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Legal Department

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General Counsel-Florida

JAN 21 PM 4:56

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RECORDS AND
REPORTING

January 21, 1999

Mrs. Blanca S. Bayó
Director, Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Re: Docket No. 980800-TP (Supra Collocation)

Dear Ms. Bayó:

Enclosed is an original and fifteen copies of BellSouth Telecommunications, Inc.'s Motion for Reconsideration, which we asked that you file in the captioned matter.

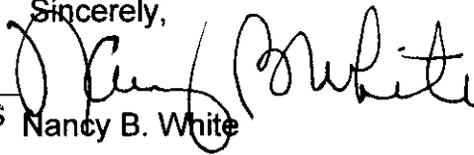
A copy of this letter is enclosed. Please mark it to indicate that the original was filed and return the copy to me. Copies have been served to the parties shown on the attached Certificate of Service.

RECEIVED & FILED

Sincerely,

FPSC-BUREAU OF RECORDS

Nancy B. White



NBW:jn
Enclosure

cc: All parties of record
Marshall M. Criser III
William J. Ellenberg II

- ACK _____
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- APP _____
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FPSC-RECORDS/REPORTING

CERTIFICATE OF SERVICE
Docket No. 980800-TP

I HEREBY CERTIFY that a true and correct copy of the foregoing was served by

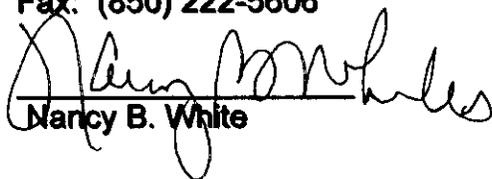
* Facsimile and Federal Express this 21st day of January, 1999 to the following:

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Nancy B. White

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition for Emergency Relief of Supra) Docket No. 980800-TP
Telecommunications and Information)
Systems, Inc., Against BellSouth)
Telecommunications, Inc.)
_____) Filed: January 21, 1999

**BellSouth Telecommunications Inc.'s
Motion for Reconsideration**

BellSouth Telecommunications, Inc., pursuant to Rule 25-22.060(1), Florida Administrative Code, hereby files its Motion for Reconsideration ("Motion") of Order No. PSC-99-0060-FOF-TP ("Order") issued on October 22, 1998. In support thereof, BellSouth states the following:

1. In 1993 and 1994, BellSouth obtained exemptions for physical collocation in the North Dade Golden Glades and West Palm Beach Gardens central offices from the Federal Communications Commission on the basis that space was not available. See. FCC Order No. 93-658, released June 9, 1993 and FCC Order No. 94-143, released February 14, 1994. These two central offices have not changed in size since the exemptions were obtained.
2. On June 30, 1998, Supra Telecommunications and Information Systems ("Supra") filed a Petition against BellSouth seeking physical collocation in BellSouth's North Dade Golden Glades and West Palm Beach Gardens central offices. BellSouth had denied collocation on the basis that space was not available in these offices and on the basis of the FCC exemptions. This matter was heard by a panel on October 21, 1998.

3. The Order in this matter was rendered on January 6, 1999. The Order holds that space is available in the North Dade Golden Glades and West Palm Beach Gardens central offices for physical collocation. The Order further held that the available space in the North Dade Golden Glades central office consisted of 987 square feet held for the 03T and 04T tandem switches and the STP. (Footage for this area is 795 square feet, See Petition for waiver) The Order found that the available space in the West Palm Beach Gardens central office consisted of 454 square feet in the operating room and the equipment staging area.

4. BellSouth seeks reconsideration of the Order for several reasons. First, the panel committed error in determining that space was available in the two central offices at issue in this docket. Second, the panel committed error in its determination of the specific space in these two central offices that was available, i.e., the location of the available space. The panel, in reaching a decision on these issues, either overlooked or failed to consider certain evidence applicable to this docket. See. Diamond Cab Co. of Miami v. King, 146 So.2d 889 (Fla. 1962). The Commission's decision lacks the requisite foundation of competent and substantial evidence.

With regard to the evidence, the Commission must rely upon evidence that is "sufficiently relevant and material that a reasonable man would accept it as adequate to support the conclusion reached." DeGroot v. Sheffield, 95 So.2d 912, 916 (Fla. 1st DCA 1957). See also, Agrico Chem. Co. v. State of Fla. Dept. of Environmental Req., 365 So.2d 759, 763 (Fla. 1st DCA 1979); and Ammerman

v. Fla. Board of Pharmacy, 174 So.2d 425, 426 (Fla. 3d DCA 1965). The evidence must “establish a substantial basis of fact from which the fact at issue can reasonably be inferred.” DeGroot, 95 So.2d at 916. The Commission should reject evidence that is devoid of elements giving it probative value. Atlantic Coast Line R.R. Co. v. King, 135 So.2d 201, 202 (1961). “The public service Commission’s determinative action cannot be based upon speculation or supposition.” 1 Fla. Jur.2d, §174, citing Tamiami Trail Tours, Inc. v. Bevis, 299 So.2d 22, 24 (1974). “Findings wholly inadequate or not supported by the evidence will not be permitted to stand.” Caranci v. Miami Glass & Engineering Co., 99 So.2d 252, 254 (Fla. 3d DCA 2957).

GOLDEN GLADES CENTRAL OFFICE

5. Specifically, the area identified by the panel suitable in the Golden Glades central office for collocation consists of 795 square feet. (Attachment 1) Bellsouth proposes to use most of that space within the next two to three years. BellSouth believes the remaining space does not provide sufficient space to build a collocation arrangement when considering the building code restrictions for fire rated walls and aisles.

6. Attachment 2 depicts the specific equipment that Bellsouth has forecasted to be installed within two to three years. Equipment line A₂ shows 42 square feet of space reserved for growth of the STP (2 STP bays multiplied at 21 square feet per bay) (T. pp. 364 and 440) (Exhibit No. 17) Equipment line B shows 297 square feet of space reserved for growth of the DMS 04T. (T. p. 364)

Of the 297 square feet reserved, BellSouth proposes to install 33 DMS 04T bays by the end of the 3 year period. Most of the growth of the 04T will be located in the middle of the office where the 04T switch is located. However, the number of bays that will be utilized in the 795 square feet are depicted on Attachment 2. (12 bays multiplied by 9 square feet per bay=96 square feet of equipment space (excludes aisles)) (Exhibit 17) The 33 bays will utilize the entire 297 square feet reserved in the office for 04T growth. (33 bays multiplied by 9 square feet per bay) (T. pp. 408-409). At this time, Bellsouth has not projected any future equipment growth to be located within Equipment line F during the next three years. Equipment line E shows 54 square feet of growth reserved for the DMS 03T. (T. p. 364) As identified in the order, this Equipment line would grow approximately 2 frames a year, thus having a projected growth of six and half years. (Order page 19)

7 Although the Commission determined that there was 795 square feet shown in the Golden Glades central office, it is clear that once you depict the two to three years projected equipment growth on the central office floor plan that there is *not sufficient space*. Attachment 3 provides a depiction of how much actual space is available after the 2 to 3 year projected growth is placed. This area will actually be less than the area depicted in Attachment 3 due to the requirement for fire rated walls. If the walls were placed as shown in the attachment, *Supra* would require some space to work around and behind their equipment. It is apparent from Attachment 3 that the space identified by the

panel as possible physical collocation space is actually not sufficient for physical collocation.

WEST PALM BEACH GARDENS CENTRAL OFFICE

8. Specifically, the area identified by the Panel in the West Palm Beach Gardens central office is the 454 square feet uncrating area and the approximately 300 square feet equipment staging area. (Attachment 4) As evident from the detailed maps provided in the hearing (Exhibit 17), the area identified by the Commission as the area where physical collocation could be provided is the only area for vendors to access the building when bringing equipment into the central office. These areas provide vendors the ability to uncrate as well as organize their work before starting the installation of various pieces of equipment. The equipment for these office vary as to the specific deminisions when the equipment is delivered. For example, a STP is 30 inches by 50 inches (uncrated). As you would expect for a tandem office, delivery of multiple pieces of equipment for this office is not unusual. (Exhibit 17) In addition to the specific equipment, there is an enormous amount of cabling, racks, vendor tools to install the equipment, nuts, bolts etc. that is delivered with specific pieces of equipment. This equipment requires space to uncrate and to provide installation personnel to prepare the equipment for installation.

9. Attachment 5 depicts approximately 200 square feet requested by Supra. As discussed before, the necessary space to provide 200 square feet is more on the basis of 500 square feet as discussed in the proceeding. Utilization

of the uncrating space and the staging area would essentially remove any ability to bring equipment into the central office without the need for major modifications to the office. Providing 500 square feet or even the 300 square feet proposed by staff would require blocking the access to this building.

WHEREFORE, BellSouth respectfully requests that the full Commission accept BellSouth's Motion and reconsider the Order complained of herein.

Respectfully submitted this 21st day of January, 1999.

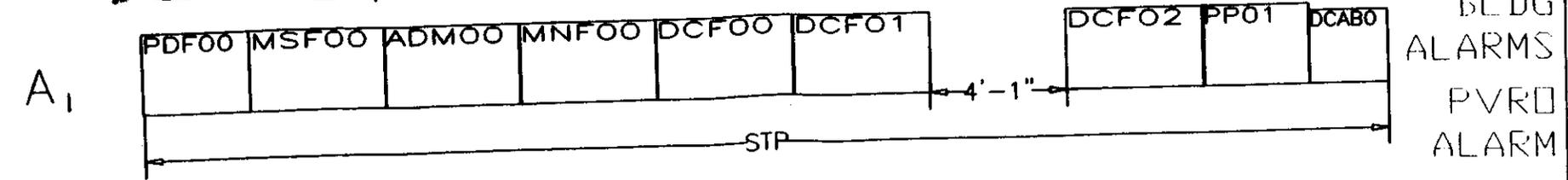
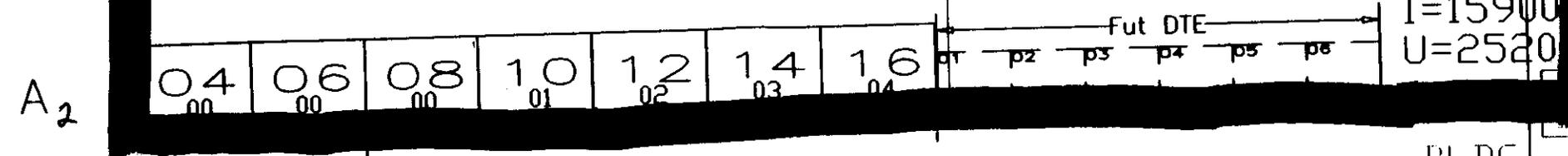
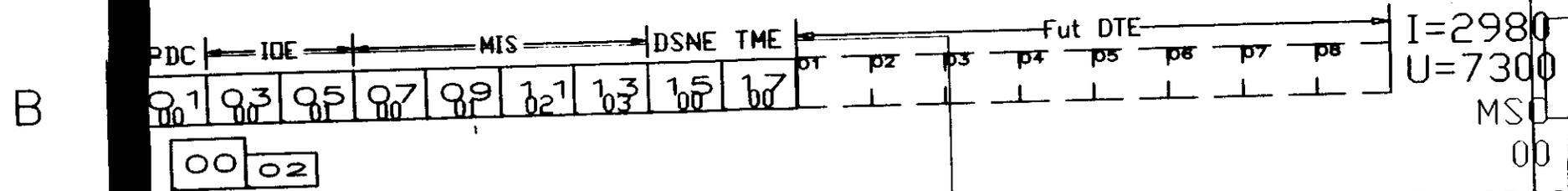
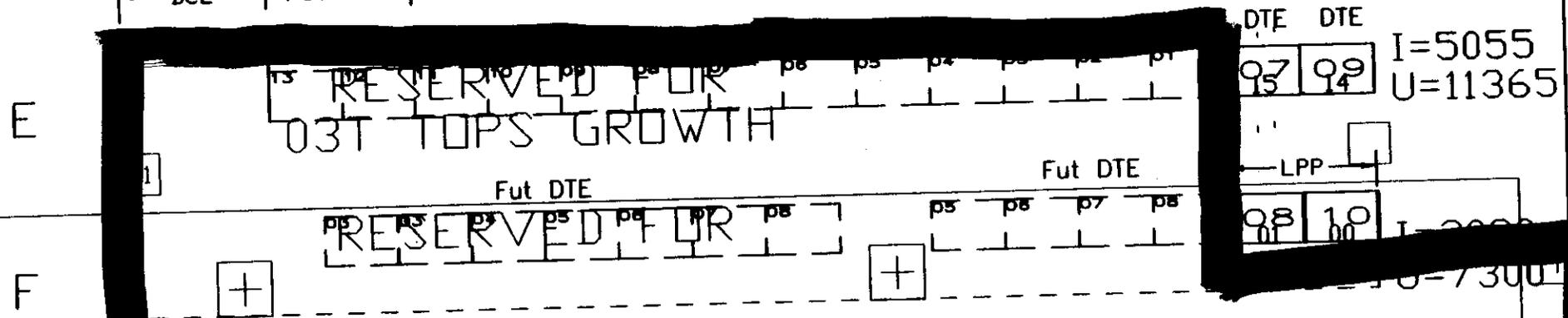
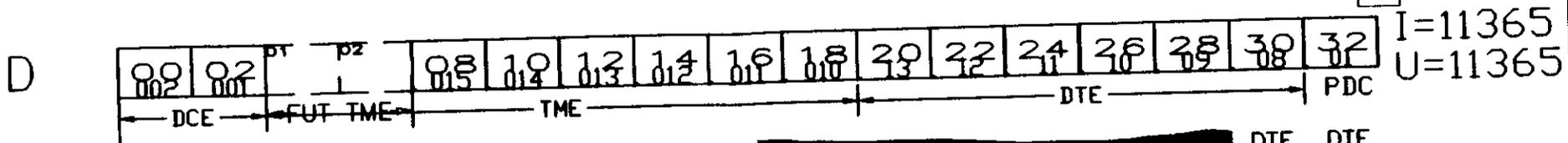
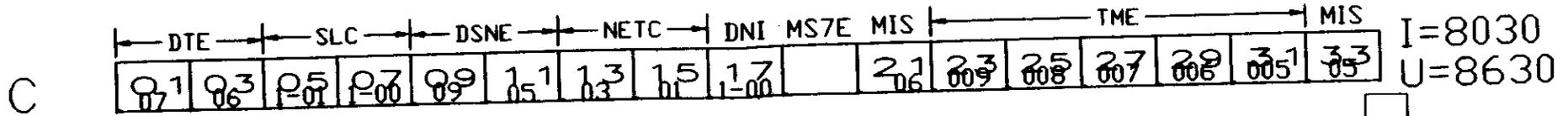
BELLSOUTH TELECOMMUNICATIONS, INC.



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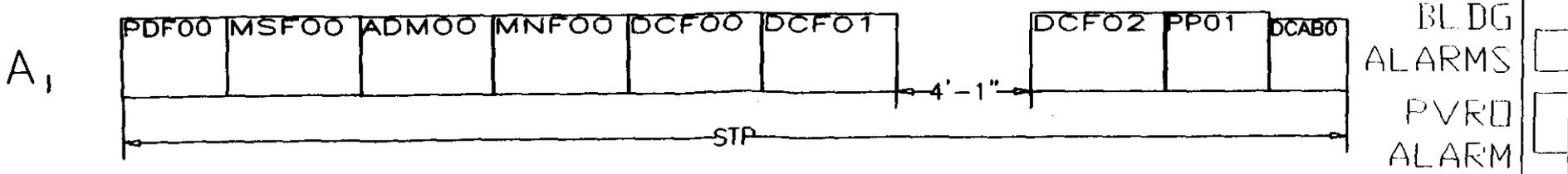
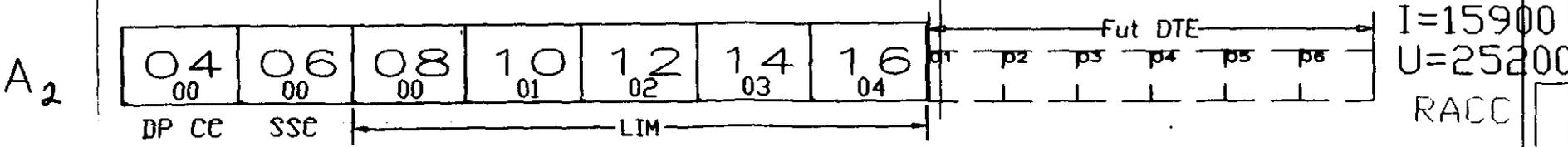
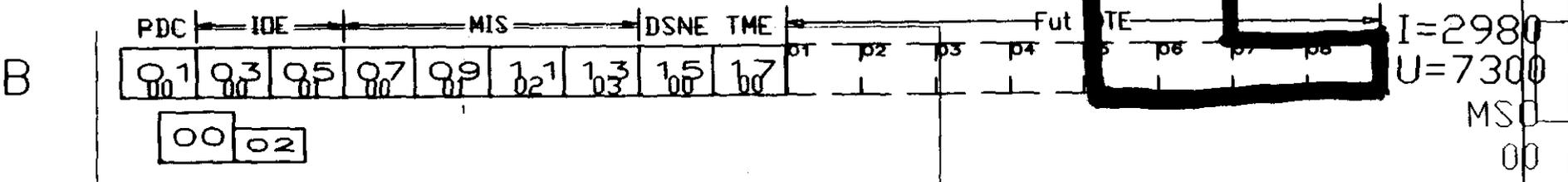
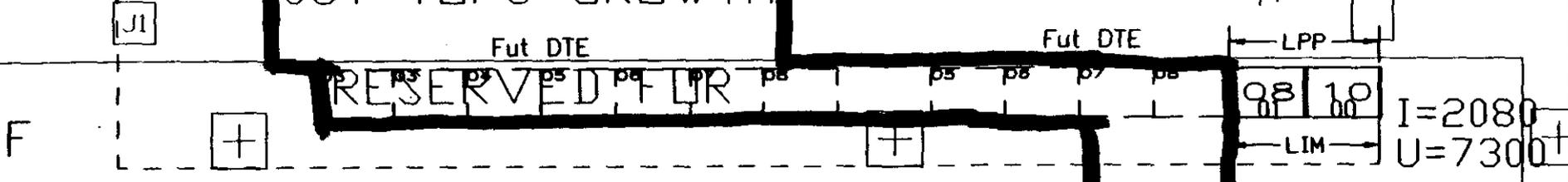
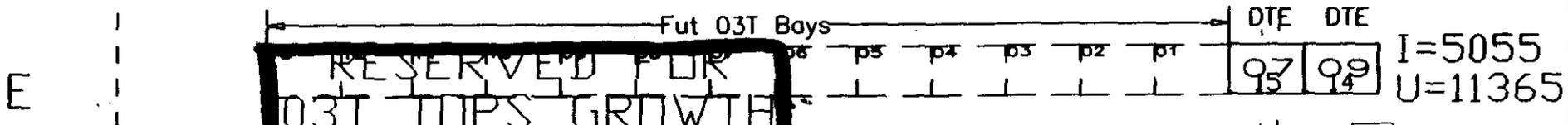
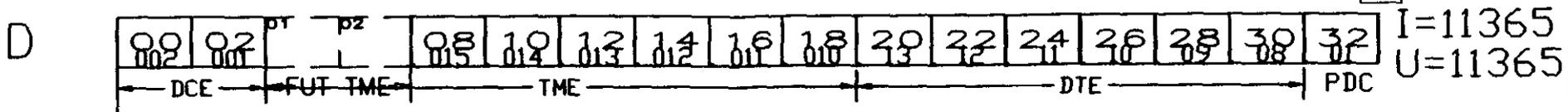
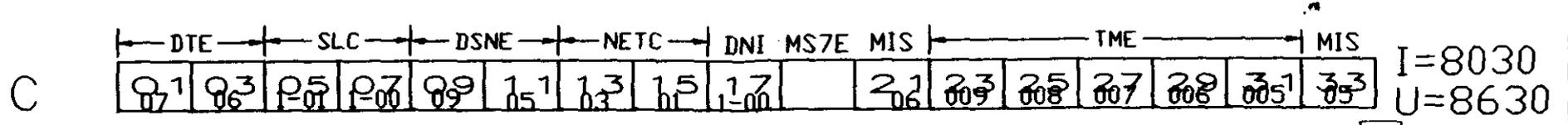


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SEE NOTE 9

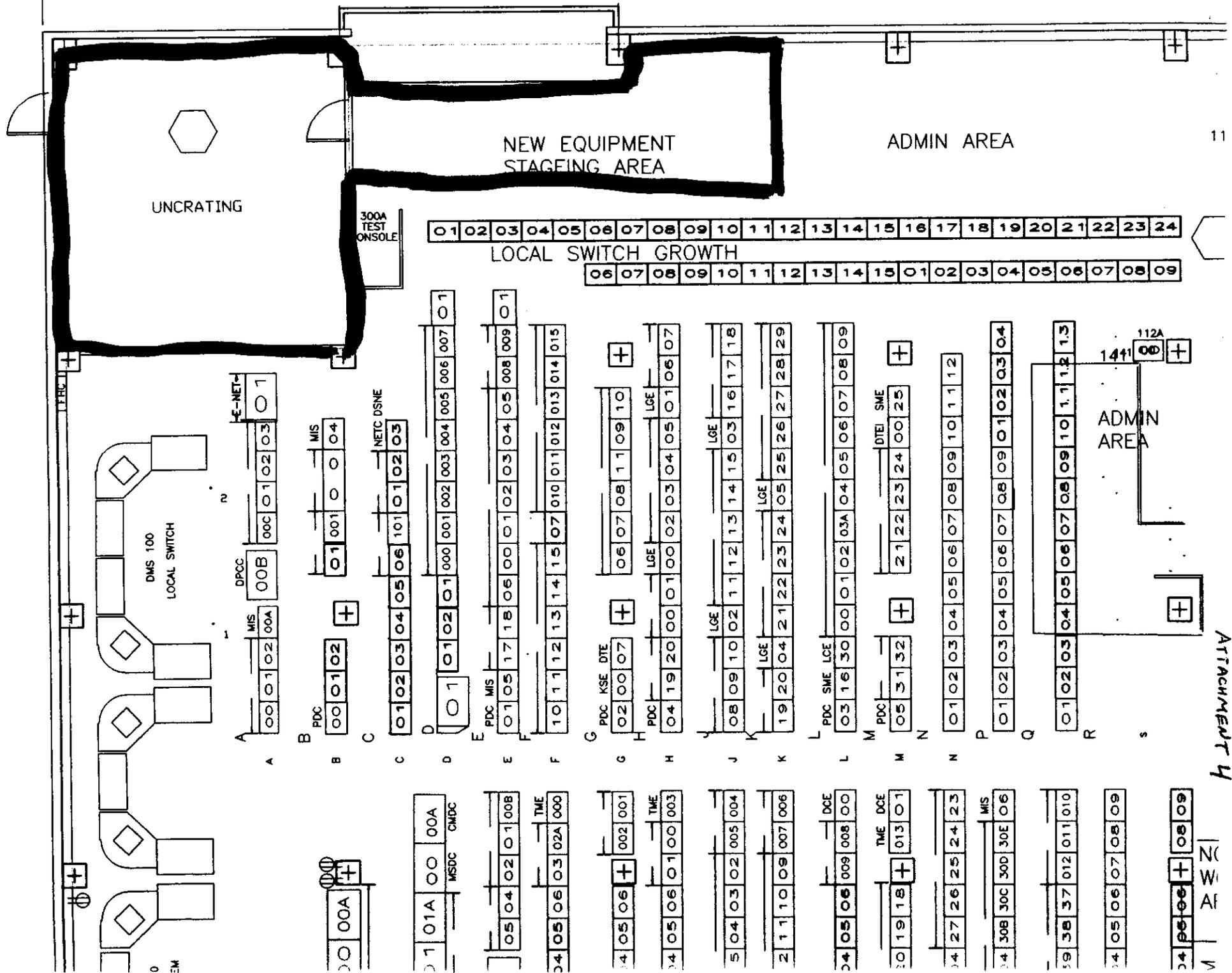
ATTACHMENT 1



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SFF NOTE 9

ATTACHMENT 3



01	02	03	04	05	06	07	08	09	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24
LOCAL SWITCH GROWTH																							
06	07	08	09	10	11	12	13	14	15	01	02	03	04	05	06	07	08	09					

A	MIS	00	01	02	00A	MIS	00C	01	02	03	01					
B	PDC	00	01	02	+	MIS	01	001	0	0	04					
C			01	02	03	04	05	06	101	01	02	03				
D	01	02	01	000	001	002	003	004	005	006	007	01				
E	PDC	MIS	01	05	17	18	06	00	01	02	03	04	05	008	009	01
F	10	11	12	13	14	15	07	010	011	012	013	014	015			
G	PDC	KSE	DTE	+	06	07	08	11	09	10	+					
H	PDC	04	19	20	00	01	00	02	03	04	05	01	06	07		
J	08	09	10	02	11	12	13	14	15	03	16	17	18			
K	19	20	04	21	22	23	24	05	25	26	27	28	29			
L	PDC	SME	LGE	03	16	30	00	01	02	03A	04	05	06	07	08	09
M	PDC	05	31	32	+	21	22	23	24	00	25	+				
N	01	02	03	04	05	06	07	08	09	10	11	12				
P	01	02	03	04	05	06	07	08	09	01	02	03	04			
Q	01	02	03	04	05	06	07	08	09	10	11	12	13			
R	14	11	06	+	ADMIN AREA											

A	00	00A	+			
B	01	01A	00	00A		
C	05	04	02	01	00B	
D	04	05	06	03	02A	000
E	04	05	06	+	002	001
F	04	05	06	01	00	003
G	5	04	03	02	005	004
H	2	11	10	09	007	006
I	04	05	06	009	008	00
J	00	19	18	+	013	01
K	04	27	26	25	24	23
L	04	308	30C	30D	30E	06
M	09	38	37	012	011	010
N	04	05	06	07	08	09
O	04	05	06	+	08	09

