

ORIGINAL

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition of Competitive Carriers for Commission action to support local competition in BellSouth Telecommunications, Inc.'s service territory.

DOCKET NO: 981834-TP

RECEIVED -FPSC 99 NOV 19 PH 4:48 RECORDS AND REPORTING

In re: Petition of ACI Corp. d/b/a Accelerated Connections, Inc. for generic investigation to ensure that BellSouth Telecommunications, Inc., Sprint-Florida, Incorporated, and GTE Florida Incorporated comply with obligation to provide alternative local exchange carriers with flexible, timely and cost-effective physical collocation.

DOCKET NO. 990321-TP

FILED: November 19, 1999

PREHEARING STATEMENT OF SUPRA TELECOMMUNICATIONS AND INFORMATION SYSTEMS, INC.

Supra Telecommunications and Information Systems, Inc. ("Supra"), in compliance with the Order Establishing Procedure (Order No. PSC-99-1991-PCO-TP), issued October 12, 1999, hereby submits its Prehearing Statement in the above-styled matters.

A. Witnesses

Supra proposes to call the following witness to offer testimony on the issues

in this docket:

- AFA
APP
CAF
CMU
CTR
EAG
LEG
MAS
OPC
PAI
SEC
WAW
OTH

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Witness

Issue(s)

David A. Nilson (Direct)

1, 2, 4, 6-10, 12-21

Supra reserves the right to call additional witnesses, witnesses to respond to Commission inquiries not addressed in direct or rebuttal testimony, witnesses to address issues not presently designated that may be designated by the Prehearing Officer at the Prehearing Conference to be held on December 9, 1999. Supra has listed the witness for whom Supra believes testimony will be filed, but reserves the right to supplement that list if necessary.

B. Exhibits

David A. Nilson

DAN-1: Cost breakdown Provided by BellSouth to the FCC

Supra reserves the right to file exhibits to any testimony that may be filed under the circumstances identified in Section "A" above. Supra also reserves the right to introduce exhibits for cross-examination, impeachment, or any other purpose authorized by the applicable Florida Rules of Evidence and rules of this Commission.

C. Statement of Basic Position

Florida's incumbent local exchange carriers ("ILECs") must comply with their obligation to provide alternative local exchange carriers ("ALECs") with flexible, timely, and cost-efficient collocation. The ILECs have used their monopoly status to create road-blocks to competition in their markets. These

roadblocks serve to enrich the ILEC, while the delays cause irreparable harm to startup ALECs, and cause the large, well financed IXC's to abandon the local market. Even though ILECs are required by law to provide collocation in the central offices, ALECs have been delayed and prevented from collocating due to artificial barriers erected by the ILECs. The Commission must adopt procedures to require the provisioning of collocation at reasonable terms, conditions, intervals, and prices in order to facilitate the growth of competition in the local telecommunications market.

D. Supra's Positions on the Issues

Issue 1: When should an ILEC be required to respond to a complete and correct application for collocation and what information should be included in that response?

Position 1: ILECs should respond to physical collocation requests within ten calendar days by advising the requesting carrier whether space is available or not. The ILEC should be required to state whether or not space is available to meet the conditions of the request, and the ALEC should immediately be permitted to do a "walk-through" of the central office.

Issue 2: If the information included in the ILEC's initial response is not sufficient to complete a firm order, when should the ILEC provide such information or should an alternative procedure be implemented?

Position 2: If the ten-day time frame for a response is adopted by the Commission, all additional information necessary to submit a firm order should be

provided by the ILEC within twenty calendar days of the ALEC's application.

This information should include the cost estimates.

Issue 3: To what areas does the term "premises" apply, as it pertains to physical collocation and as it is used in the Act, the FCC's Orders, and FCC Rules?

Position 3: No position at this time.

Issue 4: What obligations, if any, does an ILEC have to interconnect with ALEC physical collocation equipment located "off-premises?"

Position 4: ILECs are obligated to interconnect at any technically feasible point within the carrier's network and should be required to provide anything that is a technically feasible interconnection or use of facilities within the central office off-premises.

Issue 5: What terms and conditions should apply to converting virtual collocation to physical collocation?

Position 5: No position at this time.

Issue 6: What are the appropriate response and implementation intervals for ALEC requests for changes to existing collocation space?

Position 6: A ten-day, or less, response time interval is appropriate.

Issue 7: What are the responsibilities of the ILEC and collocators when:

(a) A collocator shares space with, or subleases space to, another collocator;

(b) A collocator cross-connects with another collocator.

Position 7 (a): The ILEC must provision space and honor service requests to all collocators equally.

Position 7(b): The ILEC must provide shared cable racking, cable routing, and other engineering services. The collocators must provide accurate information regarding the physical characteristics of the copper/fiber transmission path, including size and weight, and must comply with ILEC technical specifications on the manufacture of that transmission path. The ILEC must document the minimum level of technical training required to perform work in the central office.

Issue 8: What is the appropriate provisioning interval for cageless physical collocation?

Position 8: The provisioning interval for cageless physical collocation should be the same as the provisioning for virtual collocation.

Issue 9: What is the appropriate demarcation point between ILEC and ALEC facilities when the ALEC's equipment is connected directly to the ILEC's network without an intermediate point of interconnection?

Position 9: For equivalent circuit types, there should be *no* difference between the demarcation point the ILEC or the ALEC uses in connecting its switching and transmission equipment to the network and outside plant. There is always a point

of demarcation. For POTS service, it is the Main Distribution Frame (MDF); for metallic digital service, it is the DSx panel; and for optical, it is an OCx panel.

What is of issue here is whether an ALEC can still be compelled to purchase and provision a second set of demarcation equipment, in addition to the ALEC circuit also running to the ILEC MDF, or whether the ILEC can directly connect to the ILEC MDF (DSx/OCx) at parity. At the ALEC's option, the ALEC may provision an alternate demarcation point within its collocation space, but must not be compelled to do so.

Issue 10: What are reasonable parameters for reserving space for future ILEC and ALEC use?

Position 10: Historically, an ILEC's space reservation was based on growth forecasting in a monopoly environment; however, an ILEC now must take into consideration a decrease in demand due to local competition. Both ILECs and ALECs must be treated equally. An ILEC may not reserve space longer, or under better conditions, than what the ILEC offers to the least of all ALECs that apply for collocation.

Issue 11: Can generic parameters be established for the use of administrative space by an ILEC, when the ILEC maintains that there is insufficient space for physical collocation? If so, what are they?

Position 11: No position at this time.

Issue 12: What types of equipment are the ILECs obligated to allow in a physical collocation arrangement?

Position 12: ILECs are required to permit collocation of *all* equipment that is used or useful for interconnection or access to unbundled network elements, regardless of whether such equipment includes a switching functionality, provides enhanced services capabilities, or offers other functionalities, provided that the collocater is providing basic telephony service from the same arrangement.

Issue 13: If space is available, should the ILEC be required to provide price quotes to an ALEC prior to receiving a firm order for space in a central office (CO)?

(a) If an ILEC should provide price quotes to an ALEC prior to receiving a firm order from that ALEC, when should the Quote be provided?

(b) If an ILEC should provide price quotes to an ALEC prior to receiving a firm order from that ALEC, should the quote provide detailed costs?

Position 13 (a): For an ILEC that requires one-half payment of collocation charges at the time of firm order, the ILEC must provide a collocation quote prior to the ALEC issuing the firm order. However, tariffed non recurring collocation charges (eliminating ICB charges) would seem to have streamlined and assured even treatment of CLECs, reduced litigation, and encouraged competition where such tariffs are used. For elements that remain ICB, ILECs should be required, if

requested by the ALEC, to provide three independent estimates and allow the ALEC to subcontract the work themselves. The price quotes should be provided within thirty calendar days of the initial application.

Position 13 (b): The ILEC should provide a detailed price quote like all other ALEC vendors. At the very least, ALECs should have the option of requesting a detailed price quote. It is only from this detailed information that an ALEC can correct planning errors before they happen. The ILEC must do the planning and costing before quoting the ALEC, not after.

Issue 14: Should an ALEC have the option to participate in the development of the ILEC's price quote, and if so , what time frames should apply?

Position 14: The ALEC should have the option to participate in the development of the price quote. The same time frame as discussed in Issue 13(a) should apply—thirty calendar days.

Issue 15: Should an ALEC be permitted to hire an ILEC certified contractor to perform space preparation, racking and cabling, and power work?

Position 15: Yes. Since the ILEC retains the right to inspect and sign off on a collocation arrangement, the ALEC should be provided with the detailed plans and specifications BellSouth provides to its selected "turf" vendor. The ALEC would then be free to subcontract a certified vendor of the ILEC. The ILEC would retain

engineering and supervisory rights in either case. Power plant investment should not be included in any space preparation charge assessed to a collocator, as this Commission has already approved recurring rates for power which include recovery of power plant equipment.

Issue 16: For what reasons, if any, should the provisioning intervals be extended without the need for an agreement by the applicant ALEC or filing by the ILEC of a request for extension of time?

Position 16: Under the present rules, other than for acts of God, there should be no extensions of time. However where ILECs in Florida have already adopted issue 14, the parties mutually agree to language in their interconnection agreement assuring the ILEC will not be unduly penalized by delays caused by the ALEC.

Issue 17: How should the costs of security arrangements, site preparation, collocation space reports, and other costs necessary to the provisioning of collocation space, be allocated between multiple carriers?

Position 17: Costs for collocation should be allocated based on the amount of space occupied by the ALEC, and a portion should be shared by all ILECs since they also benefit from the upgrades and profit from the ALEC's business expansion. ILECs must allocate space preparation, security measures, and other collocation charges on a prorated basis so the first collocator in a particular incumbent premises will not be responsible for the entire cost of site preparation.

Power plant investment should not be included in any space preparation charge assessed to a collocator, nor should the cost of security system installations other than reasonable charges for keys or other access devices.

Issue 18: If insufficient space is available to satisfy the collocation request, should the ILEC be required to advise the ALEC as to what space is available?

Position 18: Yes, the ILEC should let the ALEC know how much space is available. When an ILEC responds to an application for collocation stating that there is insufficient space, a walk-through of the central office should be performed by Commission staff, the denied carrier, and the ILEC.

Issue 19: If an ILEC has been granted a waiver from the physical collocation requirements for a particular CO, and the ILEC later makes modifications that create space that would be appropriate for collocation, when should the ILEC be required to inform the Commission and any requesting ALECs of the availability of space in that office?

Position 19: The ILEC should notify the Commission and any requesting carriers that previously requested collocation and were denied of the availability of space in the central office prior to using the space for any ILEC project.

Issue 20: What process, if any, should be established for forecasting collocation demand for CO additions or expansions?

Position 20: ILECs should be required to keep a list of all ALECs who have requested collocation. When the ILEC begins planning for central office expansion, the ILEC should contact each carrier on the list to determine the level of interest and amount of collocation space. Additionally, ILEC account representatives could poll their customers when an office comes under review to properly define future needs.

Issue 21: Applying the FCC’s “first-come, first-served” rule, if space becomes available in a central office because a waiver is denied or a modification is made, who should be given priority?

Position 21: The ILEC should offer the available space to the first carrier that requested space. If one ALEC chooses to contest the availability of space before the Commission, that ALEC must be given priority above any other ALEC who chose not to exercise their legal rights. The ILEC should be required to maintain a list of all carriers who have requested space in the order they were received.

E. Stipulations

None

F. Pending Motions

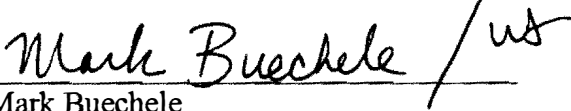
None

F. Other Requirements

None

Respectfully submitted this 19th day of November, 1999.

SUPRA TELECOMMUNICATIONS &
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