also be based on international principals of law. The INTA said we need to clarify that the GNSO Council may consider an impact analysis but that is not required. INTA requests therefore the deletion of, "or necessary," so those are the two words we would take out.

With respect to the elements of impact analysis (unintelligible) the opinion that human rights is included in the category of the public interest. The BC said that a possible impact analysis before vote to start a PDP or it's possible that it would be gamed and they don't want to be - to cause a delay.

And in San Francisco the comment came out that, you know, who would undertake the assessment and are human rights really a part of ICANN's mission?

So a couple things from these set of comments, number one is again I think we need to do a good job in saying that it's not mandatory, that it's not meant to delay the PDP process; that it's not meant as a tool to game the system so we need to make that clear.

I think with respect to public interest and consumer trust I think we should make it clear again - and I think we did but just to make it clear that it comes from the Affirmation of Commitments and that it's not - we understand that there may be work undertaken by - to define what consumer trust is.

I don't think we're in a - and maybe that's an element of work for the future, but I don't really think it's incumbent upon this team to actually define those terms. I think it would be an impossible exercise for us to do that. Anyone disagree with that? All right, no comments. Marika?

Marika Konings: This is Marika. You know, because reading the documentation itself, it talks about it in a very broad way. And I do understand, you know, the concern that some have that this might be used as a, you know, gating option.

And probably as well of course a challenge if you're at the - the issues requires you to say, you know, how do you assess any impact of the issue itself. Is it more, you know, the solution that you want to have the impact (unintelligible).

I'm wondering if this is one of the areas where, for example, the issue report could also make a recommendation, either, you know, staff or as part of the public comment, where people could say, "Well we actually do think more research needs to be done and the impact needs to assess on this or that," as part of the consideration of whether, you know, a PDP needs to be initiated.

I don't know if that's a better gating way of saying, okay, either our staff raises it or if it's part of the public comments. That is when, you know, the council should consider this.

But it shouldn't be a factor of, you know, someone just saying, "Oh, hey, let's do an impact assessment on this or the other," without any supporting information or support behind it. I'm wondering if that's something that, you know, the work team could consider.

Jeff Neuman: I'm going to go on. James, you're still on?

James Bladel: Yes, I'm here. I just stepped away from the keyboard a second.

Jeff Neuman: Okay, that's fine. So we're talking about the impact analysis and do you have - and this is one of the - you felt very strongly about this, about having an impact analysis done if it's recommended, you know, because there are a number of - you talked about a number of potential subjects that would be in the issue report that would have large - or that could have potentially large impacts on certain of the providers or certain different groups.

And so do you have any thoughts on any of these comments about, you know, you had also provided the language on or the recommendation that we used, the affirmation of commitments language. Do you have any thoughts or comments?

James Bladel: Well, yes. I mean I'm testing my memory a little bit, because I think that we were going through some of the - we were going through the AOC with a fine-toothed comb when this topic came up. So I think that's probably where we were looking at how the policy development process, you know, impacts these areas that are part of the affirmation.

So, you know, reading through these comments, I was just kind of - I apologize. I just kind of glanced through them real quickly last night. But, you

know, I think that if we want to make the impact analysis optional but not mandatory, then I think that the council has to make that determination.

I don't think that we can leave that to the working group or the members of the working group where, you know, you know how the ICANN MO is that if one person asks for it, then suddenly it's mandatory.

So I think that, you know, if that's the determination that's coming from the council, that an impact analysis for this particular PDP is issued, then I think that we should, you know, give council that prerogative.

And I do agree, and I think we've said that all along, that human rights is either out of scope or folded into public interest -- that it doesn't need to be teased out separately. So, I mean that's just my general take on these comments. I don't know if that helps.

Jeff Neuman: Yes, and just to clarify, this is before there's actually a working group. So anything would have to - a request would have to by definition come from the council.

James Bladel: Right.

Jeff Neuman: And I guess you would have to be - go through the normal council vote, which would be a majority of each house. So...

James Bladel: Who is making the impact analysis? Staff?

Jeff Neuman: Well so that's - and I think that some of staff, I think, might be confused about this, too. Because you're trying to figure out what you're doing an impact analysis on. I know Marilyn Cade actually brought impact analysis up very early on.

And it is a confusing topic because, you know, you don't want to be solutioning as part of the issue report, or you don't want to say, "Well if this is the solution, this is the impact." Because you haven't even started to work yet. So...

James Bladel: Right. But, you know, you also don't want to start off down the course of a PDP that isn't known or is at least suspected to run counter to, you know, the commitments in the AOC.

Jeff Neuman: Right. So we need to do kind of a good job in clarifying exactly what we mean and when we mean it. Because I think there's some confusion. Well let me go to Alex and then Alan, and then we'll come back.

Alex Gakuru: Thank you, Jeff. Alex speaking. I'm inclined to go to what you as a chair had suggested, that we leave out the definition and leave it up to the council, so we don't make it mandatory.

Because if we do, as we define everything on impact analysis, then obviously because of my stakeholder group, we'll also insist, as Avri had put it, on definition of human rights. And so the more we leave that to council, I think it would be better so we don't go into defining it. Thank you.

Jeff Neuman: Okay, and Alan?

Alan Greenberg: Yes, I don't have the words of the original recommendation in front of me. I'm presuming that we're talking about impact analysis of the issue, not of the possible outcome. So I think it's important because there's been comment on impact analysis on the impact on contracted parties or something like that. And that's likely to be the impact of the potential outcomes, which is not what we're talking about here.

Jeff Neuman: And can you give an example of what -- I mean it's hypothetical -- what you think this impact analysis, how it will be used.

Alan Greenberg: I'm not one of the people who suggested that we need it. You know, I think it's more likely to be used as a delaying tactic than as a real tool. And there are certainly issues. If you look at the PDP the council did on new gTLDs, could we have done an impact analysis of either having new gTLDs or not having new gTLDs? Or, you know, the lack of having more gTLDs?

I don't think we could have. You know, so there are some subjects of PDPs that I just don't think lend themselves to an impact analysis of the prior condition. So I, you know, I'm one of the people who said I don't, you know, I'm not sure this - it certainly shouldn't be mandatory and has to be left to discretion.

But it needs to be made clear we're talking of the impact of the situation prior to the PDP as opposed to the outcomes. And it may already make that clear. I'm not sure.

Jeff Neuman: Okay, no, I'm not sure if it's as clear as you said it. So that's definitely worth clarifying. Marika?

Marika Konings: Yes, this is Marika. I'm still struggling as well with this concept. And my question is for James. You know, maybe you can provide an example. Because how can an issue itself, you know, run counter to, for example, the AOC? Isn't it more when you're actually talking about, you know, potential solutions and ways of addressing a certain issue?

That's why you want to do the impact assessment? I'm just wondering if the kind of example you have in mind, you know, what kind of issue? I can understand it's part of research and seeing indeed how if an issue is really existing, if you're saying we need more research to really see if it is really affecting, you know, enough people to warrant policy development.

But on an impact assessment, I'm still not clear what that would mean and what you would investigate.

James Bladel: Jeff, is that question...

Jeff Neuman: Yes.

James Bladel: For me to respond? Okay. So I'm actually pulling up some of the final report now, the ATRC final report. Because I think there were some recommendations in there that directly touched on some of the work that the PPSC, this group, the PSC PDP, was doing, and vice versa. And I think there's some overlap there, and I apologize. I'm reading while we're talking, and I know that that's usually a recipe for non sequiturs here.

But, you know, I think that there were several points during our work that it seemed that we wanted to -- or at least I felt that it was valuable to -- ensure that what we were doing - and maybe this is more a question not necessarily of an impact analysis, (unintelligible) more of a question of, you know, okay, we wanted to ensure that the remit to address a particular issue that was coming up for PDP followed the, you know, you could draw a straight line from the AOC through the bylaws and through the GNSO from, you know, whatever that issue was.

You could say that it lines up with all of those documents, all those frameworks. And that if something, you know, was out of whack -- and I think that perhaps (Paul)'s example earlier of the (fast-track) working group perhaps might have been an example where something could have been caught earlier in that process, and say, "Wait a second. Not only are we not sure that ICANN's role to address this, but we're not even sure that any policy that comes out of this would be effective at addressing this issue."

I think that if we can put some sort of a check or a test earlier in the process, we might, you know, we might alleviate a lot of those questions down the

road. So I think that's the idea behind this or the thinking behind this impact analysis.

And I think Alan is correct that it is not about presuming the possible outcomes of a policy development. It's much more about just looking at the issue itself and ensuring that it lines up with everything from the AOC on down.

Jeff Neuman: So is this more kind of instead of an impact analysis it's more, you know, kind of assessing the scope?

James Bladel: Well, yes. I mean now that I think about it, it's probably more of a scope sanity check or, you know, whatever we want to call it. But, you know, it almost is, I think - and, Jeff, help me here because you're a lawyer. It's almost like a jurisdictional test, right?

Jeff Neuman: Yes, I think that's part of it. I think another part that came up in my mind, you know, something I sort of floated, you know, some people think there should be a PDP on whether registries should be required to have a thick WHOIS.

James Bladel: Right.

Jeff Neuman: And this was discussed during the weekend sessions in San Francisco. And I raised the point that I didn't want a PDP done on that, simply because there's only one registry that doesn't have thick WHOIS -- two TLDs, but it's only one registry operator.

And to do a full PDP -- the comment I had raised was that it's just a waste of resource, you know, that you'd basically be doing this for the benefit of forcing one registry to adopt it. And I said, you know, before council votes on initiating a PDP on it, talk to that one registry and see if they have any plans to do it, you know, or, you know, what their thinking is on the subject and try to work it outside the PDP process if they could.

That was one of the items that I thought about as far as kind of scope assessment, as opposed to more of an impact of result. Alan?

Alan Greenberg: Thank you. Yes, I like the kind of description that James has put on it now much more than calling it an impact analysis. And I think we're talking about something quite different here.

If nothing else, reading the registry comments on the impact analysis implies that an impact analysis, if we have to go to, you know, reigning authorities on the subject, would be both a very time-consuming and slow process, and expensive process. And I don't think that was out intent when we originally put it there.

So I think the kind of things we're talking about now make a lot of sense. I think we're going to have to go back and come up with some words that are quite different from what we have right now.

It does make some sense to make sure that council has the ability to do some level of analysis, because the absence of our comment of anything on our part -- it will be viewed, I think, that council must vote and they don't have the discretion to go off on a sideline and do something like this.

So us allowing it to be done gives them the discretion to do it, and I think the wording we're talking about now is much closer to something that makes sense than the impact analysis term. Thank you.

Jeff Neuman: Okay, and so I think all of that makes sense. I think A, clarifying that whatever we call it, whatever it is, is not mandatory but it's at the request of the council. Make sure it's not a delay tactic.

And then further refining this thing to call it something more as a scope assessment or a sanity check, as James has described it and Alan

concurred, I think let's take that back. Let's see if we can work on that. Marika, you have what you need to kind of just work on some sort of suggestion to that?

Marika Konings: Yes, I do.

Jeff Neuman: Okay, and we'll just - if you want, we can throw that out to the group via email and see if people will respond to that prior to the next call. Okay? And also, yes, as James put on the comment, on the chat, you need to make it clear that it's focusing on assessing the issue and not the presumed outcome.

Okay, so Recommendation 14 is on resource and prioritization. Stefan says, "How should resources be measured? And how can the availability be determined, knowing that there's currently no mechanism in place for the GNSO council to do it?"

And the comment from INTA is, "If we have specific guidelines for the council to refer to in connection with prioritization, it would be helpful to state those guidelines specifically in the final report." James?

James Bladel: All right, Jeff. So I know we've got some councilors on the call, and I'm probably going to ruffle some feathers by saying this. But I think it echoes something, a comment I made in San Francisco, which is that I understand that resources and prioritization and, you know, the fact that we're tapping every staff member and every volunteer work hour that we can possibly scrounge up for everything that's currently on our plate.

I understand it's a problem, and I understand it's kind of an underlying concern of everything that ICANN and the GNSO is doing right now. But respectfully, I don't believe it's the job of this group necessarily, and definitely not the job of individual PDP working groups, to set council priorities, you know, or community priorities.

I think that has to be done at the council level, you know, whether or not recommendations can be prioritized, you know, or had some sort of natural priority to them by basis of which ones have more consensus, which ones have less consensus. I mean there's something to be said for that.

But I think that ultimately, you know, it goes to the council to, you know, to make these decisions and to say that we're going to pursue X and not, you know, and we're going to table Y for the time being. And I don't know. I just see a reluctance to do that. Not a reluctance to try to do that, just a reluctance actually.

Jeff Neuman: So Marika, on that recommendation, do you have that in front of you as to what we actually say in there?

Marika Konings: Yes. If you give me one second...

Jeff Neuman: And while you're pulling that out, let me - Alan, you have a comment?

Alan Greenberg: Yes. As busy as council and council members and GNSO members are, I don't think it's due to PDPs. And I think we need to put a statistic in there. My guess is we don't initiate, on the average, more than two PDPs a year. Maybe it's three, but I suspect not.

We have those kind of numbers, and it may be worth quoting them. So we may be busy, but it's not due to PDPs. And I think it's important to say that, and PDPs are the reason the council exists.

So, you know, if the council deems something to be worthy of a PDP, by definition it is high-priority. And there just aren't enough of them to be agonizing over it. We're spending all of our time certainly the last couple years on things like this and other things which are not PDP processes. Thank you.

Jeff Neuman: Yes, I think so. Alan, that's an excellent point and I think that is certainly worth pointing out that, you know, we're really talking about a very specific type of action that only relates to PDPs. And so I do think that's key. Maybe some stats thrown in there.

I also think James' point is right that it's really a council exercise that they have to do. It's not really up to the person who's requesting the issue to think about prioritization, or even the ICANN staff necessarily to think about prioritization.

You know, staff should point out in the issue report what resources they think are needed to do the PDP, but not make any determination as to where it fits in on the priority. But, Marika, you have that provision now?

Marika Konings: Yes, I do. (Unintelligible) Recommendation 14, the PDP working release. The GNSO council should take into full account the resources available, both volunteers from the community as well as ICANN staff, on making its decision on whether or not to initiate a PDP.

Jeff Neuman: Okay, and from what I'm hearing, it doesn't seem like there's a desire from people in this group to actually provide any more criteria on that.

Alan Greenberg: I would add, you know, taking into account that, you know, we don't do -- not this word, but, you know, not this wording -- but taking into account the fact that we don't do many of them, and PDPs are why the council exists, to a large extent.

Jeff Neuman: You know, the irony however is that in order to initiate a PDP, it's a much lower threshold than to initiate any other action by council.

Alan Greenberg: And it's interesting that we do so few of them anyway.

Jeff Neuman: Yes, yes. It's interesting why people don't go down the PDP route when in theory it's easier to initiate than everything else. But I think we should make those points about, you know, these are PDPs. This is what, you know, a lot of the substantive policy work that the council does, and that it's really a job for the council to ensure that the proper resources are in place, and it's not really up to the requestor to provide that.

So I think what we're saying is our statements stay as is, and that we don't really have any other guidelines to provide, but provide the context that Alan was talking about. And (Marika) just posted that she's back. So, (Marika), how much of that did you miss?

Marika Konings: I'm not sure. What I've got down is that it's not the role of working group work teams to set priorities for the council or communities. It's the role of the council. I think Alan noted that there are not that many PDPs and they're not the ones taking up the resources, and that the PDP is the reason why the council exists.

Jeff Neuman: Yes, and we'd do it in a little bit more positive tone as far as you wouldn't say it's our job. I mean we wouldn't say it's not our job. We basically say that, you know, we believe this is the job of the GNSO council. You know, word it much more positively. But yes, that's the point.

Marika Konings: These are just my notes. When I write it up, it will sound much better.

Jeff Neuman: I'm sure it will. Let me just jump to - we'll finish the fast-track and then that's where we're ending, because I think we're a third of the way done with this document, so I think that's really good.

On the fast-track, which I believe in this recommendation, I think we just punted this issue, right? Basically said that this might be something that's more for the standing committee to think about. What did we say on this? Maybe I'm wrong. Marika?

Marika Konings: This is Marika. I think the element they're referring to is that we do say in that recommendation that we're of the view that a new PDP will offer additional flexibility and would allow for faster PDPs, provided that the necessary resources are available without the need for a formal fast-track process.

We do say something in the beginning as well, but I think that's what they're referring to in saying, "Why do you think it will be faster if actually, you know, the only thing we see in the overall process is that you're adding, you know, additional time and more time for scoping and discussions? So why do you actually see that it will go faster. We actually see the opposite, that it actually might be slower."

Jeff Neuman: Okay, does anyone have thoughts on that? People agree with that comment?

Alan Greenberg: It's Alan. I'm not at the computer right now. I think yes, it may well slow, you know, what we've done may well slow some things down. But it's a solider process, I think. So if it does, so be it.

In terms of (fast-path), we talked about it a lot. We couldn't come up with any specific recommendations, and I don't think we should delay the whole report trying to refine that. So leaving it open, I think, is a good thing.

You know, and we could add a sentence saying if council decides that, you know, a (fast-path) is required after some experience with the new PDP rules, they can always charter a group to look at it.

Jeff Neuman: I think so. I think that's an important point. I think, you know, what we did say is that once you initiate the PDP -- because there should be a better-informed PDP, a more narrow or proper scope of a PDP with the issues report, with the requirements of the charter, getting approved, and with all the pre-work that's being done -- it may slow everything down from the time that an idea for a PDP is conceived.

But it certainly should help shorten the time once the PDP's initiated, I think was the goal. And plus we provide for these. We couldn't agree as a group on anything to eliminate from the process. We didn't come to any kind of consensus on steps that didn't need to be taken. And so what we did was provide flexibility for those steps to be taken on a quicker path, if that's what the group desires to do.

And I think your points, Alan, are well-taken as well that if, you know, we need to experience with this, it could go either way. But, you know, if in the future council sees a need for a faster path, they can always commission a group to do it. But this group felt pretty strongly or at least didn't feel by any kind of consensus that there was any steps that could be eliminated. James?

James Bladel: Yes, Jeff. You know, I think you covered some of those things I wanted to raise. But I think the response to this comment is that we didn't, you know, slow down the process. What we may have done is front-loaded the process a little bit so that we're based on our, you know, all of us, we've had some experience now with PDPs. We know what slows them down once they've started.

So if we can get some of that work specified and established up front in the issues report, in the initiation and in the first couple of required steps in the PDP process, then perhaps, you know, we can eliminate some of the steps that tend to bog PDPs down.

So I think that the response here is by having a narrower scope or let's say a more defined scope, and by having - and also by clarifying which steps are optional, which steps are required like workshops and initial comment periods, I think that we're saying that we've moved a lot of the, you know, let's call it grunt work, you know, of a PDP up to the beginning of the process so it doesn't bog down en route.

Jeff Neuman: Understood. Those are good responses, and I think you're right on as far as the front-loading and making sure issues are scoped out. And then Alan's got some - Alan, are your comments on - I just noticed he's on the chat. Perhaps, James, but I suspect that may be a good thing.

James Bladel: I think Alan and I are still continuing.

Alan Greenberg: That was peripheral.

James Bladel: Yes, we're also having a conversation on the side.

Jeff Neuman: Oh, okay. Sorry. All right, Marika, you got all those comments from James?

Marika Konings: Yes.

Jeff Neuman: All right, so I think this is a logical place to stop. We're a third of the way done with these comments. If we could make this much progress next time, that'd be great. We have a call on - I'm going to read James' comment that says, "Alan, let's see if we can get Jeff to read this into the record." So (unintelligible).

                  Anyway, we have a call next Thursday, and then we can decide next Thursday whether - hopefully by then we'll have some guidance on when we think the council will go with the (PPSD) and figure out an updated timeline. So next Thursday, same time, same place, probably the same phone number. I will talk to you all then.

James Bladel: Thanks, Jeff. Lots of good progress today.

Jeff Neuman: All right, thank you.

Alan Greenberg: Yes, thank you, Jeff.

Jeff Neuman: Okay, bye.

Marika Konings: Bye.

Gisella Gruber-White: Thank you, (Sam).

END