



ORIGINAL

August 26, 1998

Ms. Blanca S. Bayo, Director
Divisions of Records and Reporting
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

Re: Special Project No. 980000B-SP

Dear Ms. Bayo:

On behalf of Cypress Communications, Inc. ("Cypress"), I would like to comment on the above referenced Special Project taking place in the Florida Public Service Commission. I have enclosed fifteen copies of this letter.

Cypress is an Atlanta, Georgia-based company that provides communications services to tenants in commercial office buildings. While Cypress does not currently serve any buildings in Florida, it is very much our intention to do so.

Cypress provides a wide range of communications services including Internet access, local dialtone, long distance, voice mail, calling cards, pagers, satellite cable television and others. Cypress negotiates license agreements with building owners which give Cypress[®] the right to provide these services in commercial office buildings. Cypress' agreements do not exclude other providers of services such as Local Exchange Carriers ("LECs"), Competitive Local Exchange Carriers ("CLECs"), or Interexchange Carriers ("IXCs") from selling their services in the buildings.

My comments will address practical issues relating to Mandatory Access, rather than legal issues, which are better addressed by others. The comments come from the perspective of a communications company which has installed facilities, worked with LECs, CLECs, IXCs and other communications service providers both as vendors and competitors and worked with building owners who face these same issues in other states.

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Mandatory Access by communications providers raises a number of practical problems for building owners and managers, as well as for communications companies themselves. Among these problems are the following:

- Most buildings simply do not have the room to accommodate a potentially unlimited number of communications companies. This problem applies to space in the basement or roofs of buildings where these companies install their equipment. It also applies to distribution facilities within the building including raceways, riser and telephone closets, conduits internal to buildings or connecting buildings to adjacent buildings. These problems are particularly acute in older buildings that were constructed with one service provider in mind, but are also in newer buildings in which accommodating more than two or three providers was never envisioned.
- Access to and security of facilities is also problematic as the number of providers grows. Because businesses depend on communications as their life blood, access and security issues are particularly important. In the event of outages, new installations and for other reasons, technicians need access to facilities. In many instances, access is required after business hours. Property managers will need to issue multiple keys and have security personnel deal with multiple providers. Because many providers will share closets, raceways and other facilities, vandalism or carelessness on the part of one technician can cause service disruption for all tenants in the building. Furthermore, cabling and other transport facilities will be susceptible to tampering or eavesdropping on voice or data traffic. This puts building management and service providers in a very uncomfortable, if not legally exposed, position.
- Finally, as it relates to creating a more competitive communications environment, I believe that Mandatory Access will be anti-competitive. Many providers, like Cypress, compete for access rights to buildings. In return for these rights, we will guarantee service standards for customers on behalf of the building owner. These guarantees protect both the customer and the building owner. Further, we always compete with other communications providers, some of whom have facilities in the building and some of whom do not. This ensures that we will offer competitive prices and services. Cypress would be unlikely to provide service in a building in a state with Mandatory Access. It's not that we're afraid to compete; we do that every day. It is for the reasons outlined above--space, access and concerns for the security of our equipment and our customers' confidential voice and data traffic.



Thank you for giving Cypress the opportunity to express an opinion on this most important topic. If you have any questions, please feel free to call me at (404) 869-2500.

Sincerely,

A handwritten signature in black ink, appearing to read "R. Stanley Allen". The signature is stylized and written over the printed name.

R. Stanley Allen
President