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Monica M. Barone Attorney

June 14, 1999

3100 Cumberland Circle Atlanta, GA 30339 Voice 404 649 6225 Fax 404 649 5174 monica.barone@mail.sprint.com

VIA FEDERAL EXPRESS

Ms. Blanca S. Bayo', Director Division of Records and Reporting Room 110, Easley Building Florida Public Service Commission 2540 Shumard Oak Blvd. Tallahassee, Florida 32399-0850

990772-TP

Re: Complaint of Sprint Communications Company Limited Partnership Against GTE Florida Incorporated for Failure to Comply With the Physical Collocation Requirements set Forth in the 1996 Telecommunications Act and The FCC's First Report and Order for the Bradenton Bay Central Office.

Dear Ms. Bayo:

Enclosed for filing are an original and 15 copies of the Complaint of Sprint Communications Company Limited Partnership Against GTE Florida Incorporated and Petition for Expedited Treatment.

An extra copy of this transmittal letter is enclosed which I ask you to please date stamp and return to the undersigned in the enclosed self-addressed stamped envelope.

Thank you for your assistance. Should you have any questions regarding this matter, please contact me at 404-649-6225.

Sincerely. Moniea M. Barone

MMB/jr Enclosures cc:

> Catherine Bedell Kimberly Caswell

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TEALED DOCUMENT NUMBER-DATE

07237 JUN 158

FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Complaint of Sprint Communications Company Limited Partnership Against GTE Florida Incorporated for Failure to Comply With the Physical Collocation Requirements set Forth in the 1996 Telecommunications Act and The FCC's First Report and Order for the Bradenton Bay Central Office Docket No.

COMPLAINT OF SPRINT COMMUNICATIONS COMPANY LIMITED PARTNERSHIP AGAINST GTE FLORIDA INCORPORATED AND PETITION FOR EXPEDITED TREATMENT

Sprint Communications Company Limited Partnership ("Sprint") through its undersigned counsel, pursuant to Sections 365.01 and 364.03 Florida Statutes and Rules 25-22.036(4) and (5), Florida Administrative Code files this Complaint against GTE Florida Incorporated ("GTE") and Petition for Expedited Treatment. GTE has failed to comply with the physical collocation requirements in the Telecommunications Act of 1996, Pub.L.No. 104-104, (hereinafter "the Act") the Federal Communication Commission's ("FCC") First Report and Order and the applicable rules described herein for the Bradenton Bay Central Office. In support thereof, Sprint states and alleges as follows:

PARTIES

1. Sprint is a Delaware Limited Partnership certificated by this Commission to provide telecommunications services in the State of Florida as an interexchange carrier (IXC) and an alternative local exchange carrier (CLEC). Sprint's business address is:

Sprint Communications Company Limited Partnership 3100 Cumberland Circle – Mailstop GAATLN0802 Atlanta, Georgia 30339

2. GTE is an incumbent local exchange company (ILEC or incumbent LEC), as defined in Section 251(h) of the Federal Telecommunications Act of 1996. GTE is authorized by this

DOCUMENT HUMBER-DATE 07237 JUN 15 8 FPSC-RECORDS/REPORTING Commission to provide local telecommunications services in Florida. GTE's business address is:

GTE Florida Incorporated 201 North Franklin Street Tampa, Florida 33602

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JURISDICTION

3. The Commission has jurisdiction over, and in relation to, telecommunications companies. This includes jurisdiction over GTE, the Defendant in this Complaint. <u>See</u> Sections 364.01 and 364.03, Florida Statutes.

4. The Commission has exclusive jurisdiction in all matters set forth in Chapter 364, Florida Statutes, in regulating telecommunications companies, in order to:

- promote competition by encouraging new entrants into telecommunications markets. See Section 364.01(4)(d), Florida Statutes;
- ensure that all providers of telecommunications services are treated fairly, by preventing anticompetitive behavior... See Section 364.01(4)(g);
- encourage competition through flexible regulatory treatment among providers of telecommunications services in order to ensure the availability of the widest possible range of consumer choice in the provision of all telecommunications services. <u>See</u> Section 364.01(4)(b), Florida Statutes.

5. The Commission has authority under the Act to address collocation. In particular, Section 251(c)(6), provides that ILECs have:

The duty to provide, on rates, terms, and conditions that are just reasonable and nondiscriminatory, for physical collocation of equipment necessary for interconnection or access to unbundled network elements at the premises of the local exchange carrier, except that the carrier may provide for virtual collocation if the local exchange carrier **demonstrates to the State commission** that physical collocation is not practical for technical reasons or because of space limitations. (emphasis supplied) 6. In implementing the Act, the Commission is authorized to implement procedures consistent with the Act. See Section 120.80(13)(d), Florida Statutes.

FACTS

7. Pursuant to Section 252(i) of the Federal Telecommunications Act of 1996, this Commission allowed Sprint to elect the Interconnection, Resale and Unbundling Agreement between GTE Florida Incorporated and AT&T Communications of the Southern States in Docket No. 971159-TP on February 6, 1998. This interconnection agreement, *inter alia*, provides for the physical collocation of Sprint equipment at the premises of GTE. (See Attachment 1.)

8. On or about December 24, 1998, Sprint submitted a request for physical collocation to GTE for GTE's Durham XB Central Office, not at issue in this proceeding, and its Bradenton Bay Central Office. (See <u>Attachment 2</u>.)

9. GTE required Sprint to file an application and submit a check for \$6,948.00 before denying Sprint's request for physical collocation.¹

10. By letter dated February 5, 1999, GTE responded that "These offices have no available space for physical collocation." (See <u>Attachment 3.</u>)

11. By letter dated, March 4, 1999, Sprint requested GTE to provide certain materials, including a detailed floor plan of the central office indicating space currently used for GTE equipment, office space, administrative space, space reserved for future use by GTE, and collocated space, a schedule of equipment removal plans and plans for office expansion as "documentation to support the lack of space condition that you reference in your letter." (See Attachment 4.)

12. On March 12, 1999, GTE notified Sprint that "as a result of your request, GTE will be

¹ In paragraph 59 of the FCC's First Report and Order and Further Notice of Proposed Rulemaking in CC Docket No. 98-147, the FCC states: "We disagree with GTE that new entrants should first have to "submit a written request [for collocation space] along with an application fee" before discovering if space is available in a LEC office."

assembling the necessary information to make a central office exemption filing with the Florida Commission. When the Commission opens a docket to review this information you can gain access to the information which you requested in your letter through normal regulatory channels." (See Attachment 5.)

13. On May 17, 1999, Sprint again wrote a letter to GTE requesting a tour and specific detailed information concerning physical collocation in the Bradenton Bay XA, FL Central Office. Sprint pointed out that it had been two months since GTE stated that it would file a central office exemption with the Florida Public Service Commission. (See <u>Attachment 6</u>.) Sprint noted that it did not wish to file a Complaint, but that it may have no other recourse unless GTEFL permitted Sprint to tour the central office and GTEFL provided the information requested.

14. GTE responded by letter on June 4, 1999 (see <u>Attachment 7</u>). GTE stated that it provided the Florida Public Service Commission with a copy of the floor plans of the Bradenton Bay office and that if Sprint wishes to tour the office, that it may do so **after July 31, 1999**, when GTE has established procedures to govern the tour process.

Count I

15. Complainant incorporates by reference, as if fully set forth herein, the allegations contained in paragraphs 1-14.

16. GTE has failed to provide Sprint with a tour of the Bradenton Bay Central Office as required by 47 C.F.R. § 41.321(f):

...An incumbent LEC that contends space for physical collocation is not available in an incumbent LEC premises must also allow the requesting carrier to tour the entire premises in question, not just the area in which space is denied, without charge, <u>within ten days</u> of the receipt of the incumbent LEC's denial of space. (emphasis supplied)

Count II

17. Complainant incorporates by reference, as if fully set forth herein, the allegations contained in paragraphs 1-16.

18. GTE has failed to timely file floor plans with the Commission and Sprint so that a) the Commission can determine whether GTE's claim is valid in a timely fashion, and b) Sprint can assess GTE's assertion that no space exists for physical collocation.

19. GTE states that it has filed floor plans of the Bradenton Bay Central Office with the Commission. To date, however, it does not appear that GTE has filed a Petition for Waiver of the physical collocation requirements of Section 251(c)(6) of the Act for any central office in the State of Florida.

Other Material Considerations

20. Sprint is petitioning the Commission for immediate emergency relief to resolve this matter. It has been almost six (6) months since Sprint originally requested GTE for space to physically collocate in GTE's Bradenton Bay Central Office. Sprint will suffer immediate and irreparable harm if GTE is allowed to continue to deny physical collocation in this central office. Moreover, Sprint and other ALECs will continue to suffer immediate irreparable harm to the extent there are no procedures in place to ensure requests for physical collocation are processed in a timely and consistent manner among carriers. The delays in the instant case illustrate the need for Commission intervention.

21. The Complainant is without sufficient knowledge, information or belief as to which issues of material fact the Defendant will dispute.

22. The Complaint herein is timely filed.

REQUEST FOR RELIEF

WHEREFORE, based on the foregoing, Sprint respectfully requests the Florida Public Service Commission to:

- (1) Assert jurisdiction over this Complaint;
- (2) Immediately open a docket to review GTE's contention that there is no space for physical collocation in the Bradenton Bay Central Office;
- (3) Direct staff auditors to conduct an emergency audit of the Bradenton Bay Central Office;
- (4) Should factual disputes arise after the staff audit, conduct a formal Section 120.57(1) hearing on an expedited basis;
- (5) To expedite the Commission's review, order GTE to immediately provide the Commission and Sprint with:
 - a. The most recent detailed engineering floor plans of the central office which reflect:
 - i. space currently being used for GTE equipment,
 - ii. office space,
 - iii. administrative space,
 - iv. space reserved for future use by GTE, affiliates or others
 - v. existing central office space currently occupied by collocation cages and space occupied by those with a cageless physical collocation arrangement.
 - vi. how the remaining space is being utilized

Note: the detailed engineering floor plan should include, but not be limited to, power transmission, circuit and switching equipment.

- b. A summary of space being reserved by equipment type and forecasted by year.
- c. The circuit, facilities and switching forecasts that provide the basis for your response to request number three (3). The response shall:
 - i. reference equipment type;
 - ii. provide historical data, by equipment type, including three (3) to five(5) years of supporting information;
 - iii. future growth requirements, by equipment type and year required, including date of exhaust.
- d. The schedule of equipment removal plans with cross reference to the floor plan indicating the location of equipment targeted for removal.
- e. Equipment in the office presently unused or underutilized and for which traffic could be migrated to alternate equipment in the office.
- f. Plans for expansion of the office including, but not limited to, additions to the building.

- g. Plans showing adjacent space to include current use of the facility and distances from the central office.
- h. A clear statement of where virtual collocation space is available and why physical collocation, caged or cageless, cannot be accommodated.
- (6) Order GTE to immediately provide Sprint with a tour of the Bradenton Bay Central Office;
- (7) Expeditiously establish processes and procedures for handling requests for physical collocation consistent with the procompetitive provisions of Section 364, Florida Statutes and the Telecommunications Act of 1996;²
- (8) Impose such further relief as the Commission deems just and appropriate.

Respectfully submitted this $\underline{14^{r_{\mu}}}$ day of June, 1999.

Barone / B.F. W/ expression-Monica M Monica M. Barone

Sprint Communications Company Limited Partnership 3100 Cumberland Circle Atlanta, Georgia 30339 (404) 649-6225

² Sprint recognizes that the Commission intends to review numerous issues associated with physical collocation in connection with the Petition filed by the Florida Competitive Carriers Association in Docket No. 981834. The purpose of this request, however, is to streamline the processing of requests much like has been done in other jurisdictions. In California for example, the California Public Utilities Commission has established guidelines for production of information similar to the information Sprint has requested regarding the Bradenton Bay Central Office and other Central Offices in the State of Florida. Attached are timelines/procedures for the Commission's consideration. See Attachment 8.

PART III: ANCILLARY FUNCTIONS

33. Introduction

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This Part III sets forth the Ancillary Functions that GTE agrees to offer to Sprint so that Sprint may interconnect to GTE's network and obtain access to unbundled Network Elements to use to provide services to its customers.

34. GTE Provision of Ancillary Functions

- 34.1 GTE will offer Ancillary Functions to Sprint on rates, terms and conditions that are just, reasonable, and non-discriminatory and in accordance with the terms and conditions of this Agreement.
- 34.2 GTE will permit Sprint to interconnect Sprint's equipment and facilities or equipment and facilities provided by Sprint or by third parties for purposes of interconnection or access to Network Elements at any point that is technically feasible.
- 34.3 Sprint may use any Ancillary Function to provide any feature, function, or service option that such Ancillary Function is capable of providing.
- 34.4 Set forth below is the list the Ancillary Functions that Sprint and GTE have identified as of the Effective Date of this Agreement. Either Party may identify additional or revised Ancillary Functions that it desires. All such additional or revised Ancillary Functions shall be subject to the Bona Fide Requests procedures outlined in Attachment 12. Descriptions and requirements for each Ancillary Functions described in Attachment 3 consist of:

Collocation Right of Way (ROW) Conduit Pole attachment

35. Standards for Ancillary Functions

35.1 Subject to Section 23.19, each Ancillary Function shall meet or exceed the requirements set forth in applicable technical references, as well as the performance and other requirements, identified in this Agreement.



Attachment 2 1 of 19

0000000145 Vendor Name: GTE vendor #

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voucher ID	Invoice Number	PO Number	Invoice Date	Gross	Amount	Discount	Paid Amount
CR004269 John Br	121698BRBAFLXA ANDECKER 534-6123		12/16/1998		6,948.00	0,00	6,948.00

print Supplier Disbursements	Total Gross Amount	Total Discounts	Total Paid Amount
	\$6,948.00	\$0.00	\$6,948.00
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- Sprint	Sprint United Management Company Paying Agent on Behalf of Itself and Sprint Corporation's Affil P. O. Box 7977	iates 0004277372
<i>Sprint</i>	Overland Park, Kansas 66211 888-283-4636	56-382/412
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GTE Physical Expanded Interconnection Application

Attachment 2

2 of 19

SPRINT

GENERAL INFO	DRMATION Date: 1.11.99
Company Name:	Sprint Communications Company L.P.
Billing Address:	7301 College Blvd. Mailstop: KSOPKV0213 Overland Park, KS 66202
CCNA:	UTC
Contact Person:	Rick McVeigh
Title:	
Address:	7301 College Blvd. Mailstop: KSOPKV0213 Overland Park, KS 66202
Tel #:	913.534.6732
Fax #:	913.534.6817
Email:	rick.mcvsigh@mail.sprint.com
Type of Request	X Bona fide (Non-tariffed CO) Collocation Application (Tariff CO) Augment
GTE Expanded	Interconnect Practices and Procedures
Provided Refere	nce Material _XXYesNo
Desired Collocat Name of Central BRADENTON BA	Office:
Address:	
26TH ST W & 57	TH AVE BRADENTON BAY, FL 33507
CLLI:	
BRBAFLXA	
	e Date for Central Office Arrangement: 12/30/99
	Not Applicable
Installation Date	for Fiber Facilities at Central Office Manhole:Not Applicable

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GTE Physical Expanded Interconnection Application

GENERAL INFO	DRMATION Date: 1.11.99							
Company Name:	Sprint Communications Company L.P.							
Billing Address:	7301 College Bivd. Mailstop: KSOPKV0213 Overland Park, KS 66202							
CCNA:	UTC							
Contact Person:	Rick McVeigh							
Title:								
Address:	7301 College Blvd. Mailstop: KSOPKV0213 Overland Park, KS 66202							
Tel #:	913.534.6732							
Fax #:	913.534.6817							
Email:	rick.mcveigh@mail.sprint.com							
Type of Request: Bona fide (Non-tariffed CO) Collocation Application (Tariff CO) Augment GTE Expanded Interconnect Practices and Procedures								
Provided Refere	nce Material _XX_YesNo							
Desired Collocat Name of Central BRADENTON BA	Office:							
Address: 26TH ST W & 57	TH AVE BRADENTON BAY, FL 33507							
CLLI:								
BRBAFLXA								
Desired In-Servic	ce Date for Central Office Arrangement: 12/30/99							
Fiber Cable Size:	Not Applicable							
Installation Date	for Fiber Facilities at Central Office Manhole:Not Applicable							

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Attachment	2
4 of 19	

Floor Sp.	ace/ Cage Requirements:
(1) 100 so	q. foot cage maximum.
(Note. Ac	ctual cage dimensions will vary depending on location.)
No. B1 pl	hone lines requested in cage:2 (To order phone lines, please call the Order Center at (80)
483-5000).)
Special r	requirements or other services requested:

NOTE: Attach a copy of your proposed floor plan layout.

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SPRINT

GTE Physical Expanded Interconnection Application Cont. (Page 2 of 3)

Power Requirements:

DC Power (Protected)

48V Battery & Return, A & B Supply (Billed and Supplied in 40 amp increments)

Amperes Required Per Feed _____ Amps

Number of Feeds _____2

(Feed = 1 A Battery & Return and

1 B Battery & Return, i.e. 40 amps required with 1 feed = 40 A feed + 40 B feed = 80 amps total)

AC Power:

One 20 amp, 110 volt unprotected circuit will be provided in the customer's cage.

Transmission Service Type Requested:

DS3 Qty_____1 Access Facility to be ordered_____

DS1 Qty 1 DS1 to be ordered to provide clocking source

DS0 Qty 128

DS0 Terminal Blocks – GTE California

GTE will supply the terminal blocks on GTE's Distribution Frame. GTE normally supplies 8x25 blocks per every 100 DS0's. (Similar to the Telzon #485-2064-041 connectorized block). Please note any special requirements.

Special Requirements:

Collocation Vendor Selection Activity: Name: Address: Telephone #: Cable Placement: Not Applicable Equipment 7301 College Blvd. Mailstop: KSOPKV0202 Overland Park, KS 66202 Installation: Jim Durando Equipment 7301 College Bivd. Mailstop: KSOPKV0202 Engineering: Jim Durando Overland Park, KS 66202

E.

SPRINT

GTE Physical Expanded Interconnection Application Cont. (Page 3 of 3)

Type of Equipment:		
Vendor See Attached	Equipment Type	Quantity
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SPRINT

APPLICATION FOR CALIFORNIA SECURITY KEY CARD & CERTIFICATION OF BACKGROUND INVESTIGATION

The UNDERSIGNED, as an authorized representative of <u>Sprint</u>, hereby certifies that its below-named employee, agent or contractor has successfully completed a <u>Background</u> <u>Investigation</u> and is thus certifying that its below-named employee, agent or contractor:

- Has no felony convictions within the prior seven (7) years, and
- Has never been discharged from GTE for cause, and
- Has never been removed from GTE property for cause.

In case Key Card is Lost, Contact GTE ASAP.

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Employee's Name:

Employee's Title:

Collocator's 24-Hour Telephone Number:

Collocator's Address:

Social Security Number:

Employee's Mother's Maiden Name:

GTE Central Office Requested:

Supervisor's Name:

Supervisor's Title:

Supervisor's Telephone Number:

Background Investigation Conducted By:

Date Background Investigation Completed:

Certified By:

SPRINT

Title:

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Company:

Date:

FOR GTE COLLOCATION USE ONLY: Access To GTE Premises Approved By:

Please send inactivated key cards to: Mark Zimmerman, Wholesale Markets 805-372-6709 Mail Code: CA500DG, Work Location: 100N, BC:

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SPRINT

COMMON LANGUAGE LOCATION IDENTIFICATION

GTE Use REQUESTED BY: Jim Rosebraugh/ GTE Wholesale Markets DATE: ___9/24/98___ PHONE NUMBER 805-372-6764 FAX NUMBER: (805-373-1496)* E-MAIL ADDRESS: Jim.Rosebraugh@CARMKT.CMS PHYSICAL ADDRESS: ONE GTE PLACE, THOUSAND OAKS, CA 91362 - CA500DG

*PLEASE RESPOND TO GTE REQUESTOR BY EMAIL (BANYAN)

Collocator Application Section -Please provide the following information to obtain CLLI code.

REQUEST IS FOR: (X) NEW

CUSTOMER NAME: Sprint Communications Company L.P. CCNA;

GTE CENTRAL OFFICE: BRADENTON BAY XA

CO STREET ADDRESS: 26TH ST W & 57TH AVE

CITY: BRADENTON BAY STATE FL ZIP 33507

TYPE OF REQUEST: ACTL

- FOR ACTL, LIST TYPE: (Message/Special): SPECIAL

SERVING WIRE CENTER: BRBAFLXA (CO CLLI Code, 8 digits)

BUILDING/NONBUILDING: BUILDING

NOTES: Physical Collocation in the <u>BRADENTON BAY X</u>/Central Office. (Name of Office)

GTE- CLLI Administrator Use CODE ASSIGNMENT:

ASSIGNED BY: _____ DATE ASSIGNED: _____

COMMENTS: _

JCR 9/98

Equipment Limitation Agreement

Sprint understands that GTE will not permit Sprint to physically collocate DSLAMs and other similar equipment in GTE collocation sites, unless Sprint executes this Agreement. Accordingly, Sprint agrees that, where applicable, its collocation equipment installed at GTE collocation sites will be utilized for OAM&P purposes only. Also, Sprint agrees, that, where applicable, its equipment, including, but not limited to, DSL-AM, will contain no intelligent router function, thereby limiting its use to that of transmission equipment or multiplexer/ integrated line concentration functions only. However, in those jurisdictions where the approved GTE - Sprint Interconnection Agreement provides no such restrictions on the type or functionality of equipment to be collocated or where the appropriate regulatory authority (e.g. State Public Service Commission, State Public Utility Commission, etc.) has rejected such restrictions on the type or functionality of equipment to be collocated, the Interconnection Agreement or regulatory authority order shall control and this agreement shall be null and void. Furthermore, at such time as the appropriate regulatory or judicial authority for a particular jurisdiction removes such restrictions on the type or functionality of collocation equipment as described above, regardless of the type of proceeding (e.g. rulemaking, arbitration, approval or voluntarily negotiated interconnection agreement, appeal, etc.) this agreement shall be null and void. Finally, by execution of this Agreement, Sprint is not waiving its right to contest the validity of GTE's restrictions on the type or functionality of equipment to be collocated, or any law, rule, court or regulatory decision or other requirement that contains or imposes similar restrictions.

Agreed By: N

Title: __Group Manager - External Affairs

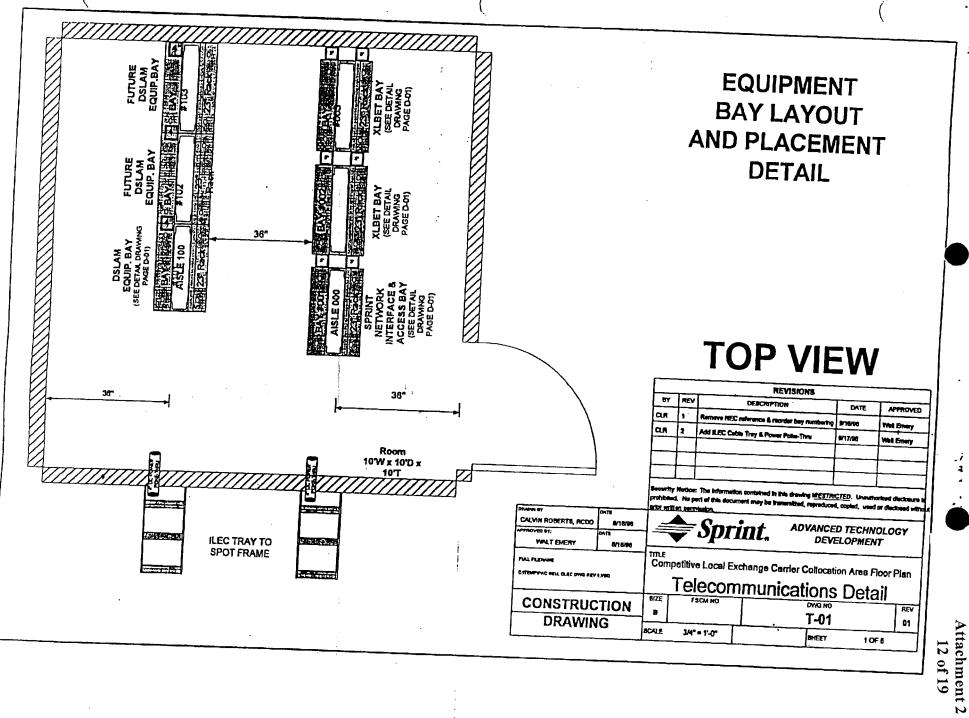
Company: _Sprint Communications Company L.P._ Date: ______

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1	Alarm Scanner	Hante	WS2000	.•						
	Bay Networks				A STORAGE STATE	210	AL LOLLES CARE	2.7 BA/Shelf	Fuse Panel	· 🍎
1	BaySleck 108 12-Port 10Base-T Hub, 48VDC	Bay Networks		To Be Provided		BTU/Shelf	Watts/Shelf			
1	U.S. Robotics	3Com	000954-0	NMQAHMDMAA		TU/Sholf	Watte/Shelf	SAM20VAC	Quid AC I	
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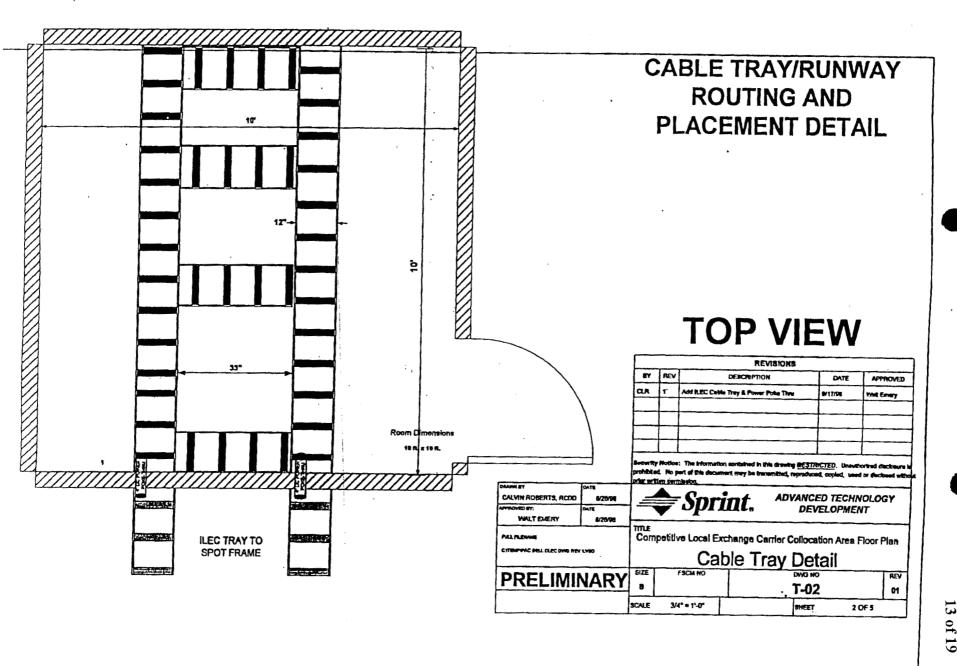
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Attachment 2 13 of 19

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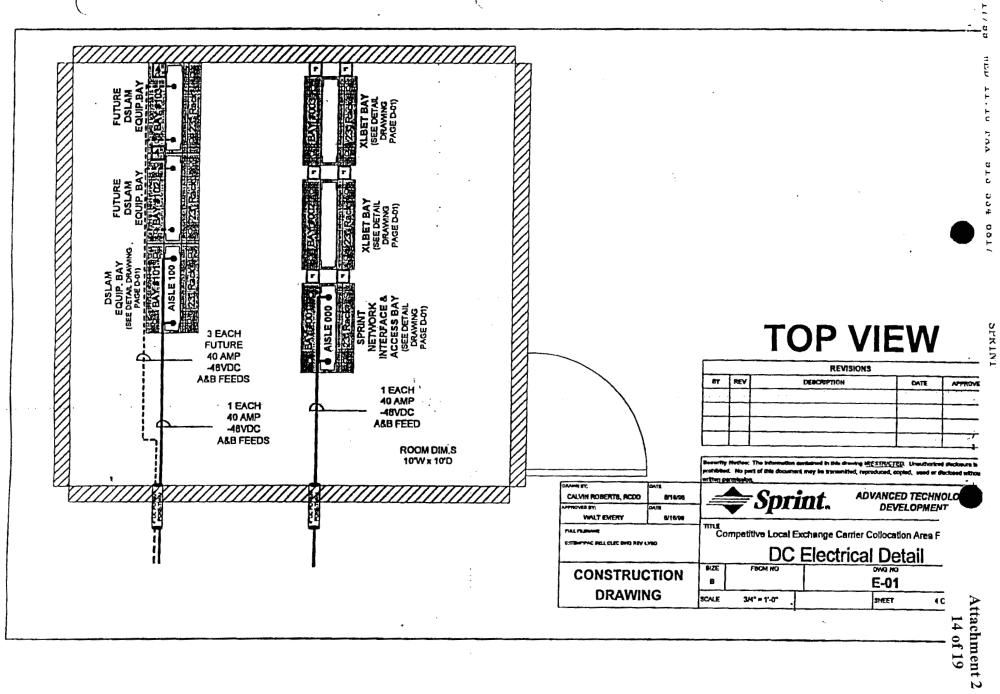
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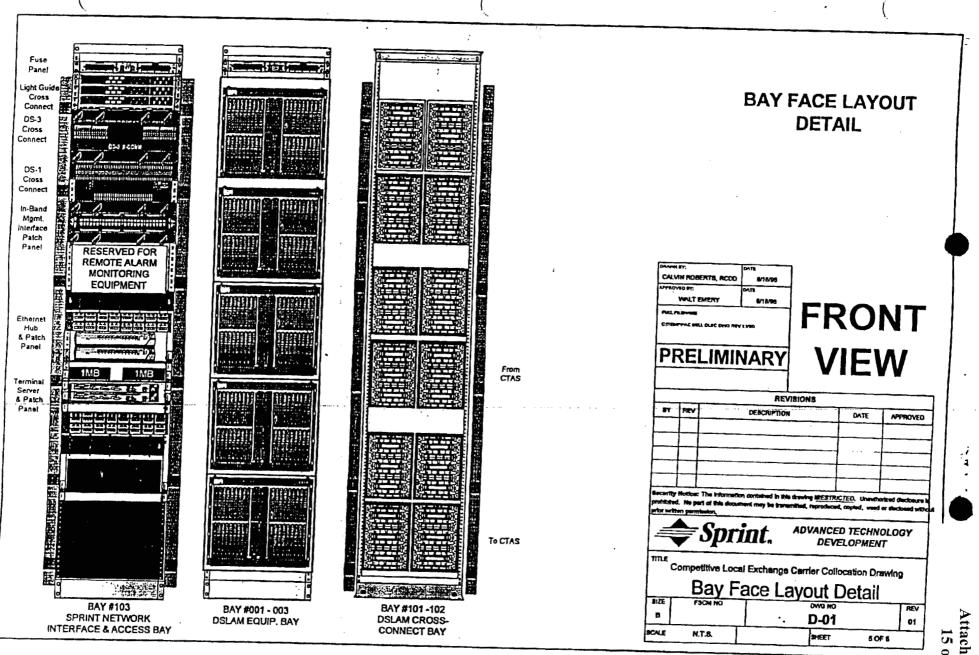
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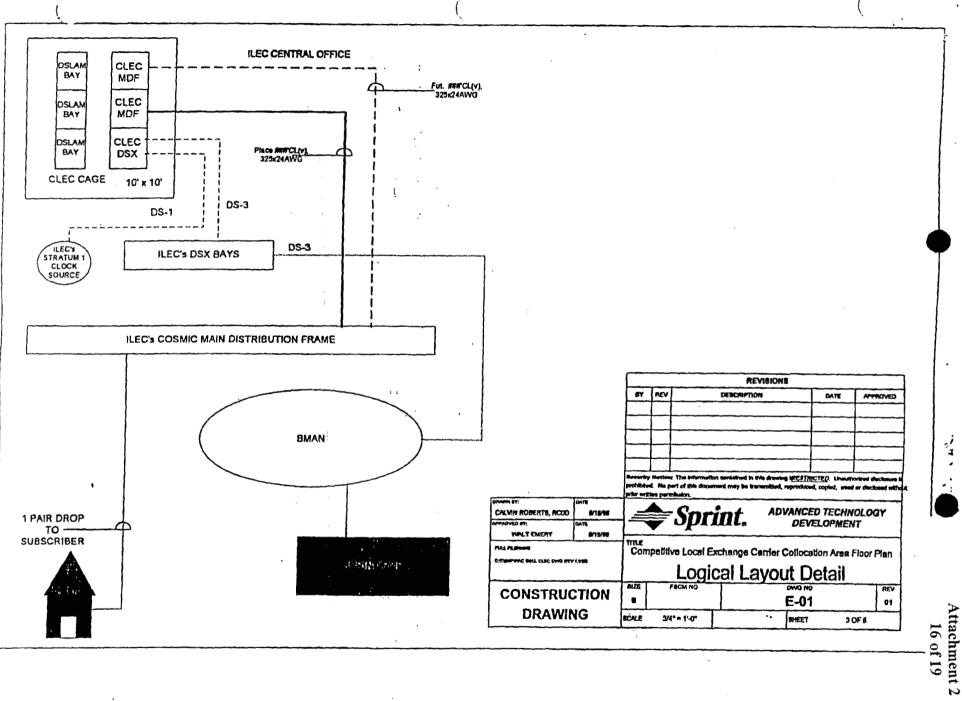
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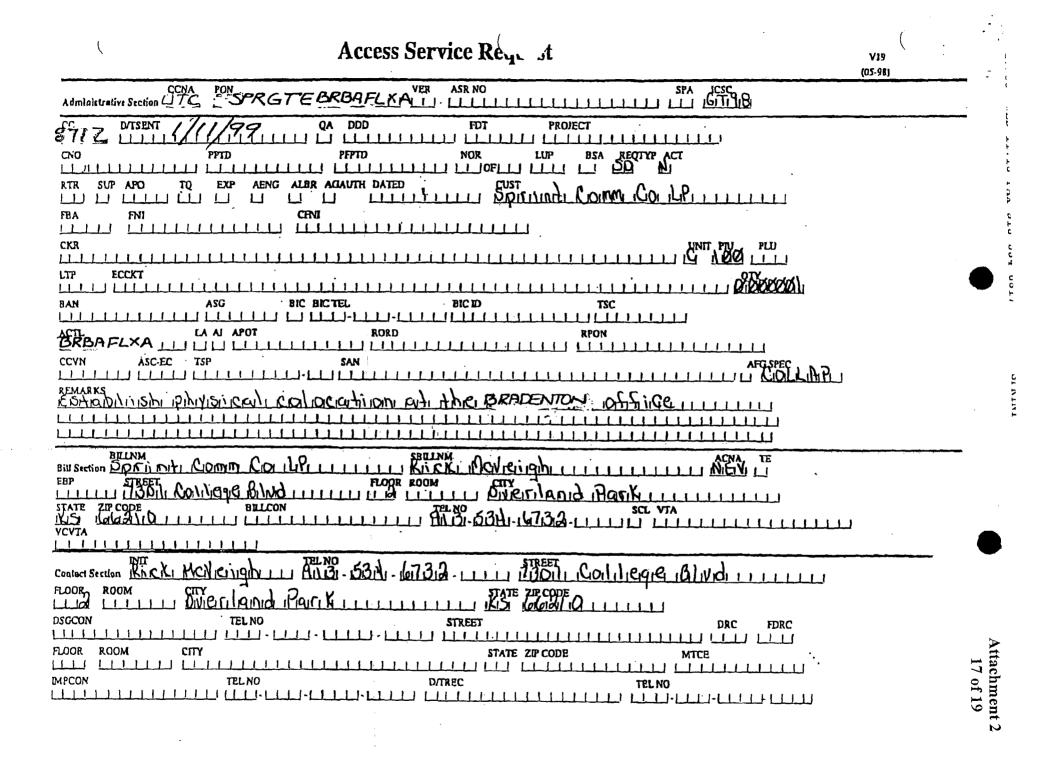


Attachment 2 15 of 19



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Special ____ess Service Request

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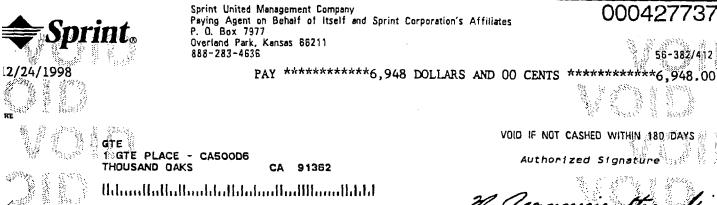
Attachment 2 19 of 19

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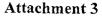
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GTE Network Services

One Tampa City Center 201 N. Franklin Street Tampa, FL 33602

February 5, 1999

Mr. Rick McVeigh Sprint Communications Company L.P. Mailstop: KSOPKV0213 7301 College Blvd. Overland Park, KS 66202

Dear Mr. McVeigh:

These offices have no available space for physical collocation. Enclosed are the two engineering fee checks. If you have any questions or need additional information, please telephone me at (813) 273-2947.

Sincerely,

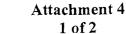
Denise Monte

Denise "Dee" Monte Support Manager – Emerging Markets

Enclosures

DM:br

check returned to Von 2/26/99 R.M.





1 14

> Paul D. Reed Group Manager

Local Market Development 7301 College Boulevard Overland Park, KS 66210 Mailston KSOPKV0213

Mailstop KSOPKV0213 Voiœ 913 534 6109 Fax 913 534 6817 paul.reed@mail.sprint.com

Delivered via FAX and US Mail

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March 4, 1999

Ms Denise "Dee" Monte Support Manager – Emerging Markets One Tampa City Center 201 N. Franklin Street Tampa, FL 33602

RE: Collocation Application rejections for Durham XB, NC Central Office (DRHMNCXB) and the Bradenton Bay XA, FL Central Office (BRBAFLXA)

Dear Ms Monte:

On February 5, 1999, Rick McVeigh received notification from you that, according to GTE's interpretation, there is no Physical collocation space available to accommodate Sprint's request for space in your Durham XB and Bradenton Bay XA central offices.

Please provide documentation to support the lack of space condition that you reference in your letter. As part of the required documentation, please include the following information in your reply;

- 1. a <u>detailed</u> floor plan of the central office that indicates space currently being used for GTE equipment, office space, administrative space, space reserved for future use by GTE, an affiliate or others, existing central office space occupied by existing collocation cages, and any other space within the central office building,
- 2. a key to assist in the interpretation of the floor plan and sufficient measurements to interpret size and spacing,
- 3. a schedule of equipment removal plans with cross reference to the floor plan indicating the location of equipment targeted for removal,
- 4. equipment in the office presently which is unused or little used and which the traffic (or use) could be migrated to alternate equipment in the office,
- 5. plans for the expansion of the office, additions to the building, etc.,
- 6. plans showing any adjacent space currently owned by GTE but not technically considered part of the central office space.
- 7. possible space where a collocation cage of smaller or alternate dimensions could be erected and a description of those dimensions, and;

8. any other information that will assist Sprint in the evaluation of the rejection notice.

The information described above is necessary for Sprint to evaluate GTE's rejection of our requests for collocation space. Upon receipt of the above referenced information, Sprint may request a physical walk-through of the offices. Please forward the above information to me within fourteen (14) days of the date of this letter or provide a response as to when the information will be provided.

If you have any questions, please feel free to contact me at the number above.

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Sincerely, a

١,

Paul Reed Local Market Integration

cc: John Ivanuska Rick McVeigh

Barone,	Monica M.
From:	cindy.matthews [cindy.matthews@telops.gte.com] on behalf of cindy.matthews
Sent:	Friday, March 12, 1999 12:17 PM
To:	paul.reed
To: Cc:	john.m.ivanuska; cindy.matthews; denise.monte; michael.sullivan; cindy.matthews
Subject:	Colocation application rejections

Paul-

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This is in response to your letter to Dee Monte, on March 4, requesting additional information on the colocation application rejections for Durham XB, NC and Bradenton Bay XA, FL.

As a result of your request, GTE will be assembling the necessary information to make a central office exemption filing with the Florida Commission. When the Commission opens a docket to review this information you can gain access to the information which you requested in your letter through normal regulatory channels.

Upon further review of the Durham XB office, virtual colocation will be available in that office beginning in May 1999. If this will fulfill your colocation requirements, please follow the standard application procedure. No space suitable for physical colocation can be made in this office without extensive building alterations, the cost of which would be paid by the physical colocation requestor.

If you have any other questions please contact me at 972-718-7005.

Thanks, and I look forward to meeting with you on Thursday, March 18.

Cindy

Cindy Matthews

Sprint National Account Team 972-718-7005 Pager: 800-403-8564

and a second second

Attachment 6 1 of 2



Paul D. Reed Group Manager

Local Market Development 7301 College Boulevard Overland Park, KS 66210 Voice 913 534 6109 Eax 913 534 6817

May 17, 1999

Ms. Denise Monte Support Manager – Emerging Markets One Tampa Center 201 N. Franklin Street Tampa, Florida 33602

Re: Rejection of Collocation Application for Bradenton Bay XA, FL Central Office

Dear Ms. Monte:

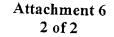
As you know, Sprint Communications Company Limited Partnership ("Sprint") filed an application for physical collocation in the above-referenced central office ("CO") on January 11, 1999. GTE Network Services ("GTE") notified Sprint on February 5, 1999 that there was "no space available for physical collocation." Sprint fully expected that GTE would file a request for a waiver from the physical collocation requirements of the Telecommunications Act and the Federal Communication Commission's rules with the Florida Public Service Commission ("FPSC")¹. When this did not occur however, Sprint, by letter dated March 4, 1999, requested GTE to provide documentation to support GTE's contention that space is not available in this central office. GTE replied to this letter by electronic mail on March 12, 1999, stating that it would file a central office exemption with the FPSC and that Sprint could obtain the information requested at that time. It has been two months since GTE stated it would file an exemption with the FPSC.

Although Sprint does not wish to file a Complaint with the FPSC, it may have no other recourse at this point unless GTE:

- 1. Permits Sprint to tour the central office within fifteen (15) days of the date of this letter²;
- 2. Provides all of the information requested in my letter to you dated March 4, 1999 within five (5) business days of the date of this letter;

¹ See 47 C.F.R. § 51.321(e) An Incumbent LEC shall not be required to provide for physical collocation ... if it demonstrates to the state commission that physical collocation is not practical ... because of space limitations.

 $^{^{2}}$ See 47 C.F.R. § 51.321(f) An incumbent LEC that contends space for physical collocation is not available in an incumbent LEC premises must also allow the requesting carrier to tour the premises in question, not just the area in which space was denied, without charge, within 10 days of the receipt of the incumbent LEC's denial of space.



- 3. Provides the additional information requested below within five (5) business days of the date of this letter:
 - a. The most recent detailed engineering floor plans of the central office which reflect:
 - i. space currently being used for GTE equipment,
 - ii. office space,

Per to

- iii. administrative space,
- iv. space reserved for future use by GTE, affiliates or others,
- v. existing central office space currently occupied by collocation cages and space occupied by those with a cageless physical collocation arrangement,
- vi. how the remaining space is being utilized.

Note: the detailed engineering floor plan should include, but not be limited to, power transmission, circuit and switching equipment.

- b. A summary of space being reserved by equipment type and forecasted by year.
- c. The circuit, facilities and switching forecasts that provide the basis for your response to request number three (3). The response shall:
 - i. reference equipment type;
 - ii. provide historical data, by equipment type, including three (3) to five
 (5) years of supporting information;
 - iii. provide future growth requirements, by equipment type and year required, including date of exhaust.
- d. The schedule of equipment removal plans with cross reference to the floor plan indicating the location of equipment targeted for removal.
- e. Equipment in the office presently unused or underutilized and for which traffic could be migrated to alternate equipment in the office.
- f. Plans for expansion of the office including, but not limited to, additions to the building.
- g. Plans showing adjacent space to include current use of the facility and distances from the central office.
- h. A clear statement of where virtual collocation space is available and why physical collocation, caged or cageless, cannot be accommodated.

Without the benefit of a tour and the information outlined above, Sprint cannot verify whether or not space exists for either caged or cageless physical collocation in the Bradenton Bay XA CO.

Should you have any questions regarding the requests contained in this letter, please contact me at 913-534-6109.

Sincerely. Paul Reed (JMI)

Paul Reed Local Market Integration

cc: John Ivanuska/Sprint Monica Barone/Sprint-Cindy Matthews/GTE

Attachment 7



GTE Network Services

600 Hidden Ridge P.O. Box 152092 Irving, TX 75015-2092

June 4, 1999

Reply to: HQE02N19

Mr. Paul D. Reed Sprint Local Market Development 7301 College Boulevard Overland Park, KS 66210

Dear Mr. Reed:

I am responding to your March 4, 1999, letter requesting documentation of GTE§s denial of Sprint's request to physically collocate in GTE's Bradenton Bay central office. As you know, GTE denied Sprint's request there because there is no space available for physical collocation. There are currently no plans for additions to the building. Although there is insufficient space for physical collocation, GTE has been able to set aside about 128 square feet for virtual collocation. There are no physical or virtual collocators in the Bradenton Bay office at this time.

In accordance with the FCC's recent collocation ruling, GTE has provided the Florida Public Service Commission a copy of the floor plans of the Bradenton Bay office. <u>Deployment of Wireline Services Offering Advanced Telecomm. Capability</u>. FCC 99-48, CC Dkt. No. 98-147 (March 31, 1999). If Sprint wishes to tour that office, it may do so after July 31, 1999, when GTE has established procedures to govern the tour process.

Sincerely,

Cindy Matthews Sprint National Account Management

Cc: John Ivanuska Dee Monte

Collocation Process Timeframes

* This process applies to all forms of collocation unless otherwise noted.

- 1. The ILEC will respond to the CLEC within 5 business days of the application with collocation availability or rejection.
- 2. Should the ILEC reject or deny the CLEC's request for collocation on the basis that space is not available, ILEC will provide a writing detailed explanation within ten (10) days of the rejection or denial to the state Commission and CLEC. This explanation should include the following:
 - a detailed floor plan of the central offices that indicates space currently being used for ILEC equipment, office space, administrative space, and space reserved for future use by ILEC not to exceed one years forecasted needs,
 - existing central office space occupied by existing collocation cages,
 - a key to assist in the interpretation of the floor plan and sufficient measurements to interpret size and spacing,
 - a schedule of equipment removal plans with cross reference to the floor plan indicating the location of equipment targeted for removal,
 - equipment in the office presently which is unused or little used and which the traffic (or use) could be migrated to alternate equipment in the office,
 - possible space where a collocation cage of smaller or alternate dimensions could be erected and a description of those dimensions.
 - Further, ILEC will make a physical walk-through of the facilities available to the CLEC.
- 3. If space is available the ILEC shall provide price quotes within 10 business days of the request.
- 4. 90 days to complete the physical collocation request if the space is conditioned and extraordinary construction is not required.
- 5. Two months to complete virtual, cageless and shared collocation requests.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing has been furnished by Federal

Express this 14th day of June, 1999, to the following:

Catherine Bedell Division of Legal Services Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, Florida 32399-0850

5 . t. p.

Kimberly Caswell GTE Florida Incorporated One Tampa City Center 201 North Franklin Street (33602) P.O. Box 110, FLTC0007 Tampa, Florida 33601-0110

This <u>14</u> day of <u>June</u>, 1999.

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Sprint Communications Company, L.P.