

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Undocketed Special Project )  
by Telecommunications Companies )  
to Customers in Multi-Tenant )  
Environments. )

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INTERMEDIA COMMUNICATIONS INC.'S  
COMMENTS ON MULTITENANT ISSUES

Intermedia Communications Inc. (Intermedia) hereby submits in the above-referenced matter its initial comments to the issues identified by the staff.

COMMENTS

I. In general, should telecommunications companies have direct access to customers in multi-tenant environments? Please explain. (Please address what need there may be for access and include discussion of broad policy considerations.)

Yes, companies should have access to customers/tenants in multi-tenant environments on a competitively neutral basis that preserves tenant choice of carriers and that does not violate the owner's property rights. Access should not cause any permanent changes to the property, create safety problems, interfere with management functions, or otherwise compromise the owner's property interests. Where access requires a more obtrusive presence, the terms and conditions of that access should be negotiated among the interested persons.

II. What must be considered in determining whether telecommunications companies should have direct access to customers in multi-tenant environments?

The Commission should consider the competing interests of the property owner, the carriers and the tenants, as well as whether direct access is necessary to ensure competitive goals and customer protection. The Commission should recognize, however, that the legislation referring this matter to it for study does not use the term "direct access." That term is used only in Section 364.339 where the tenant is guaranteed direct access by the incumbent. The Commission should avoid pursuing "direct access" for companies as the legislative goal, but rather focus on assuring all companies access that promotes competition, protects consumers, and honors private property rights.

A. How should "multi-tenant environment" be defined? That is, should it include residential, commercial, transient, call aggregators, condominiums, office buildings, new

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facilities, existing facilities, shared tenant services, other?

"Multi-tenant environment" should be defined to include residential environments, commercial environments, condominiums, office buildings, new facilities, existing facilities, and shared tenant service locations. It should not be defined to include call aggregators and locations serving transients (payphones).

- B. What telecommunications services should be included in "direct access", i.e., basic local service (Section 364.02(2), F.S.), Internet access, video, data, satellite, other?

Companies providing services that qualify under Chapter 364 as intrastate telecommunications services should be allowed appropriate access to tenants.

- C. In promoting a competitive market, what, if any, restrictions to direct access to customers in multi-tenant environments should be considered? In what instances, if any, would exclusionary contracts be appropriate and why?

Please see response to Issue I.

- D. How should "demarcation point" be defined, i.e., current PSC definition (Rule 25-4.035, F.A.C.) or federal Minimum Point of Entry (MPOE)?

The Commission definition should be dropped in favor of the federal MPOE. Most states have already adopted the MPOE and it creates consistency across the board.

- E. With respect to actual, physical access to property, what are the rights, privileges, responsibilities or obligations of:

- 1) Landlords, owners, building managers, condominium associations
- 2) Tenants, customers, end users
- 3) Telecommunications companies

In answering the questions in Issue II.E., please address issues related to easements, cable in a building, cable to a building, space, equipment, lightning protection, service quality, maintenance, repair, liability, personnel, (price) discrimination, and other issues related to access.

Please see answer to I above.

F. Based on your answer to Issue II.E. above, are there instances in which compensation should be required? If yes, by whom, to whom, for what and how is cost to be determined?

Please see answer to I above.


G. What is necessary to preserve the integrity of E911?

Companies should have access to customers/tenants in multi-tenant environments in a manner that does not compromise the integrity of E911. The best method for preserving the integrity E911 may vary with the circumstances, and thus should be negotiated among the interested persons.

**III. Other Issues Not Covered in I and II.**

Intermedia is willing to address other concerns as they arise.

Respectfully submitted, this 29th day of July, 1998.

  
Patrick Knight Wiggins  
Wiggins & Villacorta, P.A.  
2145 Delta Boulevard (32303)  
Suite 200  
Post Office Drawer 1657  
Tallahassee, Florida 32302  
(850) 385-6007 Telephone  
(850) 385-6008 Facsimile

Counsel for Intermedia  
Communications Inc.