BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

In the matter of:	DOCKET NO. 980800-TP
Petition for emergency relief by Supra Telecommunications & Information Systems against BellSouth Telecommunications Inc., concerning collocation and interconnection agreements.	

VOLUME 3

Pages 383 through 574

PROCEEDINGS:	HEARING
BEFORE:	COMMISSIONER J. TERRY DEASON COMMISSIONER SUSAN F. CLARK COMMISSIONER E. LEON JACOBS, JR.
DATE:	Tuesday, October 21, 1998
TIME:	Commenced at 9:40 a.m. Concluded at 8:40 p.m.
PLACE:	Betty Easley Conference Center Room 148 4075 Esplanade Way Tallahassee, Florida
REPORTED BY:	MARY ALLEN NEEL, RPR

BUREAU OF REPORTING
RECEIVED 10-27-98

DOCUMENT NUMBER-DATE
12021 OCT 27 98

APPEARANCES: As heretofore stated.

I N D E X

WITNESSES - VOLUME 3

NAME	PAGE
GUY J. REAM JEROME RUBIN	
Continued Direct Examination	386
Cross Examination by Ms. Summerlin	417
Cross Examination by Ms. Keating	445
JAMES D. BLOOMER	
Direct Examination by Ms. White	452
Prefiled Direct Testimony Inserted	455
Prefiled Rebuttal Testimony Inserted	468
Cross Examination by Ms. Summerlin	489
Cross Examination by Ms. Keating	495
T. WAYNE MAYES	
Direct Examination by Ms. White	497
Prefiled Direct Testimony Inserted	500
Cross Examination by Ms. Summerlin	512
W. KEITH MILNER	
Direct Examination by Ms. White	518
Prefiled Direct Testimony Inserted	521
Prefiled Rebuttal Testimony Inserted	535
OLUKAYODE A. RAMOS	
Direct Examination by Ms. Summerlin	559
Prefiled Rebuttal Testimony Inserted	560

EXHIBITS - VOLUME 3

NUMBER		I.D.	EVD.
31	JDB-1 through 7	454	496
32	Range of Square Footages for North Dade Golden Glades	490	497
33	TWM-1 and 2	499	518
34	WKM-1 through 4	520	477
35	(Late-filed) Status of Supra's Physical Collocation Applications	559	

P R O C E E D I N G S

(Transcript continues in sequence from Volume 2.)

GUY J. REAM

JEROME RUBIN

continue their testimony under oath from Volume 2.

CONTINUED DIRECT EXAMINATION

A (By Witness Ream) If we'll move up from that area to B4, that is our projected -- well, that's where our STP resides in that area.

Now, the green area there is -- where it says -- is the existing STP, and that is, of course, for our signaling over our long distance network. It's our SS7 network. And this is one of a mated pair, and the other one is down in the Haverhill central office. But these are extremely important for reliability. If we were to lose this particular machine, the trunking in the whole network would be affected by it, because everything is used for signaling now on the message trunk via an STP, signal transfer point.

You'll see that we have red growth behind that, one, two, three, four, five, five frames. That's for the orderly growth of the STP. These are the types of equipment that need to be in contiguous

space with themselves. The manufacturers, that's the way they design them. So we allow for the growth of those switches. That's growing -- it will be one bay next year and I believe two bays the following year, depending on traffic and things of that nature. And that explains that.

If we go further towards the top of the page -- I'll have to get my reference. I have an advantage on you. I've kind of laid these all out.

B6, where it says STP administration there, this is one of the areas that Supra felt -- oh, I'm wrong. Wait a minute. Different area.

But anyway, B6, that's where we had an existing frame, a main distributing frame. And we did remove about 20 feet, 20 to 25 feet of that frame. We relocated a few pieces of equipment. But over the years, there wasn't hardly any terminations left on that frame. And we were running out of floor space, so we moved an administration area for the STP up there, because the STP is a computer driven, software driven device, and it does take maintenance. So that's why that administrative area is up there.

And a little farther along the top wall just a little above that on the inside wall is where all the cables come into the central office. You may

have seen it in the video, and you may not have, but all of the cables enter into the office from up in that corner.

Now, if I can move you kind of diagonally down to the left, which is C5, now, this is the area that Supra suggested that they could use for collocation.

The administrative area was there for the STP, but we identified that we needed to grow our DSX lineups. And DSX, we use the term; it's really test access for all of the T1 signals that go through the office, and it's something that we have to have for testing and also for cross-connecting circuits that go through the office. It's where our technicians can get in and look at the signal and, you know, troubleshoot them.

We have found over the years that it is extremely important that our DSX be lined up in long rows. Almost everything that's new in a central office is using higher speed bandwidth and delivery, and in most cases will go either to the DSX1 lineup, or they will go over to a DSX3, which is a higher bit rate, a higher speed.

So this is an extremely important area. There's a lot of activity there, and it is the one

place that our technicians can get in and look at those signals and cross-connect one customer to another customer.

Our virtual collocators terminate on these frames so that they can get access to our network and things like that.

Our physical collocators in other offices terminate on our DSX lineups. That's part of our collocation procedures, that we place -- they have to have access to get in and out of the office, and this is the one place that they can do that.

So right now, if you'll look, there's the two lineups there, and each one is about nine bays long. We have placed -- as of last week the first two bays have gone in there, because we've had growth in the other parts of the office in the tandem and in the circuit, so two bays have been placed in that office.

And if it was big enough -- this is not physically big enough for physical collocation, because -- I'm not sure about the 200 square feet. I don't believe there's actually 200 square feet there available unless you were to go into an aisle and block an aisle. And that's just like in a parking lot; you can't do it. It just goofs up everything else when somebody double parks, and it's the same way

in the central office. If you block aisles one way, then you disrupt the orderly flow of equipment and personnel through the office.

COMMISSIONER JACOBS: You have an area here, I guess it's about C5 or so, that looks like there's a collocator there.

WITNESS REAM: Yes.

COMMISSIONER JACOBS: Is that virtual?

WITNESS REAM: Yes, sir. That is our second collocator in the office, and he is in -- his equipment has been installed. On the walk-through, if you look at the tape, you'll see the equipment there. You'll see a technician laying down on the floor wiring -- or the installation vendor wiring that equipment. When you see the guy laying on the floor, he's right at that area. And, yes, that is a collocator.

And just below that particular collocator area is where the central office foreman's desk is. He's moved several times within the office. He keeps moving to some spare space, and we keep growing into it with equipment, and he just keeps moving around. So we've -- it says admin area, but we're actually growing our toll area in there. Toll growth is going into that area.

So that's called spare space on the chart that has the red in that area, but actually that is within the central office, and once again, it's within the equipment area, if you will. And once again, that's not large enough to support a collocator.

Supra's request for 200 square feet initially is -- I don't think we can meet even the 200 square feet. But because we have to set up a common area and set up firewalls around that common area, it really requires five to six hundred square feet of contiguous space to provide for a collocator, for a physical collocator. And it's unfortunate, but that's the way it is, and that's what makes it so difficult.

There's 3,197 square feet spare in this office, and this is a 20,000 foot office, so that's 15%. But the space, when you look at the spare space, some of this is hallways and things like that. Because it's scattered all through the office, there's not one place that is physically big enough to support collocation, and that's why we can't give it to them in that office.

I can -- I'll continue on if you like, if that's okay.

Well, let's see. C5 was the next one on my list, and you beat me to it.

Let's go to E2, which is back down where the batteries are. That is another area on the chart here that shows I think 244 square feet. Now, that's total area of 244 square feet. There's an aisle there.

And we plan to add another battery string. That red string there, that will be added, and that will leave just the ability to add two more battery strings to this office. And like I said, this is our bus and RV parking. The batteries are big. I don't know if you've been in a central office, but these battery strings, the individual cells are this square, and they stand about this tall, and they put them on metal racks, and they have to put 48 of them in a row, 24 this way and 24 on top. Each battery cell puts out a volt, so if you have 48 tied together, you have 48 volts. And all of our central office equipment runs on 48 volts.

So it's important that we be able to place more batteries, because the way that the central office powering is is that all of this equipment is sitting across the batteries power wise. It's just like your car battery. And we have rectifiers in the office that act as battery chargers. So we're continually charging those batteries, and we have all

of the equipment in the office at the same potential, or actually they're wired to those batteries. So if there's a power failure, the equipment never realizes it because it has been across the batteries all along.

Then what happens is, hopefully within a minute or 30 seconds, our engine will start up, and we'll start -- we'll power the rectifiers, which will keep the batteries going. But if for some reason our engine doesn't start, and who knows, or if it's a long hurricane and it runs out of diesel fuel, these batteries are there to keep the office running. And they typically have somewhere in the neighborhood of four hours that they can support this entire office without having Florida Power & Light turn their power back on or our engine start up or something like that.

So what our power planner does -- and Ms. Cruit said that Lucent Technologies is our power planning and things like that. They assess the current drain to the office. And as more equipment is added, we add batteries so that we have a reserve so that we don't have a power failure and lose all our service. And, of course, our collocators are hooked up to that same battery source too, and that's one of the advantages of collocators being in our office, whether they're virtual or physical, is that they get

the benefit of having power in emergencies.

Anyway, I digress.

So that space there is really -- that's very important to us, because we can't put -- it's very difficult to put batteries in another location, because they're so big, and they also take tremendous power cables that run to them. Actually, they're bigger than my thumb, and I have a fat thumb, and these cables go in the overhead. And the farther you get away, the more costly it becomes, and in some instances you have double the cables up so that you don't have current loss or don't have -- yes, current loss across them, or voltage drop.

So in all of our applications, in all of our offices, we always keep our batteries together with our rectifiers, because it's the most efficient way to do it. If we run out of room and have to -- in another office, we would actually start another power plant someplace else so we could have batteries close to rectifiers.

Anyway, I'll move on. In H1, this is another -- this is the other area that Supra feels that they could collocate in because of the space available. This particular room is our tandem growth room, and it has been testified that this is where all

our message trunks come for the West Palm area.

Presently the green area in the bottom there is all installed and working. The next row up where you see the green number 27, and then they're all just in red, that was projected originally to have six to eight bays put in it next year, and I so testified, because that's the information that the planner gave me. And on the first tour we went through, that's what I said.

Since that time, the planner has had to re-evaluate, and he has actually placed ten bays today. So this drawing was updated two weeks ago, and it's somewhat out of date for the fact that there's ten more bay locations that have been taken up. Chances are that that will include next year's growth. But the following year we will be into the next lineup above that with four or five bays. It's hard to say. But we will in the next lineup.

And if you'll notice, there's a doorway coming in on the right, and then there's a doorway leading out on the left. That means that we have to have an aisle between those two doors to get safely in and out of that room for egress. So that reduces the amount of space available for Supra's collocation, which effectively says there's really -- after two

years, there will only be -- the top lineup will probably not be used by us by that time. But there isn't room to set up a physical collocation area. Once again, it requires the four to five hundred feet to set one up, square footage to set one up.

We'll move on to the next area, which is L3. These are the MAP positions that Supra has talked about, and they're -- those are where our technicians gain access to the switch machines, where they store their manuals. And there's one position for the tandem switch, which is on the bottom of it with a hallway down the center, and then on the top of that drawing is the local switch. And the little MAP centers or maintenance centers are labeled as such. But that's where tapes are brought in and the technicians have to load tapes into those switch machines.

The processors for those switches are adjacent to those MAP positions, and those are the most effective way for our technicians to work on those switch machines. And the fact that we have multiple places to access these different switch machines is that -- at times when a vendor is in there adding equipment, they also have to gain access to that switch machine and change software in it so it

recognizes the new equipment. Our vendors put new generic software upgrades in it, and for that reason, we have to be able to get in not only for our vendors to install, but we have to be able for our technicians to shoot troubles at the same time. So that's why we have multiple positions for that.

We can move up to the L5, which is the uncrating and storage room. That's required. Vendors ship in equipment. If it's raining outside, they need to be able to get it inside and uncrate it. It's not necessarily to be stored there, but they need to uncrate it. There is some storage of plug-ins in this area.

The alternative of placing a semi out back for an uncrating area is not a good one, because in an office that's this busy, that would have to be there year round, and I don't believe we could get zoning for that. This abuts a residential area, and they allow trucks in there, but not year round. So that's really not a good thing.

If we move from that area directly left into J6 and H6, that area is labeled as new equipment staging area. When our vendors bring in equipment, each bay requires -- in my video, the video I said probably four or five times as much extra equipment.

There's cabling, there's nuts and bolts, there's superstructure, all kinds of stuff. The bay is almost the small part of a job. It's everything else that goes with it. And typically it has to be spread out on the floor so they can pick it up. And that's why that's called a new equipment staging area, and there is always equipment there, because there's always work going on in this building.

We've designated in that area local switch growth, and that's the red area there, and we don't want to, but we will grow into that. We must be able to grow our local switch. From a floor space person's perspective, this can cause some trouble because of our staging and administrative areas, but we have to be able to continue to grow our switches to provide local service.

We can move on to G4. That's an administrative area right now that's right adjacent to that local switch. I will tell you that at one time that extended into where the local switch is now, but we continued to grow, and we've had to shrink that area down. It's not near as nice as it was two years ago. And we have our -- our special service personnel have desks in there that they work from. They have computers. Over the years, the new equipment requires

There's cabling, there's nuts and bolts, there's superstructure, all kinds of stuff. The bay is almost the small part of a job. It's everything else that goes with it. And typically it has to be spread out on the floor so they can pick it up. And that's why that's called a new equipment staging area, and there is always equipment there, because there's always work going on in this building.

We've designated in that area local switch growth, and that's the red area there, and we don't want to, but we will grow into that. We must be able to grow our local switch. From a floor space person's perspective, this can cause some trouble because of our staging and administrative areas, but we have to be able to continue to grow our switches to provide local service.

We can move on to G4. That's an administrative area right now that's right adjacent to that local switch. I will tell you that at one time that extended into where the local switch is now, but we continued to grow, and we've had to shrink that area down. It's not near as nice as it was two years ago. And we have our -- our special service personnel have desks in there that they work from. They have computers. Over the years, the new equipment requires

personal or portable computers, has a lot more documentation and things like that. So the administrative space is almost -- is greater today than what it what it was years ago, just because the equipment is so much more complex.

And I think there's just one more location that we're going to, which is E5, and that is where we have our fiber frame. Right now there's four green blocks and about six or seven red ones. That is the future of our telephone system right there. That's where the fibers come in and terminate in that equipment right there. And as time goes on, the fiber connection and its bandwidth, that will become more important in the office than the copper termination. So we're trying to grow that in a contiguous space so it's easy for our technicians to put up cross-connects between them, and there's less chance of having service interruptions.

COMMISSIONER CLARK: Mr. Ream, where was that? What was the location of that?

WITNESS REAM: Oh, I'm sorry. It's at E5, E5. It's almost in the middle towards the top.

COMMISSIONER CLARK: Okay. Thanks.

WITNESS REAM: And it's called a fiber distributing frame.

In conclusion, I attended a manager's conference in the spring of this year. Mr. Locker, president of Florida, spoke to us about the importance of allowing collocators into our COs so that BellSouth could enter the long distance market. He emphasized how we needed to open our local markets and help ALECs become true competitors.

I take this very seriously as the right thing to do. I want Supra to be successful. I want all the ALECs to be successful. But there's just not enough room in the Gardens central office for collocation.

And that concludes my testimony.

Q (By Ms. White) Mr. Rubin, would you take -- you'll be using the floor plans marked Golden Glades First Floor and Golden Glades Second Floor, and would you briefly take us through these?

A (By Witness Rubin) Can I make an additional statement about my job function?

Q Sure.

A One of the things that we also do is, we develop growth plans for the orderly growth of equipment in the central offices, and when those plans are exercised, we try to maximize efficiencies in regards to space utilization, safety, maintenance,

service, and costs. Those plans, once they're developed, are put into a book which we call the office profile. Those profiles or the plans in that office profile are looked at throughout the year and updated throughout the year.

I myself have responsibilities for 18 central offices. On of the central offices that is my responsibility is Golden Glades. And I guess I can start with the -- explaining the drawings that you have. This drawing is a little bigger than Mr. Ream's.

Okay. Mr. Ream did explain to you that all the frames in green are existing, and all the little squares or rectangles are future.

One of the things that I would also like to point out, and it's something that you cannot see on this drawing, but above all this equipment, there's cable racking, and the cable racking runs both vertically and horizontally across the whole office. And the only way that we can -- you know, each one of these little boxes represents a frame, and the only way we can get power and switchboard cables to and from these frames to where the cabling has to go is by this cable racking.

Golden Glades has been in existence for I

believe 27 years. Some of these cable racks and equipment -- it's a very dynamic office. Equipment goes in, comes out. These cable racks in some areas are very, very congested.

And actually, if you look at coordinate -- it's between G and F and runs from between 3 and 4 all the way to almost 10, where it says DSX1. That is our DSX1 lineup. And as was pointed out on the walk-through and the videotaping with Supra and to the Commission Staff, the rackings both in front and behind are very congested, and in some areas they're 18 inches deep, 18 inches high. They're piled up that high.

It makes getting equipment, cabling over to the distributing frame, which is in front of that, which is the -- it looks like a big rectangle with numbers, 01, 03. That's coordinates G between 2 and 8. That's our distributing frame. So cabling has to get over to that. It makes it very difficult because of the cable buildup that we have existing in this office.

And you can see to the left -- and this is in coordinates 10, 8, and along F, just around F, which is just below the DSX1 lineup, there's -- it says, "Overhead cable rack congestion may prevent

future growth in this area." This area is shown as being reserved for DSX1 growth, but as was also pointed out in the video, we might not be able to put frames in this area because of the congestion that exists overhead.

I would like to address each of the spaces that were shown on Mr. Nilson's Late-filed Deposition Exhibit 1, I believe it was.

And if you go to the right, coordinates 1 through 5 and G and F, this area is going to be filled up with equipment. First of all, the area that's shown in red, you can see that there are existing equipment already in that area scattered, so it's not a free area that can be used, number one.

Also, the MAP positions for the two switches and the switch that's between 1 and 3 and F, E, and D, that is the local -- that is, I'm sorry, the operator services switch. That's designated as 03T. And the MAP position to the right, if you can locate that, the MAP position to the right, which is between F and E and between 1 and 2, that first one is for the 03T. The one next to it to the left is for the 04T.

These MAP positions are very important to be close to the switches. They perform much more functionality than just a terminal located remotely

someplace else in the office. From these MAP positions, they load generic updates. They load translation changes. When there is a recording that is required, it has jacks on these MAP positions that allow recordings to be made. And it really doesn't make a lot of sense to have these positions far away from the switches when the technician has to work on a problem. It's much better to have -- you know, a problem can take hours sometimes to fix, and you want them right by the switch as opposed to being at a terminal remotely 150 feet away, and you're running back and forth to try and check something. So it's very important to keep these MAP positions, and this area that he has shown here is showing using that space.

In addition, if you go just above those MAP positions, you'll see the red bay, the red designations with the words "New DCS." I had specified in the deposition that there's a new digital cross-connect switch that will be going -- a new digital cross-connect system that will be going in the first quarter of 1999. Those dates have been pushed up, and this equipment will be installed by December 31st of 1998. And that digital cross-connect system has a maximum capacity 2,048 DS1s. This initial

installation is only going to be for 1,024. So we will require just as much space as you see taken up here by this lineup for the additional capacity of this cross-connect switch. And that capacity will be -- another order is planned for 1999.

And also, with the addition of that digital cross-connect switch, each time we add that addition, it will require four DSX1 cross-connect bays with 12 panels in each bay, 84-jack panels. So the lineup that you see where it says future DSX will actually be growing across that whole lineup there. So in the next two years we're going to be adding -- just for this digital cross-connect switch, we're going to be adding eight DSX1 bays. So this is going to be filled up pretty fast. It is showing future DDM 2000, but we will not be putting DDM 2000 bays in there. It will be growing with DSX1.

So this area is going to be effectively filled up without -- oh, they're also showing an extension on their indication here of the red in that top area. They're showing it going right into the exit aisle, which is a fire aisle that runs down from G through C for anyone -- if you go up into the right-hand corner of G1, it says vault hatch. There's only two entrances into this vault. One is at that

location, G1. The other one is at G10. Anyone in that vault, in the case of a fire, if he's over at this far end where 1G is, he has to be able to have access out of this building, and he would be coming down that fire aisle. So you cannot grow anything into that fire aisle. So this effective area will be -- will not have enough contiguous space for any physical collocation.

Does everyone have a picture of this?

WITNESS REAM: Yes.

WITNESS RUBIN: Okay. If you go right down below the area that I just discussed that shows in red 14 times 3 future, all those bays were scattered in that area, and that has been filled. And you can see on the drawing, there's only two frames, and that's over on coordinate 3. Between D and E, there are two frames that are showing future TME. Actually, just to the left of that there are aisles, these aisles that say A, B, C, D, E, F. Those are aisle designations for the different equipment. And those aisles correspond to equipment to the right and equipment to the left.

Now, if you go down to the next block, which is the area between E and -- between D and C over through 1, 2, and 3, that area is shown here as

reserved for future switch. And this area is reserved for the growth for the O3T and the O4T. Again, the drawing that was provided by Mr. Nilson is also blocking the fire aisle. You cannot do that.

In addition, I believe Mr. Nilson had made a statement to the effect that the O3T was showing growth for 25 years. And that was true in the space plan that I had filled out, but it also said in that space plan if two aisles were used for growth for the O3T. In this case we're not utilizing two aisles. I'm only showing one aisle reserved for growth. So it greatly shortens the amount of space that was quoted by Mr. Nilson.

This O3T does not grow very quickly. It does only grow at a rate of about two frames a year. So what it's leaving here after that growth is not a lot of space that can be utilized by a physical collocation.

And as Mr. Guy Ream had indicated to you, the requirement of 200 square feet is just for the ALEC. What needs to be added in addition to that is a common area where their point of termination is, and we put equipment bays in that common area. And depending on what the ALEC is requesting, the number of bays in that common area can be significant and

might require some large spaces. And we have processed some requests for physical collocation that a typical request for only 200 square feet took up actually 530 square feet when you consider the common area and the access aisles to get to that common area and to the ALEC space.

If you look at the coordinates, let's say starting from a little past 3 to 6 and between -- I guess just below F and D, that area is for the O4T toll tandem. That toll tandem is for the North Dade and Broward County exchanges.

And there was a comment made earlier when the videotaping was shown, why I had made a statement to the effect that this is the only area available for O4T. That statement was meant in this area. The only area that we can grow this O4T switch is located between 5 and 6, and just by D and a little bit above D where it shows future DTE. There's four bays there that can grow, and then just below that there's another four, and then off when you go to the right along that, which is D, if you just move to the right, you'll see there are another two red spaces.

In 1999, an order will be placed where it will fill up these red spaces, so there will be no room for growth over on this left-hand side, which is

really the O4T. We're forced to grow the O4T over on the right-hand side just below the O3T growth.

Now, this area over on the right-hand side, which is in columns -- if you'll look at D and C between 1 and 3, that's an area that you'll see some green and red. Those green bays are the old STP that will be coming out. And I just got word that they plan on starting the removal of these bays sometime next week. And this is an area that will be grown into after 1999 in year 2000. So we will have -- effectively, this area will be grown into, and there will not be enough contiguous space to provide for a physical collocation in this area for those reasons.

These are two very important -- our toll switches are very important, and the operator services switch. Anyone placing an operator call in South Miami and I guess in the Keys comes through here. So we really need to allow for growth of this toll tandem and the operator services switch.

COMMISSIONER JACOBS: I'm sorry. You said that was a toll tandem that's going there?

WITNESS RUBIN: I'm sorry?

COMMISSIONER JACOBS: You said that's planned for a toll tandem switch to go in that area?

WITNESS RUBIN: It will be the continued

growth of the existing toll tandem.

COMMISSIONER JACOBS: Okay. And that's based on growth in what? What demand is prompting that expansion?

WITNESS RUBIN: Well, the --

COMMISSIONER JACOBS: Is it lines or --

WITNESS RUBIN: This is trunks. This is trunks. And this was testified by -- Barbara Cruit had earlier, the trunk growth for both the O1T and the O4T. These are trunk growths, and this is -- for us to continue to provide good service to our customers, we really need to preserve the space for this growth.

COMMISSIONER JACOBS: Thank you.

WITNESS RUBIN: Now, moving over to the other area that Supra had designated for use for growth was in the center, and it encompassed part of the power room, part of the virtual collocation area, and that area is designated between I guess coordinates 5 through 8 and just a little below E and C. Okay?

Now, in this area here, I'll address the area where they're showing virtual collocation. Presently in this area, we have three virtual collocators. We have three virtual collocators that we have firm orders on.

The first one, which I've labeled up here as Company A, that is presently being installed. They will be installing -- they're showing four bays, three on the top, and it says aisle 126. That number -- actually, these numbers are aisle numbers that are running up and down. And on aisle 26, we have an even and an odd aisle. Their equipment is now going in on the 126 even lineup. They're presently putting in four bays, so this area is not completely vacated as shown on here. There is equipment in here.

We have two other virtual collocators, Company B and Company A -- I'm sorry, Company B and Company C, and their equipment will be installed before the end of this year.

And we are reserving space for future virtual collocation, and that goes in here with the -- I mentioned the area to the right of that which is shown on their drawing as 143 square feet for future O4T switch. That will be filled up in 1999.

When you go down below that into the power room, they're covering an area where -- as Mr. Ream had indicated to you, batteries are very heavy. They can't just be placed anywhere in the central office. As the equipment grows in the office, the power demands for the batteries increase.

This area, as you can see -- and that's in coordinate -- that's between 5 and 6 just below D. There's a rectangle there that says future future. That is an area where we do not have a battery string at the moment. But that battery string is planned for sometime in the year 2000.

The area immediately to the left of that, it's shown as empty, but that is designated as a hazardous area, a hazardous material area, and hazardous materials are put in that area, and then they are disposed of properly at the proper time.

Okay. I'll try to move along.

And for those reasons, this area cannot be utilized for physical collocation.

They're also showing an area down here to the left on the bottom which is 404 square feet for an air handling unit. That is an existing air handling unit. That's at coordinates 8 and 9 between A and B.

If you look directly above that, there's a new air handling unit that's going in there. That area that they're showing is going to be utilized for our new 1,200 kW engine. There are air ducts both for exhaust and intake that are very large. On the exhaust it's like eight by 12 feet which will be on the left-hand side. And on the right-hand side, the

air intake will be like 20 feet by 12 feet. These are very large -- it's a very large engine. It requires a lot of air to cool it off. So that area effectively cannot be used for physical collocation. We just do not have -- there won't be any room in that area.

Because that new air handler is going into this office, there will be a very large air return on the wall between 8 and 9 and C. There will be a very large air return there.

And if you'll look where it says air handler, there's a double door. That double door allowed equipment and batteries to be brought into the office, to be walked through into the power room. Because the air handler unit is going in there, you will not have access into the power room. Because access will be blocked because of that, they have to open up a new double door between coordinates 7 and 8 and C. Because the double door will have to be opened there, the workstation that you see immediately to the right and above that will have to be moved, and the area that they're going to be moving that into is this administrative area.

And what they've had to do because of this building that's going on -- and you can see this on the videotaping. The videotaping had along the wall

between C8 and 9 storage cabinets for our property inventory control system plug-ins. Those cabinets have already been moved into that administrative area on the back wall. Two desks have been taken out, and the cabinets have been moved in there. So this room is getting a lot more utilization. That's another room that they're indicating they think they can put physical collocation. But the area is being utilized by more than just work areas. It's now being utilized as a circuit pack storage area. And there are fire aisles and exit aisles that must kept clear along here, so they cannot be utilized.

The last area that's reflected on Mr. Nilson's deposition, as you can see, is directly above the coordinates that run between 6 and 10 and I guess just about E to G. This area has frames that are scattered. There's no contiguous areas that are here that would enable us to put a physical collocation.

This is just the -- this concludes my description of the first floor and addresses all of their areas that they think that physical collocation can go into. But because of the growth that we are requiring in this office, because of the accelerated growth, we do not have contiguous areas available on

the first floor for growth.

On the second floor -- now, the second floor is as big as the second floor as far as the print size, but you'll notice the rectangles are a little bigger, and this space really represents only about half of the space that's on the first floor.

On the right-hand side of this -- on the right-hand side is the power room. The power room runs between G and F and 6 and 10. And this would lay down with the first floor if you want them to see how it exactly lays down with the numbers. So this really only goes to 6, and on the first floor it went to 1, I believe.

So the area on the right where the power room is is totally full. There's no space available in this power room to add any additional battery strings. And if you notice on G and F7, it looks like there's an open area there, but these battery strings just haven't been drawn to scale. And as you can see in the video, there is very little room here. There's no room for growing any additional battery strings.

Now to address the areas that were shown on Mr. Nilson's deposition -- actually, his deposition would have to be held like this to line up with the way the drawing is printed out. But the area on the

top, which is just to the left of the power room, if you orient it that way, and if you look at coordinates F through D and 9, just a little above and below 9, that's that area I'm referring to.

The space below that where you see all the green rectangles, that is the DSO local switch. And what I've done in this area is to just reserve one column, and that's between D and F and 9. That's future DSO growth. And we're growing at a rate of six frames per year. In two years -- there are some empty spaces in the body of the DSO switch, but in two years of growth, we will be going into that lineup.

The area above it, the two lineups above that are reserved for the toll tandem, the O1T toll tandem, and that toll tandem serves the Miami and Keys exchanges.

There already exists between E and F a lineup of O1T trunking frames. So this area in the next two years will have frames in the DSO lineup. Frames will also be grown into the O1T lineup, and it will not leave enough contiguous space to provide for physical collocation.

The area to the left where they're showing -- and that's in coordinates CB and between 8 and 9. You see those red frames? This will effectively be

filled up next year. We have an order that will fill up this area. And the following year we'll be going into the area reserved for O1T on the right. So that area cannot be utilized. It will be full after next year.

The only other area that's showing on here is this little maintenance office, which has got some computers for computer training, and that's only 93 square feet, which really cannot be used to satisfy Supra's request for space.

And that concludes my description of the office.

MS. WHITE: Mr. Ream and then Mr. Rubin are available for cross examination.

COMMISSIONER DEASON: Ms. Summerlin?

CROSS EXAMINATION

BY MS. SUMMERLIN:

Q Good afternoon, Mr. Ream. You're just going to have to bear with me a little bit, because it's kind of hard to do this when we have one after the other and we were trying to address all of the questions for each of you at the same time here.

A (By Witness Ream) No problem.

Q Okay. We have several exhibits that are considered to be -- I believe by BellSouth considered

to be confidential that have been produced and are already in the record, but I want to just pass them around right now in a folder.

Mr. Ream, while we're getting those to you, I want to just start with -- I'm sorry.

If your counsel can make sure you have a copy of Exhibit 29 -- we have already identified that earlier today. That's the Petition for Waiver that was filed for West Palm Beach Gardens.

MS. WHITE: I wasn't given one, so I can't make sure he has a copy.

MS. SUMMERLIN: Okay. I thought we did give you one.

I believe we passed them out. Maybe it's in Barbara Cruit's stuff.

Q (By Ms. Summerlin) Okay. Mr. Ream, have you got a copy of that Petition for Waiver?

A Yes, I do.

Q Okay. What I want to establish, to not be tricky or anything, is just simply to go ahead and establish that that Petition for Waiver was filed by BellSouth. And I know you didn't file it. I'm not asking that you say that you filed it. It was filed on November 18th of '93. We've already talked about that earlier. And if you will look in that petition,

you will see on page 3 in Paragraph 3 that BellSouth stated it had to reserve 2,100 square feet for projected growth of the switches over a two-year period.

Are you aware that a new Petition for Waiver was filed with this Commission on August 7th of '98 for the office?

A No.

Q Okay. I do not have copies of all that. I'm sure your counsel probably has one, but not right with her today. I will show this to her as soon as I show you what it is I'm interested in talking about on this, which is very, very simple. This is BellSouth's Petition for Waiver that was filed with this Commission on August 7th, '98. It states on page 4, Paragraph 7, "The remaining 3,197 square feet in the facility is reserved for defined future use essential for BellSouth to meet the growing needs of its customers through the year 2000."

So what I'm trying to point out, and I will show this to your counsel --

MS. WHITE: That's all right.

Q (By Ms. Summerlin) Okay. If you will simply accept the fact that that's what you all have filed, what this compares to is, you have 2,100 square

feet that were supposedly reserved for future use in '93. We are now in August of '98, a full -- pretty much close to a full five years later, and this same office, without, as far as I'm aware from your testimony, any change to the building of any kind, now has 3,197 square feet.

Can you explain this phenomenon?

A No, I can't.

Q Okay. Do you have any ideas that you can offer as to how this kind of scenario could occur?

A No. You know, whoever filled it out in '93 must have had their guidelines, ideas, or whatever. And I -- you know, I can't. I will say that -- and in the deposition I offered this at that time too, that we had an old power room -- we had a power room in there that we did create some unused or new space back when that happened. And if I could look at my print for a moment, that equates to a little over 800 square feet that we did by consolidating power rooms. And of course, now we're growing our tandem in that particular area.

That's the only thing that I can offer you as far as -- that I know that we cleared some space that could make the numbers different. Other than that, I don't know.

Q Okay. So you do know about the creation of a power room out of what?

A No. We consolidated two power rooms in that office, not last year, but the year before. And when we cleared and we consolidated the power rooms, we added to the power room that's in the center of the drawing around E2. We grew that. And there was a small power area, if you will, in what's now the tandem growth area, which is H1 on my drawing. And we did that a couple of years ago, and that in fact would add some square footage to today's figures. But, you know, that's all I can testify to that I know how footage was created or more footage was created.

Q Okay. So you would concede that based on what the Petition for Waiver said in '93 that the projection was for two years at that point?

MS. WHITE: Excuse me. I object. To the extent that -- he hasn't seen the FCC waiver, and he hasn't seen the waiver that was filed with the State Commission, but she's asking him to accept things that are in there. And this is not part of his testimony, and it's not what he has testified to.

MS. SUMMERLIN: All I am asking him to do is to concede that the sentence that I showed him is correct, and that's all. All I'm saying is --

MS. WHITE: Well, I'll concede that you read it correctly.

MS. SUMMERLIN: Well, you're not witness. I'm asking --

MS. WHITE: BellSouth will concede that you read it correctly.

MS. SUMMERLIN: Okay. All I'm asking Mr. Ream about is -- because Mr. Ream is the expert in this arena in terms of how the space is dealt with in that particular central office, I'm trying to understand how this phenomenon could have occurred.

Q (By Ms. Summerlin) And you have said that you don't know, other than the fact that there was a consolidation of power rooms.

Is it also possible that there was newer technology employed for certain types of equipment so that that would have freed up some space?

A We're always putting in new technology, but -- I don't know. I will say this. I started in that office about three years ago until today. We have more equipment in there today than we had three years ago. That's all I can -- you know, that's what I've observed.

Q Okay. Let me point out what we have in the confidential folder that I just sent around to you.

All of these documents have already been entered into the record. I'm just going to use them for demonstrative purposes at this point, but I'll identify what they are as we go through them.

I want to point out -- let's see here. Okay. If you will look at the document that at the top is dated West Palm Beach Gardens Central Office, Second Floor Planning Meeting, that's got April 24th, '98 at the top.

A Right. Okay.

Q Okay. Would it be safe to say that this was a meeting to address whether or not there needed to be a building addition for the office?

A Yes.

Q Okay. Moving to another exhibit that I've given you that's got at the bottom August 13th, '98, and at the top West Palm Beach Gardens Central Office, Synopsis of Building Addition Needs and Activities.

A Wait a minute here. Oh, okay. Yes.

Q Is it safe to say that this relates to looking into possibly adding onto the Palm Beach Gardens office?

A You mean the -- your synopsis?

Q Yes.

A Yes, it -- this is -- the 8/13/1988 is a

document that was a memo or a white paper that was passed on to our upper management to identify alternatives, you know, what was going on with the West Palm Beach Gardens central office, yes.

Q Okay. On another exhibit that I've included in that envelope, at the top of it it says Meeting Minutes.

A Yes.

Q Do you see that one to Rick Smith from Don Sullivan? It's got your name on there as one of the cc's, and it's dated July 20th, '98, and they're regarding -- the paragraph says Gardens CO and Royal Palms CO building additions.

Would it be safe to say that this was to consider a building addition for the central office?

A Yes.

Q Okay. Has there been a decision to put an addition to West Palm Beach Gardens?

A The information and the recommendations have been passed on to our staff to secure funding.

Q So no decision has been made yet, or there has been a decision made?

A Well, we haven't got the okay to put a building addition on that building. We've sent our recommendations off, and we're waiting for word back

from the corporation as to whether or not they will give us the money to build it.

Q Okay. Let me -- just for the sake of clarifying this, since you don't have a copy of this August 7th BellSouth Petition for Waiver, but I want to simply read one statement that's included in that August 7th '98 document. It says, "BellSouth seeks this exemption on the grounds that it is unable to meet physical collocation requests due to space limitations in the CO. BellSouth does not expect to construct an addition to the building, nor does BellSouth expect to retire equipment, thus creating additional space within the CO in the foreseeable future."

Is that your understanding of the situation right now?

A As of now there has been no decision to add anything to that building. It has just been passed on. If the markets change or this, that, and the other, it's conceivable that there would not be a building addition added to that building.

Q If the markets change?

A If the stock markets keep going down and people stop moving to Florida and building houses and buying computers, and there's not the demand on

everything, and, you know, the corporation -- who knows? I don't at my level.

Q Okay. Are you aware of why Supra's request for physical collocation was denied?

A Yes.

Q Why was it denied?

A Okay. When you asked my that in the deposition, you know, I went back, and as I had stated there, I was out ill last year for six months and the first month of this year. And there had been a collocator that -- another physical collocator who had applied in January for collocation space, and the person who was filling in for me had denied them on January 29th of this year. And it's my understanding that once one is denied, if a second one comes in, it gets denied too.

Q Okay. Well, what was the basis of the denial?

A Space.

Q Lack of space?

A Lack of space for a physical collocation.

Q Okay. Does BellSouth consider the lack of space to provide physical collocation when it determines whether or not to do a building expansion?

A Not to my knowledge. Not to my knowledge.

Q Okay. Mr. Ream, you supervise a number of the central offices, is that right, in terms of the circuit -- what is it your title is? I'm sorry. I forgot.

A Common Systems Capacity Manager.

Q Yes. You are over several of the offices, 18 or 15 or 12, one of those numbers?

A I have 12 offices. I don't run the offices. I just try and manage the space within the office and act as a general contractor.

Q Okay. And when any of those offices that you have that duty for gets an application for physical collocation, do you receive a copy of that application?

A Yes, I do.

Q Did you receive a copy of Supra's application for physical collocation?

A No, I did not, not for Gardens.

Q Okay. So you did not have any part in evaluating Supra's application for physical collocation?

A No, I did not, not at that time. It seems like that's all I've been doing since in the last couple of months. But, yes, at that time I did not see their application.

Q Okay. Will you look back again at that second floor planning meeting document? That's the April 24th, '98 document.

A Okay.

Q Okay. Will you look at the equipment type column that's basically like the -- right after that first main paragraph, you know, where it says equipment type, and then estimated growth exhaust year?

A Oh, okay.

Q Does this mean that the LATA tandem growth will exhaust in the year-end 2003?

A At the time that this was made, this was our -- the start of the process to look at adding a second floor to that office, or a growth addition of some sort. We didn't know what we wanted to do, but we felt we needed space. So we did an assessment of each particular entity in that office, because each one of those particular items has its own section of that central office. And at that time, the projected growth of the bays in the office, they felt that we would exhaust the tandem area in the year-end 2003.

Q Okay. And does it show that the TOPS host would exhaust in the year-end 2003 also?

A Yes, it does.

Q Okay. Does it show that the local switch would exhaust in the year-end 2002?

A Yes.

Q Does it show that the STP will exhaust in the year-end 2003?

A Uh-huh.

Q And then the SCP it says will exhaust in the year-end 2000; is that correct?

A Right.

Q Okay. And then the power would exhaust in the year-end 2003?

A That's correct.

Q Okay. And then the toll OSP would exhaust in the year-end 2000?

A Right.

Q I don't want to leave out the year-end 2000 items and make sure that we give a full picture here.

Okay. Let's see here. Let me ask you to look at the other exhibit that I believe we included in there, which is a couple of pages out of the Property Management and Physical Collocation Guidelines. I believe that's in there. Do you see that?

A Yes, I do.

Q Okay. Will you look on page 2 of that --

it's actually page 5 at the bottom.

A Page 5? Okay.

Q The second page. On Paragraph 2.2, apparently -- would you just -- let me read this, and then I'll ask you a question. It's very short.

"BellSouth is not required to relocate its own equipment or personnel within a facility in order to accommodate physical collocation. However, BellSouth is required to offer any space reserved for growth outside of a two-year period. If at this point there is absolutely no space available, an exemption must be filed with the State, and the collocator may choose to enter into a virtual expanded interconnection service."

Are you familiar with this policy?

A Only from the standpoint that I've heard people discuss it. I've never read it or seen -- you know, seen it. But, yes, I'm familiar from that standpoint.

Q So when BellSouth would consider an application for physical collocation, would you or other people in BellSouth be required to consider space available for physical collocation that exceeds that two-year window, such as some of the items we just listed on that other exhibit?

A It's my understanding that if we're not going to grow into an area in two years or, you know, some time frame like that, that we should offer that up for physical collocation. It's the right thing to do. It's unfortunate that Gardens just doesn't have it.

Q Well, let's look back at this. There seems to be several items on this list that provide for almost five years of growth instead of just two years of growth. I mean, is that not true?

A Well, if I have an area that I'm growing into, and I'm slowly shrinking that area, and it's smaller than what you needed to begin with, I don't understand that it would make any difference. If I don't have the space in a given area today and I'm not going to truly fill it up totally for three or four years, what's the difference?

Q So what you're saying is that every one of these items on the list that you have got on this document, a year-end of 2002, 2003, none of those are significant enough areas to be considered for physical collocation?

A I think that my explanation when I went around with the floor plan speaking of today and what we expected to have placed in that office in the next

two years would stop the -- wouldn't leave enough room after two years for physical collocation.

Whether we exhausted the total area in 2002 or 2003, if we used up the majority of the area in two years and it didn't allow for the square footage that you require, I don't see that it makes any difference. I don't see the relevance of it. Maybe you can explain it in terms I can understand better.

Q Well, I think we'll move right along here.

A Okay.

Q Is it technically feasible to monitor all the switches in the central office, the West Palm Beach Gardens central office remotely?

A To monitor?

Q Yes.

A Yes.

Q Okay. Is it technically possible to monitor all those switches from one workstation in the central office?

A I don't know. That I don't know. You mean one computer?

Q Well, I just asked you if you could monitor all of them remotely.

A Well, I don't know. Well, they are monitored remotely at night. But when they go into

alarm and a switch starts to fail, then the people that are monitoring them, because that's all they can do is monitor, call out a switchman to come into the office and go to a maintenance terminal where he can start to repair the switch or get it going again.

Q So you need to be able to work somewhere in the office to do this?

A Yes, you do.

Q But is it technically required that you have a terminal right next to every switch in the office?

A Technically? I mean, the --

Q Yes, technically.

A -- difference if it's five feet away or ten feet away? I guess that wouldn't make any difference. It certainly is the efficient way to run an office.

Q Has anybody in BellSouth asked you to examine West Palm Beach Gardens to try to reconfigure the workstations in the office to maximize physical collocation space?

A No.

Q When you talk about the projections for equipment that's needed in the future, you're talking about Ms. Cruit's projections, is that right, or her group's projections?

A Yes, I'm talking about the group's projections. I gather information from them.

Q You don't make them yourself?

A No, I do not.

Q You take the information and translate it into what you think you need?

A Exactly. I try to -- they give me their projections, and I try to make sure that I've laid out on the building study plan a place for their equipment that they're going to be ordering, that there's a place for it.

Q Would you agree that a central office is a dynamic and constantly changing environment?

A Yes, I sure would.

Q Does that mean that space can be freed up once in a while unexpectedly maybe?

A I wouldn't say unexpectedly. We don't -- technology changes, and new things come out, but we're always in the planning phase of things like that. So, you know, it wouldn't be just that I would walk in tomorrow and they would say, "Oh, we don't need this anymore."

Q Yes, I don't mean that, I guess. I mean isn't it possible that new technology could come along that reduces the required size of equipment that you

currently are using? In other words, you could replace equipment you're currently using with smaller equipment to do the same job, or maybe even handle more capacity?

A Well, as Ms. Cruit said, we do get -- technology is changing, and things do become smaller, but they have added features to them, and they're taking up the same amount of room because our customers want added features and things like that.

Also, if we have an existing frame that has working equipment in it -- and these things are very expensive. I'm sure that Mr. Ramos can attest to the price of this equipment nowadays. Just because a newer one comes out, we don't replace the old one until there's a good technological reason to do it. I mean, it's just too expensive.

Q If a CO or a central office is a dynamic environment, would you consider it appropriate to evaluate that space situation when an application comes in for physical collocation?

A Well, you know, we talk amongst ourselves. We do. We do talk that, you know, this office is crowded, this isn't crowded. We're always evaluating this office. You know, if space was to become available, we would tell our INAC folks and this,

that, and the other that space is available. And if we were to put a second floor on this building or a building addition in the future, it wouldn't be anything that we would keep quiet. We wouldn't keep it a secret. We would let everybody we that we can have the physical collocators.

Like I said, our charge is to encourage local competition. We truly want you in our central offices. We want to be in the long distance business. That's what Mr. Locker said. That's what -- we have many publications that come out. We get bulletins, company papers and everything like that that it is very important to the corporation that we get into the long distance business. And the only way we can do that is to have collocators in our building and take local market share. I understand that, and that's what we're trying to do. That's what we're trying to do.

Q Well, I believe that that's your sentiment, Mr. Ream. If BellSouth believes that, why does it deny a physical collocation request on the basis of a five-year-old waiver that it got from the FCC?

A I don't know if they did or didn't.

MS. SUMMERLIN: I have no further questions.

COMMISSIONER CLARK: None for Mr. Rubin?

MS. SUMMERLIN: Pardon?

COMMISSIONER CLARK: Do you have questions for Mr. Rubin?

MS. SUMMERLIN: Yes, but I guess Staff may want to --

MS. KEATING: I just have a few questions for either witness. I would suggest maybe if Ms. Summerlin just proceeded on with Mr. Rubin, it might --

MS. SUMMERLIN: Okay. If I can just have two seconds to get my papers for Mr. Rubin.

COMMISSIONER DEASON: How long do you anticipate your cross for Mr. Rubin to be?

MS. SUMMERLIN: Not very long. I wouldn't think more than 20 minutes, maybe less.

COMMISSIONER DEASON: Okay. We're going to take a five-minute recess and give you a chance.

And just let me announce that when we conclude with these two witnesses, we're going to recess for the evening, and we'll have to reconvene at a later time. And that's going to be the 16th of November at 9:30.

It was our intent to finish this today, but it's obvious that it's taking much longer than we

earlier anticipated. So just so everyone can kind of prepare.

But anyway, right now we're going to take a five-minute recess.

(Short recess.)

COMMISSIONER DEASON: Call the hearing back to order.

Ms. Summerlin, I've been informed that the parties feel like we can conclude the remaining witnesses hopefully by around 8:30 this evening, and so we're going to proceed with that assumption. And I heard a rumbling that when 8:30 comes, you may not have a quorum here, so just be advised.

MS. SUMMERLIN: We may get through even quicker, because we're pretty much ready to get through.

COMMISSIONER DEASON: Very well. Let's proceed.

Q (By Ms. Summerlin) Okay. Mr. Rubin, I just a have a couple of questions to ask you.

There was -- when we went on the walk-through in North Dade Golden Glades, there was an old STP switch, I guess is the right term for that, that was supposed to be removed.

A (By Witness Rubin) Yes, that's correct.

Q Has that been removed at this point?

A It has not been removed. I got a call from Ron Keith last week, and he indicated that was going to start either this week or next week.

Q Okay. And when that is removed, how much space will that free up, or how many bays will that remove?

A Well, you have a picture of the -- I don't know what the -- I would have to count up the number of bays to determine that. I don't have that figure in my head. But that area is reserved for the growth of the O4T toll tandem. After 1999 -- not even after 1999. The next growth order that will be take place at the O4T toll tandem, we'll put a bay in that area.

There's also two bays that are reserved directly in back of the new STP for growth. One frame is planned on going into that area next year.

Q Okay. What is the genesis of the removal of this old STP? Why is it being removed?

A Why is the STP being removed?

Q Yes.

A Well, it has been replaced with a new one. I would assume that the new one has greater capacity and greater functionality.

Q Okay. Is the new one going to take up as

much space as the old?

A Well, the new one is on the floor in the diagrams, and it was taken up with one lineup as opposed to two lineups. The bays that make up that STP are much bigger, a much bigger footprint. They're 50 inches wide by 30 inches deep. And that's just the physical bay itself. The footprint for the bay -- actually, the footprint with the front and back of that bay is 21 square feet.

Q Okay. I have just one other document that -- I know you have probably already seen it, and it's already in the record. It's a response filed to POD 27. It's got on the top Golden Glades Building Space Plan, and then in parens, Issue 4. If I just show you a copy of this so you can familiarize yourself -- I'm sure you've seen it before. And all I want to do is just ask you just a couple of questions on that. It's already in the record.

Are you familiar with that?

A This is part of the plan. This is considered a space plan that we try to make up for all of the offices that we have responsibilities for.

Q It's got May 18, '98 up at the top. And what I'm asking or what I want to ask about is, there's a couple of sentences here under Power

Equipment Space. And I'll just read it. It says, "We will continue to grow power equipment in the first floor power room. There is ample room for growth. Stan Flanders agreed that the southwest corner of this room could be used for a storage room. This will be accomplished by moving the existing air handler vents up, thereby making room for storage shelves along the walls."

I'm not going to read all the rest of it, but can you help us figure out exactly what room on either Mr. Nilson's diagram or on your picture, you know, whichever way you want, tell us which thing is going to be the storage room and which is going to be the power room?

A No, I don't know -- I don't have the north facing arrow.

Q If I give you Mr. Nilson's -- do you have that?

A Yes, I have that.

This doesn't show -- it says the southwest corner, and I don't remember where the southwest corner is. But the only -- there might have been a fan --

Q Is it possible to identify which room has the air handler vents? I mean, is that --

A I think this office between coordinates 5, 6, and A, I think along there, along that wall. It's not reflected on here, but I think there's some air vents. And this --

Q Five, 6, and 8? Is that what you said?

A Five, 6, 5 and 6 and A, coordinate A, and between 5 and 6, where it says Future Engine Room Expansion.

Q Future engine room expansion?

A This was an area that the power engineer had come to me and said can he reserve that area as a possibility for an engine room expansion. That was quite a while ago. And now that the old air handler unit will be removed -- that area actually would not have been large enough. I should actually take that off the drawing. But I believe in that area there was -- there's an exhaust fan.

Q Okay. So you're saying that the 142 square foot future power --

A That's for the new battery string that is at coordinates 5 and 6, between D and C, the three existing battery strings, and that will be the new battery string that will go into the office.

Q Okay. So am I correct that it's the 404 square foot unassigned air handling unit future engine

room that we're talking about to be the storage room here? I mean, I'm --

A No, no, no.

Q -- not clear.

A And what he was -- and he's really talking -- he's really talking about shelves. He's saying that we could get some storage room, not a room, but have some storage room in the form of shelves by just moving the existing air handler vents up a little bit.

Q Where are those vents? They're in this --

A Well, that I don't remember exactly where they are.

Oh, you know, that might have been where the diesel engine is. I'm not really -- I don't think it was in the power room. I think it was in the engine room that he was talking about this.

Q Okay. On page 2 of this same thing, the May 18th, '98 document that I was looking at, I just want to ask you a couple of questions. It says on the second page O3T space. It says, "Assuming the two lineups to the south of the existing O3T switch are reserved for growth, there is 25 years of growth space available for O3T." Is this something that's actually going to happen, or what --

A No. As I mentioned in my opening statement

when I described this, that would probably be true as far as the amount of time if we were reserving two lineups, but I'm only showing one lineup reserved for growth.

Q So we're talking 12 and a half years?

A At two frames a year, we're looking at about six and a half years.

Q Well, it says here that assuming the two lineups to the south are reserved for growth, there's 25 years of growth space, and you're saying that you're going to have one lineup reserved.

A Well, this might have been based on the addition of only one frame a year as opposed to two.

Q So why would this change since May?

A This is a board gauge of what is expected in the office, and that's why I say that, you know, if we reserve two lineups, we'll have so much amount of space. It's not something that's defined in concrete. It can change. I have statements to that effect.

And also, some of the toll tandems, the paragraph just below that where it says depending on the DS1 demands of our customers, the amount of space and the number of years, growth could change.

Q You heard me, I know, ask Mr. Ream about getting -- in your role as being a -- capacity manager

I think is --

A Common Systems Capacity Manager.

Q Common Systems Capacity Manager. That you would normally get applications for physical collocation; is that right?

A That's right. We receive these requests.

Q But you didn't get one for Supra for this request?

A I did not see Supra's request for the physical collocation at Golden Glades. However, I had been involved in looking at the floor space in Golden Glades during the April, May, or June time frame in regards to physical -- not physical, but virtual collocation. And from that review, I was well aware that there was not a contiguous enough area to allow for physical collocation.

Q But you didn't evaluate Supra's application specifically?

A No, I did not evaluate Supra's, no.

MS. SUMMERLIN: I don't have any further questions.

COMMISSIONER DEASON: Staff?

CROSS EXAMINATION

BY MS. KEATING:

Q Good evening, Mr. Ream and Mr. Rubin. I'll

begin with you, Mr. Ream.

I believe in your summary, you made a statement that for a 200 square foot collocation request, you would actually need four to five hundred square feet?

A (By Witness Ream) That's correct.

Q Could you explain why you would need that much space for a 200 square foot request?

A Well, I can attempt to, but Mr. Bloomer will do a much better job when it comes his turn up here.

But for their request for 200 square feet, we would have to create a room with the firewalls and everything like that. But we have to create along with that a common area that we would place the point of terminations or POT bays in, the interface between the collocator and us. And in that common -- so we have to create another room, if you will, just to house more equipment so that you can -- because that's what the collocation agreements are, I guess. I mean, that's our instructions.

So because of having to put equipment in another area and having to have walkways to get to it -- and as time goes on, Mr. Bloomer has been telling me that the building restrictions are forcing us to

create separate walkways and paths to get into this common area or to get into the collocator area -- it requires much more space. They just can't have -- they, I shouldn't use that word.

The collocator has to have a separate entrance to get into his space separate from our equipment areas. They just can't walk down our aisle at 3:00 in the morning, you know, in amongst our equipment when it's an unmanned office to get to their area. So it forces us to set up aisles for them, this common area, and things like that. So that's why it requires much more space than the initial 200-foot requirement.

Q Well, Mr. Ream, if you were only going to have one physical collocator in an area, why would you need to create a whole new common area with aisles?

A Well, we have to create the common area. With the physical collocation -- collocator, we have to have a common area to go along with that.

In our other offices where we are expecting or have room for more tenants or more collocators to come in, the common area space is 1,000, 800 feet. It's much bigger. When I made that statement about, you know, 500 feet, four or five hundred feet, I scaled down what we would typically do, because for

one single collocator in one office -- and that's all there could be because of the space requirements -- then I scaled down the overall number of square feet.

But, yes, it takes up a lot of square footage in a CO to set up a proper common area.

Q Mr. Ream, on page 5 of your rebuttal testimony, you indicate that the growth of the local switch is --

COMMISSIONER DEASON: Ms. Keating, is your microphone on?

MS. KEATING: It's on. I'll get a little closer.

COMMISSIONER DEASON: Thank you.

MS. KEATING: My voice may be getting lower as the night wears on.

Q (By Ms. Keating) On page 5 of your rebuttal testimony, you state that the growth of the local switch is projected to be about 12 frames per year? This is line 20 on page 5 of your rebuttal.

A At line what?

Q Twenty.

A Twenty? Okay. Yes.

Q Okay. And you also indicate that this space is temporarily being held for that in the vendor staging area?

A That's correct.

Q Is that the same thing that's identified on the map that you used for your presentation --

A Right. It should --

Q -- as the new equipment staging area?

A Let's see here. It's right at K, H, J and G5. That's the space that you were talking about. It's at the top there? It says new equipment staging area and admin area?

Q Okay.

A Is that where you're --

Q That's it.

A Yes, that's exactly right. We --

Q Thank you.

A Okay.

Q Is the projected growth for more lines, or is it for more capacity on current lines?

A I'm sorry. Oh, the -- you better restate that.

Q You projected that you're going to grow this 12 bays or 12 frames per year?

A I didn't project that. That's the switch capacity manager. When I got the information from him, he expected to add those bays. That's how they give us the information, in bays, so we don't have to

convert.

Q Well, is it your understanding that that growth is necessary to accommodate additional lines, or is that to accommodate additional capacity on the lines that you currently have?

A I think that's for -- I hate to guess. I would suspect that that's for lines. Based on Mrs. Cruit's, you know, talking about trending and things like that, that's where these projections come from, 18 months. So probably capacity and lines, now that I think about it.

Q Do you know if that's analog?

A No, I don't know whether it would be analog or digital. I really don't.

Q Do you know who would know? Would one of the later witnesses know?

A Well, in the documentation that Mrs. Cruit had about the D&F charge and things like that, it would be broken down in there. I don't know how to read it. I couldn't help you.

Q Thank you, Mr. Ream.

Mr. Rubin, I've just got a couple of questions for you. Looking at the diagram for the North Dade Golden Glades office, there's the area to the left-hand side that's designated --

A (By Witness Rubin) Pardon me. Which floor are you --

Q First floor, first floor. There's the area designated as work area restoration, and it's also designated on your presentation map as circuit pack storage area?

A Yes. That's the area that the PICS, which is property inventory control system, the circuit packs that were along the wall, where it says new air handler unit, those cabinets used to be along this wall. But because they're putting in that new air handler unit with a much larger air return, and because this walkway will now become the main feed for bringing in equipment into the office, those cabinets had to be moved, so they moved them into that area. On the walk-throughs, those cabinets were not there. They were against that wall.

Q Well, how long has that area been designated as a circuit pack storage area?

A Well, I designated it that area on 10/13 when I updated this drawing.

MS. KEATING: Thank you, Mr. Rubin. I believe that's all Staff has.

MS. WHITE: I have no redirect.

COMMISSIONER DEASON: Okay. And we have no

exhibits.

MS. WHITE: And can these witnesses be excused?

COMMISSIONER DEASON: Yes, they may.

MS. WHITE: I would call Mr. Bloomer to the stand.

- - - - -

JAMES D. BLOOMER

was called as a witness on behalf of BellSouth Telecommunications, Inc. and, having been first duly sworn, testified as follows:

DIRECT EXAMINATION

BY MS. WHITE:

Q Mr. Bloomer?

A Yes, ma'am.

Q Would you please state your name and address for the record?

A My name is James D. Bloomer, and my work address is 20 -- excuse me. My work address is 10KK1, 301 West Bay Street in Jacksonville, Florida.

Q By whom are you employed and in what capacity?

A I'm employed by BellSouth as a facility planner.

Q And have you caused to be filed direct

testimony consisting of 13 pages in this docket?

A Yes, ma'am.

Q Do you have any changes to that testimony?

A Yes, ma'am. I need to correct my business address on line 11 of the first page.

Q Okay. Would you do so?

A Yes, ma'am. The correct address for my business address is Room 10JJ1, 301 West Bay Street, -- that's B-a-y -- Jacksonville, Florida 32202.

Q If I were to ask you the questions that are in those 13 pages of direct testimony tonight, would your answers be the same?

A Yes, ma'am, they would.

Q And you had five exhibits attached to your direct testimony, did you not, JDB-1 through 5?

A Yes, ma'am.

Q And do you have any corrections to those exhibits?

A No, ma'am.

Q And you also filed rebuttal testimony consisting of 15 pages?

A Yes, ma'am.

Q Do you have any changes to that testimony?

A No, ma'am.

Q And if I were to ask you the questions that

are contained in that testimony tonight, would your answers be the same?

A Yes, ma'am, they would.

Q And you had two exhibits attached to your rebuttal testimony, JDB-6 and 7?

A Yes, ma'am.

Q Do you have any changes to those?

A No, ma'am.

MS. WHITE: Commissioner Deason, I would ask that Mr. Bloomer's direct and rebuttal testimony be inserted into the record as though record.

COMMISSIONER DEASON: Without objection, they shall be so inserted.

MS. WHITE: And I would ask that Mr. Bloomer's direct and rebuttal exhibits be marked for identification as a composite exhibit, JDB-1 through 7.

COMMISSIONER DEASON: That will be Exhibit Number 31.

(Exhibit 31 marked for identification.)

BELLSOUTH TELECOMMUNICATIONS, INC.

DIRECT TESTIMONY OF JAMES D. BLOOMER

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

DOCKET 980800-TP

SEPTEMBER 10, 1998

Q. PLEASE STATE YOUR NAME AND COMPANY NAME AND ADDRESS.

A. My name is James D. Bloomer. I am employed by BellSouth Telecommunications, Inc. as a Manager – Facility Planning – Property and Services Management. My business address is ~~2OC75 – 675 West Peachtree Street, Atlanta, Georgia, 30375~~ Room 10551, 301 West Bay Street, Jacksonville, Florida 32202.

Q. PLEASE SUMMARIZE YOUR BACKGROUND AND EXPERIENCE.

A. I graduated from Florida State University in Tallahassee Florida in 1970 with a Bachelor of Science degree. I began employment with Southern Bell in 1970 holding various positions in the Network Distribution Department before joining the newly formed Real Estate Department in 1975. In 1978, I transferred to the building-planning group in Property Management. In my position, I assign company floor space in existing buildings and develop plans for future space allocations.

Q. HAVE YOU TESTIFIED PREVIOUSLY?

A. No. I have not testified previously in any proceedings.

Q. WHAT IS THE PURPOSE OF YOUR TESTIMONY?

A. I will provide BellSouth's position on Issues 2 and 3.

ISSUE #2. What factors should be considered in determining if there is adequate space for Supra in the Golden Glades and West Palm Beach Gardens central offices?

Q. WHAT FACTORS ARE CONSIDERED IN DETERMINING WHETHER ADEQUATE SPACE IS AVAILABLE FOR PHYSICAL COLLOCATION?

A. The factors fall into four categories:

First, the existing building configuration must be considered. This entails consideration of the existing building configuration, location of doors, hallways, stairs, lounges, air handling, the building outline and the physical capacity of the structure.

Second, space usage and forecasted demand must be considered. There are several steps in this review of the facility. These steps identify the amount of building space available for collocation. Space is categorized then removed from consideration. Collocation space availability is then determined.

Q. WHAT IS THE PROCESS USED TO IDENTIFY THE CENTRAL OFFICE SPACE AVAILABLE FOR COLLOCATION?

A. The process follows the following steps:

A.) Determine the Gross building space. This is the total space contained in the facility.

B.) From that number, unavailable space is subtracted. Unavailable space is assigned to building support components required to support the building and its occupancies. This space is generally air handling rooms, pump rooms, transformer and cable vaults, restrooms, stair towers, janitor closets, main corridors, vestibules, and light shafts.

C.) Occupied space is determined and subtracted from the answer determined in step B. Occupied space is that physically occupied by

(1.) Switching equipment which provides dial tone and calling ability to customers,

(2.) Transmission (toll & circuit) equipment which provides transport of customer services from one switch to another.

(3.) Frame space is assigned to the various distributing frames in the office providing interconnect points for switch or toll or outside plant.

(4.) Power space is assigned to the various DC power plants and standby generators necessary to support all equipment in the building.

D.) Reserved space is determined and subtracted from the answer determined by step C. Generally, reserved space is held for the various space usages described in step C with forecasted needs for the next 2 year interval. There is one exception. There are several types and families of equipment requiring fixed layouts. That is, this equipment cannot be split up into several different locations in the central office without degrading service or capping the size or customer

service levels for that type of equipment. Examples of this type of equipment are switch processor frames for digital central offices and control points, the Digital Signal Cross Connect (DSX) family of crossconnect panels, the Digital Access and Cross Connect Systems (DACS) family of digital toll cross connect systems, remote testing and monitoring systems.

E.) Vacant space/Unusable space is determined and subtracted from the answer determined in step D. Space is not usable due to configuration problems, lack of exits, the size is less than 100 square feet, the fact the building is being demolished etc.

F.) The net space possibly available for collocation is now determined.

Q. WHAT ABOUT ADMINISTRATIVE SPACE? HOW IS THAT TAKEN INTO ACCOUNT?

A. Administrative space is any space NOT directly supporting the installation or repair of both telephone equipment and customer service. Examples of this space are storerooms, lounges, shipping-receiving rooms, and training areas. These rooms are necessary for code, life safety, or contractual reasons. Administrative space can also be regular office space used by work groups performing company functions outside of the equipment support described above. BellSouth allocates space to these types of administrative groups in response to cost containment efforts brought about by changes in the regulatory environment, increases or decreases in company manpower requirements, or in response to new service offerings.

Q DOES BELLSOUTH USE A FORM FOR THE PROCESS OF IDENTIFYING THE CENTRAL OFFICE SPACE AVAILABLE FOR COLLOCATION?

A. Yes. A copy of BellSouth's space assessment work sheet form is attached as Exhibit JDB-1.

Q. WHAT IS THE THIRD CATEGORY OF FACTORS?

A. The third category consists of building code and regulatory considerations. There are building codes at national, state, and local levels that affect space allocations. For example, the National Fire Protection Act provides minimum requirements, with due regard to function, for the design, operation, and maintenance of buildings and structures for safety to life from fire and similar emergencies. The Southern Building Code defines types and methods of construction for various functions to protect the occupancy of the structure. Counties and municipalities adopt the National Fire Protection Act and Southern Building Code, adding new regulations, restrictions, and interpretations to the existing legal framework.

Local codes generally govern the type of construction necessary to separate the collocation space from BST occupancy. They govern width of the fire aisles, heights of walls, sizes and amounts of lighting, landscaping, air conditioning duct design, exterior access, interior corridors, exits etc.

Q. WHAT IS THE FOURTH CATEGORY OF FACTORS?

A. BellSouth design practices act as another set of codes specifying space allocations that meet the safety needs for employees, vendors, and customer service needs provided by the building and its occupants. These practices detail maximum equipment lineup length, travel distances to exits, front and rear equipment aisle widths, and the size various support components such as air-conditioning, House Service Panels, duct, conduit, ceiling rack heights etc, size and number of toilet facilities, lounges, storerooms etc. These practices also dictate the separation distances necessary to prevent service outages caused by grounding violations. These grounding violations are usually caused by people working on one type of equipment while touching another type. The solution is to separate the equipment by the type of grounding path required. This is referred to as integrated and isolated grounding plane separation.

ISSUE #3. IS THERE SUFFICIENT SPACE TO PERMIT PHYSICAL COLLOCATION FOR SUPRA IN THE GOLDEN GLADES AND WEST PALM BEACH GARDENS CENTRAL OFFICES?

Q. HAVE YOU PERFORMED AN ASSESSMENT OF THE NORTH MIAMI GOLDEN GLADES CENTRAL OFFICE?

A. Yes. I reviewed the building based on configuration, presently occupied space, reserved space, and municipal and company code applications. I then verified the findings by site visit. There is no space available in this office for physical collocation.

The Space Assessment Worksheet attached as Exhibit JDB-2, details the analysis performed in the review. A sketch of the building is attached as Exhibit JDB-3 and depicts the building configuration and space relationships. A summary of this information follows:

A.) The Golden Glades facility is a first and partial second-floor facility built on an irregular shaped site in northern Dade County. The building contains 26, 225 gross square feet. It is a major switching center with a large interoffice trunking presence. There have been previous collocation requests at this location.

B.) There are 2812 square feet of unavailable space. This is composed of non-assignable area including entrance lobbies, main corridors, hall spaces, inside stairways, fire towers, all toilet rooms, and all space necessary for building operations.

C.) There are 18,989 square feet of occupied space. The space is allocated to the following groups:

Central Offices	- local switch, tandems, operator services switch, Signal Transfer Point (STP), and Signal Control Point (SCP) machines	- 7,456.5
Transmission	- virtual collocation, toll & circuit, digital cross-connect frame	- 4,170.5
Frame	-	- 1,434
Power	- DC power plants and Engine	- 4,218
Administrative	- Shipping/receiving/training room	
	Lounge/ Restoration Center-work Area	- 1,710

D.) There are 4035 square feet of reserved space. This is space held for currently forecasted equipment shipments through 2000. These space reservations include the floor space required for the equipment and the necessary aisles to properly enter and exit the equipment area. Locating the space reservations is done with the input of the Network Common Systems Planners who act as a gathering point for the information. The total space reserved by category follows:

1.) Switch - expansion of the local switch, tandems, operator services switch, STP, and SCP machines - 1,8775.5

2.) Transmission - expansion of the virtual collocation, toll & circuit digital cross-connect frame - 1,576.5

3.) Frame - - None

4.) Power - expansion of the power plant/ House Service Panel - 142

5.) Administrative - None

New Air handling room for increased loads - 439

E.) There are 389 square feet determined as unusable at this location. The space's configuration restricts its use. It is currently used as temporary recyclable container storage. The space is adjacent to a code required exit path to the outside exit doors and limited by a wall with return air grilles. These grilles must have clear space in front of them to cool the telephone equipment.

Q. WHAT DOES YOUR PREVIOUS EXPERIENCE WITH MIAMI DADE CODE REVIEW OF PHYSICAL COLLOCATION INDICATES WOULD BE REQUIRED AT THIS LOCATION?

A. Miami Dade takes the position that collocation is a leased multi-tenant occupancy requiring a full fire rated wall from floor to ceiling served by a fire rated corridor to the two exit doors. This is clearly not a reasonable construction alternative. The fire rated construction simply cannot be built inside an equipment area.

Q. WHY IS THE CONSTRUCTION IMPOSSIBLE?

A. To achieve the rating, the wall must cross through all the overhead racking, duct, and conduit runs. A wall opening is constructed around each rack, duct, or conduit into or through the space. This may require completely dismantling some of the conduit and duct. Each wall opening must be completely sealed at all times to maintain the rating. In addition, each air conditioning duct must be cut open and fire dampers to control smoke spread. In reality, you just can not build the wall to meet the code requirement.

Q. HAVE YOU PERFORMED AN ASSESSMENT OF THE WEST PALM BEACH GARDENS CENTRAL OFFICE?

A. Yes. I reviewed the building based on configuration, presently occupied space, reserved space, and municipal and company code applications. I verified my

findings with a site visit. There is no space available for physical collocation in this office.

The Space Assessment Worksheet, attached as Exhibit JDB-4, details the analysis performed in the review. The sketch, attached as Exhibit JDB-5, depicts the space allocations and building configuration. A summary of this information follows:

A.) The West Palm Beach Gardens Central Office facility is a single floor facility built on a rectangular shaped site in southern Palm Beach County. The building contains 20, 314 gross square feet. It is a major switching center with a large interoffice trunking presence. There have been previous collocation requests at this location.

B.) There are 2264 square feet of unavailable space. This is composed non-assignable area including entrance lobbies, main corridors, hall spaces, inside stairways, fire towers, all toilet rooms, and all space necessary for building operations.

C.) There are 14,853 square feet of occupied space. The space is allocated to the following groups:

Central Offices- local switch, tandems, operator services switch, STP, and SCP machines		- 6,955
Transmission	- virtual collocation, toll & circuit, digital cross-connect frame	- 2,930
Frame	-	- 2,136
Power	- DC power plants and Engine	- 2,188
Administrative	- Shipping/receiving/training room	

Lounge/ - 644

D.) There are 3197 square feet of reserved space. This is space held for currently forecasted equipment shipments through 2000. These space reservations include the floor space required for the equipment and the necessary aisles to properly enter and exit the equipment area. Locating the space reservations is done with the input of the Network Common Systems Planners who act as a gathering point for the information.

The total space reserved by category follows:

1.) Switch - expansion of the local switch, tandems, operator services switch, STP, and SCP machines - 2,012

2.) Transmission - expansion of the virtual collocation, toll & circuit, digital cross-connect frame - 939

3.) Frame - -

None

4.) Power - expansion of the power plant required to serve equipment - 246

5.) Administrative -

None

E.) There is no unusable space at this location.

Q. WHAT DOES YOUR PREVIOUS EXPERIENCE WITH PALM BEACH CODE REVIEW OF PHYSICAL COLLOCATION INDICATE WOULD BE REQUIRED AT THIS LOCATION?

A. Palm Beach County and Palm Beach Gardens take the position that collocation is a leased multi-tenant occupancy requiring a full fire rated wall from floor to ceiling served by a fire rated corridor to the two exit doors. This is clearly not a reasonable construction alternative. The fire rated construction simply cannot be built inside an equipment area.

Q. WHY IS THE CONSTRUCTION IMPOSSIBLE?

A. To achieve the rating, the wall must cross through all overhead racking, duct, and conduit runs. Fire rating requires complete sealing of each wall opening required for a rack, duct, or conduit into or through the space. This may require completely dismantling some of the conduit and duct. Each wall opening must be completely sealed at all times to maintain the rating. In addition, each air conditioning duct must be cut open and fire dampers to control smoke spread. In reality, you just can not build the wall to meet the code requirement.

Q. DID YOU VERIFY YOUR ASSESSMENT OF BOTH SITES AFTER COMPLETING YOUR REVIEW?

A. Yes, I verified the findings by another site visit to both locations July 16, 1998. I found both sites were more congested than my previous visit due to customer driven installation activity in all areas of the office.

Q. DOES THIS CONCLUDE YOUR TESTIMONY?

A. Yes, it does.

467

BELLSOUTH TELECOMMUNICATIONS, INC.

REBUTTAL TESTIMONY OF JAMES D. BLOOMER

BEFORE THE

FLORIDA PUBLIC SERVICE COMMISSION

DOCKET NO 980800-TP

SEPTEMBER 18, 1998

Q. PLEASE STATE YOUR NAME, BUSINESS ADDRESS, AND POSITION WITH BELLSOUTH TELECOMMUNICATIONS, INC.

A. My name is James D. Bloomer. My business address is Room 20C75, 675 West Peachtree Street, Atlanta, GA. My office is located in Room 10JJ1, 301 W. Bay St., Jacksonville, FL. I am employed by BellSouth Telecommunications, Inc. (hereinafter referred to as "BellSouth" or "the Company") in the Property and Services Management department as a Facility Planner in the Current Planning group.

Q. ARE YOU THE SAME JAMES D. BLOOMER WHO PROVIDED DIRECT TESTIMONY IN THIS PROCEEDING?

A. Yes.

Q. WHAT IS THE PURPOSE OF YOUR REBUTTAL TESTIMONY?

A. I will rebut the testimony of Messrs Ramos and Nilson on behalf of SUPRA concerning factors to be considered in determining if space is available for collocation.

Q. SUPRA WITNESSES MAKE SEVERAL COMMENTS ABOUT THE FEDERAL COMMUNICATIONS COMMISSION WAIVERS. WERE YOU A PART OF THE FILING EFFORT FOR THE FCC REQUESTS?

A. Yes, in 1993, I was a part of the FCC review team for North Florida Central Office locations.

Q. MR. TILSON'S TESTIMONY ASSERTS BELLSOUTH'S POSITION DENYING SPACE AVAILABILITY FOR COLLOCATION AT WEST PALM BEACH GARDENS IS UNTENABLE BY COMPARING THE 1993 FCC FILING DATA WITH THE 1998 FLORIDA PUBLIC SERVICE COMMISSION FILING DATA. IS THIS A VALID COMPARISON?

A. No. Supra asserts BellSouth's position is "untenable" because the forecasted usages and space assignments in the 1993 Federal Communications Commission (FCC) filing and in the 1998 Florida Public Service Commission (FPSC) filing are different. It is only to be expected that the numbers have changed. Equipment forecasts and the proposed space allocations derived from these forecasts are snapshots in time. This means that the forecast is good only until the next forecast is completed. Space planning allocations based on equipment forecasts are judgments based on the assumed service level needs

at a particular point in time. BellSouth's personnel took a great deal of effort in both the 1993 and the 1998 filings to provide up-to-date requirements in order to be as accurate and complete as possible. Pictures taken of a particular child 5 years apart are different. Although you can tell it is the same child, the child does not look the same over time. In a similar manner, each space plan for a central office is a snapshot in time, based on the best information available.

Q. MR. NILSON ASSERTS THAT THERE WAS NO VERIFICATION PROCESS FOR THE DATA USED IN THE 1993 FCC PETITIONS FOR WAIVER. DO YOU AGREE?

A. No, I do not agree. Each study was subject to audit by the FCC. In addition, the filings were accompanied by an affidavit attesting to the accuracy of the data on that given date. BellSouth expected that each filing would be examined closely. BellSouth took the matter seriously then and continues to do so now. To address an accurate assessment of C.O. space, property personnel held region-wide conference calls to ensure BellSouth applied universal standards for classification of space, treatment of code-required aisle space, definition of "reserved space", and forecasting intervals.

Q. MR. NILSON'S TESTIMONY ON PAGE 4, LINES 9-11 ASSERTS THAT BELLSOUTH HAD THE LATITUDE TO PROVIDE INFORMATION CONTAINED IN THE 1993 FILINGS WITHOUT REGARD TO ACCURACY. WAS THERE AN ESTABLISHED PROCESS IN PLACE TO CONTROL THE INPUTS PROVIDED?

A. Yes. A space assessment worksheet requiring accountability for every square foot within a central office, whether assignable or unassignable, had to be completed and supported by a certified floor plan drawing. There were six specific steps for completing the worksheet which were rigorously followed by BellSouth employees.

Q. ARE THE SPACE ASSESSMENT FORMS USED TODAY THE SAME FORMS USED FOR THE 1993 FCC FILINGS?

A. Yes, the forms are basically the same. They have been modified to the extent that the format has been changed from a paper to an electronic spreadsheet format.

Q. MR. NILSON REFERENCES A PROPOSED WEST PALM BEACH GARDENS ADDITION WHICH WOULD CREATE MORE SPACE AT THIS LOCATION. WHAT IS THE STATUS OF THIS ADDITION?

A. Preliminary plans for a full second floor addition for this central office have been presented to the appropriate groups in BellSouth. I am awaiting news of the funding for this addition.

Q. IF THE ADDITION IS CONSTRUCTED, WILL IT CONTAIN SPACE FOR COLLOCATION?

A. Yes. The addition will take into account the demand for collocation space. Although BellSouth is not required to add or lease additional space specifically to accommodate collocation as discussed in Mr. Thierry's testimony, BellSouth does consider collocation space needs when adding additional space for its own purposes. Therefore, BellSouth would construct a collocation area in the addition, given the expressed demand for space in the West Palm Beach Gardens office.

Q. HOW WOULD BELLSOUTH DETERMINE THE COLLOCATION SPACE REQUIREMENTS FOR INCLUSION IN THE BUILDING ADDITION?

A. With consideration for the overall space allocations in the addition, BellSouth will poll all carriers who have been denied physical collocation at the West Palm Beach Gardens office, including existing virtual collocators and all carriers who requested physical collocation but did not select virtual collocation in lieu of physical collocation, to determine if they want physical collocation space in the new addition.

Q. SUPRA'S WITNESSES HAVE MADE NUMEROUS REPRESENTATIONS OF THE SQUARE FOOTAGE AMOUNTS AVAILABLE FOR PHYSICAL COLLOCATION IN EACH OFFICE. PLEASE RESPOND.

A. First, BellSouth prepared Space Assessment Worksheets and supporting drawing(s) for each office. This documentation is attached to my direct testimony. These attachments are the factual report of the space allocation at the time of the walk-through with the Florida Public Service Commission staff on July 24, 1998. Secondly, drawing conclusions from 1998 forecasts as they relate to 1993 space allocations is inappropriate. What was allocated in 1993 is not germane to 1998 allocations. Telecommunications technology, customer needs, the regulatory environment, technical applications, and local building codes are just some of the variables that may change over time. Furthermore, minor construction activity takes place whenever necessary. Equipment relocations are made to consolidate service areas and maximize space usage. In summary, there is no way to draw accurate conclusions from mix and matched data from two different years, especially years that are so far apart.

Q. MR. NILSON, IN HIS TESTIMONY ON PAGE 7 LINE 21 THROUGH PAGE 8 LINE 5, ASSERTS THAT THE WEST PALM BEACH GARDEN DRAWINGS PROVIDED AT THE WALK THROUGH DID NOT DOCUMENT THE UNAVAILABLE SPACE. DO YOU AGREE?

A. No, I do not agree. Although unassignable code-required aisle space was necessarily included in the designated equipment areas, the drawing provided in testimony and the walk-through clearly shows the following labels "Lobby," "Janitor,""Men," and "Women." This is considered to be unavailable space by BellSouth.

Q. IN MR. NILSON'S TESTIMONY ON PAGE 7 LINE 19 HE ASSERTS THAT ADDITIONAL MAIN FRAME SPACE IS VACANT AND THE FRAME CAN BE REMOVED. DO YOU AGREE?

A. No. Both the vertical and horizontal sides of the distributing frame section in question contain working terminations. Therefore, it can not be removed.

Q. MR. NILSON'S TESTIMONY, ON PAGE 6 LINES 20-21, ASSERTS THAT THE FLOOR PLANS FOR THE OFFICES IMPLY THERE IS LESS SPACE THAN WHAT APPEARED TO BE AVAILABLE ON THE WALKTHROUGH. DO YOU AGREE?

A. Yes. This is based on sound space planning principles, not a misrepresentation of data. The space allocations for occupied, reserved, and unavailable space as provided in the space assessment worksheets and floor plan drawings make no allowances for the building code-required entrances and exits to equipment

areas. These pathways are considered part of the equipment space allocation. Moreover, more space may appear available if one ignores the construction practicality of providing fire rated construction for the collocation space in a working equipment room with significant overhead obstructions. The physical difficulty of complying with building code-required construction for a collocation request in the equipment area may make some areas unusable. Finally the space configurations assigned for BellSouth equipment growth are not apparent on the walk through. These configurations make the space unusable for any other purpose. Therefore, while to the layman, there may appear to be available space, in reality there is none.

Q. MR RAMOS ASSERTS ON PAGE 6 LINE 20 THROUGH PAGE 7 LINE 11 AND IN EXHIBIT OAR-8, THAT THE BUILDINGS ARE AT LEAST AT 82% CAPACITY, AND AS SUCH BELLSOUTH COULD GIVE UP 200 SQUARE FEET. DO YOU AGREE?

A. No, I disagree with both the assertion and the conclusion. Mr. Ramos' charts and analysis are not a complete space allocation picture.

Q. WHAT IS INCOMPLETE ABOUT THESE ASSERTIONS AND CONCLUSIONS?

A. Reserved space is left out of both building summaries. This space is reserved properly for BellSouth growth. It creates a false sense of capacity to ignore this justifiable requirement allowed to BellSouth.

Q. WHAT PRINCIPLES DOES BELLSOUTH APPLY TO ITSELF WHEN RESERVING SPACE FOR BELLSOUTH GROWTH?

A. As discussed in Mr. Rubin's and Mr. Ream's rebuttal testimony, in general, BellSouth applies a two-year forecast cycle for the collocation space assessments.

Q. WHAT EFFECT DOES INCLUDING THE RESERVED SPACE HAVE ON MR. RAMOS'S CHART?

A. The corrected measurement indicates that both buildings are 98+% of available capacity.

	Gross	Unavailable	Available	Occupied	Reserved
Golden Glades	26255	2812	23443	18989	4035
% of building available space				81%	17%
Gardens	20314	2264	18050	14583	3197
% of building available space				81%	18%

Q. WHAT DOES A 98+% CAPACITY MEASUREMENT MEAN?

A. It means that BellSouth is quite literally out of space for equipment shipments that require contiguous space outside of those already reserved. The exceptions are single pieces of equipment that can be installed in scattered locations around the office, out of aisles and walk ways, in the appropriate ground plane and where cable rack capacity can reach them.

Q. IS THE RESERVED SPACE AVAILABLE FOR EQUIPMENT GROWTH?

A. No, by definition, and as previously referenced in direct testimony, the reserved number also includes the code required aisles necessary to serve the future equipment area as well as the future equipment footprint.

Q. DO CODE REQUIRED AISLES MATERIALLY AFFECT THE RESERVED FLOOR SPACE?

A. Yes, I have attached the EXHIBITS JDB-6 and 7 to illustrate the point.

West Palm Beach Gardens	3197 square feet reserved
Current code required aisles	minus 1169
Actual Future Equipment space	equals 2028
BST equipment forecast	minus 1151
Remaining reserved space available	equals 877

Golden Glades		4035 square feet reserved
	Current code required aisles	minus 851
	Actual Future Equipment area and aisles	equals 3184
	BST equipment forecast	minus 2073
	Remaining reserved space available	equals 1111

Q. WHAT AND WHERE IS THIS REMAINING RESERVED SQUARE FOOTAGE LOCATED IN THESE OFFICES?

A. This square footage is all the vacant space, regardless of dimensions, configurations, or locations in the total equipment area. It is not all in one place. The space is scattered among all switch, toll, and power equipment areas and currently serves as work space for vendors and BellSouth personnel. These reserved spaces will be used for future equipment if the ground plane is appropriate. Some of the space is located in front of return air grilles and must be kept clear to provide proper cooling. Thus, the space is left in configurations that cannot be used for collocation.

Q. MR. RAMOS ASSERTS THAT SUPRA ONLY REQUIRES 200 SQUARE FEET TO FULFILL HIS REQUEST. DO YOU AGREE?

A. No. The collocation floor space requirement is not just the collocator's dedicated space allocation. There must also be a adequate space for POTS bays, DC power bays, and other termination bay requirements needed to support the

collocator's request. These network infrastructure components are most commonly located in space referred to as the collocation common area. Common area allocations are supposed to serve all the collocators in that building area. Providing code-required aisles and walls in and around this area, in addition to the collocator space, makes the single collocator space requirements much larger than claimed by Mr. Ramos.

Q. MR. RAMOS ASSERTS, ON PAGE 15 LINES 5-15, THAT BELLSOUTH REQUESTED AND THEN DROPPED A POWER WAIVER AT NORTH DADE GOLDEN GLADES TO DELAY THE PROCESS. DO YOU AGREE?

A. No. There was no waiver filed for power at this location so there was no attempt to delay the process. The real issue is engine capacity to support all requirements at this location. BellSouth noticed the possibility of a short term engine capacity shortage. BellSouth did not want to mislead any requesting collocators as to the engine capacity until the long-term solution was implemented. In an attempt to be proactive regarding North Dade Golden Glades, a temporary capacity fix was developed and will be implemented as necessary. Again, no waiver was filed and no delay was instituted.

Q. HAS BELLSOUTH DUPLICATED THE ADMINISTRATIVE WORK AREAS TO CROWD THE CENTRAL OFFICE SPACE?

A. No. There was no attempt to deliberately fill the space with unneeded work area. as pointed out to the Commission staff and Supra during the walk through, some

work areas partially block code-required aisles. This reinforces the fact that there is no space.

Q. MR. RAMOS ASSERTS BELLSOUTH ACTED IN BAD FAITH BECAUSE DRAWING CHANGES WERE NECESSARY AT THE WALKTHROUGH. DO YOU AGREE?

A. No. As previously testified, space forecasts and space allocations are dynamic. The equipment location and/or replacement activity is very high in both buildings. As previously testified, equipment forecasts and subsequent space allocations are a snapshot in time. Changes had been made in the building space allocation just one week from the time the drawing was verified to the date of the inspection with staff. BellSouth marked the changes for clarification at the request of the Commission staff and Supra. In addition, there were other changes made at the request of the Commission staff and Supra.

Q. MR. RAMOS ASSERTS ON PAGE 18 THAT THERE IS OVER 2000 SQUARE FEET EARMARKED FOR ADMINISTRATIVE STAFF. DO YOU AGREE?

A. No. That number appears on no document filed with the Commission. Administrative space is defined on the Space Assessment Worksheet, filed in direct testimony as JDB-1, as Space assigned for Administrative use, service center(s), or non-wire functions. EXHIBITS JDB-2 and 4 accurately note the space allocations. BellSouth made a particular point to report administrative space at these locations and classify them as such on the EHXIBITS JDB-2 and

4. BellSouth even noted disagreement with classifying shipping/receiving rooms as administrative space as they directly support the wire center.

Q. WHY ARE DESKS, WORK STATIONS, AND TABLES LOCATED IN THE RESERVED EQUIPMENT AREAS?

A. There are three reasons:

1. Network and Property Service Management vendors and all BellSouth personnel assigned to the building full-time or by project need a place to work.
2. BellSouth's vendor contracts require work space be provided during any vendor job.
3. Work space is necessary to meet service demand levels set by our customers, the Federal Communications Commission, and/or the Florida Public Service Commission. Today's equipment requires electronic testing apparatus, with detailed installation, repair, and reference materials. It is appropriate to provide a place to use and store such apparatuses and references materials.

Q. MR. RAMOS ASSERTS THAT STORAGE AREAS WITH OLD EQUIPMENT WERE DISCOVERED AND THEN REASSIGNED AS FUTURE SPACE. DO YOU AGREE?

A. No. All storage rooms were shown as Admin usage – occupied as stated in direct testimony.

Q. DID BELLSOUTH SYSTEMATICALLY EXCLUDE ALL BUILDINGS WITH TANDEM OFFICES IN FLORIDA FROM COLLOCATION AS ASSERTED BY SUPRA?

A. No. BellSouth uses the same process to determine whether space is available for physical collocation regardless of the type of office being reviewed. Presently, physical collocation is in place in one tandem office. Firm orders are in place for two others.

Q. MR. RAMOS ASSERTS BELLSOUTH SHOULD GATHER ALL THE DESKS, TABLES, AND CHAIRS AND GIVE SUPRA THE SPACE. WHAT IS YOUR RESPONSE?

A. The desks, chairs, and tables are scattered throughout both central office spaces. Displacing any of them does not gather enough properly configured space to make a collocator space meet code or grounding separation specified in direct testimony. Previously, I have testified some of these items already partially block code-required aisles.

Q. DOES THIS CONCLUDE YOUR TESTIMONY?

A. Yes.

Q (By Ms. White) Mr. Bloomer, would you please proceed with your summary?

A Yes, ma'am. My name is James D. Bloomer, and I go by the name of Jim, and I'm a facility planner in the Current Planning Group of the Property Management Organization with BellSouth. And I'm here to specifically respond for BellSouth to Issues 2 and 3 of the Supra complaint concerning factors used in determining if space is available for physical collocation, and then whether space is actually available in these two central offices at question.

And I guess the best way to start would be what would we ask you to do as a result of all this effort we're going through.

We would ask you to see that our factors and the process we use are reasonable, they're fair, and they're nondiscriminatory, that our conclusions are reasonable, and that it's not necessary for the Staff or for the Commission itself to mandate space allocations in these two buildings.

And the best way to start with this summary is to tell you that in the general umbrella of what I do, what I do for BellSouth and what other people like me do for BellSouth, is that collocation is real important to us. Our objective is not to keep people

out. Our objective is to get customers in. Collocators are a potential source of customer revenue for us in bulk or in line. Customers are good. So that is the parameter that we start this process with.

The second general thing about space allocation and looking at buildings is that a forecast yesterday was good for yesterday, and so was the space allocation. But if things change today, then your space allocation could change, and your forecast has definitely changed. So you can't always go back. And especially five years, six years, however long you want to go back, it isn't relevant anymore.

The best analogy I can think of is the one in my testimony where you take a picture of your child five years ago and take another one today, it's still your child, but there's a whole lot of difference. But the basic underlying thing is still there. It's still your child.

The process we use to determine if space is available for collocation is open. We use common terms from the real estate industry and from the facility management industry for the definition of the space and what's included in it.

We use common software, Excel and AUTOCAD, to generate the square foot measurements and the

summaries of how those things add up. Those are the things you see as my exhibits. One is a blank assessment form. That's all Excel spreadsheet. The actual little pictures of the buildings are all done from AUTOCAD.

This process is fair. If you look at my exhibits, there's nowhere on there where we say who is wanting what space. In fact, we use the process either intuitively or in form for every requirement for new space we get in one of our buildings.

So now we get down to it. What are the factors we actually use to review the requirement? And here I'm talking about a legitimately, contractually sound requirement which contains all the information necessary to properly review it. And there's four general sets of factors that I use in my direct testimony, and I've explained them pretty thoroughly there, and I'll just summarize them real quick for you.

And these are the same things you use every time you put furniture in your house, something in your garage, you arrange your tool bench. It's the same basic kind of process. You start with what shape is this space I'm going to be working in, is it long, skinny, short, tall, fat, where are my doors, where

are the windows? You do that in your living room when you go to place a sofa, what is the space I'm working in.

The second thing you look at is what am I doing in this space now, what's in there, and what's my forecasted demand? What else am I going to put in this room in addition to what I'm buying now?

We do the same thing with our central offices. We start out with what's the shape of this building, and what's here and what's here that can't be moved, what's over here that shouldn't be moved, and then we figure out from there what we do with the space.

We analyze our current usage. We start out with the gross square footage. We then say, "Okay. We can't use this for anything but its purpose. We're occupying this much space. We're reserving this much space, and we have a vacant number," which is then what's left.

That vacant number, in very general terms, we then say, "Okay. I have a requirement here provided by collocator A through Z, department of BellSouth X through Y." We don't care. You take that requirement, and you look at this vacant space, and you say, "Okay. Can I get the glove on the finger?

Does it fit, and how do I know if it fits?"

There's a third class of factors that are the national and state and local regulatory people who decide what you have to do in a building to get something there. And if you all have ever done a building addition to your house, put a new garage or a swimming pool, you've had contact with regulatory people. And it's not -- they interpret the codes as they see the codes need to be interpreted. And we do so much business with them and so often that it is -- it's a lot like our relationship, pardon the example, but to the Public Service Commission. We know what you expect, and we strive to do it.

After the regulatory people have their shot at this requirement and whether it fits, the last thing we look at is anything that BellSouth has that says, "Okay. You've got this requirement. You put it here in the building, but you have to put something next to it." Now, there's families of equipment, like Jerry and Guy talked about these digital cross-connect systems. You don't spot them willy-nilly all over the office. You have to put them together. Once you put one on the floor, its growth is predetermined. It has to go next to it.

So when you take that vacant space and you

massage it through those last two major concerns, you end up with pockets of space that are available for use, and you then say, "Okay. What configuration does it need to be?"

We've gotten some excellent collocator inquiries that are full of detail that give us the exact dimensions of what they want. We pop that thing against the vacant space and say, okay, we've got room for them or we don't. When we have incomplete applications that don't tell us everything we need to know, we send it back. We say, "We can't do it."

And that's the process, that's how it results, and it's pretty cut and dried.

Do the factors work? Yes. It's a flexible process. If you change the forecast, you change the space allocation.

We find space with it. We don't always deny space with it. We find it. We've run this one particular building in Miami three times and found space each time because people are willing to give up stuff. They can't justify it. We put the heat to them, and they come up with the space. Jerry has been very active in that with me working with the central office people.

And finally, I do this for 206 buildings in the State of Florida. This process is run the same way every time. If it's the first time in, if it's the last time in, first collocator or twenty-fifth collocator, the requirements come in, we do the same analysis, and we let it go.

And I know we're rushed for time, but I think I've covered the major things that I need to get in front of you.

MS. WHITE: Mr. Bloomer is available for cross examination.

COMMISSIONER DEASON: Ms. Summerlin?

CROSS EXAMINATION

BY MS. SUMMERLIN:

Q Good, evening, Mr. Bloomer. I'm Suzanne Summerlin, as you already know.

I've only got really one thing that I want to ask you. I have an exhibit here to be identified. It's very short. It's something that Supra created from information that has been produced in the case. I just want to ask you a question about that.

A Is this something I should say anything out loud about, ma'am, or is this --

Q Oh, no, I don't think there's anything --

A I just didn't know. I want to be careful.

Q -- special about this. It's just information taken from the items that BellSouth has produced in this case to Supra.

You were saying a few minutes ago in your summary that the process of doing this physical collocation starts with, you know, what is the space you're starting with, and I guess that's a question we have for you.

MS. SUMMERLIN: This exhibit that I would ask be identified for the record as, I guess, 32.

COMMISSIONER DEASON: It will be so identified.

(Exhibit 32 marked for identification.)

Q (By Ms. Summerlin) The first item on this list is a response to Supra's First Set of Interrogatories, Items 2, 3, and 4. I know you don't have those in front of you, but if we need to, we'll hunt them down and get them for you. But those were -- if you will accept, subject to check, that those were responded to by you, and it reflects the total space in the North Dade Golden Glades office as 26,255 feet. And then the second item on that list is a response to Supra's First Request for PODs, Item No. 1, that was supplied by Mr. Rubin, and that reflected 23,115 square feet. The third item was a response to

Supra's Second Request for PODs, Item No. 31, that was responded to by you that shows 27,968 square feet. Then the Petition for Waiver that we've referred to earlier here today back in '93 or '94 -- I'm not sure for Golden Glades which year it was, but that reflected a total space of 27,764 square feet. And finally, Supra's First Request for PODs, Item No. 3, are some blueprints that were produced by BellSouth that reflect 27,305 square feet.

Do you have any idea how this range of space numbers could have happened and which one happens to be the right one?

A Could I have just a second to look?

Q Sure, sure.

A Thank you, ma'am.

The first line appears to be the numbers that are on the space assessment worksheet provided in the direct testimony for Golden Glades, I believe.

Now, the second number on POD Item No. 1, on POD Item No. 1, I don't show that number, ma'am. I show 26,255. Am I not looking at the right place?

Q Let us hunt it down.

Okay. Go to the next one and we'll look for that second one so that we can confirm. If we're wrong, we will certainly admit that. But on the third

one, Second Request for PODs, Item No. 31.

A Okay. That number comes from, as it states on the POD cover sheet, a BellSouth space record form for space inventory completed sometime in the past and measured by somebody I don't know. The rest of those numbers appear to come from that space report form.

I can't tell you the last time that report was updated, ma'am.

Q What other numbers come from the space report --

A I'm sorry, ma'am. That would be Item No. 31, the next one down that you asked me about.

Q Okay. So the FCC figure you wouldn't know about, because you didn't do that; is that right?

A No, ma'am, I would not know.

Q Okay. And the final one with the blueprints, you wouldn't know about that one?

A The blueprints. I'm sorry, ma'am. Did you get architectural drawings or a study plan drawing? I'm not sure what you got, so I can't --

Q I think we're talking about the ones that were used today.

A Okay.

Q Apparently it shows that number. Would you like us to give you one to look at?

A I think, ma'am, if you did that by multiplying what's on there or whatever -- I mean, I don't know how you calculated to your number, so --

Q Would you like us to show you this so you can confirm what we're saying, or you just -- you don't know why it would be different?

A No, ma'am. I mean, somebody who calculated it might not know how to calculate gross square footage. It might be as simple as that.

Q Are you the person responsible for figuring out how much space is in that building?

A I'm the one who's supposed to maintain it, yes, ma'am.

Q Okay. The second item on the list apparently was provided by Mr. Rubin, and it says -- I'll send this copy over to you. And it says the total gross space, 23,115.

A Okay.

Q So you don't know where that came from?

A I know I discussed it with Jerry when I saw it, and I told him, "Jerry, you don't know how to measure space."

Q Okay. So --

A "And so your numbers are wrong."

Q Just one second and we'll show you this.

There appears to be a yellow number on the center of the map, the blueprint, I'm sorry, and we'll show it to you to let you confirm that that's correct.

A Okay. Excuse me. I'm not at the mike. I see a yellow number there, yes, ma'am.

Q Does that match up with what we're saying, 27,305?

A No, ma'am. That's probably the first floor number.

Q Okay, okay. And then add the second floor to that to get the --

A Yes, ma'am. I see a number in yellow on the second floor that somebody put there, yes.

Q Okay. So basically you don't know where these all came from. Which one do you think is the right one?

A The one I just measured would be the right one.

Q The one you just measured? Which one is that?

A It would be the one for the direct testimony, the space assessment worksheet that I filed with that.

Q And you don't know which one of these numbers that is?

A Reading off my direct, the space assessment work form, which was Exhibit -- I'm sorry. I've just forgot my number, but it's 26,225.

Q 26,225?

A Yes, ma'am.

Q So that's another number then. Okay.

A And ma'am, as you know, and probably everybody who has ever measured anything knows, if you take two measurements on two different days with a cloth tape, you're very likely to get two numbers that are somewhat different. You'll never get an exact match anytime you do consecutive measurements.

Q Well, I understand what you're saying, except that this is -- there's a range here in excess of 4,000 square feet. I mean, that's a pretty significant variation.

A Yes, ma'am, but the only one I did was the first one.

MS. SUMMERLIN: Okay. All right. I think that's all we've got.

COMMISSIONER DEASON: Staff?

CROSS EXAMINATION

BY MS. KEATING:

Q Good evening, Mr. Bloomer. I just have one question.

You've produced several exhibits, JDB-3, 5, 6, and 7, that are diagrams of the floor plans of these offices. We would just like to know what the scale is that these are drawn to.

A Ms. Keating, it's probably dependent on how big the drawing was on the screen. They're roughly 1 to 20, because when you take an electronic format file and you put it on a viewing screen and say print this and fill an 8-by-11 sheet of paper, the computer will make it whatever scale is necessary to fill that 8-by-11.

Q But basically one inch to 20 feet?

A That's real rough, but, yes, ma'am, that would be close.

MS. KEATING: Thank you.

COMMISSIONER DEASON: Redirect?

MS. WHITE: No redirect.

COMMISSIONER DEASON: Exhibits?

MS. WHITE: I move Exhibit 31.

COMMISSIONER DEASON: Without objection, Exhibit 31 is admitted.

(Exhibit 31 received in evidence.)

MS. SUMMERLIN: Supra would move Exhibit 32.

COMMISSIONER DEASON: Without objection,

Exhibit 32 is admitted.

(Exhibit 32 received in evidence.)

MS. WHITE: And BellSouth would call Wayne Mayes.

And may Mr. Bloomer be excused?

COMMISSIONER DEASON: Yes, he may.

- - - - -

T. WAYNE MAYES

was called as a witness on behalf of BellSouth Telecommunications, Inc. and, having been first duly sworn, testified as follows:

DIRECT EXAMINATION

BY MS. WHITE:

Q Mr. Mayes, would you please state your name, address, who you work for, and what your job title is?

A My name is T. Wayne Mayes. My address is 9112 Holly, H-o-l-l-y, Springs Court, Louisville, Kentucky 40242. I'm employed with BellSouth, and I'm the Program Manager-Collocation for Property Services and Management.

Q And could you please turn your microphone on?

A And the mike is on. Sorry.

Q You've prefiled seven pages of direct

testimony in this case?

A That's correct.

Q Do you have any corrections?

A Yes, ma'am, I do. On the first page, I would like to correct my address, as I just stated. And that's line 12 and 13. My address 9112 Holly, H-o-l-l-y, Springs Court, Louisville, Kentucky 40242.

Also on Exhibit TWM-2, where it says under -- the first line of text, where it says, "Boca Raton Main, have been waiting for permit 62 days," I would like to change that number to 56.

Going down two lines, the third entry where it says, "Fort Lauderdale Main, Company A," where it says, "Have been waiting for permit 65 days," I would like to change that to 55.

And line 9, where it says Pembroke Pines, I would like to change that to 72 days.

Q With the changes to your direct testimony, Mr. Mayes, if I asked you those questions tonight, would your answers be the same?

A Yes, ma'am.

MS. WHITE: And I would like to have the direct testimony inserted into the record as if read.

COMMISSIONER DEASON: Without objection, it shall be so inserted.

Q (By Ms. White) And you had two exhibits attached to your direct testimony, TWM-1 and 2?

A That's correct.

Q And you've made the changes to those?

A Yes, ma'am.

MS. WHITE: And I would like to have the exhibits attached to Mr. Mayes' direct testimony marked for identification.

COMMISSIONER DEASON: They will be identified as Exhibit 33.

(Exhibit 33 marked for identification.)

MS. WHITE: And Mr. Mayes has no rebuttal.

BELLSOUTH TELECOMMUNICATIONS, INC.

DIRECT TESTIMONY OF T. WAYNE MAYES

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

DOCKET No. 980800-TP

SEPTEMBER 10, 1998

Q. PLEASE STATE YOUR NAME, COMPANY NAME, AND ADDRESS.

A. My name is T. Wayne Mayes. I am employed by BellSouth Telecommunications, Inc. as Program Manager-Collocation. My business address is 9112 Holly Springs Court, Louisville, Kentucky 40242 ~~675 West Peachtree Street, Atlanta, Georgia 30375.~~

Q. PLEASE SUMMARIZE YOUR BACKGROUND AND EXPERIENCE

500

A. I graduated from the University of Louisville in 1976 with a Bachelor of Science degree. I began employment with South Central Bell in 1977 working in the Property Management organization. I have remained in Property Management for my 21 years of service, working as a real estate negotiator and construction project coordinator. In my present capacity, I work with Parsons Infrastructure to coordinate the collocation construction effort over BellSouth's nine-state region.

Q. HAVE YOU TESTIFIED PREVIOUSLY?

A. No.

Q. WHAT IS THE PURPOSE OF YOUR TESTIMONY BEING FILED TODAY?

A. I will discuss issue #4, the permitting process and its effect on BellSouth's timeframe for providing physical collocation.

ISSUE #4. In what time frame BellSouth required to provide physical collocation to supra pursuant to the collocation agreement?

Q. WHAT IS THE PERMITTING PROCESS THAT BELLSOUTH IS REQUIRED TO FOLLOW IN PROVIDING SPACE FOR PHYSICAL COLLOCATION?

A. The specific permitting process for the municipalities in which SUPRA has requested physical collocation is attached as Exhibit TWM-1. In general, the permitting process is similar in the various municipalities. The building plans must be submitted for environmental compliance, and then they must be taken to the Building Department, which typically routes them through the Building, Fire, Zoning, Landscaping, Mechanical, Electrical, and Plumbing departments. Even though the permitting procedures are similar, the amount of time taken to review the plans, and the amount of time required to answer comments by the different departments varies by municipality, department, and even by plan

reviewer within the department. Many of the comments by the departments have nothing to do with the collocation job that is being performed inside the central office. However, they do have an effect on the project.

Q. CAN YOU PROVIDE SOME EXAMPLES OF OBSTACLES THAT BELLSOUTH HAS ENCOUNTERED IN OBTAINING BUILDING PERMITS IN SOUTH FLORIDA?

A. A major obstacle to BellSouth's provision of space to collocators is the treatment of collocator space by all South Florida municipalities as "multi-tenant" space. This subject is discussed more fully in Mr. Bloomer's testimony. In short, fire-rated, floor-to-ceiling walls must separate the individual collocation enclosures from each other and from BellSouth. Additionally, this interpretation leads to problems with egress from the collocator spaces. For example, code officials who reviewed the collocation projects at the Ft. Lauderdale-Main central office and the Pembroke Pines central office have asked BellSouth to construct fire-rated corridors from collocation spaces through equipment rooms as an alternate means of egress. At Pembroke Pines, where the collocation space is being provided on the second floor, the code official noted that on the first floor, there is a dead-end corridor that is 58 feet long and the code states it can be no longer than 50 feet. The remedy of this problem is pretty simple, add a door and change some signage. However, the code officials requested, since

BellSouth will now be performing vestibule and corridor work on the first floor, that BellSouth make major modifications to the fire alarm system.

In a Hialeah Central Office collocation project, BellSouth was requested to resubmit its plans in order to provide the permit reviewer information on parking lots,(stall dimensions, signs, and ramps) and lot elevations even though the project only required interior construction. The reviewer additionally requested information on toilet stalls, grab bars, and fixtures. There is also a difference in the way the various municipalities handle fire alarm systems. For example, BellSouth has high voltage fire alarm systems at numerous locations in its nine-state area. While most municipalities allow this type of system, there are a few building authorities in South Florida that have required major modifications, or replacements, before approving plans. (The major modifications mentioned above for Pembroke Pines includes this type of work.) All of these items contribute to the time it takes to obtain a building permit.

Q. WHY SHOULD THE PERMITTING INTERVAL BE EXCLUDED FROM THE PROVISIONING TIME FRAME?

A. The permitting process is beyond the control of BellSouth. While our building contractors are told to expedite all building permit requests, they are at the mercy of the local jurisdictions in actually obtaining the permits.

Many of the jurisdictions are understaffed to handle the large volume of requests they receive. Consequently, it takes a significant amount of time to receive a permit. It is not unusual for the permit process to take longer than the actual construction work.

Q. WHAT FUNCTIONS ARE PERFORMED DURING THE THREE MONTH TIME FRAME? CAN THE INTERVAL BE SHORTENED?

A. Even though the individual construction projects are not necessarily large scale jobs, they are still performed in a controlled environment and therefore require many of the same steps and precautions as a large project. The major functions for the collocation projects are: design phase, permit phase (duration not included in time frame),demolition phase, construction phase, infrastructure engineering phase, and infrastructure installation phase. The projects require a significant amount of coordination as one group's design may affect another group's installation (i.e. cabling route to space, or added heat load). Because of the complexity of the work and the amount of coordination required, it is not feasible to reduce the three month time frame.

Q. WHY IS CENTRAL OFFICE CONSTRUCTION DIFFICULT?

A. As mentioned earlier, central office construction is performed in a controlled environment. The switching equipment , which generates a large amount of heat, must receive conditioned air, 24 hours a day, 7

days a week. The equipment must be protected from dust intrusion in order for it to work properly. These two factors alone contribute significantly to the complexity of the construction. Prior to beginning construction, a partition made of anti-static, fire retardant plastic must be installed, floor to ceiling, around the construction area. Care must be taken to assure that the dust partition does not keep air from circulating around the switching equipment. The need for continuous air also makes it difficult at times to modify air conditioning equipment. On typical construction, there is usually a time when the air conditioning system can be shut down (i.e. after hours and on weekends). Central Office construction requires an alternate means of cooling for shutdown periods. In addition to mechanical problems, electrical additions pose their own set of difficulties in central office construction. Adding electrical panels can be more difficult due to the need for continuous power from major panels. Grounding is also an added concern in equipment areas.

Q. ARE THERE OTHER BUILDING DEPARTMENT REQUIREMENTS THAT DELAY THE CERTIFICATE OF OCCUPANCY?

A. Yes. Some building department inspectors use the certificate of occupancy as a means to get other work performed. For example, BellSouth has been required to add landscaping and/or repair sidewalks on collocation projects at the Miami-Grande central office, the West Miami central office, and the Fort Lauderdale-Main central office in order to

obtain the certificate of occupancy. This type of request delays the completion of the project.

Q. IN BELLSOUTH'S EXPERIENCE, WHAT HAS BEEN THE LENGTH OF TIME REQUIRED TO OBTAIN A BUILDING PERMIT IN MUNICIPALITIES WHERE SUPRA HAS REQUESTED COLLOCATION?

A. The interval for obtaining permits ranges from 35 to 98 days. For more specific information on permit intervals, please review Exhibit TWM_2 which details specific collocations and the time required to obtain the permit to construct their enclosure.

Q. DOES THIS CONCLUDE YOUR TESTIMONY?

A. Yes.

Q (By Ms. White) So, Mr. Mayes, if you would, please give your summary.

A Yes, ma'am. In my position as Program Manager-Collocation for BellSouth Telecommuncations for the nine-state region, I oversee architects and outside vendors who construct the space for the collocators and the physical collocation. This construction includes the common area enclosure, the individual enclosure for each collocator, and any code related work that has to be done through officials.

As a part of this process, we have to file for a building permit, and my testimony deals with the building permit interval. As I just said, I've got Exhibit TWM-1 attached to my testimony. On this exhibit, it is basically a general procedure guideline as to what you have to do in the various municipalities where Supra has asked for collocation to obtain a permit. And it's basically just go through this department, this department, this department, kind of general.

You'll notice as you thumb through the about 20 pages that the procedures are pretty much the same throughout the different municipalities. But unfortunately, the way they interpret the plans or how long it takes them to look at the plans is not very

similar. It takes quite a bit of time.

I guess the thing that really is kind of frustrating is that this is not a problem that we have in the other states. Like I said, I've got nine states, and with very few exceptions, Florida is the one where we're having the problems. And understandably, Hurricane Andrew came through and has a backed a lot of things up. These code organizations have come under fire, both the inspectors and the officials that look at the plans. So I can understand their point of view, but as far as from BellSouth's point of view, we want to get the plans through quickly for permitting, and it's pretty frustrating on our part, as well as on Supra's part.

Also filed with my testimony is Exhibit TWM-2. And like you just saw on the corrections, this shows the actual history of the permit intervals that we've faced when we asked for permits in these different buildings where Supra has asked for space. These are other collocators asking for space in the same building. And there's a few of them where you'll notice no one has asked for space there.

Additionally, at the Commission's request, I filed late deposition 2, which basically covers my tracking sheet, and it covers the programs that the

program manager system is now handling.

If you look at the space, you'll see the -- Exhibit 2, you'll see that it's taking about 45 to 75 days to get permit interval, and that is a long time, especially if you work your way to my Late-filed Deposition Exhibit 3 and you notice that with the exception of one in Tennessee which took a long time, it's much, much longer than it has taken anywhere else.

And I apologize that I don't have more information for you on the late deposition. Given a few days notice, that's all I could gather. But it is pretty representative of how it happens in other states.

Like the day I left Louisville, on a new collocation job, I asked the contractor how long it's going to take to this one. "A day. I'll walk it through." I mean, it's frustrating to have to deal with 45 days when you're used to that.

I'll try to rush this along here.

In addition to these permit problems, there's other code official problems that we would like to just let you realize that we're not trying to drag our feet on these projects, but sometimes things happen. And some on those will be like, we'll get to

the final inspection, and the code officials at times ask for other construction items before they will give you the certificate of occupancy.

An example of this is, you may get to the final, and they say you need to replace a sidewalk, replace shrubbery, fire alarm system devices. You know, when you've already got the schedule and you've told people you have a final inspection that day, that's also frustrating. And these things happen throughout the process. It's not always at the final, but there are a lot of things that the code officials throw on that are not necessarily directly related to the collocation project. They're in different areas of the building, or outside or whatever.

Also, another point that has been talked about several times is that the code officials are treating these spaces by the different tenants as a multi-tenant situation. And by this we're saying that they're saying because there are different tenants, the code requires you to separate these constructions, and the separation would be a firewall construction, which is basically the ceiling to the floor, and no penetrations, fire rated doors, and things like that, and that adds to the construction process. It's much more extensive.

And it's kind of like you see in the tape that the gentlemen have given you earlier, it's got all the cable racking overhead and such. And when you have that, it's kind of hard to build a wall from the floor to the ceiling. But through penetrations, cable openings and things like that that have to be fire treated, we do it, but I just want you to realize that these things happen, and this is also adding to some of the problems we're facing.

Another problem, some code officials are saying, "You've got other tenants in here. Now you've got to add a second means of egress," which is basically a fire rated corridor out to an exit.

So if you can picture the video man walking through the office, and all of a sudden you see that you've got to build a hall there, and there's equipment here and equipment there, you can see that Mr. Bloomer has got a planning nightmare there also.

Because of this concern on multi-tenancy, BellSouth has written -- or actually we've requested that Bellcore write a letter to the Southern Building Code Congress International to try to get this situation changed, try to not treat the space as a multi-tenant. This is similar equipment, and we feel it shouldn't be treated that way, that that is the

situation for other RBOCs, and we would like to have the same treatment. The SBCCI has written a letter back to us supporting our position.

Of course, now we have to go to the Florida code officials and get their buy-in, because they're a separate code, they have to buy in. But we are going to approach those folks and try to get that taken care of.

In addition to that, we're also going to talk to them when we do about any way that we can quicken up the permit interval process.

I guess that's pretty much my testimony. Thank you.

MS. WHITE: Mr. Mayes is available for cross.

COMMISSIONER DEASON: Miss Summerlin?

CROSS EXAMINATION

BY MS. SUMMERLIN:

Q Good evening, Mr. Mayes. How are you doing? I've just got a couple of questions.

On your Exhibit TWM-3, I think it's the late-filed exhibit that you provided --

A Yes, ma'am.

Q -- that's got the intervals for obtaining permits in Florida?

A Yes, ma'am.

Q Okay. On this list, you've got Miami Grande, I guess is how you say that, E, and it says, "Have been waiting for 77 days"; is that correct?

A Which one are you referring to, E?

Q Miami Grande-E. On that list under the facility, it's Miami Grande. It's about two-thirds of the way down.

A On the first page?

Q Yes, I think that's the first page. It's the first page of what I've got. It's Exhibit TWM-3.

A I'm sorry. I was on the wrong page.

Q It's your late-filed exhibit.

A I'm sorry. My apologies. I was on 2.

Q Oh, okay. Okay. I was talking about Miami Grande-E.

A Okay. Yes.

Q Okay. It just says, "Have been waiting for 77 days." So does that mean that the regular permit interval for that office has been 77 days?

A It means we have been waiting for 77 days; that's correct.

Q Okay. Are you aware of Supra's physical collocation project in that central office?

A Not exactly. We've got hundreds of

physical collocations. I don't remember that one exactly, no, ma'am.

Q Would it surprise you that work has been done already on that collocation project before any permit has been issue?

A There has been no work on the Supra project in Grande. I can tell you that for a fact. There are other collocations that they're doing construction now, but there has been no Supra work done in that office to my knowledge.

Q When did you last check on that?

A I can tell you the contractor has not been offered that work yet.

Q Well, if -- subject to checking on this, it's my understanding that there has been work done, and I'm just asking would that be a surprise to you if it had, that work had started without a permit.

A It would be a real surprise to me, because I would be willing to bet money that there has been no work done for Supra there.

Q Okay. Well, we won't follow down that rabbit trail, I guess. I'm just trying to ask you that -- are you aware of any work being done on any of these collocation projects before a permit is issued?

A No, ma'am.

Q It's your understanding that the permit must be obtained before anything can start?

A That's correct.

Q Okay. Is a permit necessary to simply install a cageless collocation?

A Well, you really have to have the facts before you. I would not put in cageless collocation without looking at the electrical requirements. You're going to have a lot of heating requirements. So I would say no, because you're going to take a lot of mechanical work to do that, and the mechanical work in itself would require it.

Q Is a permit needed for a virtual collocation installation then?

A I don't handle virtual collocation. That's handled by the network folks. I would assume no. That would be no unless they get to the point to where they have to add mechanical equipment, and then they would need it, yes.

Q How long has this firewall issue been a problem for BellSouth?

A Could you explain as far as a problem?

Q Well, the idea that firewalls are necessary for any kind of physical collocation installation in any of BellSouth's central offices in South Florida.

A Since I started, I guess about May, April, it has been a problem. That's why in June we requested that they start the letter process with the SBCCI. And then, of course, we recently just got that letter because the gentleman was out of the country for a while.

Q So you're not aware of what kind of problems may have existed prior to May? Is that what you're saying?

A Well, it's the same problem. The code has been around for a long time, so it's an old problem, I guess, since the code was probably issued in '94, I believe.

Q So the first time BellSouth has done anything about this is this letter that was recently written in June; is that right?

A It's more of a problem when you start getting a lot of collocation requests. Yes, ma'am, that's correct.

Q Why can't a CLEC take responsibility for the permitting issue?

A I have offered to get -- well, first of all, the contractor is the one that files for the permit. And I have offered to Supra, and you can back this up, that we will give you the name of the

contractor, we will give you the name -- or the permit number, when it was filed, and the municipality. And at that point, Supra can check up to see, you know, we're not just making this stuff up. This is when it went in, and you can ask why it's not making it.

So in a way we're partnering it, is the way I see it, and that's the way it's working with other collocators, and we're not having a problem with it as far as I know.

Q So Supra is the only company you're having a problem with?

A On this issue with it, yes. I mean, I'm working with the other folks.

Now, when you saying having a problem with, you better -- you know, have a problem with as far as what?

Q Well, I thought I just heard you say that you hadn't had a problem except in this situation, and I thought that's what you were saying.

A Well, I'm saying as far as working with them on the permit issue.

MS. SUMMERLIN: No further questions. Thank you.

COMMISSIONER DEASON: Staff?

MS. KEATING: Staff has no questions.

MS. WHITE: No redirect.

COMMISSIONER DEASON: Exhibits?

MS. WHITE: Thirty-three.

COMMISSIONER DEASON: Without objection, Exhibit 33 is admitted.

(Exhibit 33 received in evidence.)

MS. WHITE: Mr. Mayes may be excused?

COMMISSIONER DEASON: Yes.

- - - - -

W. KEITH MILNER

was called as a witness on behalf of BellSouth Telecommunications, Inc. and, having been first duly sworn, testified as follows:

DIRECT EXAMINATION

BY MS. WHITE:

Q Mr. Milner, talk loud. I'm going to ask you as you're walking up.

You filed direct testimony consisting of 14 pages?

A Yes, I did.

Q And do you have any changes?

A No, I do not.

Q And if I asked those questions again tonight, would your answers be the same?

A Yes, they would.

Q And did you have four exhibits attached to your direct testimony, WKM-1 through 4?

A Yes.

Q Any changes to those?

A No.

MS. WHITE: And I would move that the direct testimony be inserted in the record.

COMMISSIONER DEASON: Without objection, it shall be so inserted.

Q (By Ms. White) And you filed rebuttal testimony consisting of 17 pages?

A I did.

Q And you had no exhibits attached to that?

A That's correct.

Q And do you have any changes to your rebuttal testimony?

A No, I do not.

Q And if I asked you those questions, would your answers be the same?

A They would.

MS. WHITE: And I would move the rebuttal testimony into the record as if read.

COMMISSIONER DEASON: Without objection, it shall be so inserted.

MS. WHITE: And I would ask that the

exhibits to Mr. Milner's direct testimony be numbered, please.

COMMISSIONER DEASON: Exhibit 34.

(Exhibit 34 marked for identification.)

BELLSOUTH TELECOMMUNICATIONS, INC.

DIRECT TESTIMONY OF W. KEITH MILNER

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

DOCKET No. 980800-TP

SEPTEMBER 10, 1998

Q. PLEASE STATE YOUR NAME, ADDRESS, AND POSITION WITH BELLSOUTH TELECOMMUNICATIONS, INC.

A. My name is W. Keith Milner. My business address is 675 West Peachtree Street, Atlanta, Georgia 30375. I am Senior Director - Interconnection Services for BellSouth Telecommunications, Inc. ("BellSouth" or "the Company"). I have served in my present role since February 1996 and have been involved with the management of certain issues related to local interconnection, resale and unbundling.

Q. PLEASE SUMMARIZE YOUR BACKGROUND AND EXPERIENCE.

A. My business career spans over 28 years and includes responsibilities in the areas of network planning, engineering, training, administration and operations. I have held positions of responsibility with a local exchange telephone company, a long distance company and a research and development laboratory. I have extensive experience in all phases of telecommunications network planning, deployment and operation (including research and development) in both the domestic and

international arenas.

I graduated from Fayetteville Technical Institute in Fayetteville, North Carolina in 1970 with an Associate of Applied Science in Business Administration degree. I also graduated from Georgia State University in 1992 with a Master of Business Administration degree.

Q. HAVE YOU TESTIFIED PREVIOUSLY BEFORE ANY STATE PUBLIC SERVICE COMMISSION; AND IF SO, BRIEFLY DESCRIBE THE SUBJECT OF YOUR TESTIMONY.

A. I testified before the state Public Service Commissions in Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi and South Carolina, the Tennessee Regulatory Authority and the Utilities Commission in North Carolina on the issues of technical capabilities of the switching and facilities network regarding the introduction of new service offerings, expanded calling areas, unbundling and network interconnection.

Q. WHAT IS THE PURPOSE OF YOUR TESTIMONY BEING FILED TODAY?

A. I will address issues raised resulting from a joint issue identification meeting between BellSouth and Supra Telecommunications and Information Systems, Inc. ("Supra") pursuant to Florida Public Service Commission Docket No. 980800-TP. Specifically, I will address Issues 2,

3A, and 5 in this docket.

Q. WHAT IS BELLSOUTH'S BASIC POSITION REGARDING THE ISSUES DISCUSSED BETWEEN BELLSOUTH AND SUPRA REGARDING COLLOCATION?

A. Because the overall purpose of the 1996 Act is to open telecommunications markets to competition, facilities, such as collocation, are available as a result of the obligations imposed upon BellSouth under Sections 251 and 252 and as a result of this Commission's orders in the arbitration proceedings between BellSouth and certain Alternative Local Exchange Carriers (ALECs). BellSouth has worked in good faith to fulfill its obligations. BellSouth has provided 13 physical collocation arrangements and 92 virtual collocation arrangements to ALECs in Florida, all of them in a non-discriminatory fashion by following consistent and well-established policies. Contrary to any assertion by Supra, BellSouth's treatment of Supra's collocation requests has been nondiscriminatory and consistent with all state and federal rules and regulations.

BellSouth stands ready to provide all of the items in both its interconnection and collocation agreements with Supra.

Q. WHAT HAS BELLSOUTH'S GENERAL EXPERIENCE BEEN REGARDING THE IMPLEMENTATION OF ITS PHYSICAL

COLLOCATION OFFERING?

A. While the majority of requests have gone smoothly, BellSouth has also encountered real, and frankly, unexpected roadblocks. Among the roadblocks BellSouth has encountered are: permit and inspection delays; building code restrictions; customer errors/ modifications on applications and firm orders which require rework; certified vendor errors and shortages of equipment.

BellSouth has experienced provisioning delays as a result of permitting and inspection intervals in certain local jurisdictions. BellSouth has also encountered delays as a result of the need to resolve local building code issues. For instance, in Florida municipalities where BellSouth has received requests from Supra, BellSouth has experienced permitting intervals that range from 15 days to in excess of 60 days. Moreover, many municipalities require BellSouth and its contractors to clear inspection gates at each stage of construction before the next stage can begin. This includes the sometimes-difficult task of scheduling the inspections with a limited pool of inspectors representing the municipalities.

In regard to building codes, not only have some municipalities treated collocation as a "multi-tenant" arrangement, thus requiring the construction of fire rated enclosures, certain municipalities have withheld certificates of occupancy until BellSouth complied with unrelated work

requests issued by the City/County. For one location, this included replacing a sidewalk between the BellSouth central office building and the public street before a certificate of occupancy would be issued for the collocator's space. BellSouth has also experienced delays as a result of ALEC failure to obtain the appropriate business licenses.

Q. HOW IS BELLSOUTH DEALING WITH THESE UNEXPECTED ISSUES?

A. As to the majority of these issues, BellSouth has attempted to refine its processes to accommodate the issues that may arise as a result of various government agencies' involvement. Further, BellSouth is communicating with the ALECs so that they have a good understanding of the issues faced in processing a collocation request.

Q. EXPLAIN BELLSOUTH'S INTERPRETATION OF THE FLORIDA PUBLIC SERVICE COMMISSION'S THREE MONTH DEADLINE FOR ESTABLISHMENT OF PHYSICAL COLLOCATIONS.

A. BellSouth believes it is operating within the parameters of the Florida Public Service Commission's guidelines by negotiating time periods on a per request basis. The Commission in Order No. PSC-98-0595-PCO-TP, issued on April 27, 1998, stated that:

> "As stated in the Order, the parties may reach an agreement as to the time for a particular request. The purpose of the three month time frame is to serve as a guideline of what we consider

reasonable. We find that our Order is clear as to our intent that the parties to a request for collocation would attempt to resolve any problems with that time frame on a case by case basis, and would only come to us if they were unable to resolve their problems."

With regard to the three month time frame for completing physical collocation work by BellSouth, BellSouth individually negotiates the specific interval for each collocation request based on a number of factors. BellSouth, cannot, however guarantee a three month time period. Several mitigating factors that are outside BellSouth's control, such as permitting interval, local building code interpretation and unique construction requirements, affect the provision interval.

Q. WHAT TRIGGERS THE THREE MONTH INTERVAL FOR PHYSICAL COLLOCATION WORK BY BELLSOUTH?

A. First, BellSouth interprets the trigger for the three month interval to begin with the receipt by BellSouth of a complete and accurate Firm Order for physical collocation submitted by the ALEC. This would mean that the ALEC has completed the Application/Inquiry process, and that BellSouth has received from the collocator a complete and accurate firm order document (including fees), with all information needed to complete construction design and equipment design work. In other words, the trigger for the three month interval to begin should not be when an Application/Inquiry is received, but when the collocator has actually made

the decision to collocate and provided the appropriate Firm Order information (including fees) to BellSouth that will be needed by BellSouth to move the project forward.

BellSouth interprets this three month interval to stop at the date on which the building permit is applied for and resume when the building permit is received. It is illegal for construction to begin prior to receiving a permit. BellSouth follows the same permit application process for collocation projects as for its own internal projects. There is no typical permit processing time because every project is unique and each building permit office has its own requirements. Thus, BellSouth believes the permitting process should not be counted as part of the three month interval. The time required to receive a permit is out of BellSouth's control and therefore, should not be included in the three month interval. BellSouth's experience is that the permitting process in Florida can take from five days to five months. There have been, and will continue to be, particular permitting problems in South Florida. Since Hurricane Andrew, the time to receive an approved permit in South Florida has lengthened considerably. Stricter building standards were instituted by municipalities, largely because it is a generally held opinion that the damage done to buildings during the hurricane was due to the lack of proper plan review and building code enforcement.

BellSouth interprets the end of the three month interval to be triggered when all construction work for the collocation space is completed,

BellSouth has received a Certificate of Occupancy, the BellSouth infrastructure work is complete, and BellSouth has notified the collocator, in writing, that the collocation space is available for equipment installation. BellSouth negotiates these triggers with the ALECs. To date, BellSouth has been successful in these negotiations. Supra, however, would not accept an interval longer than three months.

Issue 2: What factors should be considered in determining if there is adequate space for Supra in the Golden Glades and West Palm Beach Gardens central offices?

Q. WOULD YOU EXPLAIN WHAT FACTORS ARE CONSIDERED WHEN DETERMINING SPACE ALLOCATION FOR COLLOCATION?

A. To determine space allocation or availability for collocation in any of BellSouth's central offices, several factors have to be assessed. These factors are outlined in the FCC's First Report and Order, paragraph 604, et al. These factors fall into the following categories:

1. Existing building configuration such as the building outline and physical capacity of the structure.
2. Space usage and forecasted demand.

Other factors that also potentially impact space allocation or availability for collocation include Code and regulatory factors at the national, state,

and local level such as the National Fire Protection Act, the Southern Building Code, and local county and municipal codes. Space design practices act as another set of codes specifying space allocation meets the safety needs for employees, vendors, and customer service provided by the building and its occupants.

Details of these factors are further discussed in the testimony of Mr. Jim Bloomer.

Issue 3A: Is there sufficient space to permit physical collocation in the Golden Glades and West Palm Beach Gardens central offices? If so, should Supra's request for physical collocation in the Golden Glades and the West Palm Beach Gardens central offices be granted?

Q. HAVE YOU READ MR. BLOOMER'S TESTIMONY, AND DO YOU AGREE WITH HIS ASSESSMENT OF SPACE ALLOCATION FOR THE GOLDEN GLADES AND WEST PALM BEACH GARDENS CENTRAL OFFICES?

A. I have read Mr. Bloomer's testimony and agree with his assessment that no available space exists in either the Golden Glades or West Palm Beach Gardens central offices for physical collocation. I have also personally visited each of these offices.

Q. HAS BELLSOUTH PROVIDED ANY TELECOMMUNICATIONS CARRIER WITH SPACE IN EITHER OF THESE CENTRAL OFFICES?

A. To date, aside from Supra, BellSouth Long Distance (BSLD) and one other telecommunications carrier has requested a physical collocation arrangement in the Golden Glades central office and those requests have been denied. Aside from Supra, one telecommunications carrier has requested physical collocation arrangements in the West Palm Beach Gardens central office and that request has been denied.

Issue 5: Pursuant to the Collocation Agreement, what telecommunications equipment can and what telecommunications equipment cannot be physically collocated by Supra in BellSouth's central offices?

Q. WHAT IS BELLSOUTH'S POSITION REGARDING THE PLACEMENT OF EQUIPMENT IN COLLOCATION ARRANGEMENTS?

A. BellSouth offers physical collocation arrangements to telecommunications service providers for the purpose of interconnection, as well as for the purpose of the telecommunications carrier gaining access to BellSouth's unbundled network elements. BellSouth will permit the placement of equipment in the physical collocation arrangement where such equipment is utilized for the purposes of providing telecommunication services through interconnection or through access to unbundled network

elements. Where that equipment can also provide information services, the telecommunications carrier may offer information services through the same arrangement, so long as it is also offering telecommunications services through the same arrangement. BellSouth is not required to provide for collocation of equipment that can only provide enhanced services or information services. In addition, BellSouth will not permit collocation of equipment that will be used only to provide enhanced services or information services. Further, BellSouth will not accept collocation requests from entities that are not telecommunications carriers.

BellSouth offers virtual collocation arrangements pursuant to the rates, terms, and conditions set forth in BellSouth's FCC Tariff No. 1. BellSouth has not been required to provide virtual collocation arrangements for the placement of switching equipment.

Q. WHAT TYPES OF EQUIPMENT HAS SUPRA REQUESTED BE PLACED IN COLLOCATION SPACE OCCUPIED BY SUPRA AND WHY HAS BELLSOUTH NOT APPROVED SUCH PLACEMENT?

A. Mr. David Thierry, in his testimony, discusses the requirements of the collocation agreement with regard to the specific types of equipment that may be placed in the collocation space. Supra's physical collocation applications to BellSouth, as referenced in Exhibit WKM-4, specifically requested that Supra be allowed to place Asynchronous Transfer Mode

(ATM) nodes (Cisco Systems Model Number IGX-16-RM); Digital switches (Lucent Technologies Model Number 5ESS); Digital Loop Carrier equipment (Lucent Technologies Model Number SLC2000); and Cisco Systems equipment Model Number AS5248-56K-CH (identified by Supra as Remote Access Concentrators).

Q. IS BELLSOUTH'S TREATMENT OF SUPRA'S REQUEST CONSISTENT WITH BELLSOUTH'S STATED POLICY?

A. Yes. BellSouth's position regarding Supra's equipment requests is consistent with the BellSouth policy as set out in a letter to Mr. Ramos from Marc Cathey (BellSouth) on July 14, 1998. This letter is attached to my testimony as Exhibit WKM-1. On August 17, 1998, Supra wrote to BellSouth requesting clarifications of several collocation issues. Supra's letter is attached to my testimony as Exhibit WKM-2. BellSouth responded to Supra's letter by way of letters from Nancy B. White, attorney for BellSouth and Mary Jo Peed, attorney for BellSouth. Both these letters are dated August 21, 1998, and are attached to my testimony as Exhibits WKM-3 and WKM-4, respectively. These letters provided additional clarification to Supra regarding BellSouth's positions relative to collocation.

BellSouth's position is consistent with the relevant portions of the FCC's First Report and Order. In the recently issued Memorandum Opinion and Order and Notice of Proposed Rulemaking in CC Docket No. 98-147 et.

al., the FCC "tentatively concluded that we should decline to require collocation of equipment used to provide enhanced services." FCC 98-188 at paragraph 132. ATM nodes, digital switches, and digital loop carrier equipment are all capable of providing telecommunications services and information services through the same arrangement. The remote access concentrator equipment is not. BellSouth administers its policy regarding equipment placed by Interconnectors in physical collocation arrangements in a non-discriminatory manner.

Q. WHAT IS BELLSOUTH'S POLICY REGARDING THE TYPES OF EQUIPMENT A COLLOCATOR MAY HAVE INSTALLED IN A VIRTUAL COLLOCATION ARRANGEMENT?

A. As I have previously mentioned in this testimony, BellSouth will offer virtual collocation arrangements pursuant to the rates, terms, and conditions set forth in BellSouth's FCC Tariff No. 1. As with physical collocation arrangements, BellSouth has not been required to provide virtual collocation arrangements for the placement of switching equipment. BellSouth has no objections to the installation of certain types of equipment such as Digital Subscriber Line Access Multiplexer (DSLAM), for example, in collocation arrangements so long as such equipment is used to provide telecommunications services. Specifically, such equipment can be virtually collocated if it meets the following conditions:

- Any routing or switching capabilities of such equipment are not activated in virtual collocation arrangements.
- The ALEC certifies, in writing, that for each virtual collocation arrangement containing equipment, that the routing/switching capabilities will not be activated or utilized and that the equipment will be utilized solely for data multiplexing/concentration/transmission.
- BellSouth must be provided access to view software translations upon request. Should BellSouth determine that the ALEC is utilizing routing or switching capabilities from virtually collocated equipment, BellSouth will request the capability be deactivated immediately or the ALEC will forfeit its right to use the space.

Q. DOES THIS CONCLUDE YOUR TESTIMONY?

A. Yes.

BELLSOUTH TELECOMMUNICATIONS, INC.

REBUTTAL TESTIMONY OF W. KEITH MILNER

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

DOCKET No. 980800-TP

SEPTEMBER 18, 1998

Q. PLEASE STATE YOUR NAME, ADDRESS, AND POSITION WITH BELLSOUTH TELECOMMUNICATIONS, INC.

A. My name is W. Keith Milner. My business address is 675 West Peachtree Street, Atlanta, Georgia 30375. I am Senior Director - Interconnection Services for BellSouth Telecommunications, Inc. ("BellSouth" or "the Company"). I have served in my present role since February 1996 and have been involved with the management of certain issues related to local interconnection, resale, and unbundling.

Q. ARE YOU THE SAME W. KEITH MILNER WHO FILED DIRECT TESTIMONY IN THIS PROCEEDING?

A. Yes.

Q. WHAT IS THE PURPOSE OF YOUR TESTIMONY BEING FILED TODAY?

A. I will provide rebuttal to the direct testimony of Supra Telecommunications

and Information Systems, Inc., ("Supra") witnesses David A. Nilson and Olukayode A. Ramos regarding Issues 2, 3A, and 5 in this docket.

Q. MR. RAMOS' TESTIMONY, BEGINNING ON PAGE 9, REFERENCES A DISCUSSION PAPER ENTITLED "REGULATION OF ACCESS TO VERTICALLY-INTEGRATED NATURAL MONOPOLIES" THAT WAS FILED BY BELLSOUTH CORPORATION IN NEW ZEALAND IN 1995. WOULD YOU PLEASE COMMENT ON THIS PAPER.

A. Yes. Mr. Ramos has taken selected excerpts of the discussion paper out of context in order to misrepresent the position and policy of BellSouth toward competition. The discussion paper was drafted in the context of the New Zealand market. In contrast to both the U.S. and the State of Florida, the New Zealand government did not create a regulatory body with responsibility for industry oversight. Further, the New Zealand market had no industry specific competition law to create a framework for competitive behavior. The comments in the discussion paper were framed in the context of an environment which is unlike most other countries and certainly unlike the competitive environment in Florida. The discussion paper was in fact drafted as input to the New Zealand government's review of whether such laws or regulation should be created. Therefore, Mr. Ramos' excerpts can not be extrapolated to a view of competition in general or to BellSouth's policy toward competition.

I believe BellSouth's opinion is well stated in the Executive Summary from which Mr. Ramos draws his excerpts which reads, "BellSouth believes that competition on a level playing field under a symmetrical regulatory regime is in BellSouth's best interests over the long term and maximizes the contribution of these sectors to the overall growth of the economy through promotion of economic efficiency."

Q: SUPRA WITNESS MR. NILSON, ON PAGE 10 OF HIS TESTIMONY, CLAIMS THAT SUPRA'S PHYSICAL COLLOCATION APPLICATION "DID NOT INCLUDE FUTURE PROJECTED REQUIREMENT OF EVEN 12 MONTHS" BECAUSE BELLSOUTH TOLD SUPRA THEY "ARE NOT ALLOWED TO RESERVE SPACE FOR FUTURE USE". DOES THIS STATEMENT REFLECT BELLSOUTH'S POLICY"?

A. No. BellSouth may not reserve space for itself for future use on terms more favorable than it applies to those seeking collocation space. Consistent with this guideline, BellSouth allows the provision of collocation equipment and terminations for up to a two-year forecast. This policy was conveyed in BellSouth's written response to Supra's applications, sent on July 24, 1998 and in a follow-up telephone conversation between BellSouth and Supra and on or about September 8, 1998. BellSouth requested written clarification from Supra that its requirements stated on its application would not exceed a two (2) year or twenty-four (24) month forecast. This procedure of requesting clarification is followed by BellSouth with any requesting collocator when

the number of cross-connect terminations requested either does not match the capacity of the equipment placement or appears unreasonable for a two-year time frame. In the September 8, 1998, telephone conversation between BellSouth and Supra, Supra advised BellSouth that the requirements on their applications were "actually more like an 18 month forecast." Within the context of the September 8, 1998, telephone conversation, Supra displayed an apparent understanding of BellSouth's willingness to permit forecasted capacity. Supra also acknowledged Supra's inclusion of future capacity needs beyond 12 months. This is a direct contradiction of his written testimony filed just three days following the telephone conversation, on September 11, 1998.

Q. ON PAGE 15 OF HIS TESTIMONY, MR. RAMOS LISTS THREE FACTORS WHICH HE STATES SHOULD BE CONSIDERED IN DETERMINING IF THERE IS ADEQUATE SPACE TO PROVIDE AN ALTERNATIVE LOCAL EXCHANGE COMPANY (ALEC) A PHYSICAL COLLOCATION ARRANGEMENT IN A BELLSOUTH CENTRAL OFFICE. HE LISTS THE THREE FACTORS AS: 1) THE AMOUNT OF ADMINISTRATIVE SPACE USED BY BELLSOUTH; 2) THE AMOUNT OF SPACE RESERVED BY BELLSOUTH FOR ITS OWN FUTURE USE, AND; 3) WHETHER BELLSOUTH HAS UTILIZED A DESIGN FOR THE CENTRAL OFFICE THAT MAXMIZES THE OPPORTUNITY FOR PHYSICAL COLLOCATION FOR TELECOMMUNICATIONS CARRIERS SUCH AS SUPRA. DO YOU AGREE THAT THESE ARE THE PROPER FACTORS THAT SHOULD BE CONSIDERED IN MAKING SUCH A

DETERMINATION?

A. No. While Mr. Ramos offers no basis for the factors he has put forth, my direct testimony in this proceeding cited the FCC's First Report and Order, at paragraph 604, et al, as providing the proper categories of factors that should be considered. For example, Mr. Ramos makes no mention of important criteria such as fire and safety codes or space allocated to meet the safety and human needs of employees and vendors.

Separate and apart from the FCC's First Report and Order, the three factors Mr. Ramos mentions are not appropriate because building designs for BellSouth's central offices pre-dated the Telecommunications Act of 1996 ("Act"). As such, BellSouth's central offices were not designed with consideration for physical collocation opportunities for telecommunications carriers other than BellSouth.

Q. ON PAGE 16 OF HIS TESTIMONY, MR. RAMOS STATES "AT A MEETING HELD ON JUNE 8, 1998, I WAS INFORMED BY BELLSOUTH THAT BELLSOUTH HAS DENIED OTHER COMPANIES PHYSICAL COLLOCATION IN THESE CENTRAL OFFICES [THAT IS, BELLSOUTH'S GOLDEN GLADES AND PALM BEACH GARDENS CENTRAL OFFICES] . . .. I INFORMED THOSE PRESENT AT THE MEETING THAT IT IS UNFORTUNATE THAT THOSE COMPANIES HAVE CHOSEN TO ACCEPT BELLSOUTH'S REPLY AND HAVE SIMPLY WALKED AWAY." DO YOU BELIEVE THOSE OTHER

COMPANIES WHOM BELLSOUTH HAS DENIED PHYSICAL COLLOCATION IN BELLSOUTH'S GOLDEN GLADES AND PALM BEACH GARDENS CENTRAL OFFICES HAVE "SIMPLY WALKED AWAY" AND DECIDED NOT TO COMPETE WITH BELLSOUTH BASED ON THE UNAVAILABILITY OF SPACE IN THESE TWO CENTRAL OFFICES?

A. No. Where space is not available for physical collocation, BellSouth makes virtual collocation arrangements available to telecommunications carriers. BellSouth also offers virtual collocation to ALECs whose first choice is virtual collocation rather than physical collocation. In fact, BellSouth has provided telecommunications carriers with virtual collocation arrangements in both the Golden Glades and Palm Beach Gardens central offices and those companies are using those arrangements to compete with BellSouth.

On page 10 of my direct testimony, I discussed telecommunications carriers' requests for physical collocation arrangements in the Golden Glades central office. At that time, I indicated that, aside from Supra, BellSouth Long Distance (BSLD) and one other telecommunications carrier had requested a physical collocation arrangement in the Golden Glades central office and that those requests have been denied. Upon further investigation, a correction to my previous statement is in order. BellSouth has found that, in addition to Supra and BSLD, four other telecommunications carriers, rather than one, had requested physical

collocation arrangements in the Golden Glades central office and been denied. Two of these ALECs were denied space prior to Supra and two were denied space subsequent to Supra. Of those four telecommunications carriers, three subsequently applied for virtual collocation.

Q. BEGINNING ON PAGE 16 OF HIS TESTIMONY, MR. RAMOS CITES PROPOSED RULEMAKING BY THE FCC REGARDING "WALK THROUGH" VISITS TO BELLSOUTH'S CENTRAL OFFICES. IS BELLSOUTH OPPOSED TO SUCH WALK THROUGH VISITS?

A. No. Mr. Ramos correctly notes that BellSouth and Supra, along with members of the Commission staff, performed such walk through visits in both these central offices on July 24, 1998. BellSouth and Supra, again accompanied by members of the Commission staff, performed additional walk through visits of both these central offices on September 16, 1998, during which both BellSouth and Supra videotaped pertinent areas of the interiors of these central offices. I would note that "Supra's request to BellSouth in advance that Supra would like the walk-through filmed by a video camcorder" was made at the last minute before the scheduled walk through visits on July 24, 1998. BellSouth denied Supra's request only until such time as both BellSouth and Supra could make arrangements to simultaneously videotape the interiors of these central offices and this was accomplished on September 16, 1998.

Q. BEGINNING ON PAGE 18 OF HIS TESTIMONY, MR. RAMOS STATES "A FEW DAYS AFTER THE WALK-THROUGH [THAT IS THE WALK THROUGH VISIT ON JULY 24, 1998], BELLSOUTH PROVIDED REVISED FLOOR PLAN LAYOUTS THAT FOR THE FIRST TIME EARMARKED MUCH OF THE DISCOVERED EQUIPMENT STORAGE SPACE AS FUTURE USE SPACE. CLEARLY, BELLSOUTH IS SIMPLY ATTEMPTING IN BAD FAITH TO HIDE WHAT IS OBVIOUSLY USABLE AND AVAILABLE SPACE THAT CAN EASILY BE USED TO SATISFY SUPRA'S REQUESTS." PLEASE COMMENT.

A. First of all, while BellSouth did provide updated floorplan drawings to Supra following the visit on July 24, 1998, these changes were discussed with Supra and the Commission staff at the time of the visit and most changes were for the purpose of clarifying to Supra and the Commission staff the use of various sections of the floorspace in greater detail. In fact, Supra and the Commission staff requested several such changes be made to the floorplan drawings. Second, BellSouth strongly disagrees with Mr. Ramos' assertions that BellSouth is acting in bad faith. I am disappointed that Mr. Ramos would characterize BellSouth's attempt to clarify key information to Supra and the Commission staff in such a manner. I personally attended the July 24, 1998, walk through visits in both central offices and what I observed differs sharply from the impression Mr. Ramos' unfounded assertions would leave. BellSouth provided abundant subject matter expertise to Supra and the Commission staff to answer any and all questions that arose.

Q. ON PAGE 20 OF HIS TESTIMONY, MR. RAMOS CLAIMS THAT SUPRA ESPECIALLY NEEDS TO BE PROVIDED PHYSICAL COLLOCATION ARRANGEMENTS IN THE GOLDEN GLADES AND PALM BEACH GARDENS CENTRAL OFFICES BECAUSE THESE BUILDINGS HOUSE TANDEM SWITCHES. IS HE CORRECT?

A. No. Mr. Ramos goes to great lengths to confuse the issues of collocation and network interconnection. BellSouth provides access to all its tandems, including both its access tandems and its local tandems. Mr. Ramos has apparently taken out of context a portion of this Commission's Order in Docket 97-1459-TL requiring BellSouth to provide interconnection at BellSouth's local tandems. BellSouth abides by that requirement and provides not one, but two forms of local tandem interconnection. Should Supra wish to interconnect its network to either BellSouth's access tandems or local tandems, BellSouth will accommodate such interconnection. The issue of local tandem interconnection, however, has no bearing on the issue at hand, which is the availability of space to accommodate Supra's request for physical collocation.

Q. ON PAGE 24 OF HIS TESTIMONY, MR. RAMOS STATES "SUPRA HAS SECURED 15 COLLOCATION APPROVALS FROM BELLSOUTH, BUT SUPRA CANNOT CONTINUE WITH ITS NETWORK DEPLOYMENT UNTIL THIS ISSUE IS RESOLVED." DO YOU AGREE?

A. While it is impossible for me to know all of Supra's plans for its network, my years of experience in the planning and implementation of telecommunications networks make me wonder why Supra cannot proceed in any of the fifteen other BellSouth central offices in which Supra has requested physical collocation and where BellSouth has agreed that such collocation is feasible. As I pointed out earlier, even in those cases where space is not available for physical collocation, BellSouth makes virtual collocation available, an option which Supra apparently has chosen not to pursue.

Q. BEGINNING ON PAGE 25 OF HIS TESTIMONY, MR. RAMOS DISCUSSES THE TIME FRAMES DURING WHICH BELLSOUTH MUST ACCOMPLISH THE PROVISIONING ACTIVITIES REQUIRED TO MAKE PHYSICAL COLLOCATION ARRANGEMENTS AVAILABLE. MR. RAMOS CONCLUDES THAT "AS NOTED EARLIER IN THIS TESTIMONY, BELLSOUTH IS IN VIOLATION OF 47 CFR, SECTION 51.323(j) BY REFUSING TO ALLOW COLLOCATORS TO PARTICIPATE IN THE PROCESS OF SELECTING CONTRACTORS TO BE USED IN CONSTRUCTING THE VERY NETWORK INFRASTRUCTURE THAT THE COLLOCATOR WILL USE. SUPRA FINDS THIS HIGHLY UNREASONABLE ON THE PART OF BELLSOUTH AND WOULD PROPOSE THAT THE COMMISSION SANCTION BELLSOUTH TO PREVENT THESE ABUSES." DO YOU AGREE?

A. No. First of all, Mr. Ramos fails to point out that the installation of a collocator's equipment within a physical collocation arrangement is performed by vendors certified by BellSouth rather than by BellSouth personnel. Second, the collocator may choose from any of the BellSouth certified equipment installers. Third, Mr. Ramos in no way identifies what "abuses" he believes BellSouth to be guilty of, or what BellSouth positions he believes to be "highly unreasonable." BellSouth uses the very same certified equipment installers and contractors for its own work as are available to Supra or any other collocator. Finally, if Supra chooses, it could have its own personnel certified to install equipment in BellSouth's central offices.

Q. ON PAGE 27 OF HIS TESTIMONY, MR. RAMOS QUOTES FROM SECTION III, PARAGRAPH A OF THE COLLOCATION AGREEMENT EXECUTED BETWEEN BELLSOUTH AND SUPRA ON JULY 24, 1997. DO YOU AGREE THAT THE REFERENCED INTERCONNECTION AGREEMENT LANGUAGE ALLOWS SUPRA TO INSTALL WHATEVER EQUIPMENT SUPRA DESIRES?

A. No. As I pointed out in my direct testimony in this proceeding, BellSouth's position is consistent with the relevant portions of the FCC's First Report and Order. In the recently issued Memorandum Opinion and Order and Notice of Proposed Rulemaking in CC Docket No. 98-147 et. al., the FCC "tentatively concluded that we should decline to require collocation of equipment used to provide enhanced services." FCC 98-188 at

paragraph 132. The language of the interconnection agreement specifically states that Supra may place, maintain, and operate in the collocation space any equipment that Supra is authorized by BellSouth and by Federal or State regulators to place, maintain, and operate in the collocation space. The FCC has specifically declined from requiring BellSouth to permit the placement, maintenance, and operation of equipment used to provide enhanced services. Thus, BellSouth has no obligation under Federal law to accommodate Supra's request to place such equipment in collocation arrangements. Further, Supra has pointed to no State of Florida requirements that BellSouth accommodate such a request. BellSouth has no interest in whether Supra chooses to act solely as an enhanced service provider or solely as an information services provider. However, when Supra acts in such a capacity, it may not use collocation arrangements in BellSouth's central offices to provide such services.

Q. ON PAGE 31 OF HIS TESTIMONY, MR. RAMOS STATES "BELLSOUTH'S DENIAL OF PHYSICAL COLLOCATION FOR THE ASCEND SWITCHES IS INAPPROPRIATE FOR TWO REASONS. FIRST, BELLSOUTH ASSUMES THAT 47 CFR SECTION 51.100(b) MUST BE READ SO NARROWLY AS TO MEAN THAT EACH ITEM OF EQUIPMENT PLACED IN THE CENTRAL OFFICE MUST PHYSICALLY BE ABLE TO PERFORM BASIC TELECOMMUNICATIONS SERVICES BEFORE BELLSOUTH IS OBLIGATED TO ALLOW COLLOCATION OF THAT PARTICULAR PIECE OF EQUIPMENT." HE FURTHER STATES

"ACCORDINGLY, THIS COMMISSION SHOULD REJECT BELLSOUTH'S INTERPRETATION OF 47 SECTION 51.100(b) AND INTERPRET THAT SECTION TO REQUIRE PHYSICAL COLLOCATION OF AN ALEC'S NETWORK, WITHOUT REGARD TO EACH PARTICULAR ITEM OF EQUIPMENT, SO LONG AS THE ENTIRE PHYSCIALLY COLLOCATED NETWORK PROVIDES BOTH TELECOMMUNICATIONS SERVICES AND INFORMATION SERVICES." DO YOU AGREE?

A. No. Mr. Ramos apparently wishes to re-write the rules to accommodate his request without any regard for the apparent intent of those rules. For example, Mr. Ramos' interpretation would allow that even if only one half of one percent of the equipment physically collocated is actually used to provide telecommunications services, Supra would be entitled to use BellSouth's central offices for such purposes. He is incorrect. Such obvious "gaming" of the process should not be allowed. I should repeat what I stated in my direct testimony that BellSouth will permit the placement of equipment in the physical collocation arrangement where such equipment is utilized for the purposes of providing telecommunication services through interconnection or through access to unbundled network elements. Where that equipment can also provide information services, the telecommunications carrier may offer information services through the same arrangement, so long as it is also offering telecommunications services through the same arrangement. BellSouth is not required to provide for collocation of equipment that can only provide enhanced services or information services. In addition, BellSouth

will not permit collocation of equipment that will be used only to provide enhanced services or information services.

The FCC has not espoused any predominant use theory regarding the types of equipment it requires be collocated. Instead, the FCC clearly states that in no case is there a requirement that BellSouth allow the collocation of equipment used to provide enhanced services. BellSouth is consistent with the FCC's Rules and has voluntarily agreed to the collocation of such equipment so long as the collocator is also using such equipment for telecommunications services. BellSouth believes its position is clear and unambiguous such that collocators will know what equipment may or may not be installed within BellSouth's central offices and thus plan their network deployments accordingly.

Q. ON PAGE 32 OF HIS TESTIMONY, MR. RAMOS STATES "THE ASCEND EQUIPMENT FOR WHICH BELLSOUTH HAS DENIED SUPRA PHYSICAL COLLOCATION WILL ENABLE CONCENTRATION OF BOTH VOICE AND DATA AND THUS WILL REDUCE THE TOTAL NUMBER OF TRUNK CONNECTIONS WITH BELLSOUTH'S EQUIPMENT, THEREBY REDUCING THE POTENTIAL FOR NETWORK BLOCKAGE AND HELPING TO ALLEVIATE BELLSOUTH'S PROFESSED LACK OF AVAILABLE TRUNK CONNECTIONS." IS HE CORRECT?

A. No. Mr. Ramos attempts here to mix in the altogether unrelated issue of trunk blockage on the switched network. Any trunk blockage occurring

would be the result of an insufficient quantity of trunk connections between and among BellSouth's and other service providers' switches. The type connections possible through the Ascend equipment Mr. Ramos refers to are unrelated to calls processed by BellSouth's switches. My understanding of Supra's intended use of Ascend equipment is that such connections will use only transport elements rather than switching to aggregate and route traffic over particular interoffice transport facilities. Thus, the use of the equipment Mr. Ramos refers to will have no effect on the efficiency of the interoffice switched trunk network and certainly will not reduce network blockage as asserted by Mr. Ramos. As a result, the elaborate discussion in Mr. Ramos' testimony regarding the topics of network blockage and end office trunking, local tandem interconnection and two way trunking and percent local usage factors, which he discusses on pages 32 through 34 of his testimony, have no bearing on the matters before this Commission in this docket.

Q. ON PAGE 32 OF HIS TESTIMONY, MR. RAMOS STATES "IT IS BELIEVED THAT BELLSOUTH ITSELF HAS USED REMOTE ACCESS CONCENTRATORS OF ANOTHER BRAND IN ITS TELECOMMUNICATIONS NETWORK." PLEASE COMMENT.

A. It may be that Mr. Ramos is confused as to BellSouth's obligation to provide for physical collocation to Supra and others. There are no provisions in the Computer III Docket No. 85-229; the Expanded Interconnection Docket No. 91-141; the Local Interconnection Docket No.

96-98; nor the Telecommunications Act of 1996 ("Act") that require BellSouth to provide collocation of equipment for companies that provide enhanced services or information services. BellSouth provides physical collocation in compliance with Section 251 of the Act to telecommunications carriers that are certified ALECs. At present, BellSouth has no plans to expand the availability of CO space beyond the requirements under the Act.

FCC rules permit Bell Operating Company (BOC) enhanced service operations to be in BellSouth's central offices as long as the BOC complies with the FCC's Open Network Architecture (ONA) rules and Computer III nonstructural safeguards, including charging enhanced service operations for tariffed services as though they are physically located outside of the central office.

Q. ON PAGE 35 OF HIS TESTIMONY, MR. RAMOS STATES "THE COMMISSION SHOULD FURTHER ORDER BELLSOUTH TO REMOVE ALL UNNECESSARY DESKS, TABLES AND STORAGE SPACE IN ITS CENTRAL OFFICES AND PERMIT SUPRA TO UTILIZE SOME OF THIS WASTED SPACE IN BELLSOUTH'S CENTRAL OFFICES." DO YOU AGREE WITH MR. RAMOS?

A. No. It should be apparent that desks and tables are needed for the personnel assigned to work in BellSouth's central offices to effectively perform their assigned duties. It should also be apparent that machines

as complex as switching and transmission systems require a large array of spare parts to be on hand for maintenance and repair requirements and that such equipment must be stored and protected adequately. BellSouth strongly disagrees with Mr. Ramos' assertion that BellSouth has intentionally wasted space in its central offices simply to deny Supra access to space for physical collocation. Mr. Ramos' testimony is replete with baseless charges that BellSouth has acted in bad faith, has attempted to thwart Supra's entry into the local market and has interfered with Supra's ability to compete with BellSouth on an equal footing. To the contrary, BellSouth has worked long and hard with Supra in an attempt to accommodate Supra's requests. In two out of seventeen BellSouth central offices in which Supra has requested physical collocation, Supra's request unfortunately cannot be granted. No amount of rhetoric from Mr. Ramos will change the simple reality that these two central offices are out of floorspace.

Q. DOES THIS CONCLUDE YOUR TESTIMONY?

A. Yes.

Q (By Ms. White) And Mr. Milner, when you give your summary, would you please state your name and address and who you work for and what your title is?

A Yes, I will. My name is Keith Milner. My business address is 675 West Peachtree Street, Atlanta, Georgia. I'm employed by BellSouth Telecommunications, Inc. as Senior Director, Interconnection Services.

Good evening, Commissioners. And I will make my summary brief. My name is Keith Milner, and I'm here to respond to Supra's complaints related to the physical collocation Supra has requested in two of BellSouth's central offices. I filed direct and rebuttal testimony responding to the information in Supra's complaint and to the testimony of Supra's witnesses.

Because the overall purpose of the Telecommunications Act of 1996 is to open telecommunications markets to competition, facilities such as collocation are available as a result of the obligations imposed upon BellSouth under Sections 251 and 252, and as a result of this Commission's orders in the arbitration proceedings between BellSouth and certain alternative local exchange carriers or ALECs.

BellSouth has worked in good faith to fulfill its obligations. BellSouth has provided 13 physical collocations and 92 virtual collocation arrangements to ALECs in Florida, all of them in a nondiscriminatory fashion, by following consistent and well established policies.

Contrary to any assertion by Supra, BellSouth's treatment of Supra's collocation requests has been nondiscriminatory and has been consistent with all state and federal rules and regulations. BellSouth stands ready to provide all of the items in both its Interconnection and Collocation Agreements with Supra.

To determine space allocation or availability for collocation in any of BellSouth's central offices, several factors have to be assessed. These factors are outlined in the FCC's First Report and Order at Paragraph 604. These factors fall into the following categories: 1, existing building configurations such as the building outline and physical capacity of the structure; and 2, space usage and forecast demand.

Other factors that also potentially impact space allocation or availability for collocation include building and electrical codes and regulatory

factors at the national, state, and local level, such as the National Fire Protection Act, the Southern Building Code, and local county and municipal codes.

Space design practices act as another set of codes, ensuring that space allocation meets the safety needs for employees, vendors, and the customer service provided by the building and its occupants.

To date, apart from Supra, BellSouth Long Distance and four other telecommunications carriers have requested a physical collocation arrangement in the Golden Glades central office, and those requests have been denied. Apart from Supra, one telecommunications carrier has requested physical collocation arrangements in BellSouth's West Palm Beach Gardens central office, and that request has been denied.

BellSouth offers physical collocation arrangements to telecommunications service providers for the purpose of interconnection, as well as for the purpose of the telecommunications carrier gaining access to BellSouth's unbundled network elements. BellSouth permits the placement of equipment in the physical collocation arrangement where such equipment is utilized for the purposes of providing telecommunications services through interconnection or

through access to unbundled network elements.

Where that equipment can also provide information services, the telecommunications carrier may offer information services through the same equipment so long as that equipment offers telecommunications service. BellSouth is not required to provide for collocation of equipment that can only provide enhanced services or information services.

In addition, BellSouth will not permit collocation of equipment that will be used only for those purposes. Further, BellSouth will not accept collocation requests from entities that are not telecommunications carriers.

BellSouth's position is consistent with the relevant portions of the FCC's First Report and Order. And I note that in the recently issued Memorandum Opinion and Order and Notice of Proposed Rulemaking in the FCC's Docket 98-147, the FCC, quote, tentatively concluded that we should decline to require collocation of equipment used to provide enhanced services, end of quote. That's from FCC 98-188, at Paragraph 132.

The language of the Interconnection Agreement between BellSouth and Supra specifically states that Supra may place, maintain, and operate in

the collocation space any equipment that Supra is authorized by BellSouth and by federal or state regulators to place, maintain, and operate in the collocation space. The FCC has specifically declined from requiring BellSouth to permit the placement, maintenance, and operation of equipment used to provide enhanced services. Thus, BellSouth has no obligation under federal law to accommodate Supra's request to place any such equipment in physical collocation arrangements. Further, Supra has pointed to no State of Florida requirements that BellSouth accommodate such a request.

BellSouth has no interest in whether Supra chooses to act solely as an enhanced service provider or solely as an information service provider. However, when Supra acts in such a capacity, it may not use collocation arrangements in BellSouth's central offices to provide such services.

The FCC has established rules in its Dockets 85-229 and 88-2 regarding open network architecture and comparably efficient interconnection to ensure parity between BellSouth and enhanced service providers regarding BellSouth's equipment in its central offices.

Thank you. That concludes the summary.

I was also requested by Commission Staff member Ms. Brown to provide information that would update the Commission on the progress BellSouth has made towards Supra's applications for physical collocation in 15 central offices other than Golden Glades and West Palm Beach Gardens. I have that information here. I believe Ms. White has copies. Most or all of the information that is contained here is, I'm sure, proprietary information to Supra.

Thank you.

COMMISSIONER DEASON: Ms. Summerlin?

MS. SUMMERLIN: In spite of -- I'm sorry.

In spite of the fact that Supra respectfully disagrees with many things Mr. Milner said, we are going to give him a break and not ask him any questions tonight.

COMMISSIONER DEASON: Staff?

MS. KEATING: Staff has no questions.

COMMISSIONER DEASON: I assume there's no redirect. Exhibits?

MS. WHITE: Thirty-four.

COMMISSIONER DEASON: Exhibit 34, without objection, is admitted.

(Exhibit 34 received in evidence.)

COMMISSIONER DEASON: Thank you,

Mr. Milner.

WITNESS MILNER: Thank you.

MS. WHITE: While Mr. Ramos is coming to the stand, Ms. Brown did ask Mr. Milner to do that. Do you want us to provide that as a late-filed exhibit? Because then we can do it with a notice of intent.

MS. KEATING: Is that not a late-filed deposition exhibit, and would that not --

MS. WHITE: No. She did not ask for it as a formal late-filed deposition exhibit. She said be prepared to discuss it at the hearing.

MS. KEATING: Oh, okay. That was my understanding, that it had been provided as a late-filed deposition exhibit. But if not, Staff would ask that that be marked.

MS. WHITE: Okay. Well, why don't I provide it as a late-filed, because it is proprietary to Supra. I didn't realize -- and we'll need to file a notice of intent. So I'll file it by the end of the week. How's that?

MS. KEATING: Commissioner Deason, could we ask that that be marked as Late-filed Hearing Exhibit No. 35?

COMMISSIONER DEASON: It will be so marked.

What does the exhibit consist of?

MS. WHITE: Status of Supra's physical collocation applications.

COMMISSIONER DEASON: Okay.

(Late-filed Exhibit 35 identified.)

COMMISSIONER DEASON: Ms. Summerlin?

- - - - -

OLUKAYODE A. RAMOS

was called as a rebuttal witness on behalf of Supra Telecommunications and Information Systems, Inc. and, having been previously sworn, testified as follows:

DIRECT EXAMINATION

BY MS. SUMMERLIN:

Q Mr. Ramos, did you file rebuttal testimony in this proceeding of nine pages?

A Yes, I did.

Q Would your answers to the questions there be the same if I read them to you right now?

A Yes, ma'am.

Q Okay. Do you have any changes?

A None.

MS. SUMMERLIN: I would ask that Mr. Ramos' rebuttal testimony be inserted into the record as though read.

COMMISSIONER DEASON: Without objection,

it shall be so inserted.

SUPRA TELECOMMUNICATIONS & INFORMATION SYSTEMS, INC.

REBUTTAL TESTIMONY OF OLUKAYODE A. RAMOS

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

DOCKET NO. 980800-TP

September 18, 1998

Q. PLEASE STATE YOUR NAME, ADDRESS AND POSITION WITH SUPRA TELECOMMUNICATIONS AND INFORMATION SYSTEMS, INC. ("SUPRA")

A. My name is Olukayode A. Ramos. My business address is 2620 SW 27th Avenue, Miami, Florida 33133. I am the Chairman and CEO of Supra.

Q. ARE YOU THE SAME OLUKAYODE A. RAMOS WHO FILED DIRECT TESTIMONY IN THIS DOCKET ON SEPTEMBER 10, 1998?

A. Yes.

561

Q. WHAT IS THE PURPOSE OF YOUR REBUTTAL TESTIMONY BEING FILED TODAY?

A. My testimony is filed in rebuttal to direct testimony filed in this proceeding by Mr. W. Keith Milner of BellSouth Telecommunications, Inc, addressing Issues 2, 3A, and 5 in this proceeding.

Q. IN REGARD TO ISSUE 2, MR. MILNER'S DIRECT TESTIMONY ASSERTS THAT THE PERMITTING PROCESS SHOULD NOT BE COUNTED AS PART OF THE THREE-MONTH INTERVAL APPROVED BY THE FPSC FOR PHYSICAL COLLOCATION. HE FURTHER STATED THAT BELLSOUTH

BELIEVES IT IS OPERATING WITHIN THE PARAMETERS OF THE FLORIDA PUBLIC SERVICE COMMISSION'S GUIDELINES. DO YOU AGREE WITH MR. MILNER'S ASSERTIONS?

A. No. On February 9, 1998, BellSouth filed at the FPSC a Notice and Request for Approval of BellSouth Telecommunications, Inc.'s Interpretation of Order No. PSC-96-1579-FOF-TL. On page 2, paragraph 3, of that document, BellSouth stated:

> ***With regard to the maximum time frame of three months, BellSouth seeks approval from the Commission on BellSouth's interpretation of two important terms so that BellSouth can make every effort to comply with the Commission's Order. First, BellSouth seeks approval of the triggers for the beginning and end times of the three months. Second, BellSouth seeks approval as to the meaning of "ordinary conditions." BellSouth will set forth herein its interpretation of these terms.***

Order No. PSC-98-0595-PCO-TP, issued April 27, 1998, which Mr. Milner referenced and quoted from in his testimony, states:

> ***BellSouth now asks that we approve its interpretation of the meaning of "ordinary conditions." BellSouth's interpretation is, however, beyond the scope of the testimony presented on this matter. We shall not, therefore, approve BellSouth's interpretation on this point because there is not a basis in the record for that interpretation. We also do not believe that it is necessary for***

any further interpretation of our use of the phrase "ordinary conditions." Our Order states, "If MCI and BellSouth cannot agree to the required time for a particular collocation request, BellSouth must demonstrate why additional time is necessary."

In Order No. PSC-98-0595-PCO-TP, the Commission rejected BellSouth's interpretation of the three-month time frame as excluding the permitting process. BellSouth has failed to demonstrate to Supra why it cannot meet the three-month time frame as directed by the Commission. BellSouth has also refused to provide collocation to Supra in parity to what it provides to itself and its affiliates as the evidence in this proceeding will demonstrate. It is very clear that there is no commitment on the part of the management of BellSouth to provide timely collocation to Supra in parity to what BellSouth provides to itself.

Q. MR. MILNER'S DIRECT TESTIMONY CITES PARAGRAPH 604 OF THE FCC'S FIRST REPORT AND ORDER AS CONTAINING THE FACTORS TO BE ASSESSED IN DETERMINING SPACE ALLOCATION OR AVAILABILITY IN BELLSOUTH'S CENTRAL OFFICES. HOW DO YOU INTERPRET PARAGRAPH 604 IN THE CONTEXT OF THIS PROCEEDING?

A. MR. MILNER'S DIRECT TESTIMONY, AT PAGE 8, STATES:

To determine space allocation or availability for collocation in any of BellSouth's central offices, several factors have to be assessed. These factors are outlined in the FCC's First Report and Order, Paragraph 604, et al.

Mr. Milner is correct that the Commission should consider the factors in Paragraph 604. However, Mr. Milner's application of the factors in Paragraph 604 to Supra's request for physical collocation in the North Dade Golden Glades and the West Palm Beach Gardens Central Offices has several flaws. For one thing, Mr. Milner does not include in his analysis the provisions of the Telecommunications Act of 1996 as well as the FCC's Orders that relate to the implementation of local competition pursuant to the Telecommunications Act of 1996. Paragraph 604 of the FCC's First Report and Order states:

> ***Incumbent LECs are allowed to retain a limited amount of floor space for defined future uses. Allowing competitive entrants to claim space that incumbent LECs had specifically planned to use could prevent incumbent LECs from serving their customers effectively. Incumbent LECs may not, however, reserve space for future use on terms more favorable than those that apply to other telecommunications carriers seeking to hold collocation space for their own future use.***

Mr. Milner does not plainly address the real reason why BellSouth rejected Supra's applications for physical collocation in the North Dade Golden Glades and West Palm Beach Gardens central offices. Mr. Milner does not admit that the reason for the rejection of these applications is that BellSouth has reserved space for its own future use in these central offices without providing Supra the chance of reserving space in these central offices for Supra's current or future use.

Q. DO YOU AGREE WITH MR. MILNER'S CONCLUSION, BASED ON MR. BLOOMER'S SPACE ASSESSMENT, THAT THERE IS NOT SUFFICIENT SPACE TO PERMIT SUPRA PHYSICAL COLLOCATION IN THE NORTH DADE GOLDEN GLADES AND WEST PALM BEACH GARDENS CENTRAL OFFICES?

A. No. Mr. Milner's testimony is admittedly based on BellSouth Witness Bloomer's testimony. Mr. Bloomer's testimony has many internal inconsistencies. Moreover, the space assessment form provided by BellSouth for the North Dade Golden Glades central office attached to Mr. Bloomer's testimony contradicts that provided by BellSouth in response to Supra's First Request for Production of Documents. Supra's Witness Nilson will deal with the inconsistencies in Witness Bloomer's direct testimony in Witness Nilson's rebuttal testimony. Mr. Milner certainly did personally visit these central offices, on two occasions when Supra and the Commission Staff had walk throughs of these central offices on July 24, 1998 and September 16, 1998. Mr. Milner observed the generous space BellSouth has reserved for its own future use. Mr. Milner simply refuses to acknowledge that Supra has the same right as BellSouth to at least a reasonable portion of the 3,197 sq. ft. and 4,035 sq. ft. currently reserved in the North Dade Golden Glades and West Palm Beach Gardens central offices, respectively, by BellSouth for its own future use.

Q. DO YOU AGREE WITH MR. MILNER THAT BELLSOUTH HAS NOT PROVIDED COLLOCATION SPACE TO ANY TELECOMMUNICATIONS CARRIER IN EITHER OF THESE CENTRAL OFFICES?

A. Yes, I agree. Documents received from BellSouth in response to Supra's First Set of Production of Documents, as well as BellSouth's own testimony, have confirmed that Supra is the only company seriously interested in these tandem offices. In fact, BellSouth's own information clarifies that Supra's interest in physical collocation at the Daytona Beach Point Orange and the Boca Raton Boca Teeca central offices was the motivating factor for BellSouth filing a Petition for Waiver of the Physical Collocation requirement at those central offices. BellSouth indicated to Supra that physical collocation space was "disappearing fast" so Supra should make its intentions clear. Supra did communicate its intentions and BellSouth promptly filed a Petition for Waiver for these two central offices. The anti-competitive motivation indicated by this course of events is very clear and disturbing.

Supra is the only telecommunications carrier that has filed a complaint with the Commission when its application for physical collocation was rejected by BellSouth. Supra deserves to be first in line to physically collocate in these central offices.

Q. DO YOU AGREE WITH MR. MILNER THAT BELLSOUTH'S POSITION REGARDING SUPRA'S EQUIPMENT REQUESTS IS CONSISTENT WITH BELLSOUTH'S STATED POLICY?

A. No, I do not agree with Mr. Milner that BellSouth's position regarding Supra's equipment requests is consistent with BellSouth's stated policy as the evidence in this proceeding demonstrates. The documents produced by BellSouth indicate that BellSouth has an internal policy that certain types of equipment are to be permitted in the virtual collocation arrangement. The only argument Mr. Milner

provided in his testimony regarding BellSouth's rejection of Supra's request to physically collocate remote access concentrators is that remote access concentrators can also perform enhanced services. In the attachment to Mr. Milner's testimony marked as exhibit WKM-44, BellSouth cited the recently released FCC 98-188, Memorandum Opinion and Order and Notice of Proposed Rulemaking in CC Docket No. 98-147, paragraph 132, that provides:

> ***We tentatively conclude that we should continue to decline to require collocation of equipment used to provide enhanced services.***

The footnote to paragraph 35 of that same document stated:

> ***The Commission has concluded that the definitions of "information service" and "enhanced service" should be interpreted to extend to the same functions.***

As I testified in my direct testimony, 47 CFR Section 51.100 (b) states:

> ***A telecommunications carrier that has interconnected or gained access under Sections 251 (a) (1), 251 (c) (2), or 251 (c) (3) of the Act, may offer information services through the same arrangement, so long as it is offering telecommunications services through the same arrangement as well.***

Section 51.100 (b) of the CFR is very clear on this subject. Supra will be providing telecommunications services through the same arrangement in which it intends to provide information services and enhanced services. However, BellSouth still insists that it will not permit Supra to collocate its remote access concentrators.

BellSouth has provided no legal definition or authority for its interpretation of the term "arrangement." BellSouth has no authority to support its view that the term "arrangement" refers to a technical aspect of the equipment and not the legal terms on which the agreement to physically collocate the equipment are based. BellSouth simply categorically proclaims that a piece of equipment that can provide enhanced services or information services on a stand-alone basis is considered by BellSouth as not part of the same "arrangement" as the other equipment to be physically collocated by an ALEC.

This position, of course, ignores the fact that each piece of equipment physically collocated by an ALEC is going to be connected to every other piece of equipment physically collocated in the same space. It also ignores the fact that BellSouth refers to each contractual agreement for physical collocation as an "arrangement."

It is interesting to note that the equipment BellSouth is prohibiting Supra as an ALEC to collocate in these central offices is currently in use by BellSouth to provide its own local exchange telecommunications services.

It is very simple for BellSouth to take this position or, indeed, any position that results in delaying or obstructing an ALEC from placing particular pieces of equipment in a central office. It is simple for BellSouth to take this posistion because the only way an ALEC can push BellSouth on any issue is to file a complaint with the Florida Public Service Commission and fight an expensive and time-consuming battle. Most ALECs either cannot afford to fight such a battle or simply do not choose to apply their resources, practically always severely limited in comparison to BellSouth's, to fighting each issue that arises. Either way, without any penalty for causing other parties such expense and delay, BellSouth

can simply throw out any argument on any issue and suffer no real negative consequence, all the while maintaining its stranglehold on the local services market.

BellSouth's position is contrary to the intent of the Telecommunications Act of 1996 that ALECs be permitted the opportunity to physically collocate in the incumbent LECs' central offices so that the ALECs might be able to provide true competition in the local services market. The Act recognized that the tremendous amount of financial investment and time involved in purchasing real estate and buildings to create a facilities-based network would be such a barrier to entry that there would never be any company that could seriously challenge the incumbent LECs' provision of local telecommunications services. The economies of scale achieved by the physical collocation of an ALEC's telecommunications equipment are profound from an engineering and financial standpoint. It is for this reason that the Act provided that physical collocation must be provided by the incumbent LEC unless it can prove that there is a lack of technical feasibility or a lack of space available in the central office. As the evidence in this proceeding clearly demonstrates, BellSouth has not proven either a lack of technical feasibility or a lack of available space. Therefore, the Commission should order BellSouth to immediately grant Supra's requests for physical collocation for the equipment Supra has indicated it wants to place in the space it has requested in the North Dade Golden Glades and the West Palm Beach Gardens Central Offices.

Q. DOES THIS CONCLUDE YOUR TESTIMONY?

A. Yes.

Q (By Ms. Summerlin) Mr. Ramos, have you got a very, very short summary?

A Just two minutes.

Q Okay.

A Commissioners, good evening once again. Thank you very much for this opportunity.

I would just like to take you straight away, sirs, to page 4 of my rebuttal testimony, and on page 4 it says -- you'll find Paragraph 604, which Mr. Milner as well referred to in his testimony right now. And if you go to lines 13 to 16, sirs, it will, you know, kind of like demonstrate exactly what Supra is requesting from BellSouth. "Incumbent LECs may not, however, reserve space for future use on terms more favorable than those that apply to other telecommunications carriers seeking to hold collocation space for their own future use."

The point there is that the proceeding here today has demonstrated that BellSouth has denied Supra collocation simply because of the fact that BellSouth has reserved space for its own future use for ten years growth. That's one, sir.

Then the other issue that I would just briefly like to touch on is on this issue of remote access concentrators, just very briefly, just to refer

you to the paragraph, sir. In that FCC Order 98-188, uniform standards for attachment of electronic equipment for the central office end of a loop, Paragraph 163, in that particular order the FCC clearly states that there shall be uniform national standards for attachment of electronic equipment, such as modems and multiplexers. And we're talking about modems.

Then if you go to the CFR, 47 CFR, the second paper given out to you now, 59.1, general duty, there it talks about -- if you go towards the end of that particular thing, of enabling such qualifying carrier to provide telecom services or to provide access to information services in the service area in which such qualifying carrier has obtained designation as an eligible telecommunications carrier under Section 214(e).

So simply this is just to -- these two paragraphs are to show you, sirs, that Supra has a right to -- has a legal right to what Supra is demanding from BellSouth.

And then on this permitting process, we want to free BellSouth completely from the obligations of providing physical collocation to Supra by allowing us to take over the appointment of a contractor, as

well as the permitting process. We will take up that responsibility. My company is offering BellSouth that obligation today, that BellSouth should not bother about going ahead with the permitting process for us. We will do it ourselves. We will also appoint the contractors if this Commission gives us the right to do that, sirs.

That's all I have to say.

MS. WHITE: No cross.

COMMISSIONER DEASON: Staff?

MS. KEATING: We have no questions.

MS. SUMMERLIN: No redirect.

COMMISSIONER DEASON: Very well. Exhibits? We do not have an exhibit; right?

MS. SUMMERLIN: No exhibits.

MS. WHITE: I guess we could move Late-filed Number 35 when it get -- well, whatever.

COMMISSIONER DEASON: It will just be handled in the standard manner for late-filed exhibits. We need to set a date for the filing of that late-filed exhibit. Is it already prepared, or is it going to --

MS. WHITE: No, we need to prepare it. Well, excuse me. It is prepared, but I don't have it with me, so we'll file it by the end of the week.

COMMISSIONER DEASON: Is that sufficient?

MS. KEATING: That's fine with us.

COMMISSIONER DEASON: Very well. Anything else to come before the Commission?

MS. KEATING: I just want to point out that the transcripts are due October 28th, briefs are due November 12th, and Staff recommendation is scheduled to be filed December 3rd.

COMMISSIONER DEASON: Very well. This hearing is adjourned. Thank you all.

(Proceeding concluded at 8:40 p.m.)

CERTIFICATE OF REPORTERS

STATE OF FLORIDA:

COUNTY OF LEON:

WE, MARY ALLEN NEEL and NANCY S. METZKE, do hereby certify that the foregoing proceedings were reported by us at the time and place therein designated; that our shorthand notes were thereafter translated under our supervision; and that the foregoing pages numbered 1 through 573 are a true and correct record of the aforesaid proceedings.

DATED THIS 27th day of October, 1998.

MARY ALLEN NEEL, RPR

NANCY S. METZKE, RPR

0

01 [1] 402:17
03 [1] 402:17

1

1 [13] 403:8,9,16,21 406:25 409:5 415:12 462:24 463:19,20 468:6 487:19 499:10
1,000 [1] 447:22
1,024 [1] 405:1
1,200 [1] 412:22
10 [4] 402:7,23 414:15 415:9
10/13 [1] 451:20
10JJ1 [1] 453:8
10KK1 [1] 452:19
11 [1] 453:5
12 [10] 405:8 412:24 413:1 427:7,8 444:5 448:18 449:21,21 470:6
126 [2] 411:4,8
12th [1] 498:7
13 [5] 453:1,11 470:6 487:2 495:11
132 [1] 489:22
13th [1] 423:16
14 [2] 406:13 483:18
142 [1] 442:18
143 [1] 411:18
15 [3] 427:7 453:21 491:5
15% [1] 391:16
150 [1] 404:11
16 [1] 495:11
163 [1] 496:4
16th [1] 437:22
17 [1] 484:11
18 [6] 401:6 402:12,12 427:7 440:23 450:10
18th [2] 418:24 443:18
1996 [1] 486:19
1998 [2] 404:24 499:12
1999 [7] 404:22 405:5 408:23 409:10 411:19 439:12,13
1G [1] 406:3

2

2 [15] 385:33 386:3,6 402:17 403:21 406:25 429:25 443:17 455:7 462:16 471:2 473:24 474:3 478:14 487:21
2,048 [1] 404:25
2,100 [2] 419:2,25
2.2 [1] 430:3
20 [9] 387:15,15 413:1 437:16 448:19 452:19 468:7,12 472:22
20,000 [1] 391:15
200 [9] 389:20,21 391:6,7 407:20 408:3 446:3,8,12
200-foot [1] 447:12
2000 [8] 405:15,16 409:10 412:6 419:19 429:8,14,16
2002 [3] 429:2 431:20 432:3
2003 [7] 428:12,22,24 429:5,11 431:20 432:4
206 [1] 461:1
20th [1] 424:11
21 [1] 440:9
214(e [1] 496:17
23,115 [2] 462:25 465:17
24 [2] 392:15,15
244 [2] 392:3,4
24th [2] 423:8 428:3
25 [4] 387:15 407:7 443:22 444:10
251 [1] 486:22
252 [1] 486:23
26 [1] 411:6
26,225 [2] 467:3,4
26,255 [2] 462:21 463:21
27 [3] 395:4 402:1 440:13
27,305 [2] 463:9 466:7
27,764 [1] 463:6
27,968 [1] 463:2
27th [1] 499:12
28th [1] 498:6
29 [1] 418:7
29th [1] 426:14

3

3 [13] 402:6 403:16 406:13,16,25 408:8 409:5 419:1,1 455:8 462:16 463:7 474:6
3,197 [3] 391:14 419:16 420:6
3:00 [1] 447:8
30 [2] 393:6 440:6
301 [2] 452:20 453:8
31 [8] 454:19,20 463:1 464:1,12 468:19,21,22
31st [1] 404:24
32 [5] 462:10,13 468:24 469:1,2
32202 [1] 453:9
33 [4] 471:10,11 483:5,6
34 [4] 485:3,4 491:22,24
35 [3] 492:24 493:5 497:17
3rd [1] 498:8

4

4 [8] 385:34 402:6 419:15 440:14 462:16 484:2 495:8,9
4,000 [1] 467:15
40242 [2] 469:19 470:7
404 [2] 412:16 442:24
45 [2] 474:3,19
454 [1] 385:31
47 [1] 496:9
477 [1] 385:34
48 [4] 392:14,16,16,18
490 [1] 385:32
496 [1] 385:31
497 [1] 385:32
499 [1] 385:33

5

5 [15] 403:10 408:17 410:19 412:2 430:1,2 442:1,6,7,21 448:6,16,19 453:15 468:1
50 [1] 440:6
500 [1] 447:24
518 [1] 385:33
520 [1] 385:34
530 [1] 408:4
55 [1] 470:15
559 [1] 385:35
56 [1] 470:11
573 [1] 499:10
59.1 [1] 496:10

6

6 [13] 408:8,17 412:2 414:15 415:9,12 442:2,5,6,6,7,21 468:2
604 [2] 487:18 495:9
62 [1] 470:10
65 [1] 470:14
675 [1] 486:6

7

7 [6] 385:31 413:17 419:16 454:5,17 468:2
72 [1] 470:17
75 [1] 474:3
77 [4] 478:4,19,20,21
7th [4] 419:6,15 425:5,7

8

8 [8] 402:18,23 410:19 412:18 413:8,17 416:24 442:5
8-by-11 [2] 468:9,11
8/13/1988 [1] 423:25
8:30 [2] 438:10,12
8:40 [1] 498:11
800 [2] 420:18 447:22
84-jack [1] 405:9
85-229 [1] 490:20
88-2 [1] 490:20

9

9 [8] 412:18 413:8 414:1 416:3,3,8,24 470:16
9:30 [1] 437:23
9112 [2] 469:18 470:6
92 [1] 487:3
93 [6] 417:8 418:24 420:2,11 421:15 463:4
94 [2] 463:4 481:12
98 [10] 419:7,15 420:2 423:9,16 424:11 425:7 428:3 440:23 443:18
98-147 [1] 489:18
98-188 [2] 489:21 496:1

A

ability [1] 392:8
able [9] 392:19 397:3,4,10 398:11,15 403:3 406:3 433:6
above [11] 387:24 395:17 401:17 404:16 408:17 412:19 413:20 414:15 416:3,13,13
absolutely [1] 430:11
abuts [1] 397:18
accelerated [1] 414:24
accept [4] 419:24 421:20 462:19 489:11
access [14] 388:11 389:5,10 396:9,22,24 406:4 408:5 413:15,16 488:21 489:1 495:25 496:14
accommodate [5] 430:8 450:3,4 490:8,12
accomplished [1] 441:6
across [5] 392:22 393:4 394:13 401:19 405:11
act [6] 392:24 427:10 486:19 488:2,4 490:14
active [1] 460:24
Activities [1] 423:18
activity [1] 388:25
acts [1] 490:16
actual [2] 457:4 473:17
actually [22] 389:21 390:23 391:2 393:2 394:7,18 395:11 402:5 405:10 406:17 408:4 411:5 415:23 430:1 440:8 442:14,15 443:23 446:4 455:10 457:12 476:20
add [12] 392:6,8 393:20 405:7 415:16 421:11 425:17 449:24 457:1 466:10 476:12 480:18
added [7] 392:7 393:20 407:21 421:6 425:21 435:7,9
adding [6] 396:24 405:12,14 423:21 428:14 476:8
addition [20] 404:16 405:6,7 407:5,21 423:13,18 424:15,18,24 425:11,21 428:15 436:3 444:13 458:7 459:6 474:21 477:9 489:9
additional [7] 400:19 405:3 415:16,21 425:13 450:3,4
Additionally [1] 473:23
additions [1] 424:13
address [17] 403:6 410:21 415:22 417:21 423:12 452:17,19,19 453:5,7,8 469:15,17 470:5,6 486:3,6
addresses [1] 414:21
adds [1] 475:24
adjacent [2] 396:19 398:18
adjourned [1] 498:10
admin [2] 390:23 449:9
administration [2] 387:10,19
administrative [7] 387:22 388:8 398:14,18 399:3 413:22 414:3
admit [1] 463:25
admitted [4] 468:21 469:1 483:5 491:23
advantage [1] 387:9
advantages [1] 393:24
advised [1] 438:13
affected [1] 386:19
aforesaid [1] 499:11
afternoon [1] 417:18
ago [9] 395:12 398:23 399:4 421:10 422:20,22 442:13 456:15 462:4
agree [1] 434:12
agreed [1] 441:4
Agreement [1] 489:24
agreements [2] 446:20 487:12
ahead [2] 418:20 497:4
air [20] 412:17,17,20,22 413:1,3,6,7,9,10,14 441:6,25 442:3,13,25 443:9 451:9,11,12
aisle [16] 389:22,23 392:4 395:22 405:22,22 406:5,6,19 407:4,11 411:4,5,6,7 447:7
aisles [11] 390:1 406:18,18,20 407:9,10 408:5 414:11,11 447:10,16
alarm [2] 433:1 475:6
ALEC [3] 407:21,24 408:6
ALECs [4] 400:6,10 486:25 487:4
ALLEN [2] 499:5,15
allocation [7] 456:6,8,9 460:17

487:14,24 488:5
allocations [1] 455:20
allow [6] 387:2 397:19 404:5 409:18 432:5 445:15
allowed [1] 413:12
allowing [2] 400:4 496:24
Almost [6] 388:19 398:2 399:3, 22 402:7 431:9
already [14] 403:13 414:3 416: 17 418:2,7,24 423:1 440:11,12, 18 461:16 475:7 479:4 497:21
alternative [2] 397:14 486:25
alternatives [1] 424:3
amongst [2] 435:21 447:8
amount [6] 395:24 407:12 435: 8 444:2,17,22
ample [1] 441:3
analog [2] 450:12,13
analogy [1] 456:13
analysis [1] 461:6
analyze [1] 458:14
Andrew [1] 473:7
announce [1] 437:19
another [21] 389:3 392:2,6 394: 5,18,18,22 405:5 408:20,22 414: 6 423:15 424:5 426:11 446:18, 23 456:15 467:6 475:15 476:10 488:4
answers [6] 453:12 454:2 470: 20 483:24 484:19 493:17
anticipate [1] 437:14
anticipated [1] 438:1
anybody [1] 433:17
anytime [1] 467:12
anyway [4] 387:13 394:2,21 438:3
apart [2] 488:8,12
apologies [1] 478:14
apologize [1] 474:10
apparently [3] 430:4 464:24 465:15
appear [1] 464:6
appears [2] 463:16 466:1
application [8] 427:12,14,17,20, 25 430:21 435:19 445:17
applications [5] 394:14 445:4 460:10 491:4 493:3
applied [1] 426:12
apply [1] 495:15
appoint [1] 497:5
appointment [1] 496:25
approach [1] 477:7
appropriate [1] 435:18
April [4] 423:8 428:3 445:12 481:1
arbitration [1] 486:24
architects [1] 472:5
architectural [1] 464:19
architecture [1] 490:21
area [152] 386:9,10,11 387:12,19, 22 388:5,8,24 390:4,16,19,23,24, 25 391:2,4,9,9 392:2,4 394:22 395:1,2 396:3,6 397:13,15,18,21, 22,23 398:6,9,10,18,22 403:1,1,4, 10,11,13,14 404:14 405:18,21 406:6,12,14,24,25 407:1,22,23, 25 408:5,5,9,14,15,16 409:3,5,9, 11,13,24 410:15,17,18,21,22,23 411:9,17,21 412:1,4,7,9,9,10,13, 15,21 413:3,5,21,22 414:3,8,10, 13,16 415:14,18,25 416:4,7,13, 18,23 417:2,3,4,6 420:21 421:8, 9 428:22 431:2,11,12,15 432:3,4 439:11,14,17 442:10,11,14,16 445:15 446:15,23 447:2,2,10,11, 15,16,17,19,22 448:5,25 449:5,9, 9 450:24 451:3,4,6,7,15,18,19,20 472:8 496:14
areas [12] 387:11 398:14 402:3, 11 414:9,17,22,25 415:22 431: 21 447:7 475:13
arena [1] 422:9
around [9] 390:22 391:9 402:23 418:3 421:7 422:25 431:24 438: 10 481:11
arrange [1] 457:22
arrangement [2] 488:10,23
arrangements [5] 487:4 488: 14,18 490:10,17
arrow [1] 441:16
assertion [1] 487:7
assess [1] 393:18
assessed [1] 487:16
assessment [5] 428:17 457:3 463:17 466:22 467:1
assume [3] 439:23 480:16 491: 19
Assuming [2] 443:20 444:8
assumption [1] 438:11
Atlanta [1] 486:7
attached [7] 453:14 454:4 471: 2,7 472:14 484:1,13
attachment [2] 496:2,6
attempt [1] 446:9
attended [1] 400:1
attest [1] 435:12
August [6] 419:6,15 420:2 423: 16 425:5,7
authorized [1] 490:2
AUTOCAD [2] 456:24 457:5
availability [2] 487:15,24
available [19] 389:22 394:24 395:24 408:14 414:25 415:15 417:14 430:11,23 435:25 436:1 443:23 455:9,11 456:20 460:2 461:10 477:14 486:21
aware [7] 419:5 420:4 426:3 445:14 478:23 479:23 481:7
away [6] 394:10 404:6,11 433: 14,15 495:8

B

B-a-y [1] 453:9
B4 [1] 386:9
B6 [2] 387:10,13
back [19] 392:1 393:15 397:14 404:12 414:4 420:16 424:25 426:8 428:1 431:7 438:6 439: 16 440:8 456:10,12 460:11 463: 4 477:3 481:24
backed [1] 473:8
bandwidth [2] 388:20 399:13
Barbara [2] 410:8 418:15
based [4] 410:3 421:14 444:12 450:7
basic [2] 456:17 457:23
basically [8] 428:6 466:14 468: 12 472:15,18 473:24 475:22 476:13
basis [2] 426:17 436:21
batteries [16] 392:2,10,20,22,25 393:2,4,8,11,20 394:5,15,19 411: 22,25 413:12
battery [15] 392:6,8,12,15,23,24 393:23 412:4,5 415:16,18,21 442:20,22,23
bay [12] 387:3 395:14 397:24 398:2 404:17 405:9 439:14 440: 7,7,9 452:20 453:8
bays [27] 387:4 389:13,15,17 395:6,11,17 405:8,14,16 406:13 407:23,25 408:18 409:6,8 411:3, 9 428:21 439:6,10,15 440:4 446: 16 449:21,24,25
Beach [10] 418:9 423:7,17,21 424:4,18 432:13 433:18 488:15 491:6
bear [1] 417:19
beat [1] 391:25
become [5] 399:13 400:7 435:6, 24 451:13
becomes [1] 394:10
begin [2] 431:13 446:1
behalf [4] 452:9 469:9 483:11 493:9
behind [2] 386:22 402:11
believe [18] 387:4 389:21 397: 17 402:1 403:8 407:5 415:13 417:25 418:14 429:19,22 436: 19 442:16 446:2 451:23 463:18 481:13 491:7
believes [1] 436:20
Bellcore [1] 476:21
BellSouth [63] 400:4 417:25 418:22 419:1,18 422:5 425:5,7, 10,12 426:22 430:6,9,20,22 433: 17 436:20 452:9,23 455:6,7,23, 24 458:23 459:16 462:2 463:8 464:3 469:3,9,19 472:4 476:20 480:21 481:14 483:11 486:7,22, 24 487:1,2,11 488:8,17,22 489:6, 9,11,24 490:2,5,7,11,13,22 491:3 495:13,19,21 496:21,23 497:2,3
BellSouth's [11] 419:13 473:11 480:25 486:14 487:8,15 488:14, 21 489:14 490:17,23
below [12] 390:18 402:24 406: 12 408:9,19 409:2 410:19 411: 20 412:2 416:3,5 444:21
bench [1] 457:22
benefit [1] 394:1
best [3] 455:12,21 456:13
bet [1] 479:19
better [5] 404:8 432:8 446:10 449:18 482:15
between [32] 395:22 399:17 402:6,6,17 403:16,20,21 406:16, 24,24 408:8,17 409:5 410:18 412:2,18 413:8,17 414:1,15 415: 9 416:8,17,24 442:1,7,21 446:16 486:24 489:24 490:22
big [8] 389:18,19 391:19 392:10 394:6 402:16 415:3 468:6
bigger [6] 394:8 401:10 415:5 440:5,5 447:23
bit [5] 388:22 408:17 417:19 443: 9 473:1
blank [1] 457:2
block [3] 389:23 390:1 406:23
blocked [1] 413:16
blocking [1] 407:4
blocks [1] 399:9
Bloomer [13] 446:9,24 452:5,8, 14,18 455:1,3 461:10,15 467:24 469:5 476:18
Bloomer's [2] 454:10,15
blueprint [1] 466:2
blueprints [3] 463:8 464:17,18
board [1] 444:15
Boca [1] 470:9
body [1] 416:11
bolts [1] 398:1
book [1] 401:2
both [6] 401:18 402:10 410:9 412:22 473:9 487:12
bother [1] 497:3
bottom [5] 395:2 396:11 412:16 423:16 430:1
boxes [1] 401:21
break [1] 491:15
brief [1] 486:11
briefly [3] 400:17 495:24,25
briefs [1] 498:6
bring [1] 397:23
bringing [1] 451:14
broken [1] 450:19
brought [2] 396:15 413:12
Broward [1] 408:11
Brown [2] 491:2 492:4
build [3] 425:2 476:4,16
building [38] 398:8 406:4 413: 24 420:5 423:13,18 424:13,15, 24,24 425:11,18,21,21,24 426:24 434:9 436:2,3,15 440:13 446:25 458:10 459:4,6,18 460:20 465: 11 472:12,13 473:21 475:14 476:21 487:19,20,25 488:3,7
buildings [6] 455:20 456:6 457: 4,10 461:1 473:19
buildup [1] 402:20
bulk [1] 456:3
bulletins [1] 436:12
bus [1] 392:10
business [6] 436:10,14 453:4,8 459:10 486:6
busy [1] 397:16
buy [1] 477:6
buy-in [1] 477:5
buying [2] 425:25 458:7

C

C5 [3] 388:5 390:5 391:24
C8 [1] 414:1
cabinets [6] 414:1,2,5 451:10, 14,16
cable [9] 401:18,18,24 402:1,3, 20,25 476:3,5
cables [6] 387:25 388:2 394:7,9,

11 401:22
cabling [4] 398:1 401:23 402:14, 18
cageless [2] 480:5,7
calculate [1] 465:8
calculated [2] 465:3,7
call [7] 401:2 409:16 433:3 438:6 439:2 452:5 469:3
called [7] 391:1 398:6 399:24 452:9 469:9 483:11 493:9
came [3] 465:19 466:15 473:7
cannot [8] 401:16 406:5 407:4 412:13 413:4 414:12 417:4,9
capacity [16] 404:25 405:3,4 427:5 435:4 439:23 444:25 445:2,3 449:17,23 450:4,10 452:22 487:21 490:16
car [1] 392:23
care [2] 458:23 477:7
careful [1] 461:25
carrier [6] 488:13,20 489:3 496:13,15,16
carriers [4] 486:25 488:9 489:13 495:16
case [5] 406:2 407:10 461:20 462:3 470:1
cases [1] 388:21
categories [1] 487:19
cause [1] 398:13
caused [1] 452:25
CB [1] 416:24
cc's [1] 424:11
ceiling [2] 475:22 476:5
cell [1] 392:15
cells [1] 392:12
center [4] 396:12 410:16 421:6 466:2
centers [2] 396:14,14
central [40] 386:16 387:25 388:19 390:1,19 391:3 392:11,17,20 400:11,23 401:7,7 411:23 422:10 423:7,17 424:4,15 427:2 428:20 432:12,13,19 434:12 435:17 436:8 455:11 458:8 460:24 478:24 480:25 486:14 487:16 488:11,15 490:18,24 491:5 496:3
certain [2] 422:16 486:25
certainly [2] 433:16 463:25
certificate [2] 475:3 499:1
certify [1] 499:6
CFR [2] 496:9,9
chance [2] 399:17 437:18
Chances [1] 395:15
change [14] 396:25 420:5 425:19,22 444:14,19,23 456:8,9 460:16,16 470:11,15,17
changed [2] 456:10 476:23
changes [11] 404:3 434:18 453:3,23 454:7 470:18 471:4 483:21 484:4,15 493:20
changing [2] 434:13 435:6
charge [2] 436:7 450:18
chargers [1] 392:24
charging [1] 392:25
chart [2] 391:1 392:2
check [4] 404:12 462:19 479:11 482:3
checking [1] 479:14
child [3] 456:14,16,18
choose [1] 430:13
chooses [1] 490:14
circuit [6] 389:17 414:10 427:3 451:5,8,19
circuits [1] 388:13
clarifying [1] 425:4
CLARK [4] 399:19,23 437:1,3
class [1] 459:2
clear [2] 414:11 443:4
cleared [2] 420:23 421:5
clearly [1] 496:5
CLEC [1] 481:20
close [4] 394:19 403:24 420:3 468:14
closer [1] 448:12
cloth [1] 467:10
CO [6] 424:12,13 425:10,13 435:17 448:5
code [14] 472:9 473:8 474:22 475:1,11,16,20 476:10,22 477:5,6 481:10,12 488:3
codes [5] 459:8,9 487:25 488:3,5
collocate [1] 394:23
collocation [86] 388:7 389:9,19 391:20 395:24 396:3 400:12 406:8 407:18 408:2 409:13 410:17,22 411:16 412:14 413:4 414:8,19,22 416:22 425:9 426:4,12,21,23 427:13,17,21 429:21 430:8,21,23 431:4,22 432:2 433:20 435:20 436:21 445:5,10,14,16 446:3,20 447:18 455:10,24 456:20 462:6 472:7,17 474:16 475:13 478:24 479:4,24 480:5,7,14,15,24 481:18 486:13,21 487:3,8,12,15,24 488:10,14,17,23 489:7,10,12,20 490:1,4,10,17 491:5 493:3 495:17,20 496:24
collocations [3] 479:1,8 487:3
collocator [21] 390:6,10,17,18 391:5,11,12 426:11,11 430:12 446:17 447:2,5,15,18 448:1 458:22 460:5 461:4,5 472:9
collocators [15] 389:4,7 393:22,24 400:4 410:24,24 411:11 436:6,15 447:21 456:2 472:7 473:20 482:8
column [2] 416:8 428:6
columns [1] 409:4
come [16] 387:25 395:1 399:11 433:3 434:18,24 436:11 442:11 447:22 450:9 460:23 461:5 464:6,9 473:9 498:4
comes [8] 402:3 409:17 426:15 435:14,20 438:12 446:10 464:2
coming [4] 395:20 406:4 409:7 492:3
comment [1] 408:12
Commission [10] 402:10 419:6,15 421:20 455:19 459:12 491:1,3 497:6 498:4
Commission's [2] 473:23 486:23
COMMISSIONER [58] 390:4,8 399:19,23 409:20,23 410:2,6,13 417:15 437:1,3,13,17 438:6,17 445:22 448:9,13 451:25 452:4 454:9,12,18 461:12 462:11 467:21 468:16,18,20,25 469:6 470:24 471:9 477:16 482:24 483:2,4,8 484:8,23 485:3 491:11,17,19,22,25 492:22,25 493:4,6,25 497:10,13,18 498:1,3,9
Commissioners [2] 486:10 495:5
common [22] 391:8,9 407:22,23,25 408:4,5 427:5 445:2,3 446:15,17 447:2,11,16,17,19,22 448:5 456:20,24 472:8
Company [9] 411:2,12,12,12,13 436:12 470:13 482:10 497:2
comparably [1] 490:21
compares [1] 419:25
competition [2] 436:8 486:20
competitors [1] 400:7
complaint [2] 455:8 486:16
complaints [1] 486:12
completed [1] 464:4
completely [2] 411:9 496:23
complex [1] 399:5
composite [1] 454:16
computer [4] 387:20 417:8 432:21 468:9
computers [4] 398:25 399:1 417:8 425:25
concede [4] 421:14,24 422:1,5
conceivable [1] 425:20
concentrators [1] 495:25
concern [1] 476:19
concerning [1] 455:8
concerns [1] 460:1
conclude [2] 437:20 438:9
concluded [2] 489:19 498:11
concludes [4] 400:13 414:20 417:11 490:25
conclusion [1] 400:1
conclusions [1] 455:17
concrete [1] 444:18
conference [1] 400:2
confidential [2] 418:1 422:25
configuration [1] 460:3
configurations [1] 487:20
confirm [3] 463:24 465:5 466:3
congested [2] 402:4,11
congestion [2] 402:25 403:4
Congress [1] 476:22
connection [1] 399:13
consecutive [1] 467:12
consider [6] 408:4 424:15 426:22 430:20,22 435:18
considered [4] 417:25,25 431:21 440:21
consist [1] 493:1
consistent [3] 487:5,9 489:14
consisting [4] 453:1,21 483:18 484:11
consolidated [2] 421:3,5
consolidating [1] 420:19
consolidation [1] 422:14
constantly [1] 434:13
construct [2] 425:11 472:6
construction [5] 472:8 475:2,21,24 479:8
constructions [1] 475:20
contact [1] 459:7
contained [2] 454:1 491:8
contains [1] 457:14
contiguous [9] 386:25 391:11 399:15 406:7 409:12 414:17,25 416:21 445:15
continually [1] 392:25
continue [5] 386:6 391:22 398:15 410:11 441:2
CONTINUED [3] 386:7 398:21 409:25
continues [1] 386:2
contractor [6] 427:10 474:16 479:12 481:23 482:1 496:25
contractors [1] 497:6
contractually [1] 457:14
Contrary [1] 487:7
control [2] 414:2 451:8
convert [1] 450:1
cool [1] 413:3
coordinate [4] 402:5 406:16 412:2 442:6
coordinates [12] 402:17,23 403:9 408:7 410:19 412:18 413:17 414:15 416:2,24 442:1,21
copies [2] 419:9 491:7
copper [1] 399:14
copy [8] 418:7,11,17 425:4 427:13,16 440:15 465:16
corner [5] 388:3 405:24 441:4,21,22
corporation [3] 425:1 426:1 436:13
correct [19] 421:25 429:8,12 438:25 442:24 446:6 449:1 453:4,7 466:3 470:2,5 471:3 478:4,22 480:3 481:19 484:14 499:11
corrections [3] 453:17 470:3 473:16
correctly [2] 422:2,6
correspond [1] 406:21
corridor [1] 476:13
COs [1] 400:4
costly [1] 394:10
costs [1] 401:1
couldn't [1] 450:20
counsel [3] 418:6 419:10,21
count [1] 439:9
country [1] 481:5
County [3] 408:11 488:3 499:4
couple [9] 421:10 427:24 429:20 438:20 440:17,25 443:19 450:22 477:20
course [5] 386:12 393:22 420:20 477:4 481:4
Court [2] 469:18 470:7
cover [1] 464:3
covered [1] 461:8
covering [1] 411:21
covers [2] 473:24,25
create [7] 420:16 446:13,14,18 447:1,16,17
created [3] 421:13,13 461:19
creating [1] 425:12

creation [1] 421:1
cross [10] 417:14,16 437:14 445:23 461:11,13 467:22 477:15,17 497:9
cross-connect [9] 389:2 404:20,21,24 405:4,7,8,13 459:20
cross-connecting [1] 388:13
cross-connects [1] 399:16
crowded [2] 435:23,23
Cruit [4] 393:17 410:8 435:5 450:17
Cruit's [3] 418:15 433:24 450:8
current [6] 393:19 394:12,12 449:17 455:5 458:14
currently [3] 435:1,2 450:5
customer [4] 389:2,3 456:2 488:6
customers [6] 410:11 419:19 435:9 444:22 456:1,3
cut [1] 460:14

D

D&F [1] 450:18
Dade [4] 408:10 438:22 450:24 462:21
date [3] 395:13 488:8 497:20
dated [3] 423:7 424:11 499:12
dates [1] 404:22
day [4] 474:15,17 475:8 499:12
days [11] 467:9 470:10,14,17 474:4,12,19 478:4,19,20,21
DCS [1] 404:18
DDM [2] 405:15,16
deal [1] 474:18
deals [1] 472:12
dealt [1] 422:9
DEASON [47] 417:15 437:13,17 438:6,17 445:22 448:9,13 451:25 452:4 454:9,12,18 461:12 462:11 467:21 468:16,18,20,25 469:6 470:24 471:9 477:16 482:24 483:2,4,8 484:8,23 485:3 491:11,17,19,22,25 492:22,25 493:4,6,25 497:10,13,18 498:1,3,9
December [2] 404:23 498:8
decide [1] 459:4
decision [4] 424:17,21,22 425:17
decline [1] 489:19
declined [1] 490:4
deep [2] 402:12 440:6
defined [2] 419:17 444:18
definitely [1] 456:10
definition [1] 456:22
delivery [1] 388:20
demand [4] 410:3 425:25 458:6 487:22
demanding [1] 496:21
demands [2] 411:25 444:22
demonstrate [1] 495:12
demonstrated [1] 495:19
demonstrative [1] 423:3
denial [1] 426:18
denied [8] 426:4,6,13,15,16 488:12,16 495:19
deny [2] 436:21 460:19
department [4] 458:22 472:19,19,20
dependent [1] 468:5
depending [3] 387:5 407:24 444:21
Deposition [13] 403:7 404:19 414:14 415:23,23 420:14 426:8 473:24 474:6,11 492:9,11,15
described [1] 444:1
description [2] 414:21 417:11
design [2] 387:2 488:4
designated [11] 398:9 403:18 410:15,18 412:8 450:25 451:4,5,19,20 499:8
designation [1] 496:15
designations [2] 404:18 406:19
desk [1] 390:19
desks [2] 398:24 414:4
detail [1] 460:6
determine [3] 439:10 456:19 487:14
determines [1] 426:24
determining [1] 455:9
develop [1] 400:22
developed [1] 401:2
device [1] 387:21
devices [1] 475:6
diagonally [1] 388:4
diagram [2] 441:11 450:23
diagrams [2] 440:3 468:2
diesel [2] 393:10 443:14
difference [6] 431:14,17 432:6 433:14,15 456:16
Different [12] 387:12 396:22 406:20 420:24 465:6 467:9,11 472:23 473:19 475:13,17,19
difficult [3] 391:13 394:5 402:19
digital [7] 404:19,21,24 405:6,13 450:14 459:20
digress [1] 394:2
dimensions [1] 460:7
DIRECT [24] 386:7 452:12,25 453:11,15 454:10,15 457:17 463:18 466:21 467:1 469:12,25 470:18,23 471:2,7 483:14,18 484:2,7 485:1 486:14 493:12
directly [5] 397:21 412:19 414:14 439:16 475:12
Director [1] 486:8
disagrees [1] 491:14
discuss [2] 430:17 492:12
discussed [2] 406:12 465:20
disposed [1] 412:11
disrupt [1] 390:2
distance [5] 386:13 400:5 436:9,14 488:9
distributing [4] 387:14 399:25 402:15,18
docket [2] 453:1 489:18
Dockets [1] 490:20
document [8] 423:6 424:1 425:7 428:2,3 431:20 440:10 443:18
documentation [2] 399:2 450:17
documents [1] 423:1
doing [5] 427:23 458:5 462:5 477:20 479:8
Don [1] 424:9
done [10] 416:7 457:4 459:5 472:10 479:4,9,15,20,23 481:14
door [4] 413:11,11,17,18
doors [3] 395:22 457:25 475:23
doorway [2] 395:19,20
double [6] 389:25 394:11 413:11,11,17,18
down [27] 386:15 388:5 390:13 392:1 396:12 398:22 405:22 406:5,11,23 411:6,20 412:15 415:10,11 425:23 447:7,25 448:3 450:19 457:11 462:18 463:22 464:12 470:12 478:8 479:21
drag [1] 474:24
drain [1] 393:19
drawing [14] 395:12 396:13 401:10,17 406:15 407:3 411:18 415:25 421:7,9 442:16 451:21 464:19 468:6
drawings [2] 401:9 464:19
drawn [2] 415:19 468:4
dried [1] 460:14
driven [2] 387:20,21
drop [1] 394:13
DS1 [1] 444:22
DS1s [1] 404:25
DSO [4] 416:6,9,11,19
DSX [5] 388:9,10,18 389:8 405:10
DSX1 [8] 388:21 402:7,8,24 403:2 405:8,14,17
DSX3 [1] 388:22
DTE [1] 408:18
ducts [1] 412:22
due [3] 425:9 498:6,6
duly [3] 452:10 469:10 483:12
during [1] 445:12
duty [2] 427:12 496:10
dynamic [3] 402:2 434:13 435:17

E

E2 [2] 392:1 421:7
E5 [3] 399:7,21,22
each [12] 389:13 392:15 397:24 401:20 403:6 405:7,9 417:22 428:18,18 460:21 472:9
earlier [7] 408:12 410:9 418:8,25 438:1 463:4 476:2
easy [1] 399:16
effect [3] 407:6 408:14 444:19
effective [2] 396:20 406:6
effectively [5] 395:25 405:18 409:11 413:3 416:25
efficiencies [1] 400:24
efficient [3] 394:16 433:16 490:21
effort [1] 455:14
egress [2] 395:23 476:12
eight [3] 395:6 405:14 412:24
either [5] 388:21 437:8 439:4 441:11 457:9
electrical [2] 480:8 487:25
electronic [3] 468:7 496:2,6
elements [2] 488:21 489:1
eligible [1] 496:16
emergencies [1] 394:1
emphasized [1] 400:5
employed [5] 422:16 452:21,23 469:19 486:7
employees [1] 488:6
empty [2] 412:8 416:10
enable [1] 414:18
enabling [1] 496:12
enclosure [2] 472:8,9
encompassed [1] 410:16
encourage [1] 436:7
end [8] 406:3 411:14 460:2 489:21 492:20 496:3,11 497:25
engine [11] 393:6,9,15 412:22 413:2 442:7,9,12,25 443:14,16
engineer [1] 442:10
enhanced [5] 489:8,20 490:7,14,22
enough [12] 389:18,19 391:5,19 400:11 406:7 409:12 416:21 431:21 432:1 442:15 445:15
ensure [1] 490:22
ensuring [1] 488:5
enter [3] 388:2 400:5 430:13
entered [1] 423:2
entire [1] 393:13
entities [1] 489:12
entity [1] 428:18
entrance [1] 447:6
entrances [1] 405:25
entry [1] 470:12
envelope [1] 424:6
environment [2] 434:13 435:18
equates [1] 420:18
equipment [82] 386:25 387:16 390:2,11,12,15,22 391:4 392:17,21 393:1,3,19 396:24 397:1,9,22,23,25 398:6,7,25 399:5,12 400:23 401:17 402:2,2,14 403:11,13 404:23 406:20,21,21 407:23 411:7,10,13,24 413:12 422:16,21 425:12 428:5,8 430:7 433:23 434:9,25 435:2,3,11,13 441:1,2 446:19,22 447:7,9 449:5,8 451:14 459:19 476:17,17,24 480:18 488:22,23 489:2,5,5,7,10,20 490:1,6,9,23 496:3,6
especially [2] 456:11 474:5
essential [1] 419:17
establish [2] 418:19,21
established [2] 487:6 490:19
estate [1] 456:21
estimated [1] 428:8
evaluate [3] 435:19 445:17,19
evaluating [2] 427:20 435:23
even [6] 391:7 411:6,8 435:3 438:14 439:12
evening [8] 437:21 438:10 445:25 461:15 467:24 477:19 486:10 495:5
everybody [2] 436:5 467:8
everyone [2] 406:9 438:1
everything [8] 386:19 388:19 389:24 398:3 426:1 436:12 446:

14 460:10
evidence [4] 468:22 469:2 483:6 491:24
exact [2] 460:7 467:11
exactly [8] 415:11 434:7 441:10 443:11 449:13 478:25 479:2 495:12
EXAMINATION [12] 386:7 417:14,16 445:23 452:12 461:11,13 467:22 469:12 477:17 483:14 493:12
examine [1] 433:18
example [2] 459:11 475:4
exceeds [1] 430:23
Excel [2] 456:24 457:3
excellent [1] 460:5
except [2] 467:14 482:18
exception [1] 474:7
exceptions [1] 473:5
excess [1] 467:14
exchange [1] 486:25
exchanges [2] 408:11 416:16
Excuse [4] 421:17 452:19 466:4 497:24
excused [3] 452:3 469:5 483:7
exemption [2] 425:8 430:11
exercised [1] 400:24
exhaust [12] 412:23,24 428:8,12,22,24 429:2,4,7,10,13 442:17
exhausted [1] 432:3
Exhibit [46] 403:8 418:7 423:15 424:5 429:19 430:25 454:16,18,20 461:18 462:9,13 467:2 468:19,21,22,23 469:1,2 470:8 471:10,11 472:14,15 473:15 474:3,6 477:21,22 478:11,13 483:5,6 485:3,4 491:22,24 492:6,9,11,15,23 493:1,5 497:14,21
exhibits [20] 417:24 452:1 453:14,18 454:4,15 457:2,7 468:1,18 471:1,7 483:2 484:1,13 485:1 491:20 497:13,15,20
existed [1] 481:8
existence [1] 401:25
existing [13] 386:12 387:14 401:13 402:20 403:12 410:1 412:17 435:10 441:6 442:22 443:9,21 487:19
exists [2] 403:5 416:17
exit [3] 405:22 414:11 476:13
expanded [1] 430:13
expansion [5] 410:4 426:24 442:8,9,12
expect [3] 425:10,12 459:13
expected [3] 431:25 444:15 449:24
expecting [1] 447:20
expensive [2] 435:12,16
expert [1] 422:8
explain [5] 401:12 420:7 432:8 446:7 480:22
explained [1] 457:17
explaining [1] 401:9
explains [1] 387:6
explanation [1] 431:23
extended [1] 398:20
extension [1] 405:20
extensive [1] 475:25
extent [1] 421:18
extra [1] 397:25
extremely [3] 386:16 388:18,24

F

F7 [1] 415:17
faced [1] 473:18
facilities [1] 486:20
facility [6] 419:17 430:7 452:23 455:4 456:22 478:7
facing [2] 441:16 476:9
fact [9] 395:13 396:21 419:24 421:10 422:13 457:8 479:7 491:13 495:20
factors [11] 455:8,15 457:12,16 459:2 460:15 487:16,17,18,23 488:1
facts [1] 480:6
fail [1] 433:1
failure [2] 393:3,21
fair [2] 455:16 457:6
faith [1] 487:1
fall [1] 487:18
familiar [3] 430:15,18 440:19
familiarize [1] 440:15
families [1] 459:19
fan [2] 441:23 442:17
far [11] 404:6 406:3 415:3 420:4,23 444:2 473:11 480:22 482:9,15,20
farther [2] 387:23 394:9
fashion [1] 487:5
fast [1] 405:15
fat [2] 394:8 457:25
favorable [1] 495:15
FCC [9] 421:18 436:22 464:13 489:18,21 490:4,19 496:1,4
FCC's [3] 487:17 489:15,18
feasible [1] 432:11
features [2] 435:7,9
federal [3] 487:10 490:2,8
feed [1] 451:13
feel [2] 438:9 476:24
feels [1] 394:22
feet [43] 387:15,15 389:20,21 391:6,8,10,14 392:3,4 396:4 404:11 407:20 408:3,4 411:18 412:16,24 413:1,1 417:9 419:2,16 420:1,6,19 433:14,15 440:9 446:5,12 447:22,24,24 448:3 462:22,25 463:2,6,9 467:15 468:12 474:24
felt [3] 387:11 428:17,21
few [6] 387:16 437:7 462:4 473:5,21 474:12
fiber [3] 399:8,12,24
fibers [1] 399:11
figure [4] 439:10 441:10 458:12 464:13
figures [1] 421:11
figuring [1] 465:10
file [7] 418:22 468:7 472:11 492:19,20 493:14 497:25
filed [20] 418:9,21,23,23 419:6,14,25 421:19 430:12 440:12 452:25 453:20 466:22 473:15,24 482:2 483:18 484:10 486:14 498:8
files [1] 481:23
filing [1] 497:20
fill [5] 408:24 417:1 431:16 468:9,10
filled [8] 403:10 405:14,19 406:14 407:8 411:19 417:1 420:11
filling [1] 426:13
final [5] 464:16 475:1,5,8,10
finally [2] 461:1 463:7
find [3] 460:18,19 495:9
fine [1] 498:2
finger [1] 458:25
finish [1] 437:24
fire [12] 405:22 406:2,5,6 407:4 414:10 473:9 475:6,23 476:6,13 488:2
firewall [2] 475:21 480:20
firewalls [3] 391:9 446:13 480:23
firm [1] 410:25
first [39] 389:14 395:8 400:16 403:11,21 404:22 411:1 414:21 415:1,6,10,12 426:10 428:7 441:2 451:3,3 452:10 453:5 461:3,4 462:14,15,23 463:7,16 466:8 467:18 469:10 470:4,9 478:9,10,11 481:14,22 483:12 487:17 489:15
fit [1] 459:1
fits [2] 459:1,15
five [16] 386:23,23 391:10 395:17 396:4 397:25 420:3 431:9 433:14 442:5,6 446:4 447:24 453:14 456:11,15
five-minute [2] 437:18 438:4
five-year-old [1] 436:22
fix [1] 404:9
Flanders [1] 441:4
flexible [1] 460:15
floor [34] 387:18 390:13,15 398:5,12 400:15,16,16 414:21 415:1,2,3,3,6,10,12 423:8 428:2,15 431:24 436:2 440:2 441:3 445:11 451:2,3,3 459:23 466:8,10,13 468:2 475:22 476:5
Florida [13] 393:14 400:3 425:24 452:20 453:9 461:2 473:5 477:4,25 480:25 487:4 490:11 499:3
flow [1] 390:2
folder [2] 418:3 422:25
folks [4] 435:25 477:7 480:16 482:13
follow [1] 479:21
following [5] 387:4 395:16 417:2 487:5,19
follows [4] 452:11 469:11 483:13 493:11
foot [6] 391:15 442:19,25 446:3,8 456:25
footage [8] 396:5 421:11,13,13 432:5 448:5 458:15 465:9
Footages [1] 385:32
footprint [3] 440:5,7,8
forced [1] 409:1
forces [1] 447:10
forcing [1] 446:25
forecast [4] 456:6,9 460:16 487:22
forecasted [1] 458:6
foregoing [2] 499:6,10
foreman's [1] 390:19
foreseeable [1] 425:13
forgot [2] 427:4 467:3
form [6] 443:8 457:3,9 464:3,6 467:2
formal [1] 492:11
format [1] 468:7
Fort [1] 470:13
forth [1] 404:12
found [2] 388:17 460:20
four [17] 386:23 393:13 395:17 396:4 397:25 399:8 405:8 408:18,20 411:3,9 431:16 446:4 447:24 457:16 484:1 488:9
frame [14] 387:14,14,15,18 399:8,25 401:21 402:15,18 431:3 435:10 439:16 444:13 445:12
frames [17] 386:23 389:5 401:13,23 403:4 406:15,17 407:15 414:16 416:10,18,19,20,25 444:6 448:18 449:21
free [3] 403:14 439:6 496:23
freed [2] 422:17 434:15
front [5] 402:10,15 440:8 461:9 462:17
frustrating [4] 473:3,13 474:18 475:9
fuel [1] 393:10
fulfill [1] 487:2
full [6] 415:15 417:4 420:2,3 429:17 460:6
function [1] 400:19
functionality [2] 403:25 439:24
funding [1] 424:20
furniture [1] 457:21
further [6] 387:7 436:24 445:20 482:22 489:11 490:10
future [26] 399:10 401:14 403:1 405:10,15 406:13,17 407:1 408:18 411:15,18 412:3,3 416:9 419:17 420:1 425:14 433:23 436:3 442:7,9,19,25 495:14,17,21

G

G1 [2] 405:24 406:1
G10 [1] 406:1
G4 [1] 398:17
G5 [1] 449:7
gain [2] 396:9,24
gaining [1] 488:20
garage [2] 457:22 459:6
Gardens [14] 400:11 418:9 423:7,17,22 424:4,12,18 427:18 431:5 432:13 433:18 488:15 491:6
gather [2] 434:2 474:12
gauge [1] 444:15
gave [1] 395:8
general [8] 427:10 455:22 456:5 457:16 458:20 472:15,20 496:10
generate [1] 456:25

generic [2] 397:2 404:2
genesis [1] 439:18
gentleman [1] 481:5
gentlemen [1] 476:2
Georgia [1] 486:7
gets [2] 426:16 427:12
getting [6] 402:14 414:6 418:4 444:25 448:14 481:18
give [17] 391:20 418:13 425:2 429:17 434:7 437:18 441:17 449:25 460:6,21 464:25 472:2 475:2 481:25 482:1 486:2 491:15
given [6] 418:10 423:16 431:15 474:11 476:2 496:10
gives [1] 497:6
Glades [14] 400:16,16 401:8,25 438:22 440:13 445:10,12 450:24 462:21 463:5,18 488:11 491:6
glove [1] 458:25
Golden [14] 400:15,16 401:8,25 438:22 440:13 445:10,11 450:24 462:21 463:5,18 488:11 491:5
goofs [1] 389:24
got [34] 409:7 417:7 418:17 423:8,16 424:10,23 431:19 436:22 439:2 440:13,23 449:23 450:22 459:17 460:9 461:17 464:20 467:20 472:13 473:4 475:7 476:2,11,12,16,18 477:20,24 478:2,11,25 481:4 495:1
gotten [1] 460:5
Grande [3] 478:3,7 479:7
Grande-E [2] 478:6,16
greater [3] 399:3 439:23,24
greatly [1] 407:12
green [8] 386:11 395:2,4 399:8 401:13 409:6,6 416:6
grew [1] 421:7
gross [3] 458:15 465:8,17
grounds [1] 425:8
Group [1] 455:5
group's [2] 433:25 434:1
grow [15] 388:9 398:11,12,15,21 399:15 406:5 407:14,15 408:16,19 409:1 431:2 441:2 449:20
growing [10] 387:3 390:21,24 405:11,17 415:21 416:9 419:18 420:20 431:11
grown [3] 409:9,11 416:20
grows [1] 411:24
growth [55] 386:22,24 387:2 389:15 390:24 394:24 395:16 398:10 400:22,22 403:1,2 407:2,7,9,11,16 408:25 409:2,18 410:1,3,9,12,16 414:23,25 415:1 416:9,12 419:3 421:9 428:8,11,15,21 430:10 431:9,10 439:11,13,16 441:3 443:22,22 444:4,9,10,23 448:7,17 449:16 450:3 459:23 495:22
growths [1] 410:10
guess [22] 390:5 401:8 408:9 409:17 410:18 414:16 433:15 434:23 437:5 438:23 446:20 450:6 455:12 462:7,10 473:2 477:12 478:3 479:22 481:1,12 497:16
guideline [1] 472:15
guidelines [2] 420:12 429:22
GUY [4] 386:4 390:15 407:19 459:20

H

H-o-l-l-y [2] 469:18 470:7
H1 [2] 394:21 421:9
H6 [1] 397:22
half [3] 415:6 444:5,7
hall [1] 476:16
hallway [1] 396:12
hallways [1] 391:17
handle [2] 435:3 480:15
handled [2] 480:16 497:19
handler [9] 413:6,11,14 441:6,25 442:13 443:9 451:10,12
handling [5] 412:17,17,20 442:25 474:1
happen [4] 443:24 474:25 475:9 476:8
happened [2] 420:17 463:11
happens [3] 393:5 463:12 474:13
hard [3] 395:18 417:20 476:4
hardly [1] 387:17
hatch [1] 405:24
hate [1] 450:6
Haverhill [1] 386:15
hazardous [3] 412:9,9,10
head [1] 439:11
heard [4] 430:16 438:12 444:24 482:17
hearing [4] 438:6 492:12,23 498:10
heat [1] 460:22
heating [1] 480:9
heavy [1] 411:22
held [2] 415:24 448:24
help [3] 400:6 441:10 450:20
hereby [1] 499:6
high [2] 402:12,13
higher [3] 388:20,22,23
history [1] 473:17
hold [1] 495:16
Holly [2] 469:18 470:6
hooked [1] 393:22
hopefully [2] 393:5 438:10
horizontally [1] 401:19
host [1] 428:23
hours [2] 393:13 404:9
house [3] 446:19 457:21 459:6
houses [1] 425:24
How's [1] 492:21
However [5] 430:8 445:10 456:11 490:16 495:14
hundred [4] 391:10 396:4 446:4 447:24
hundreds [1] 478:25
hunt [2] 462:18 463:22
hurricane [2] 393:10 473:7

I

idea [2] 463:10 480:23
ideas [2] 420:9,12
identification [6] 454:16,20 462:13 471:8,11 485:4
identified [8] 388:9 418:7 449:2 461:18 462:10,12 471:10 493:5
identify [3] 423:4 424:2 441:24
ill [1] 426:9
immediately [2] 412:7 413:19
impact [1] 487:23
importance [1] 400:3
important [12] 386:16 388:18,24 392:19 394:4 399:14 403:23 404:13 409:14,15 436:13 455:25
imposed [1] 486:22
INAC [1] 435:25
Inc [5] 452:10 469:10 483:12 486:8 493:10
inch [1] 468:12
inches [4] 402:12,12 440:6,6
include [2] 395:15 487:25
included [4] 424:6 425:6 429:19 456:23
includes [1] 472:8
incomplete [1] 460:10
increase [1] 411:25
Incumbent [1] 495:13
indicate [2] 448:7,23
indicated [3] 407:19 411:22 439:3
indicating [1] 414:7
indication [1] 405:20
individual [2] 392:12 472:9
industry [2] 456:21,22
information [21] 395:7 424:19 434:2,5 449:23,25 457:15 461:20 462:2 474:11 486:15 489:3,4,8 490:15 491:2,7,8,9 493:10 496:14
informed [1] 438:8
initial [2] 404:25 447:12
initially [1] 391:7
inquiries [1] 460:6
inserted [9] 454:11,13 470:23,25 484:7,9,24 493:23 494:1
inside [2] 387:24 397:10
inspection [2] 475:1,8
inspectors [1] 473:9
install [2] 397:4 480:5
installation [4] 390:14 405:1 480:14,24
installed [5] 390:11 395:3 404:23 411:2,13
installing [1] 411:3
instances [1] 394:11
instead [1] 431:9
instructions [1] 446:21
intake [2] 412:23 413:1
intent [3] 437:24 492:7,20
interconnection [7] 430:14 486:9 487:12 488:19,25 489:23 490:21
interest [1] 490:13
interested [1] 419:12
interface [1] 446:16
International [1] 476:22
interpret [2] 459:8 472:24
interpreted [1] 459:9
Interrogatories [1] 462:16
interruptions [1] 399:18
interval [4] 472:13 474:4 477:11 478:20
intervals [2] 473:17 477:24
intuitively [1] 457:9
inventory [3] 414:2 451:8 464:4
involved [1] 445:11
isn't [4] 396:3 434:24 435:23 456:12
Issue [8] 440:14 479:5 480:20 481:21 482:12,21 495:23,24
issued [3] 479:24 481:12 489:16
Issues [1] 455:7
item [11] 462:14,22,23,25 463:1,7,19,20 464:1,11 465:14
items [9] 428:19 429:17 430:24 431:8,19 462:2,16 475:2 487:11
itself [3] 440:7 455:19 480:12

J

J6 [1] 397:22
jacks [1] 404:4
Jacksonville [2] 452:20 453:9
JACOBS [7] 390:4,8 409:20,23 410:2,6,13
JAMES [3] 452:8,18 455:3
January [2] 426:12,14
JDB-1 [3] 385:31 453:15 454:16
JDB-3 [1] 468:1
JDB-6 [1] 454:5
JEROME [1] 386:5
Jerry [4] 459:20 460:23 465:20,21
Jim [1] 455:4
job [6] 398:3 400:19 435:3 446:10 469:15 474:16
July [1] 424:11
June [3] 445:12 481:2,16
justify [1] 460:22

K

KEATING [18] 437:7 445:24 448:9,11,14,16 451:22 467:23 468:5,15 482:25 491:18 492:8,13,22 497:11 498:2,5
keep [9] 390:21 393:8,11 394:15 404:13 425:23 436:4,4 455:25
keeps [2] 390:20,22
Keith [4] 439:3 483:10 486:5,11
Kentucky [2] 469:19 470:7
kept [1] 414:11
Keys [2] 409:17 416:15
kind [14] 387:9 388:4 417:20 420:5,10 438:1 457:23 472:20 473:2 476:1,4 480:24 481:7 495:12
kinds [1] 398:2
knowledge [3] 426:25,25 479:10
knows [3] 393:9 426:2 467:8
kW [1] 412:22

L

L3 [1] 396:7
L5 [1] 397:7
labeled [3] 396:14 397:22 411:1
Lack [3] 426:20,21,22
laid [2] 387:9 434:8
language [1] 489:23
large [8] 391:5 408:1 412:23 413:2,2,7,9 442:15
larger [1] 451:12
last [11] 389:14 414:13 421:4 426:9 427:23 439:3 459:15 460:1 461:4 464:7 479:11
LATA [1] 428:11
late [2] 473:24 474:11
Late-filed [15] 385:35 403:7 474:5 477:22 478:13 492:5,8,11,15,18,23 493:5 497:17,19,21
later [3] 420:3 437:22 450:16
Lauderdale [1] 470:13
law [1] 490:8
lay [1] 415:9
laying [2] 390:13,15
lays [1] 415:11
leading [1] 395:21
leave [4] 392:8 416:21 429:16 432:1
leaving [1] 407:16
LECs [1] 495:13
left [14] 387:17 388:5 395:21 397:21 402:22 403:22 406:18,22 412:7,16 416:1,23 458:19 474:15
left-hand [3] 408:25 412:25 450:25
legal [1] 496:20
legitimately [1] 457:13
LEON [1] 499:4
less [2] 399:17 437:16
letter [5] 476:21 477:2 481:3,5,15
level [2] 426:2 488:1
Light [1] 393:14
likely [1] 467:10
limitations [1] 425:10
line [9] 415:24 448:19,20 453:5 456:3 463:16 470:6,9,16
lined [1] 388:18
lines [9] 410:6 449:16,17 450:3,5,7,10 470:12 495:11
lineup [17] 388:21 395:17,18 396:1 402:8,24 405:3,9,11 411:8 416:12,18,19,20 440:3 444:3,11
lineups [9] 388:10 389:8,13 416:13 440:4 443:21 444:3,9,17
list [8] 391:25 431:8,19 462:15,22 465:14 478:2,6
listed [1] 430:25
little [18] 387:23,24 396:13 401:10,13,21 408:8,17 410:19 415:5,20 416:3 417:7,19 420:18 443:9 448:11 457:4
living [1] 458:1
load [3] 396:16 404:2,2
local [18] 396:13 398:9,12,16,19,20 400:6 403:17 416:6 429:1 436:8,16 448:7,18 459:3 486:25 488:1,3
locate [1] 403:19
located [2] 403:25 408:16
location [4] 394:5 399:6,20 406:1
locations [1] 395:14
Locker [2] 400:2 436:10
long [20] 386:13 388:18 389:14 393:9 400:5 436:9,14 437:13,15 451:18 456:11 457:24 472:25 474:4,7,16 480:20 481:11 488:8 489:5
longer [2] 437:25 474:8
look [30] 388:15 389:1,12 390:12 391:16 402:5 408:7 409:4 412:19 413:10 416:2 418:25 420:17 423:6 428:1,5,14 429:19,25 431:7 457:6 458:4,24 459:16 463:13,23 464:25 472:25 473:10 474:2
looked [1] 401:4
looking [8] 423:21 443:18 444:6 445:11 450:23 456:6 463:21 480:8
looks [3] 390:5 402:16 415:17
loop [1] 496:3
lose [2] 386:17 393:21
loss [2] 394:12,13
lot [15] 388:25 389:24 399:1 404:6 407:17 413:3 414:6 448:4 456:16 459:11 473:8 475:11 480:9,10 481:18
loud [2] 461:23 483:16
Louisville [3] 469:18 470:7 474:15
lower [1] 448:14
Lucent [1] 393:17

M

ma'am [40] 452:15 453:2,4,7,13,16,19,22,24 454:3,6,8 455:3 461:23 463:15,20 464:8,11,15,18 465:1,7,13 466:5,8,12 467:5,7,17 468:13 470:4,21 471:5 472:3 477:23 478:1 479:2,25 481:18 493:19
machine [2] 386:18 396:25
machines [4] 396:9,17,21,23
made [11] 404:5 407:5 408:12,13 424:21,22 428:13 446:2 447:23 471:4 491:4
main [5] 387:14 428:7 451:13 470:10,13
maintain [3] 465:12 489:25 490:3
maintenance [6] 387:21 396:14 400:25 417:7 433:4 490:6
major [2] 460:1 461:8
majority [1] 432:4
man [1] 476:14
manage [1] 427:9
management [5] 424:2 429:21 455:6 456:22 469:21
Manager [6] 427:5 444:25 445:2,3 449:23 474:1
manager's [1] 400:1
Manager-Collocation [2] 469:20 472:4
mandate [1] 455:19
manner [1] 497:19
manuals [1] 396:10
manufacturers [1] 387:1
many [3] 436:11 439:6 491:14
MAP [14] 396:7,13,19 403:15,19,20,23 404:1,4,13,16 449:3 451:5 466:2
marked [10] 400:15 454:15,20 462:13 471:8,11 485:4 492:16,23,25
market [2] 400:5 436:16
markets [5] 400:6 425:19,22,23 486:20
MARY [2] 499:5,15
massage [1] 460:1
match [2] 466:6 467:12
mated [1] 386:14
material [1] 412:9
materials [1] 412:10
maximize [2] 400:24 433:19
maximum [1] 404:25
Mayes [10] 469:4,8,14,17 470:19 471:12 472:1 477:14,19 483:7
Mayes' [1] 471:7
mean [18] 423:23 428:11 431:10 432:20 433:12 434:15,23,23 435:16 441:25 443:2 446:20 465:2,7 467:15 474:18 478:19 482:12
means [3] 395:21 476:12 478:21
meant [1] 408:15
measure [1] 465:22
measured [4] 464:5 466:17,19 467:8
measurements [3] 456:25 467:9,12
mechanical [3] 480:11,11,18
meet [3] 391:7 419:18 425:9
Meeting [4] 423:8,12 424:7 428:2
meets [1] 488:5
member [1] 491:2
memo [1] 424:1
Memorandum [1] 489:16
mentioned [2] 411:17 443:25
message [2] 386:20 395:1
metal [1] 392:14
METZKE [1] 499:5
Miami [7] 409:17 416:15 460:20 478:2,6,7,15
microphone [2] 448:10 469:22
middle [1] 399:22
might [8] 403:3 408:1 437:10 441:22 443:13 444:12 465:8,9
mike [2] 466:4 469:24
MILNER [10] 483:10,16 486:1,5,11 491:14 492:1,2,4 495:10
Milner's [1] 485:1
minute [3] 387:12 393:6 423:19
Minutes [4] 424:7 437:16 462:4 495:3
Miss [1] 477:16
modems [2] 496:7,8
moment [2] 412:5 420:18
money [2] 425:2 479:19
monitor [5] 432:11,14,18,22 433:3
monitored [1] 432:25
monitoring [1] 433:2
month [1] 426:10
months [3] 426:9 427:24 450:10
morning [1] 447:8
most [4] 388:21 394:16 396:20 491:8
move [15] 386:8 388:4 394:21 396:6 397:7,21 398:17 408:21 412:12 432:9 468:19,23 484:6,21 497:16
moved [9] 387:19 390:20 413:20 414:3,5 451:15,15 458:11,11
moving [8] 390:21,22 410:14 413:21 423:15 425:24 441:6 443:9
Ms [101] 393:17 400:14 417:13,15,17 418:10,12,16 419:22,23 421:17,23 422:1,3,5,7,12 433:24 435:5 436:24 437:2,5,7,9,11,15 438:8,14,19 445:20,24 448:9,11,14,16 451:22,24 452:2,5,13 454:9,14 455:1 461:10,12,14 462:9,14 467:19,23 468:5,15,17,19,23 469:3,13 470:22 471:1,6,12 472:1 477:14,18 482:22,25 483:1,3,7,15 484:6,10,21,25 486:1 491:2,7,11,12,18,21 492:3,4,8,10,13,17,22 493:2,6,13,22 495:1 497:9,11,12,15,16,23 498:2,5
much [29] 397:25 399:5 403:24 404:8 405:2 420:3 437:25 438:15 439:5 440:1,5,5 444:17 446:8,10 447:3,12,23 451:12 458:17,17 459:10 465:11 472:22 474:8,8 475:24 477:12 495:6
multi-tenancy [1] 476:19
multi-tenant [2] 475:18 476:24
multiple [2] 396:22 397:6
multiplexers [1] 496:7
multiplying [1] 465:2
municipal [1] 488:3
municipalities [2] 472:17,23
municipality [1] 482:2
must [5] 398:11 414:11 420:12 430:12 480:2
myself [1] 401:6

N

name [12] 424:10 452:16,18 455:3,4 469:15,17 481:25 482:1 486:2,5,11
NANCY [1] 499:5
national [4] 459:3 488:1,2 496:5
nature [1] 387:5
near [1] 398:22
necessarily [2] 397:11 475:12
necessary [6] 450:3 455:18 457:15 468:10 480:4,23
need [22] 386:25 397:9,11 409:18 410:12 433:6 434:6,21 446:4,7 447:16 453:4 459:9 460:4,11

461:8 462:17 475:5 480:19 492:19 497:20,23
needed [7] 388:9 400:6 423:12 428:17 431:13 433:23 480:13
needs [4] 407:21 419:18 423:18 488:6
NEEL [2] 499:5,15
neighborhood [1] 393:12
network [8] 386:13,14,18 389:5 480:16 488:21 489:1 490:20
never [3] 393:3 430:17 467:11
new [33] 388:19 397:1,1,22 398:6,25 404:18,19,20 412:20,22 413:6,17 419:5 420:16 422:18 434:18,24 439:16,22,23,25 440:2 442:20,22 447:16 449:5,8 451:9,11 457:10 459:6 474:15
newer [2] 422:15 435:14
next [24] 387:4 391:24 395:3,6,15,17,18 396:6 403:22 405:12 406:23 409:9 416:19 417:1,4 431:25 433:10 439:4,13,17 459:19,24 463:23 464:12
nice [1] 398:22
night [2] 432:25 448:15
nightmare [1] 476:18
Nilson [3] 407:3,5,13
Nilson's [5] 403:7 414:14 415:23 441:11,17
nine [3] 389:13 473:4 493:15
nine-state [1] 472:5
nondiscriminatory [3] 455:17 487:5,9
none [3] 431:20 437:1 493:21
nor [1] 425:11
normally [1] 445:4
North [5] 408:10 438:22 441:15 450:24 462:21
note [1] 489:16
notes [1] 499:8
notice [10] 395:19 415:4,17 472:21 473:22 474:6,12 489:17 492:6,20
November [3] 418:24 437:23 498:7
nowadays [1] 435:13
nowhere [1] 457:7
number [25] 395:4 403:14 407:24 411:4 427:1 439:9 444:23 448:3 454:19 458:18,20 463:19,20 464:2,24 465:3 466:1,5,9,12 467:3,6 470:11 482:2 497:17
numbered [2] 485:1 499:10
numbers [13] 402:17 411:5,5 415:11 420:24 427:7 463:11,16 464:6,9 465:24 466:25 467:10
nuts [1] 398:1

O

O1T [5] 410:9 416:14,18,20 417:3
O3T [10] 403:18,22 407:2,6,10,14 409:2 443:20,21,23
O4T [11] 403:22 407:2 408:9,15,16 409:1,1 410:10 411:19 439:12,14
oath [1] 386:6
object [1] 421:17
objection [9] 454:12 468:20,25 470:24 483:4 484:8,23 491:23 493:25
objective [2] 455:25 456:1
obligation [2] 490:8 497:3
obligations [3] 486:22 487:2 496:23
observed [1] 422:23
obtain [1] 472:18
obtained [2] 480:2 496:15
obtaining [1] 477:24
obvious [1] 437:25
occupancy [1] 475:3
occupants [1] 488:7
occupying [1] 458:17
occur [1] 420:10
occurred [1] 422:11
October [2] 498:6 499:12
odd [1] 411:7
offer [5] 420:10,22 430:9 431:3 489:4
offered [4] 420:14 479:13 481:22,24
offering [1] 497:2
offers [2] 488:17 489:5
office [92] 386:16 387:25 388:2,12,14,20 389:10,16,17 390:1,3,10,19,20 391:3,15,15,18,21 392:9,11,17,21,24 393:1,11,13,19,24 394:18 397:16 399:14 400:11 401:3,4,19 402:2,21 404:1 411:23,24 413:7,13 414:24 417:7,12 419:7 420:4 421:4 422:10,20 423:7,13,17,22 424:4,15 427:10 428:15,18,20,21 431:25 432:12,13,19 433:4,7,11,16,19 434:12 435:17,22,24 442:1,23 444:16 447:9 448:1 450:24 451:14 459:22 460:25 462:21 476:15 478:20,24 479:10 488:11,15 496:3
offices [22] 389:7 394:15 400:23 401:7,7 427:2,6,8,9,11 436:9 440:22 447:20 455:11 458:9 468:3 480:25 486:14 487:16 490:18,24 491:5
official [1] 474:22
officials [7] 472:10 473:10 475:1,11,16 476:10 477:5
often [1] 459:10
okay [96] 391:23 399:23 401:12 406:11 410:2,20 412:12 417:24 418:12,16,19 419:9,23 420:9 421:1,14 422:7,24 423:6,10,11,15,19 424:5,17,23 425:3 426:3,7,17,22 427:1,11,19 428:1,4,5,10,23 429:1,10,13,18,25 430:2 432:10,17 437:11,17 438:19 439:5,18,25 440:10 442:18,24 443:17 448:22,23 449:10,15 451:25 453:6 458:15,21,25 459:17 460:3,8 463:23 464:2,13,16,23 465:14,18,23 466:4,10,10,14 467:6,19 478:2,15,15,17,18,23 479:21 480:4 492:13,17 493:4,20 495:4
old [8] 409:6 420:15 435:14 438:23 439:19 440:1 442:13 481:11
OLUKAYODE [1] 493:8
once [8] 391:3,4 396:4 401:1 426:15 434:16 459:22 495:5
one [100] 386:14,15,23 387:3,11 388:25 389:2,11,13 390:1 391:19,24 393:23 396:5,5,10 397:15 398:19 399:6 400:21 401:15,20 403:14,21,22 405:25 406:1 407:11 411:1 416:7 417:20 418:10,13 419:10 424:9,10 425:6 426:15,15 427:7 428:19 431:18 432:18,21 435:14,14 439:16,22,23,25 440:2,3,10 444:3,11,13 445:7 447:15 448:1,1 450:15 456:13,15 457:2,10 459:23 460:19 461:17 463:11,12,23,24 464:1,12,16,17,25 465:12,25 466:15,16,17,18,19,19,21,24 467:17,18,24 468:12 473:6,22 474:7,17 478:5 479:1 481:23 488:12 495:22
ones [2] 399:9 464:21
only [28] 396:1 397:3 401:20,21 405:1,25 406:15 407:11,15 408:3,14,15 415:5,12 417:6,8 420:22 430:16 436:14 441:22 444:3,13 447:14 461:17 467:17 482:10 489:7,10
open [6] 400:6 413:17 415:18 456:20 486:19 490:20
opened [1] 413:18
opening [1] 443:25
openings [1] 476:6
operate [2] 489:25 490:3
operation [1] 490:6
operator [4] 403:18 409:15,16,19
Opinion [1] 489:17
opportunity [1] 495:6
opposed [3] 404:10 440:4 444:13
order [11] 405:5 408:23 417:1 430:7 438:7 439:13 487:18 489:15,17 496:1,4
ordering [1] 434:10
orderly [3] 386:24 390:2 400:22
orders [2] 410:25 486:23
Organization [1] 455:6
organizations [1] 473:8
orient [1] 416:2
originally [1] 395:5
OSP [1] 429:13
other [36] 386:15 389:7,16 394:22 406:1 410:15 411:11 417:6,21 420:24 422:13 425:20 429:19 430:22,25 435:1 436:1 440:10 447:20 455:23 464:9 473:4,20 474:13,22 475:2 476:11 477:1 479:8 482:7,13 487:23 488:9 491:5 495:15,23
ourselves [2] 435:21 497:5
out [45] 387:9,18 389:10 392:15 393:10 394:17 395:13,21,23 397:14 398:4 401:16 402:3,8 403:3 406:4 407:8 409:7 414:4 415:25 418:14 419:20 420:11 421:2 422:24 423:5 426:9 429:16,20 433:3 434:8,18 435:14 436:11 441:10 456:1 458:9,12,14 461:22 465:11 476:13 481:5 496:10 498:5
outline [1] 487:20
outlined [1] 487:17
outside [4] 397:9 430:10 472:6 475:14
over [21] 386:13 387:16 388:17,22 398:25 402:14,19 406:2,16,25 408:25 409:1,3 410:14 419:3 420:18 427:6 458:11 459:21 465:16 496:25
overall [2] 448:3 486:18
overhead [4] 394:9 402:25 403:5 476:3
oversee [1] 472:5
own [4] 428:19 430:7 495:17,21

P

p.m [1] 498:11
pack [3] 414:10 451:5,19
packs [1] 451:9
page [20] 387:8 419:1,15 429:25 430:1,2,3 443:17,20 448:6,16,19 453:5 470:4 478:9,10,11,12 495:8,9
pages [10] 429:20 453:1,11,21 469:25 472:22 483:19 484:11 493:15 499:10
pair [1] 386:15
Palm [11] 395:1 418:9 423:7,17,21 424:4,18 432:12 433:18 488:14 491:6
Palms [1] 424:13
panels [2] 405:9,9
paper [3] 424:1 468:9 496:10
papers [2] 436:12 437:12
Paragraph [11] 419:1,16 424:12 428:7 430:3 444:21 487:18 489:22 495:9 496:1,4
paragraphs [1] 496:19
parameter [1] 456:4
Pardon [3] 437:2 451:1 459:11
parens [1] 440:14
parity [1] 490:22
parking [2] 389:23 392:10
parks [1] 389:25
part [10] 389:8 398:3 410:16,17 421:21 427:19 440:20 472:11 473:14,14
particular [10] 386:17 390:18 394:24 420:21 422:10 428:18,19 460:20 496:4,12
parties [1] 438:9
partnering [1] 482:6
parts [1] 389:16
pass [1] 418:2
passed [4] 418:14 424:2,20 425:18
past [2] 408:8 464:4
paths [1] 447:1
Peachtree [1] 486:6
Pembroke [1] 470:16
penetrations [2] 475:23 476:5
people [12] 425:24 430:17,22 433:1 455:23,25 459:3,8,14 460:21,25 475:8

per [3] 416:10 448:18 449:21
perform [1] 403:24
period [2] 419:4 430:10
permit [21] 470:10,14 472:12,13, 18 473:17 474:4,21 477:11 478: 20 479:5,17,24 480:1,4,13 481: 24 482:1,21 489:9 490:5
permits [3] 473:18 477:25 488: 22
permitting [5] 473:13 481:21 496:22 497:1,4
person [2] 426:13 465:10
person's [1] 398:12
personal [1] 399:1
personnel [3] 390:3 398:23 430:7
perspective [1] 398:13
Petition [9] 418:8,17,21,25 419: 5,14 421:15 425:5 463:3
phase [1] 434:19
phenomenon [2] 420:7 422:11
physical [59] 389:7,19 391:12 393:25 396:3 406:8 407:17 408: 2 409:13 412:14 413:4 414:8,18, 22 416:22 425:9 426:4,11,21,23 427:13,17,20 429:21 430:8,21, 23 431:4,21 432:2 433:19 435: 20 436:6,21 440:7 445:4,10,13, 13,16 447:15,18 455:9 462:5 472:7 478:23 479:1 480:24 486: 13 487:3,21 488:10,13,17,23 490:9 491:4 493:2 496:24
physically [2] 389:19 391:19
pick [1] 398:5
PICS [1] 451:7
picture [6] 406:9 429:17 439:8 441:11 456:14 476:14
pictures [1] 457:4
pieces [1] 387:16
piled [1] 402:12
Pines [1] 470:16
place [15] 389:1,9,11 391:19 392:19 434:9,11 439:13 446:15 458:2 463:21 489:25 490:3,9 499:7
placed [6] 389:14,17 395:11 408:23 411:23 431:25
placement [2] 488:22 490:5
places [1] 396:22
placing [2] 397:14 409:16
plan [10] 392:6 407:8,9 409:8 431:24 434:9 440:14,20,21 464: 19
planned [4] 405:5 409:24 412:5 439:17
planner [5] 393:16 395:8,10 452:24 455:5
planning [6] 393:18 423:8 428: 2 434:19 455:5 476:18
plans [10] 400:15,22,23 401:1,3 468:2 472:24,25 473:10,12
plant [1] 394:19
please [7] 452:16 455:2 469:14, 22 472:2 485:2 486:2
plug-ins [2] 397:12 414:2
pockets [1] 460:2
POD [4] 440:12 463:19,20 464:3
PODs [4] 462:23 463:1,7 464:1
point [18] 386:21 401:16 407:22 419:20 421:16 422:24 423:3,5 430:10 439:1 446:15 473:11,12 475:15 480:17 482:3 495:18 498:5
pointed [3] 402:8 403:3 490:10
policies [1] 487:6
policy [1] 430:15
pool [1] 459:7
pop [1] 460:7
portable [1] 399:1
portions [1] 489:15
position [6] 396:10 403:19,20 472:3 477:3 489:14
positions [10] 396:7,19 397:6 403:15,23 404:2,4,6,13,17
possibility [1] 442:12
possible [4] 422:15 432:17 434: 24 441:24
possibly [1] 423:21
POT [1] 446:16
potential [2] 393:1 456:2
potentially [1] 487:23
power [39] 392:22 393:3,7,14,14, 16,17,21 394:1,7,18 401:22 410: 17 411:20,24 413:13,15 415:8,8, 14,16 416:1 420:15,15,19 421:2, 3,5,6,8 422:14 429:10 440:25 441:2,3,14 442:10,19 443:15
powering [1] 392:21
practices [1] 488:4
predetermined [1] 459:23
prefiled [1] 469:25
prepare [2] 438:2 497:23
prepared [3] 492:12 497:21,24
presentation [2] 449:3 451:5
Presently [4] 395:2 410:23 411: 2,8
preserve [1] 410:12
president [1] 400:3
pretty [10] 405:15 420:2 438:15 457:17 460:14 467:15 472:22 473:13 474:13 477:12
prevent [1] 402:25
previously [1] 493:11
price [1] 435:13
print [3] 415:4 420:17 468:8
printed [1] 415:25
prior [1] 481:8
probably [10] 396:2 397:25 419: 10 440:11 444:1 450:10 466:8 467:7 468:5 481:12
problem [16] 404:8,9 417:23 473:3 476:10 480:21,22 481:2, 10,11,17 482:8,11,14,15,18
problems [5] 473:6 474:21,22 476:9 481:8
procedure [1] 472:15
procedures [2] 389:9 472:22
proceed [3] 438:11,18 455:2
proceeded [1] 437:9
proceeding [3] 493:15 495:18 498:11
proceedings [3] 486:24 499:6, 11
process [19] 428:14 455:16 456: 4,19 457:6,8,23 460:13,16 461:2 462:5 472:11 475:10,24 477:11 481:3 496:22 497:1,4
processed [1] 408:2
processors [1] 396:18
produced [5] 418:1 461:20 462: 3 463:8 468:1
profile [2] 401:3,4
profiles [1] 401:3
Program [3] 469:20 472:3 474: 1
programs [1] 473:25
progress [1] 491:3
project [5] 449:22 475:13 478: 24 479:4,6
projected [7] 386:9 395:5 419: 3 428:20 448:18 449:16,20
projection [1] 421:16
projections [6] 433:22,24,25 434:2,8 450:9
projects [2] 474:24 479:24
prompting [1] 410:3
proper [2] 412:11 448:5
properly [2] 412:11 457:15
property [5] 414:1 429:21 451: 8 455:5 469:20
Proposed [1] 489:17
proprietary [2] 491:9 492:18
Protection [1] 488:2
provide [19] 391:11 398:15 409: 12 410:11 416:21 426:23 431:8 487:11 489:2,7,8,20 490:7,18 491:2 492:5,18 496:13,13
provided [8] 407:3 458:22 463: 17 465:15 477:22 487:2 488:7 492:14
provider [2] 490:14,15
providers [2] 488:18 490:23
providing [2] 488:24 496:24
Public [1] 459:12
publications [1] 436:11
purpose [4] 458:16 486:18 488: 19,20
purposes [3] 423:3 488:24 489: 11
pushed [1] 404:22
put [29] 392:13,14 394:4,5 395:6 397:1 399:16 401:2 403:3 407: 23 412:10 414:7,18 424:17,23 436:2 439:14 446:22 457:21 458:6 459:6,17,18,22,22 460:22 466:13 468:8 480:7
puts [1] 392:15
putting [4] 405:16 411:8 422:18 451:11

Q

qualifying [2] 496:12,15
quarter [1] 404:22
question [5] 430:5 455:11 461: 21 462:7 467:25
questions [21] 417:22 436:25 437:3,7 438:20 440:17 443:19 445:21 450:23 453:10,25 470: 19 477:20 482:22,25 483:23 484:18 491:16,18 493:17 497: 11
quick [1] 457:19
quicken [1] 477:11
quicker [1] 438:15
quickly [2] 407:14 473:13
quiet [1] 436:4
quite [2] 442:13 473:1
quorum [1] 438:13
quote [2] 489:18,21
quoted [1] 407:12

R

rabbit [1] 479:22
rack [1] 402:25
racking [4] 401:18,18,24 476:3
rackings [1] 402:10
racks [3] 392:14 402:1,3
raining [1] 397:9
Ramos [5] 435:12 492:3 493:8, 14 495:1
Ramos' [1] 493:22
Range [3] 385:32 463:10 467:14
rate [3] 388:23 407:15 416:9
rated [2] 475:23 476:13
Raton [1] 470:9
RBOCs [1] 477:1
re-evaluate [1] 395:11
read [12] 422:2,6 425:6 430:4,17 441:1,9 450:20 470:23 484:22 493:18,24
Reading [1] 467:1
ready [2] 438:15 487:11
real [5] 455:24 456:21 457:18 468:13 479:18
realize [3] 474:23 476:7 492:19
realizes [1] 393:3
really [19] 388:10 391:10 394:3 395:25 397:20 404:5 409:1,18 410:12 415:5,11 417:9 443:5,6, 14 450:14 461:17 473:2 480:6
REAM [27] 386:4,8 390:7,9 399: 19,21,24 401:12 406:10 407:19 411:21 417:13,18,23 418:4,16 422:8,8 427:1 436:20 444:24 445:25 446:1,6 447:14 448:6 450:21
Ream's [1] 401:11
reason [3] 393:8 397:2 435:15
reasonable [2] 455:16,18
reasons [2] 409:13 412:13
rebuttal [16] 448:6,17,19 453:20 454:5,10,15 471:12 484:10,16, 21 486:15 493:9,14,23 495:8
receive [3] 427:13,16 445:6
received [4] 468:22 469:2 483: 6 491:24
recently [3] 481:4,15 489:16
recess [4] 437:18,21 438:4,5
recognizes [1] 397:1
recommendation [1] 498:7
recommendations [2] 424:19, 25
reconfigure [1] 433:18
reconvene [1] 437:21
record [14] 418:2 423:2 440:12, 18 452:17 454:11,11 462:10 464:3 470:23 484:7,22 493:23 499:11

recording [1] 404:3
recordings [1] 404:5
rectangle [2] 402:16 412:3
rectangles [3] 401:14 415:4 416:6
rectifiers [4] 392:23 393:7 394:16,20
red [15] 386:22 391:2 392:7 395:5 398:10 399:9 403:12 404:17,17 405:20 406:12 408:22,24 409:6 416:25
redirect [6] 451:24 468:16,17 483:1 491:20 497:12
reduces [2] 395:23 434:25
refer [1] 495:25
reference [1] 387:8
referred [2] 463:3 495:10
referring [2] 416:4 478:5
reflect [1] 463:9
reflected [4] 414:13 442:3 462:24 463:6
reflects [1] 462:20
regarding [3] 424:12 490:20,23
regards [2] 400:25 445:13
region [1] 472:5
regular [1] 478:19
regulations [1] 487:10
regulators [1] 490:3
regulatory [4] 459:3,7,14 487:25
related [3] 472:10 475:12 486:12
relates [1] 423:20
relationship [1] 459:11
relevance [1] 432:7
relevant [2] 456:12 489:15
reliability [1] 386:17
relocate [1] 430:6
relocated [1] 387:16
remaining [2] 419:16 438:9
remember [3] 441:21 443:11 479:1
remote [1] 495:24
remotely [5] 403:25 404:11 432:13,23,25
removal [2] 409:8 439:18
remove [2] 387:15 439:7
removed [7] 438:24 439:1,2,5,19,20 442:14
repair [1] 433:5
replace [4] 435:2,14 475:5,6
replaced [1] 439:22
report [5] 464:6,7,10 487:17 489:15
reported [1] 499:7
REPORTERS [1] 499:1
representative [1] 474:13
represents [2] 401:21 415:5
request [18] 391:6 408:3 417:10 426:3 436:21 445:8,9 446:4,8,12 462:23 463:1,7 464:1 473:23 488:15 490:9,12
requested [6] 476:20 481:3 486:13 488:10,13 491:1
requesting [2] 407:24 495:13
requests [7] 408:2 425:9 445:6 481:18 487:8 488:11 489:12
require [6] 405:2,8 408:1 432:6 480:12 489:19
required [8] 397:8 404:4 430:6,9,22 433:9 434:25 489:6
requirement [9] 407:20 447:13 457:9,12,14 458:21,24 459:15,17
requirements [5] 448:2 461:5 480:8,9 490:11
requires [8] 391:10 396:4 397:24 398:25 413:2 447:3,12 475:20
requiring [2] 414:24 490:5
reserve [6] 393:20 416:7 419:2 442:11 444:17 495:14
reserved [16] 403:2 407:1,1,11 416:14 417:3 419:17 420:1 430:9 439:11,15 443:22 444:3,9,11 495:21
reserving [3] 411:15 444:2 458:17
residential [1] 397:18
resides [1] 386:10
respectfully [1] 491:14
respond [2] 455:7 486:12
responded [2] 462:20 463:2
responding [1] 486:15
response [4] 440:12 462:15,23,25
responsibilities [2] 401:6 440:22
responsibility [3] 401:8 481:20 497:2
responsible [1] 465:10
rest [2] 441:9 464:5
restate [1] 449:18
restoration [1] 451:4
restrictions [1] 446:25
result [3] 455:13 486:21,23
results [1] 460:14
retire [1] 425:12
return [3] 413:7,9 451:12
revenue [1] 456:2
review [3] 445:14 457:12,15
Rick [1] 424:9
right-hand [6] 405:24 409:2,3 412:25 415:7,8
role [1] 444:25
Ron [1] 439:3
room [54] 394:17,24,25 395:23 396:3 397:8 400:11 408:25 410:17 411:21 413:5,13,15 414:5,7 415:8,8,15,16,20,21 416:1 420:15,15 421:2,6 432:1 435:8 441:3,3,5,5,7,10,13,14,24 442:7,9,12 443:1,1,7,7,8,15,16 446:13,18 447:21 453:8 458:1,7 460:9
rooms [4] 420:19 421:3,5 422:14
rough [1] 468:13
roughly [1] 468:6
round [2] 397:17,19
row [2] 392:14 395:3
rows [1] 388:19
Royal [1] 424:12
RPR [1] 499:15
RUBIN [23] 386:5 400:14,18 406:11 409:22,25 410:5,7,14 417:13 437:1,4,9,12,14 438:19,25 445:25 450:22 451:1,22 462:24 465:15
Rulemaking [1] 489:17
rules [2] 487:10 490:19
rumbling [1] 438:12
run [7] 394:7,17 414:15 427:8 433:16 460:19 461:2
running [4] 387:18 393:11 404:11 411:6
runs [6] 392:17 393:10 401:18 402:6 405:22 415:9
rush [1] 474:20
rushed [1] 461:7
RV [1] 392:10

S

safe [3] 423:11,20 424:14
safely [1] 395:22
safety [2] 400:25 488:6
sake [1] 425:3
same [26] 389:25 393:1,23 397:5 417:22 420:3 435:3,8 443:17 449:2 453:12 454:2 457:20,23 458:8 461:2,5 470:20 472:23 473:21 477:2 481:10 483:24 484:19 489:4 493:18
satisfy [1] 417:9
saw [2] 465:20 473:16
saying [16] 421:25 431:18 442:18 443:6 444:10 462:4 465:5 466:6 467:13 475:18,19 476:11 481:9 482:14,19,20
says [36] 386:12 387:10 390:23 395:25 402:7,25 405:10,24 411:4 412:3 413:10 424:6,12 425:7 428:7 429:7 441:1,20 442:7 443:19,20 444:8,21 449:8 451:9 459:17 465:15,16 470:8,9,13,14,16 478:3,18 495:9
SBCCI [2] 477:2 481:4
scale [3] 415:19 468:4,10
scaled [2] 447:25 448:3
scattered [4] 391:18 403:13 406:13 414:17
scenario [1] 420:10
schedule [1] 475:7
scheduled [1] 498:7
SCP [1] 429:7
screen [2] 468:6,8
second [26] 390:10 400:16 415:2,2,3 423:8 426:15 428:2,15 430:3 436:2 443:20 456:5 458:4 462:22 463:1,13,19,24 464:1 465:14,25 466:10,13 476:12 496:10
seconds [2] 393:6 437:12
secret [1] 436:5
section [2] 428:19 496:17
Sections [1] 486:22
secure [1] 424:20
see [45] 386:22 390:12,13,15 391:24 395:4 401:16 402:22 403:12 404:17 405:2,10 406:14 408:22 409:5 412:1 413:19,24 414:14 415:10,19 416:5,25 419:1 423:5 424:9 427:25 429:18,22 432:6,7 445:9 449:6 455:15 457:2 459:9 466:5,12 474:2,3 476:1,15,17 482:3,7
seeking [1] 495:16
seeks [1] 425:7
seems [2] 427:22 431:8
seen [7] 388:1 421:18,19 430:17,18 440:11,16
semi [1] 397:14
send [2] 460:11 465:16
Senior [1] 486:8
sense [1] 404:6
sent [2] 422:25 424:24
sentence [1] 421:24
sentences [1] 440:25
sentiment [1] 436:19
separate [5] 447:1,5,6 475:20 477:6
separation [1] 475:21
sequence [1] 386:2
seriously [1] 400:8
serves [1] 416:15
service [15] 393:22 398:16,23 399:18 401:1 410:11 430:14 459:12 488:7,18 489:6 490:14,15,23 496:14
services [15] 403:18 409:15,19 469:20 486:9 488:25 489:3,4,8,8,21 490:7,18 496:13,14
set [10] 391:8,9 396:3,5,5 447:10 448:5 462:15 488:4 497:20
sets [1] 457:16
seven [2] 399:9 469:25
several [7] 390:20 417:24 427:6 431:8 468:1 475:16 487:16
shall [6] 454:13 470:25 484:9,24 494:1 496:5
shape [2] 457:23 458:9
share [1] 436:16
she's [1] 421:20
sheet [3] 464:3 468:9 473:25
shelves [3] 441:7 443:6,8
ship [1] 397:9
shoot [1] 397:5
short [5] 430:5 438:5 457:25 461:19 495:2
shortens [1] 407:12
shorthand [1] 499:8
shot [1] 459:14
shouldn't [3] 447:4 458:11 476:25
show [14] 419:11,12,21 428:23 429:1,4 440:14 441:20 463:20,21 465:4,25 466:3 496:19
showed [1] 421:24
showing [14] 404:14 405:15,19,21 406:17 407:6,11 410:22 411:3 412:15,21 416:23 417:6 444:3
shown [10] 403:1,7,12 404:14 406:25 408:13 411:10,18 412:8 415:22
shows [6] 392:3 406:12 408:18 463:2 464:24 473:17
shrink [1] 398:21
shrinking [1] 431:12
shrubbery [1] 475:6

side [8] 408:25 409:2,3 412:25, 25 415:7,8 450:25
sidewalk [1] 475:5
signal [2] 386:20 388:15
signaling [2] 386:13,20
signals [2] 388:11 389:2
significant [3] 407:25 431:21 467:16
similar [2] 473:1 476:24
simple [2] 419:13 465:9
simply [6] 418:20 419:24 425:6 480:4 495:20 496:18
Since [6] 395:10 425:4 427:23 444:14 481:1,12
single [1] 448:1
sir [3] 390:9 495:22 496:1
sirs [4] 495:8,11 496:19 497:7
sitting [1] 392:22
situation [6] 425:15 435:19 475:18 476:23 477:1 482:18
six [7] 391:10 395:6 399:9 416:9 426:9 444:7 456:11
size [2] 415:4 434:25
skinny [1] 457:25
slowly [1] 431:12
small [2] 398:3 421:8
smaller [3] 431:13 435:2,6
Smith [1] 424:9
sofa [1] 458:2
software [4] 387:20 396:25 397:2 456:24
solely [2] 490:14,15
somebody [4] 389:25 464:5 465:7 466:13
someplace [2] 394:19 404:1
sometime [3] 409:8 412:6 464:4
sometimes [2] 404:9 474:24
somewhat [2] 395:13 467:11
somewhere [2] 393:12 433:6
soon [1] 419:11
sorry [16] 399:21 403:17 409:20, 22 411:12 418:5 427:3 449:18 464:11,18 466:2 467:2 469:24 478:12,14 491:12
sort [1] 428:16
sound [1] 457:14
source [2] 393:23 456:2
South [4] 409:16 443:21 444:9 480:25
Southern [2] 476:21 488:2
southwest [3] 441:4,20,21
space [127] 387:1,18 390:21 391:1,11,16,16 394:3,23 395:24 398:12 399:3,15 400:25 404:15 405:2 406:7 407:7,9,12,17 408:6 409:12 410:12 411:15 415:5,6, 15 416:5,21 417:10 420:16,23 422:9,17 425:9,13 426:12,19,20, 21,23 427:9 428:17 430:9,11,23 431:15 433:20 434:15 435:19, 24 436:1 439:6 440:1,13,21 441:1 443:20,22 444:10,18,22 445:11 446:8 447:3,6,12,22 448:2,24 449:7 455:9,10,19 456:5,7,9,19, 23 457:8,10,24 458:2,5,13,17,18, 24 459:25 460:2,8,17,18,19,21, 23 462:6,21 463:6,11,17 464:3,4, 6,9 465:11,17,22 466:22 467:1 472:6 473:19,20,22 474:2 476:23 487:14,21,24 488:4,5 490:1,4 495:14,17,21
spaces [6] 403:6 408:1,22,24 416:11 475:17
spare [4] 390:21 391:1,14,16
speaking [1] 431:24
special [2] 398:23 462:1
specifically [4] 445:18 455:7 489:24 490:4
specified [1] 404:19
speed [2] 388:20,23
spite [2] 491:12,13
spoke [1] 400:3
spot [1] 459:21
spread [1] 398:4
spreadsheet [1] 457:3
spring [1] 400:2
Springs [2] 469:18 470:7
Square [41] 385:32 389:20,21 391:6,8,10,14 392:3,4,12 396:5 407:20 408:3,4 411:18 412:16 417:9 419:2,16,25 420:6,18 421:11 432:5 440:9 442:18,25 446:3, 5,8,12 448:3,4 456:25 458:15 462:25 463:2,6,9 465:8 467:15
squares [1] 401:14
SS7 [1] 386:14
Staff [15] 402:10 424:20 437:5 445:22 451:23 455:19 467:21 482:24,25 491:1,17,18 492:15 497:10 498:7
staging [6] 397:23 398:6,14 448:25 449:5,8
Stan [1] 441:4
stand [3] 392:13 452:6 492:4
standard [1] 497:19
standards [2] 496:2,6
standpoint [2] 430:16,19
stands [1] 487:11
start [19] 393:6,7,9,15 394:18 401:9 418:5 428:14 433:5 439:4 455:12,21 456:4 457:23 458:9, 14 480:2 481:3,17
started [3] 422:19 479:17 481:1
starting [3] 408:8 409:8 462:7
starts [2] 433:1 462:6
State [13] 421:19 430:12 448:17 452:16 459:3 461:2 469:14 486:2 487:10 488:1 490:2,11 499:3
stated [3] 419:2 426:8 470:5
statement [8] 400:19 407:6 408:13,15 425:6 443:25 446:3 447:23
statements [1] 444:19
states [7] 419:15 464:2 473:4,5 474:14 489:25 496:5
Status [2] 385:35 493:2
still [3] 456:15,17,18
stock [1] 425:23
stop [2] 425:24 432:1
storage [12] 397:8,12 414:1,10 441:5,7,13 443:1,7,8 451:6,19
store [1] 396:9
stored [1] 397:11
STP [15] 386:10,12,20,24 387:10, 19,20 388:9 409:6 429:4 438:23 439:16,19,20 440:5
straight [1] 495:7
Street [3] 452:20 453:8 486:6
string [6] 392:6,7 412:4,5 442:20,23
strings [6] 392:9,12 415:17,18, 21 442:22
strive [1] 459:13
structure [1] 487:21
study [2] 434:9 464:19
stuff [4] 398:2 418:15 460:22 482:4
subject [2] 462:19 479:14
successful [2] 400:9,10
sudden [1] 476:15
sufficient [1] 498:1
suggest [1] 437:8
suggested [1] 388:6
Sullivan [1] 424:10
summaries [1] 457:1
summarize [1] 457:18
summary [9] 446:2 455:2,21 462:5 472:2 486:2,11 490:25 495:2
Summerlin [37] 417:15,17 418:12,16 419:23 421:23 422:3,7,12 436:24 437:2,5,9,11,15 438:8,14, 19 445:20 461:12,14,16 462:9, 14 467:19 468:23 477:16,18 482:22 491:11,12 493:6,13,22 495:1 497:12,15
superstructure [1] 398:2
supervise [1] 427:1
supervision [1] 499:9
supplied [1] 462:24
support [3] 391:5,19 393:13
supporting [1] 477:3
supposed [2] 438:24 465:12
supposedly [1] 420:1
Supra [40] 387:11 388:6 394:22 396:7 400:9 402:9 410:15 445:7 455:8 461:19 462:3 468:23 472:17 473:19 479:6,9,20 481:24 482:3,10 486:13 487:7,13 488:8,12 489:24,25 490:1,10,13, 16 491:9,13 492:19 493:9 495:12,20 496:19,20,24
Supra's [23] 385:35 391:6 395:24 417:10 426:3 427:16,20 445:9,17,19 462:15,23 463:1,7 473:14 478:23 486:12,16,16 487:8 490:8 491:4 493:2
surprise [3] 479:3,16,18
suspect [1] 450:7
Suzanne [1] 461:15
swimming [1] 459:7
switch [35] 396:9,11,13,16,21,22, 25 398:9,12,19,20 403:16,18 404:10,20 405:4,7,13 407:1 408:16 409:16,19,24 411:19 416:6, 11 429:1 433:1,5,10 438:23 443:21 448:8,18 449:22
switchboard [1] 401:22
switches [10] 387:3 396:18 398:15 403:16,24 404:7 409:15 419:3 432:12,18
switchman [1] 433:3
sworn [4] 452:11 469:11 483:13 493:11
Synopsis [2] 423:18,23
system [7] 399:10 404:21,24 414:2 451:8 474:1 475:6
Systems [5] 427:5 445:2,3 459:21 493:10

T

T1 [1] 388:11
talked [4] 396:7 418:24 459:20 475:15
talks [1] 496:11
tall [2] 392:13 457:25
tandem [18] 389:16 394:24 396:11 408:10,10 409:18,21,24 410:1 416:14,15,15 420:20 421:9 428:11,22 439:12,14
tandems [1] 444:20
tape [3] 390:12 467:10 476:1
tapes [2] 396:15,16
technically [5] 432:11,17 433:9, 12,13
technician [2] 390:13 404:7
technicians [7] 388:14 389:1 396:8,16,20 397:4 399:16
technological [1] 435:15
Technologies [1] 393:17
technology [5] 422:16,18 434:18,24 435:6
telecom [1] 496:13
Telecommuncations [1] 472:4
Telecommunications [17] 452:10 469:10 483:12 486:8,19, 20 488:9,13,18,20,25 489:3,6,13 493:10 495:16 496:16
telephone [1] 399:10
temporarily [1] 448:24
ten [4] 395:11,14 433:14 495:22
tenants [4] 447:21 475:17,19 476:11
Tennessee [1] 474:7
tentatively [1] 489:18
term [2] 388:10 438:23
terminal [4] 403:25 404:11 433:4,10
terminate [3] 389:4,8 399:11
termination [2] 399:14 407:22
terminations [2] 387:17 446:16
terms [6] 422:9 427:2 432:8 456:21 458:20 495:14
test [1] 388:10
testified [8] 394:25 395:7 410:8 421:22 452:11 469:11 483:13 493:11
testify [1] 421:12
testimony [41] 386:6 400:13 420:5 421:21 448:7,17 453:1,3, 11,15,20,23 454:1,5,10 456:14 457:17 463:18 466:22 470:1,18, 23 471:2,7 472:12,14 473:15 477:12 483:18 484:2,7,11,16,22 485:1 486:15,16 493:14,23 495:

8,10
testing [1] 388:13
text [1] 470:9
Thanks [1] 399:23
themselves [1] 387:1
There's [56] 388:25 389:12,21 390:6 391:14,18 392:4 393:3 395:13,19,20,25 396:10 398:1,1,1,7 399:6,8,17 400:10 401:17 402:24 404:19 405:24 406:15 408:18,19 412:3,19 413:11 414:17 415:15,18,20 425:25 434:10 435:15 439:15 440:25 442:3,17 444:9 450:24 451:3 456:16 457:7,16 459:2,19 461:24 467:14 473:21 474:22 476:16 491:19
thereafter [1] 499:8
thereby [1] 441:7
therein [1] 499:7
they've [1] 413:23
third [4] 459:2 462:25 463:25 470:12
Thirty-four [1] 491:21
Thirty-three [1] 483:3
thoroughly [1] 457:18
though [2] 454:11 493:24
three [9] 386:23 410:23,24 411:3 422:20,21 431:16 442:21 460:20
throughout [4] 401:4,5 472:23 475:10
throw [1] 475:12
thumb [3] 394:8,8 472:21
tied [1] 392:16
title [3] 427:3 469:16 486:3
TME [1] 406:17
today [15] 395:12 399:3 418:8 419:11 422:20,21 431:15,24 437:24 456:8,15 463:4 464:22 495:19 497:3
today's [1] 421:11
together [3] 392:16 394:15 459:22
toll [16] 390:24,24 408:10,10 409:14,18,21,24 410:1 416:14,14,15 429:13 439:12,14 444:20
tomorrow [1] 434:21
tonight [5] 453:11 454:1 470:19 483:24 491:16
took [2] 408:3 474:7
tool [1] 457:22
top [16] 387:7,23 392:15 396:1,12 399:22 405:21 411:4 416:1 423:7,9,17 424:6 440:13,23 449:8
TOPS [1] 428:23
total [5] 392:4 432:3 462:20 463:6 465:17
totally [2] 415:15 431:16
touch [1] 495:24
tour [1] 395:8
towards [4] 387:7 399:22 491:4 496:11
tracking [1] 473:25
traffic [1] 387:5
trail [1] 479:22
training [1] 417:8
Transcript [1] 386:2
transcripts [1] 498:6
transfer [1] 386:21
translate [1] 434:5
translated [1] 499:9
translation [1] 404:3
treat [1] 476:23
treated [2] 476:7,25
treating [1] 475:17
treatment [2] 477:2 487:8
tremendous [1] 394:6
trending [1] 450:8
tricky [1] 418:20
trouble [1] 398:13
troubles [1] 397:5
troubleshoot [1] 388:16
trucks [1] 397:19
true [5] 400:7 407:7 431:10 444:1 499:10
truly [2] 431:16 436:8
trunk [3] 386:20 410:9,10
trunking [2] 386:18 416:18
trunks [3] 395:1 410:7,8
try [12] 400:24 404:12 412:12 427:9 433:18 434:7,8 440:21 474:20 476:22,23 477:7
trying [8] 399:15 417:21 419:20 422:10 436:17,18 474:23 479:22
turn [3] 393:14 446:10 469:22
Twenty [2] 448:21,22
twenty-fifth [1] 461:4
TWM-1 [3] 385:33 471:2 472:14
TWM-2 [2] 470:8 473:16
TWM-3 [2] 477:21 478:11
two [55] 386:23 387:4 389:13,14,17 392:8 395:12,22,25 398:22 403:15 405:12,25 406:15,16 407:9,10,15 408:22 409:14 411:11 414:4 416:10,11,13,19 421:3,16 431:2,9 432:1,2,4 437:12,20 439:15 440:4 443:20 444:2,6,8,13,17 454:4 455:11,20 460:1 467:9,9,10 470:12 471:1 486:13 495:3 496:18
two-thirds [1] 478:7
two-year [3] 419:3 430:10,24
type [2] 428:5,8
types [2] 386:25 422:16
typical [1] 408:3
typically [3] 393:12 398:4 447:25

U

umbrella [1] 455:22
unable [1] 425:8
unassigned [1] 442:25
unbundled [2] 488:21 489:1
uncrate [2] 397:10,12
uncrating [2] 397:8,15
under [9] 386:6 440:25 470:8 473:9 478:6 486:22 490:8 496:16 499:9
underlying [1] 456:17
understand [6] 422:11 431:14 432:8 436:16 467:13 473:10
understandably [1] 473:7
understanding [7] 425:15 426:14 431:1 450:2 479:15 480:1 492:14
unexpectedly [2] 434:16,17
unfortunate [2] 391:12 431:5
unfortunately [1] 472:24
uniform [2] 496:2,5
unit [8] 412:17,18,20 413:14 442:14,25 451:10,12
unless [2] 389:22 480:17
unmanned [1] 447:9
until [2] 422:20 435:15
unused [1] 420:16
up [67] 386:8 387:19,22 388:2,18 389:24 391:8,9 393:6,15,23 394:11 395:3,14 396:3,5,5 397:7 398:5 399:16 402:12 403:11 404:23 405:2,15,19,23 408:3,24 411:1,6,19 413:17 415:24 417:1,2 422:17 431:4,16 432:4 434:15 435:8 439:6,9,25 440:3,4,21,23 441:7 443:9 446:10 447:10 448:4,5 457:1 460:2,21,23 466:6 473:8 477:11 481:25 482:3,4 483:17 497:1
update [1] 491:3
updated [4] 395:12 401:5 451:21 464:8
updates [1] 404:2
upgrades [1] 397:2
upper [1] 424:2
usage [2] 458:14 487:21
using [5] 388:20 400:15 404:14 435:1,2
utilization [2] 400:25 414:6
utilized [8] 407:17 412:14,21 414:8,9,12 417:4 488:24
utilizing [1] 407:10

V

vacant [5] 458:18,20,24 459:25 460:8
vacated [1] 411:9
variation [1] 467:16
various [1] 472:16
vault [3] 405:24,25 406:2
vendor [3] 390:14 396:23 448:24
vendors [6] 397:1,3,8,23 472:6 488:6
vents [5] 441:6,25 442:4 443:9,10
vertically [1] 401:19
via [1] 386:20
video [6] 388:1 397:24,24 403:3 415:20 476:14
videotaping [4] 402:9 408:13 413:25,25
view [2] 473:11,12
viewing [1] 468:8
virtual [14] 389:4 390:8 393:25 410:17,22,23,24 411:11,16 430:13 445:13 480:13,15 487:3
voice [1] 448:14
volt [1] 392:16
voltage [1] 394:13
volts [2] 392:17,18
Volume [2] 386:3,6

W

Wait [2] 387:12 423:19
waiting [6] 424:25 470:10,14 478:4,18,21
Waiver [11] 418:8,17,21 419:6,14 421:15,18,19 425:5 436:22 463:3
walk [3] 434:20 447:7 474:17
walk-through [3] 390:11 402:9 438:22
walk-throughs [1] 451:16
walked [1] 413:13
walking [2] 476:14 483:17
walkway [1] 451:13
walkways [2] 446:23 447:1
wall [10] 387:23,24 413:8,25 414:4 442:2 451:9,11,17 476:4
walls [1] 441:8
wanted [1] 428:16
wanting [1] 457:8
way [27] 387:2 389:25 390:1 391:13 392:15,20 394:17 396:20 401:20,22 402:7 415:25 416:2 433:16 436:14 441:12 455:12,21 461:3 472:24 474:5 476:25 477:10 478:8 482:6,6,7
Wayne [3] 469:3,8,17
wears [1] 448:15
week [7] 389:14 409:9 439:3,4,4 492:21 497:25
weeks [1] 395:12
West [13] 395:1 418:9 423:7,17 424:4,18 432:12 433:18 452:20 453:8 486:6 488:14 491:6
whatever [5] 420:12 465:2 468:10 475:14 497:17
whether [9] 393:25 423:12 425:1 426:24 432:3 450:13 455:10 459:15 490:13
whichever [1] 441:12
White [44] 400:14 417:13 418:10 419:22 421:17 422:1,5 424:1 451:24 452:2,5,13 454:9,14 455:1 461:10 468:17,19 469:3,13 470:22 471:1,6,12 472:1 477:14 483:1,3,7,15 484:6,10,21,25 486:1 491:7,21 492:3,10,17 493:2 497:9,16,23
who's [1] 465:12
whoever [1] 420:11
whole [5] 386:18 401:19 405:11 447:16 456:16
whom [1] 452:21
wide [1] 440:6
will [103] 387:3 388:21,22 391:4 392:7,8 393:6,7 395:15,16,18 396:1,1 398:11,19 399:13 404:20,21,23 405:2,4,8,10,16,16 406:6,7 408:23,24,24 409:7,9,10,11,12,25 411:3,13,19 412:24 413:1,7,8,15,16,18,20 416:12,19,20,21,25 417:1,4 418:25 419:1,11,20,23 420:13 421:8 422:5,19 423:6 425:1 428:1,5,12 429:4,7,25 439:6,6,13 441:2,5 442:14,22,23

446:10,18 451:13 454:18 462:11,19 463:25 468:9 471:9 474:25 475:2 481:25 482:1 486:5,10 489:9,10,11 492:25 495:11 497:1,5,5,18
willing [2] 460:21 479:19
willy-nilly [1] 459:21
window [1] 430:24
windows [1] 458:1
wired [1] 393:2
wiring [2] 390:14,14
wise [1] 392:22
within [7] 390:20 391:3,3 393:5 425:13 427:9 430:7
without [14] 393:14 405:19 420:4 454:12 468:20,25 470:24 479:17 480:8 483:4 484:8,23 491:22 493:25
Witness [24] 386:8 390:7,9 399:21,24 400:18 406:10,11 409:22,25 410:5,7,14 417:23 422:3 437:8 438:25 446:6 451:1 452:9 469:9 483:11 492:2 493:9
witnesses [5] 437:20 438:10 450:16 452:2 486:17
WKM-1 [2] 385:34 484:2
word [3] 409:7 424:25 447:4
words [2] 404:18 435:1
work [25] 396:20 398:7,24 404:7 414:9 433:6 451:4 452:18,19 460:15 467:2 469:15 472:10 474:5 479:3,6,9,13,15,17,20,23 480:11,11 486:3
worked [1] 487:1
working [8] 395:3 435:11 457:24 458:2 460:24 482:7,13,20
worksheet [2] 463:17 466:22
workstation [2] 413:19 432:18
workstations [1] 433:19
write [1] 476:21
written [3] 476:20 477:2 481:16

Y

year [30] 387:4,4 395:6,16 397:17,19 400:2 401:4,5 407:15 409:10 411:14 412:6 416:10 417:1,2,5 419:19 421:4,4 426:9,10,14 428:9 439:17 444:6,13 448:19 449:21 463:5
year's [1] 395:15
year-end [10] 428:12,22,24 429:2,5,8,11,14,16 431:20
years [33] 387:17 388:17 396:1 398:22,25 399:4 402:1 405:12 407:7 416:10,11,19 420:3 421:10,16 422:20,21 431:2,9,10,17 432:1,2,5 443:22 444:5,7,10,23 456:11,11,15 495:22
yellow [3] 466:1,5,12
yesterday [2] 456:7,7
yourself [2] 434:3 440:15

Z

zoning [1] 397:17

BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

In the matter of:	DOCKET NO. 980800-TP
Petition for emergency relief by Supra Telecommunications & Information Systems against BellSouth Telecommunications Inc., concerning collocation and interconnection agreements.	

VOLUME 3

Pages 383 through 574

PROCEEDINGS:	HEARING
BEFORE:	COMMISSIONER J. TERRY DEASON COMMISSIONER SUSAN F. CLARK COMMISSIONER E. LEON JACOBS, JR.
DATE:	Tuesday, October 21, 1998
TIME:	Commenced at 9:40 a.m. Concluded at 8:40 p.m.
PLACE:	Betty Easley Conference Center Room 148 4075 Esplanade Way Tallahassee, Florida
REPORTED BY:	MARY ALLEN NEEL, RPR

APPEARANCES: As heretofore stated.

I N D E X

WITNESSES - VOLUME 3

NAME	PAGE
GUY J. REAM JEROME RUBIN	
Continued Direct Examination	386
Cross Examination by Ms. Summerlin	417
Cross Examination by Ms. Keating	445
JAMES D. BLOOMER	
Direct Examination by Ms. White	452
Prefiled Direct Testimony Inserted	455
Prefiled Rebuttal Testimony Inserted	468
Cross Examination by Ms. Summerlin	489
Cross Examination by Ms. Keating	495
T. WAYNE MAYES	
Direct Examination by Ms. White	497
Prefiled Direct Testimony Inserted	500
Cross Examination by Ms. Summerlin	512
W. KEITH MILNER	
Direct Examination by Ms. White	518
Prefiled Direct Testimony Inserted	521
Prefiled Rebuttal Testimony Inserted	535
OLUKAYODE A. RAMOS	
Direct Examination by Ms. Summerlin	559
Prefiled Rebuttal Testimony Inserted	560

EXHIBITS - VOLUME 3

NUMBER		I.D.	EVD.
31	JDB-1 through 7	454	496
32	Range of Square Footages for North Dade Golden Glades	490	497
33	TWM-1 and 2	499	518
34	WKM-1 through 4	520	477
35	(Late-filed) Status of Supra's Physical Collocation Applications	559	

P R O C E E D I N G S

(Transcript continues in sequence from Volume 2.)

GUY J. REAM
JEROME RUBIN

continue their testimony under oath from Volume 2.

CONTINUED DIRECT EXAMINATION

A (By Witness Ream) If we'll move up from that area to B4, that is our projected -- well, that's where our STP resides in that area.

Now, the green area there is -- where it says -- is the existing STP, and that is, of course, for our signaling over our long distance network. It's our SS7 network. And this is one of a mated pair, and the other one is down in the Haverhill central office. But these are extremely important for reliability. If we were to lose this particular machine, the trunking in the whole network would be affected by it, because everything is used for signaling now on the message trunk via an STP, signal transfer point.

You'll see that we have red growth behind that, one, two, three, four, five, five frames. That's for the orderly growth of the STP. These are the types of equipment that need to be in contiguous

387

space with themselves. The manufacturers, that's the way they design them. So we allow for the growth of those switches. That's growing -- it will be one bay next year and I believe two bays the following year, depending on traffic and things of that nature. And that explains that.

If we go further towards the top of the page -- I'll have to get my reference. I have an advantage on you. I've kind of laid these all out.

B6, where it says STP administration there, this is one of the areas that Supra felt -- oh, I'm wrong. Wait a minute. Different area.

But anyway, B6, that's where we had an existing frame, a main distributing frame. And we did remove about 20 feet, 20 to 25 feet of that frame. We relocated a few pieces of equipment. But over the years, there wasn't hardly any terminations left on that frame. And we were running out of floor space, so we moved an administration area for the STP up there, because the STP is a computer driven, software driven device, and it does take maintenance. So that's why that administrative area is up there.

And a little farther along the top wall just a little above that on the inside wall is where all the cables come into the central office. You may

388

have seen it in the video, and you may not have, but all of the cables enter into the office from up in that corner.

Now, if I can move you kind of diagonally down to the left, which is C5, now, this is the area that Supra suggested that they could use for collocation.

The administrative area was there for the STP, but we identified that we needed to grow our DSX lineups. And DSX, we use the term; it's really test access for all of the T1 signals that go through the office, and it's something that we have to have for testing and also for cross-connecting circuits that go through the office. It's where our technicians can get in and look at the signal and, you know, troubleshoot them.

We have found over the years that it is extremely important that our DSX be lined up in long rows. Almost everything that's new in a central office is using higher speed bandwidth and delivery, and in most cases will go either to the DSX1 lineup, or they will go over to a DSX3, which is a higher bit rate, a higher speed.

So this is an extremely important area. There's a lot of activity there, and it is the one

389

place that our technicians can get in and look at those signals and cross-connect one customer to another customer.

Our virtual collocators terminate on these frames so that they can get access to our network and things like that.

Our physical collocators in other offices terminate on our DSX lineups. That's part of our collocation procedures, that we place -- they have to have access to get in and out of the office, and this is the one place that they can do that.

So right now, if you'll look, there's the two lineups there, and each one is about nine bays long. We have placed -- as of last week the first two bays have gone in there, because we've had growth in the other parts of the office in the tandem and in the circuit, so two bays have been placed in that office.

And if it was big enough -- this is not physically big enough for physical collocation, because -- I'm not sure about the 200 square feet. I don't believe there's actually 200 square feet there available unless you were to go into an aisle and block an aisle. And that's just like in a parking lot; you can't do it. It just goofs up everything else when somebody double parks, and it's the same way

390

in the central office. If you block aisles one way, then you disrupt the orderly flow of equipment and personnel through the office.

COMMISSIONER JACOBS: You have an area here, I guess it's about C5 or so, that looks like there's a collocator there.

WITNESS REAM: Yes.

COMMISSIONER JACOBS: Is that virtual?

WITNESS REAM: Yes, sir. That is our second collocator in the office, and he is in -- his equipment has been installed. On the walk-through, if you look at the tape, you'll see the equipment there. You'll see a technician laying down on the floor wiring -- or the installation vendor wiring that equipment. When you see the guy laying on the floor, he's right at that area. And, yes, that is a collocator.

And just below that particular collocator area is where the central office foreman's desk is. He's moved several times within the office. He keeps moving to some spare space, and we keep growing into it with equipment, and he just keeps moving around. So we've -- it says admin area, but we're actually growing our toll area in there. Toll growth is going into that area.

391

So that's called spare space on the chart that has the red in that area, but actually that is within the central office, and once again, it's within the equipment area, if you will. And once again, that's not large enough to support a collocator.

Supra's request for 200 square feet initially is -- I don't think we can meet even the 200 square feet. But because we have to set up a common area and set up firewalls around that common area, it really requires five to six hundred square feet of contiguous space to provide for a collocator, for a physical collocator. And it's unfortunate, but that's the way it is, and that's what makes it so difficult.

There's 3,197 square feet spare in this office, and this is a 20,000 foot office, so that's 15%. But the space, when you look at the spare space, some of this is hallways and things like that. Because it's scattered all through the office, there's not one place that is physically big enough to support collocation, and that's why we can't give it to them in that office.

I can -- I'll continue on if you like, if that's okay.

Well, let's see. C5 was the next one on my list, and you beat me to it.

392

Let's go to E2, which is back down where the batteries are. That is another area on the chart here that shows I think 244 square feet. Now, that's total area of 244 square feet. There's an aisle there.

And we plan to add another battery string. That red string there, that will be added, and that will leave just the ability to add two more battery strings to this office. And like I said, this is our bus and RV parking. The batteries are big. I don't know if you've been in a central office, but these battery strings, the individual cells are this square, and they stand about this tall, and they put them on metal racks, and they have to put 48 of them in a row, 24 this way and 24 on top. Each battery cell puts out a volt, so if you have 48 tied together, you have 48 volts. And all of our central office equipment runs on 48 volts.

So it's important that we be able to place more batteries, because the way that the central office powering is is that all of this equipment is sitting across the batteries power wise. It's just like your car battery. And we have rectifiers in the office that act as battery chargers. So we're continually charging those batteries, and we have all

393

of the equipment in the office at the same potential, or actually they're wired to those batteries. So if there's a power failure, the equipment never realizes it because it has been across the batteries all along.

Then what happens is, hopefully within a minute or 30 seconds, our engine will start up, and we'll start -- we'll power the rectifiers, which will keep the batteries going. But if for some reason our engine doesn't start, and who knows, or if it's a long hurricane and it runs out of diesel fuel, these batteries are there to keep the office running. And they typically have somewhere in the neighborhood of four hours that they can support this entire office without having Florida Power & Light turn their power back on or our engine start up or something like that.

So what our power planner does -- and Ms. Cruit said that Lucent Technologies is our power planning and things like that. They assess the current drain to the office. And as more equipment is added, we add batteries so that we have a reserve so that we don't have a power failure and lose all our service. And, of course, our collocators are hooked up to that same battery source too, and that's one of the advantages of collocators being in our office, whether they're virtual or physical, is that they get

394

the benefit of having power in emergencies.

Anyway, I digress.

So that space there is really -- that's very important to us, because we can't put -- it's very difficult to put batteries in another location, because they're so big, and they also take tremendous power cables that run to them. Actually, they're bigger than my thumb, and I have a fat thumb, and these cables go in the overhead. And the farther you get away, the more costly it becomes, and in some instances you have double the cables up so that you don't have current loss or don't have -- yes, current loss across them, or voltage drop.

So in all of our applications, in all of our offices, we always keep our batteries together with our rectifiers, because it's the most efficient way to do it. If we run out of room and have to -- in another office, we would actually start another power plant someplace else so we could have batteries close to rectifiers.

Anyway, I'll move on. In H1, this is another -- this is the other area that Supra feels that they could collocate in because of the space available. This particular room is our tandem growth room, and it has been testified that this is where all

395

our message trunks come for the West Palm area.
Presently the green area in the bottom there is all installed and working. The next row up where you see the green number 27, and then they're all just in red, that was projected originally to have six to eight bays put in it next year, and I so testified, because that's the information that the planner gave me. And on the first tour we went through, that's what I said.
Since that time, the planner has had to re-evaluate, and he has actually placed ten bays today. So this drawing was updated two weeks ago, and it's somewhat out of date for the fact that there's ten more bay locations that have been taken up. Chances are that that will include next year's growth. But the following year we will be into the next lineup above that with four or five bays. It's hard to say. But we will in the next lineup.
And if you'll notice, there's a doorway coming in on the right, and then there's a doorway leading out on the left. That means that we have to have an aisle between those two doors to get safely in and out of that room for egress. So that reduces the amount of space available for Supra's collocation, which effectively says there's really -- after two

396

years, there will only be -- the top lineup will probably not be used by us by that time. But there isn't room to set up a physical collocation area. Once again, it requires the four to five hundred feet to set one up, square footage to set one up.
We'll move on to the next area, which is L3. These are the MAP positions that Supra has talked about, and they're -- those are where our technicians gain access to the switch machines, where they store their manuals. And there's one position for the tandem switch, which is on the bottom of it with a hallway down the center, and then on the top of that drawing is the local switch. And the little MAP centers or maintenance centers are labeled as such. But that's where tapes are brought in and the technicians have to load tapes into those switch machines.
The processors for those switches are adjacent to those MAP positions, and those are the most effective way for our technicians to work on those switch machines. And the fact that we have multiple places to access these different switch machines is that -- at times when a vendor is in there adding equipment, they also have to gain access to that switch machine and change software in it so it

397

recognizes the new equipment. Our vendors put new generic software upgrades in it, and for that reason, we have to be able to get in not only for our vendors to install, but we have to be able for our technicians to shoot troubles at the same time. So that's why we have multiple positions for that.
We can move up to the L5, which is the uncrating and storage room. That's required. Vendors ship in equipment. If it's raining outside, they need to be able to get it inside and uncrate it. It's not necessarily to be stored there, but they need to uncrate it. There is some storage of plug-ins in this area.
The alternative of placing a semi out back for an uncrating area is not a good one, because in an office that's this busy, that would have to be there year round, and I don't believe we could get zoning for that. This abuts a residential area, and they allow trucks in there, but not year round. So that's really not a good thing.
If we move from that area directly left into J6 and H6, that area is labeled as new equipment staging area. When our vendors bring in equipment, each bay requires -- in my video, the video I said probably four or five times as much extra equipment.

398

There's cabling, there's nuts and bolts, there's superstructure, all kinds of stuff. The bay is almost the small part of a job. It's everything else that goes with it. And typically it has to be spread out on the floor so they can pick it up. And that's why that's called a new equipment staging area, and there is always equipment there, because there's always work going on in this building.
We've designated in that area local switch growth, and that's the red area there, and we don't want to, but we will grow into that. We must be able to grow our local switch. From a floor space person's perspective, this can cause some trouble because of our staging and administrative areas, but we have to be able to continue to grow our switches to provide local service.
We can move on to G4. That's an administrative area right now that's right adjacent to that local switch. I will tell you that at one time that extended into where the local switch is now, but we continued to grow, and we've had to shrink that area down. It's not near as nice as it was two years ago. And we have our -- our special service personnel have desks in there that they work from. They have computers. Over the years, the new equipment requires

399

personal or portable computers, has a lot more documentation and things like that. So the administrative space is almost -- is greater today than what it what it was years ago, just because the equipment is so much more complex.

And I think there's just one more location that we're going to, which is E5, and that is where we have our fiber frame. Right now there's four green blocks and about six or seven red ones. That is the future of our telephone system right there. That's where the fibers come in and terminate in that equipment right there. And as time goes on, the fiber connection and its bandwidth, that will become more important in the office than the copper termination. So we're trying to grow that in a contiguous space so it's easy for our technicians to put up cross-connects between them, and there's less chance of having service interruptions.

COMMISSIONER CLARK: Mr. Ream, where was that? What was the location of that?

WITNESS REAM: Oh, I'm sorry. It's at E5, E5. It's almost in the middle towards the top.

COMMISSIONER CLARK: Okay. Thanks.

WITNESS REAM: And it's called a fiber distributing frame.

400

In conclusion, I attended a manager's conference in the spring of this year. Mr. Locker, president of Florida, spoke to us about the importance of allowing collocators into our COs so that BellSouth could enter the long distance market. He emphasized how we needed to open our local markets and help ALECs become true competitors.

I take this very seriously as the right thing to do. I want Supra to be successful. I want all the ALECs to be successful. But there's just not enough room in the Gardens central office for collocation.

And that concludes my testimony.

Q (By Ms. White) Mr. Rubin, would you take -- you'll be using the floor plans marked Golden Glades First Floor and Golden Glades Second Floor, and would you briefly take us through these?

A (By Witness Rubin) Can I make an additional statement about my job function?

Q Sure.

A One of the things that we also do is, we develop growth plans for the orderly growth of equipment in the central offices, and when those plans are exercised, we try to maximize efficiencies in regards to space utilization, safety, maintenance,

401

service, and costs. Those plans, once they're developed, are put into a book which we call the office profile. Those profiles or the plans in that office profile are looked at throughout the year and updated throughout the year.

I myself have responsibilities for 18 central offices. On of the central offices that is my responsibility is Golden Glades. And I guess I can start with the -- explaining the drawings that you have. This drawing is a little bigger than Mr. Ream's.

Okay. Mr. Ream did explain to you that all the frames in green are existing, and all the little squares or rectangles are future.

One of the things that I would also like to point out, and it's something that you cannot see on this drawing, but above all this equipment, there's cable racking, and the cable racking runs both vertically and horizontally across the whole office. And the only way that we can -- you know, each one of these little boxes represents a frame, and the only way we can get power and switchboard cables to and from these frames to where the cabling has to go is by this cable racking.

Golden Glades has been in existence for I

402

believe 27 years. Some of these cable racks and equipment -- it's a very dynamic office. Equipment goes in, comes out. These cable racks in some areas are very, very congested.

And actually, if you look at coordinate -- it's between G and F and runs from between 3 and 4 all the way to almost 10, where it says DSX1. That is our DSX1 lineup. And as was pointed out on the walk-through and the videotaping with Supra and to the Commission Staff, the rackings both in front and behind are very congested, and in some areas they're 18 inches deep, 18 inches high. They're piled up that high.

It makes getting equipment, cabling over to the distributing frame, which is in front of that, which is the -- it looks like a big rectangle with numbers, 01, 03. That's coordinates G between 2 and 8. That's our distributing frame. So cabling has to get over to that. It makes it very difficult because of the cable buildup that we have existing in this office.

And you can see to the left -- and this is in coordinates 10, 8, and along F, just around F, which is just below the DSX1 lineup, there's -- it says, "Overhead cable rack congestion may prevent

403

future growth in this area." This area is shown as being reserved for DSX1 growth, but as was also pointed out in the video, we might not be able to put frames in this area because of the congestion that exists overhead.

I would like to address each of the spaces that were shown on Mr. Nilson's Late-filed Deposition Exhibit 1, I believe it was.

And if you go to the right, coordinates 1 through 5 and G and F, this area is going to be filled up with equipment. First of all, the area that's shown in red, you can see that there are existing equipment already in that area scattered, so it's not a free area that can be used, number one.

Also, the MAP positions for the two switches and the switch that's between 1 and 3 and F, E, and D, that is the local -- that is, I'm sorry, the operator services switch. That's designated as O3T. And the MAP position to the right, if you can locate that, the MAP position to the right, which is between F and E and between 1 and 2, that first one is for the O3T. The one next to it to the left is for the O4T.

These MAP positions are very important to be close to the switches. They perform much more functionality than just a terminal located remotely

404

someplace else in the office. From these MAP positions, they load generic updates. They load translation changes. When there is a recording that is required, it has jacks on these MAP positions that allow recordings to be made. And it really doesn't make a lot of sense to have these positions far away from the switches when the technician has to work on a problem. It's much better to have -- you know, a problem can take hours sometimes to fix, and you want them right by the switch as opposed to being at a terminal remotely 150 feet away, and you're running back and forth to try and check something. So it's very important to keep these MAP positions, and this area that he has shown here is showing using that space.

In addition, if you go just above those MAP positions, you'll see the red bay, the red designations with the words "New DCS." I had specified in the deposition that there's a new digital cross-connect switch that will be going -- a new digital cross-connect system that will be going in the first quarter of 1999. Those dates have been pushed up, and this equipment will be installed by December 31st of 1998. And that digital cross-connect system has a maximum capacity 2,048 DS1s. This initial

405

installation is only going to be for 1,024. So we will require just as much space as you see taken up here by this lineup for the additional capacity of this cross-connect switch. And that capacity will be -- another order is planned for 1999.

And also, with the addition of that digital cross-connect switch, each time we add that addition, it will require four DSX1 cross-connect bays with 12 panels in each bay, 84-jack panels. So the lineup that you see where it says future DSX will actually be growing across that whole lineup there. So in the next two years we're going to be adding -- just for this digital cross-connect switch, we're going to be adding eight DSX1 bays. So this is going to be filled up pretty fast. It is showing future DDM 2000, but we will not be putting DDM 2000 bays in there. It will be growing with DSX1.

So this area is going to be effectively filled up without -- oh, they're also showing an extension on their indication here of the red in that top area. They're showing it going right into the exit aisle, which is a fire aisle that runs down from G through C for anyone -- if you go up into the right-hand corner of G1, it says vault hatch. There's only two entrances into this vault. One is at that

406

location, G1. The other one is at G10. Anyone in that vault, in the case of a fire, if he's over at this far end where 1G is, he has to be able to have access out of this building, and he would be coming down that fire aisle. So you cannot grow anything into that fire aisle. So this effective area will be -- will not have enough contiguous space for any physical collocation.

Does everyone have a picture of this?

WITNESS REAM: Yes.

WITNESS RUBIN: Okay. If you go right down below the area that I just discussed that shows in red 14 times 3 future, all those bays were scattered in that area, and that has been filled. And you can see on the drawing, there's only two frames, and that's over on coordinate 3. Between D and E, there are two frames that are showing future TME. Actually, just to the left of that there are aisles, these aisles that say A, B, C, D, E, F. Those are aisle designations for the different equipment. And those aisles correspond to equipment to the right and equipment to the left.

Now, if you go down to the next block, which is the area between E and -- between D and C over through 1, 2, and 3, that area is shown here as

407

reserved for future switch. And this area is reserved for the growth for the O3T and the O4T. Again, the drawing that was provided by Mr. Nilson is also blocking the fire aisle. You cannot do that.

In addition, I believe Mr. Nilson had made a statement to the effect that the O3T was showing growth for 25 years. And that was true in the space plan that I had filled out, but it also said in that space plan if two aisles were used for growth for the O3T. In this case we're not utilizing two aisles. I'm only showing one aisle reserved for growth. So it greatly shortens the amount of space that was quoted by Mr. Nilson.

This O3T does not grow very quickly. It does only grow at a rate of about two frames a year. So what it's leaving here after that growth is not a lot of space that can be utilized by a physical collocation.

And as Mr. Guy Ream had indicated to you, the requirement of 200 square feet is just for the ALEC. What needs to be added in addition to that is a common area where their point of termination is, and we put equipment bays in that common area. And depending on what the ALEC is requesting, the number of bays in that common area can be significant and

408

might require some large spaces. And we have processed some requests for physical collocation that a typical request for only 200 square feet took up actually 530 square feet when you consider the common area and the access aisles to get to that common area and to the ALEC space.

If you look at the coordinates, let's say starting from a little past 3 to 6 and between -- I guess just below F and D, that area is for the O4T toll tandem. That toll tandem is for the North Dade and Broward County exchanges.

And there was a comment made earlier when the videotaping was shown, why I had made a statement to the effect that this is the only area available for O4T. That statement was meant in this area. The only area that we can grow this O4T switch is located between 5 and 6, and just by D and a little bit above D where it shows future DTE. There's four bays there that can grow, and then just below that there's another four, and then off when you go to the right along that, which is D, if you just move to the right, you'll see there are another two red spaces.

In 1999, an order will be placed where it will fill up these red spaces, so there will be no room for growth over on this left-hand side, which is

409

really the O4T. We're forced to grow the O4T over on the right-hand side just below the O3T growth.

Now, this area over on the right-hand side, which is in columns -- if you'll look at D and C between 1 and 3, that's an area that you'll see some green and red. Those green bays are the old STP that will be coming out. And I just got word that they plan on starting the removal of these bays sometime next week. And this is an area that will be grown into after 1999 in year 2000. So we will have -- effectively, this area will be grown into, and there will not be enough contiguous space to provide for a physical collocation in this area for those reasons.

These are two very important -- our toll switches are very important, and the operator services switch. Anyone placing an operator call in South Miami and I guess in the Keys comes through here. So we really need to allow for growth of this toll tandem and the operator services switch.

COMMISSIONER JACOBS: I'm sorry. You said that was a toll tandem that's going there?

WITNESS RUBIN: I'm sorry?

COMMISSIONER JACOBS: You said that's planned for a toll tandem switch to go in that area?

WITNESS RUBIN: It will be the continued

410

growth of the existing toll tandem.

COMMISSIONER JACOBS: Okay. And that's based on growth in what? What demand is prompting that expansion?

WITNESS RUBIN: Well, the --

COMMISSIONER JACOBS: Is it lines or --

WITNESS RUBIN: This is trunks. This is trunks. And this was testified by -- Barbara Cruit had earlier, the trunk growth for both the O1T and the O4T. These are trunk growths, and this is -- for us to continue to provide good service to our customers, we really need to preserve the space for this growth.

COMMISSIONER JACOBS: Thank you.

WITNESS RUBIN: Now, moving over to the other area that Supra had designated for use for growth was in the center, and it encompassed part of the power room, part of the virtual collocation area, and that area is designated between I guess coordinates 5 through 8 and just a little below E and C. Okay?

Now, in this area here, I'll address the area where they're showing virtual collocation. Presently in this area, we have three virtual collocators. We have three virtual collocators that we have firm orders on.

411

The first one, which I've labeled up here as Company A, that is presently being installed. They will be installing -- they're showing four bays, three on the top, and it says aisle 126. That number -- actually, these numbers are aisle numbers that are running up and down. And on aisle 26, we have an even and an odd aisle. Their equipment is now going in on the 126 even lineup. They're presently putting in four bays, so this area is not completely vacated as shown on here. There is equipment in here.

We have two other virtual collocators, Company B and Company A -- I'm sorry, Company B and Company C, and their equipment will be installed before the end of this year.

And we are reserving space for future virtual collocation, and that goes in here with the -- I mentioned the area to the right of that which is shown on their drawing as 143 square feet for future O4T switch. That will be filled up in 1999.

When you go down below that into the power room, they're covering an area where -- as Mr. Ream had indicated to you, batteries are very heavy. They can't just be placed anywhere in the central office. As the equipment grows in the office, the power demands for the batteries increase.

412

This area, as you can see -- and that's in coordinate -- that's between 5 and 6 just below D. There's a rectangle there that says future future. That is an area where we do not have a battery string at the moment. But that battery string is planned for sometime in the year 2000.

The area immediately to the left of that, it's shown as empty, but that is designated as a hazardous area, a hazardous material area, and hazardous materials are put in that area, and then they are disposed of properly at the proper time.

Okay. I'll try to move along.

And for those reasons, this area cannot be utilized for physical collocation.

They're also showing an area down here to the left on the bottom which is 404 square feet for an air handling unit. That is an existing air handling unit. That's at coordinates 8 and 9 between A and B.

If you look directly above that, there's a new air handling unit that's going in there. That area that they're showing is going to be utilized for our new 1,200 kW engine. There are air ducts both for exhaust and intake that are very large. On the exhaust it's like eight by 12 feet which will be on the left-hand side. And on the right-hand side, the

413

air intake will be like 20 feet by 12 feet. These are very large -- it's a very large engine. It requires a lot of air to cool it off. So that area effectively cannot be used for physical collocation. We just do not have -- there won't be any room in that area.

Because that new air handler is going into this office, there will be a very large air return on the wall between 8 and 9 and C. There will be a very large air return there.

And if you'll look where it says air handler, there's a double door. That double door allowed equipment and batteries to be brought into the office, to be walked through into the power room. Because the air handler unit is going in there, you will not have access into the power room. Because access will be blocked because of that, they have to open up a new double door between coordinates 7 and 8 and C. Because the double door will have to be opened there, the workstation that you see immediately to the right and above that will have to be moved, and the area that they're going to be moving that into is this administrative area.

And what they've had to do because of this building that's going on -- and you can see this on the videotaping. The videotaping had along the wall

414

between C8 and 9 storage cabinets for our property inventory control system plug-ins. Those cabinets have already been moved into that administrative area on the back wall. Two desks have been taken out, and the cabinets have been moved in there. So this room is getting a lot more utilization. That's another room that they're indicating they think they can put physical collocation. But the area is being utilized by more than just work areas. It's now being utilized as a circuit pack storage area. And there are fire aisles and exit aisles that must kept clear along here, so they cannot be utilized.

The last area that's reflected on Mr. Nilson's deposition, as you can see, is directly above the coordinates that run between 6 and 10 and I guess just about E to G. This area has frames that are scattered. There's no contiguous areas that are here that would enable us to put a physical collocation.

This is just the -- this concludes my description of the first floor and addresses all of their areas that they think that physical collocation can go into. But because of the growth that we are requiring in this office, because of the accelerated growth, we do not have contiguous areas available on

415

the first floor for growth.
On the second floor -- now, the second floor is as big as the second floor as far as the print size, but you'll notice the rectangles are a little bigger, and this space really represents only about half of the space that's on the first floor.
On the right-hand side of this -- on the right-hand side is the power room. The power room runs between G and F and 6 and 10. And this would lay down with the first floor if you want them to see how it exactly lays down with the numbers. So this really only goes to 6, and on the first floor it went to 1, I believe.
So the area on the right where the power room is is totally full. There's no space available in this power room to add any additional battery strings. And if you notice on G and F7, it looks like there's an open area there, but these battery strings just haven't been drawn to scale. And as you can see in the video, there is very little room here. There's no room for growing any additional battery strings.
Now to address the areas that were shown on Mr. Nilson's deposition -- actually, his deposition would have to be held like this to line up with the way the drawing is printed out. But the area on the

416

top, which is just to the left of the power room, if you orient it that way, and if you look at coordinates F through D and 9, just a little above and below 9, that's that area I'm referring to.
The space below that where you see all the green rectangles, that is the DSO local switch. And what I've done in this area is to just reserve one column, and that's between D and F and 9. That's future DSO growth. And we're growing at a rate of six frames per year. In two years -- there are some empty spaces in the body of the DSO switch, but in two years of growth, we will be going into that lineup.
The area above it, the two lineups above that are reserved for the toll tandem, the O1T toll tandem, and that toll tandem serves the Miami and Keys exchanges.
There already exists between E and F a lineup of O1T trunking frames. So this area in the next two years will have frames in the DSO lineup. Frames will also be grown into the O1T lineup, and it will not leave enough contiguous space to provide for physical collocation.
The area to the left where they're showing -- and that's in coordinates CB and between 8 and 9. You see those red frames? This will effectively be

417

filled up next year. We have an order that will fill up this area. And the following year we'll be going into the area reserved for O1T on the right. So that area cannot be utilized. It will be full after next year.
The only other area that's showing on here is this little maintenance office, which has got some computers for computer training, and that's only 93 square feet, which really cannot be used to satisfy Supra's request for space.
And that concludes my description of the office.
MS. WHITE: Mr. Ream and then Mr. Rubin are available for cross examination.
COMMISSIONER DEASON: Ms. Summerlin?

CROSS EXAMINATION

BY MS. SUMMERLIN:
Q Good afternoon, Mr. Ream. You're just going to have to bear with me a little bit, because it's kind of hard to do this when we have one after the other and we were trying to address all of the questions for each of you at the same time here.
A (By Witness Ream) No problem.
Q Okay. We have several exhibits that are considered to be -- I believe by BellSouth considered

418

to be confidential that have been produced and are already in the record, but I want to just pass them around right now in a folder.
Mr. Ream, while we're getting those to you, I want to just start with -- I'm sorry.
If your counsel can make sure you have a copy of Exhibit 29 -- we have already identified that earlier today. That's the Petition for Waiver that was filed for West Palm Beach Gardens.
MS. WHITE: I wasn't given one, so I can't make sure he has a copy.
MS. SUMMERLIN: Okay. I thought we did give you one.
I believe we passed them out. Maybe it's in Barbara Cruit's stuff.
Q (By Ms. Summerlin) Okay. Mr. Ream, have you got a copy of that Petition for Waiver?
A Yes, I do.
Q Okay. What I want to establish, to not be tricky or anything, is just simply to go ahead and establish that that Petition for Waiver was filed by BellSouth. And I know you didn't file it. I'm not asking that you say that you filed it. It was filed on November 18th of '93. We've already talked about that earlier. And if you will look in that petition,

419

you will see on page 3 in Paragraph 3 that BellSouth stated it had to reserve 2,100 square feet for projected growth of the switches over a two-year period.

Are you aware that a new Petition for Waiver was filed with this Commission on August 7th of '98 for the office?

A No.

Q Okay. I do not have copies of all that. I'm sure your counsel probably has one, but not right with her today. I will show this to her as soon as I show you what it is I'm interested in talking about on this, which is very, very simple. This is BellSouth's Petition for Waiver that was filed with this Commission on August 7th, '98. It states on page 4, Paragraph 7, "The remaining 3,197 square feet in the facility is reserved for defined future use essential for BellSouth to meet the growing needs of its customers through the year 2000."

So what I'm trying to point out, and I will show this to your counsel --

MS. WHITE: That's all right.

Q (By Ms. Summerlin) Okay. If you will simply accept the fact that that's what you all have filed, what this compares to is, you have 2,100 square

420

feet that were supposedly reserved for future use in '93. We are now in August of '98, a full -- pretty much close to a full five years later, and this same office, without, as far as I'm aware from your testimony, any change to the building of any kind, now has 3,197 square feet.

Can you explain this phenomenon?

A No, I can't.

Q Okay. Do you have any ideas that you can offer as to how this kind of scenario could occur?

A No. You know, whoever filled it out in '93 must have had their guidelines, ideas, or whatever. And I -- you know, I can't. I will say that -- and in the deposition I offered this at that time too, that we had an old power room -- we had a power room in there that we did create some unused or new space back when that happened. And if I could look at my print for a moment, that equates to a little over 800 square feet that we did by consolidating power rooms. And of course, now we're growing our tandem in that particular area.

That's the only thing that I can offer you as far as -- that I know that we cleared some space that could make the numbers different. Other than that, I don't know.

421

Q Okay. So you do know about the creation of a power room out of what?

A No. We consolidated two power rooms in that office, not last year, but the year before. And when we cleared and we consolidated the power rooms, we added to the power room that's in the center of the drawing around E2. We grew that. And there was a small power area, if you will, in what's now the tandem growth area, which is H1 on my drawing. And we did that a couple of years ago, and that in fact would add some square footage to today's figures. But, you know, that's all I can testify to that I know how footage was created or more footage was created.

Q Okay. So you would concede that based on what the Petition for Waiver said in '93 that the projection was for two years at that point?

MS. WHITE: Excuse me. I object. To the extent that -- he hasn't seen the FCC waiver, and he hasn't seen the waiver that was filed with the State Commission, but she's asking him to accept things that are in there. And this is not part of his testimony, and it's not what he has testified to.

MS. SUMMERLIN: All I am asking him to do is to concede that the sentence that I showed him is correct, and that's all. All I'm saying is --

422

MS. WHITE: Well, I'll concede that you read it correctly.

MS. SUMMERLIN: Well, you're not witness. I'm asking --

MS. WHITE: BellSouth will concede that you read it correctly.

MS. SUMMERLIN: Okay. All I'm asking Mr. Ream about is -- because Mr. Ream is the expert in this arena in terms of how the space is dealt with in that particular central office, I'm trying to understand how this phenomenon could have occurred.

Q (By Ms. Summerlin) And you have said that you don't know, other than the fact that there was a consolidation of power rooms.

Is it also possible that there was newer technology employed for certain types of equipment so that that would have freed up some space?

A We're always putting in new technology, but -- I don't know. I will say this. I started in that office about three years ago until today. We have more equipment in there today than we had three years ago. That's all I can -- you know, that's what I've observed.

Q Okay. Let me point out what we have in the confidential folder that I just sent around to you.

423

All of these documents have already been entered into the record. I'm just going to use them for demonstrative purposes at this point, but I'll identify what they are as we go through them.

I want to point out -- let's see here. Okay. If you will look at the document that at the top is dated West Palm Beach Gardens Central Office, Second Floor Planning Meeting, that's got April 24th, '98 at the top.

A Right. Okay.

Q Okay. Would it be safe to say that this was a meeting to address whether or not there needed to be a building addition for the office?

A Yes.

Q Okay. Moving to another exhibit that I've given you that's got at the bottom August 13th, '98, and at the top West Palm Beach Gardens Central Office, Synopsis of Building Addition Needs and Activities.

A Wait a minute here. Oh, okay. Yes.

Q Is it safe to say that this relates to looking into possibly adding onto the Palm Beach Gardens office?

A You mean the -- your synopsis?

Q Yes.

A Yes, it -- this is -- the 8/13/1988 is a

424

document that was a memo or a white paper that was passed on to our upper management to identify alternatives, you know, what was going on with the West Palm Beach Gardens central office, yes.

Q Okay. On another exhibit that I've included in that envelope, at the top of it it says Meeting Minutes.

A Yes.

Q Do you see that one to Rick Smith from Don Sullivan? It's got your name on there as one of the cc's, and it's dated July 20th, '98, and they're regarding -- the paragraph says Gardens CO and Royal Palms CO building additions.

Would it be safe to say that this was to consider a building addition for the central office?

A Yes.

Q Okay. Has there been a decision to put an addition to West Palm Beach Gardens?

A The information and the recommendations have been passed on to our staff to secure funding.

Q So no decision has been made yet, or there has been a decision made?

A Well, we haven't got the okay to put a building addition on that building. We've sent our recommendations off, and we're waiting for word back

425

from the corporation as to whether or not they will give us the money to build it.

Q Okay. Let me -- just for the sake of clarifying this, since you don't have a copy of this August 7th BellSouth Petition for Waiver, but I want to simply read one statement that's included in that August 7th '98 document. It says, "BellSouth seeks this exemption on the grounds that it is unable to meet physical collocation requests due to space limitations in the CO. BellSouth does not expect to construct an addition to the building, nor does BellSouth expect to retire equipment, thus creating additional space within the CO in the foreseeable future."

Is that your understanding of the situation right now?

A As of now there has been no decision to add anything to that building. It has just been passed on. If the markets change or this, that, and the other, it's conceivable that there would not be a building addition added to that building.

Q If the markets change?

A If the stock markets keep going down and people stop moving to Florida and building houses and buying computers, and there's not the demand on

426

everything, and, you know, the corporation -- who knows? I don't at my level.

Q Okay. Are you aware of why Supra's request for physical collocation was denied?

A Yes.

Q Why was it denied?

A Okay. When you asked my that in the deposition, you know, I went back, and as I had stated there, I was out ill last year for six months and the first month of this year. And there had been a collocator that -- another physical collocator who had applied in January for collocation space, and the person who was filling in for me had denied them on January 29th of this year. And it's my understanding that once one is denied, if a second one comes in, it gets denied too.

Q Okay. Well, what was the basis of the denial?

A Space.

Q Lack of space?

A Lack of space for a physical collocation.

Q Okay. Does BellSouth consider the lack of space to provide physical collocation when it determines whether or not to do a building expansion?

A Not to my knowledge. Not to my knowledge.

427

Q Okay. Mr. Ream, you supervise a number of the central offices, is that right, in terms of the circuit -- what is it your title is? I'm sorry. I forgot.
A Common Systems Capacity Manager.
Q Yes. You are over several of the offices, 18 or 15 or 12, one of those numbers?
A I have 12 offices. I don't run the offices. I just try and manage the space within the office and act as a general contractor.
Q Okay. And when any of those offices that you have that duty for gets an application for physical collocation, do you receive a copy of that application?
A Yes, I do.
Q Did you receive a copy of Supra's application for physical collocation?
A No, I did not, not for Gardens.
Q Okay. So you did not have any part in evaluating Supra's application for physical collocation?
A No, I did not, not at that time. It seems like that's all I've been doing since in the last couple of months. But, yes, at that time I did not see their application.

428

Q Okay. Will you look back again at that second floor planning meeting document? That's the April 24th, '98 document.
A Okay.
Q Okay. Will you look at the equipment type column that's basically like the -- right after that first main paragraph, you know, where it says equipment type, and then estimated growth exhaust year?
A Oh, okay.
Q Does this mean that the LATA tandem growth will exhaust in the year-end 2003?
A At the time that this was made, this was our -- the start of the process to look at adding a second floor to that office, or a growth addition of some sort. We didn't know what we wanted to do, but we felt we needed space. So we did an assessment of each particular entity in that office, because each one of those particular items has its own section of that central office. And at that time, the projected growth of the bays in the office, they felt that we would exhaust the tandem area in the year-end 2003.
Q Okay. And does it show that the TOPS host would exhaust in the year-end 2003 also?
A Yes, it does.

429

Q Okay. Does it show that the local switch would exhaust in the year-end 2002?
A Yes.
Q Does it show that the STP will exhaust in the year-end 2003?
A Uh-huh.
Q And then the SCP it says will exhaust in the year-end 2000; is that correct?
A Right.
Q Okay. And then the power would exhaust in the year-end 2003?
A That's correct.
Q Okay. And then the toll OSP would exhaust in the year-end 2000?
A Right.
Q I don't want to leave out the year-end 2000 items and make sure that we give a full picture here.
Okay. Let's see here. Let me ask you to look at the other exhibit that I believe we included in there, which is a couple of pages out of the Property Management and Physical Collocation Guidelines. I believe that's in there. Do you see that?
A Yes, I do.
Q Okay. Will you look on page 2 of that --

430

it's actually page 5 at the bottom.
A Page 5? Okay.
Q The second page. On Paragraph 2.2, apparently -- would you just -- let me read this, and then I'll ask you a question. It's very short.
"BellSouth is not required to relocate its own equipment or personnel within a facility in order to accommodate physical collocation. However, BellSouth is required to offer any space reserved for growth outside of a two-year period. If at this point there is absolutely no space available, an exemption must be filed with the State, and the collocator may choose to enter into a virtual expanded interconnection service."
Are you familiar with this policy?
A Only from the standpoint that I've heard people discuss it. I've never read it or seen -- you know, seen it. But, yes, I'm familiar from that standpoint.
Q So when BellSouth would consider an application for physical collocation, would you or other people in BellSouth be required to consider space available for physical collocation that exceeds that two-year window, such as some of the items we just listed on that other exhibit?

A It's my understanding that if we're not going to grow into an area in two years or, you know, some time frame like that, that we should offer that up for physical collocation. It's the right thing to do. It's unfortunate that Gardens just doesn't have it.

Q Well, let's look back at this. There seems to be several items on this list that provide for almost five years of growth instead of just two years of growth. I mean, is that not true?

A Well, if I have an area that I'm growing into, and I'm slowly shrinking that area, and it's smaller than what you needed to begin with, I don't understand that it would make any difference. If I don't have the space in a given area today and I'm not going to truly fill it up totally for three or four years, what's the difference?

Q So what you're saying is that every one of these items on the list that you have got on this document, a year-end of 2002, 2003, none of those are significant enough areas to be considered for physical collocation?

A I think that my explanation when I went around with the floor plan speaking of today and what we expected to have placed in that office in the next

two years would stop the -- wouldn't leave enough room after two years for physical collocation.

Whether we exhausted the total area in 2002 or 2003, if we used up the majority of the area in two years and it didn't allow for the square footage that you require, I don't see that it makes any difference. I don't see the relevance of it. Maybe you can explain it in terms I can understand better.

Q Well, I think we'll move right along here.

A Okay.

Q Is it technically feasible to monitor all the switches in the central office, the West Palm Beach Gardens central office remotely?

A To monitor?

Q Yes.

A Yes.

Q Okay. Is it technically possible to monitor all those switches from one workstation in the central office?

A I don't know. That I don't know. You mean one computer?

Q Well, I just asked you if you could monitor all of them remotely.

A Well, I don't know. Well, they are monitored remotely at night. But when they go into

alarm and a switch starts to fail, then the people that are monitoring them, because that's all they can do is monitor, call out a switchman to come into the office and go to a maintenance terminal where he can start to repair the switch or get it going again.

Q So you need to be able to work somewhere in the office to do this?

A Yes, you do.

Q But is it technically required that you have a terminal right next to every switch in the office?

A Technically? I mean, the --

Q Yes, technically.

A -- difference if it's five feet away or ten feet away? I guess that wouldn't make any difference. It certainly is the efficient way to run an office.

Q Has anybody in BellSouth asked you to examine West Palm Beach Gardens to try to reconfigure the workstations in the office to maximize physical collocation space?

A No.

Q When you talk about the projections for equipment that's needed in the future, you're talking about Ms. Cruit's projections, is that right, or her group's projections?

A Yes, I'm talking about the group's projections. I gather information from them.

Q You don't make them yourself?

A No, I do not.

Q You take the information and translate it into what you think you need?

A Exactly. I try to -- they give me their projections, and I try to make sure that I've laid out on the building study plan a place for their equipment that they're going to be ordering, that there's a place for it.

Q Would you agree that a central office is a dynamic and constantly changing environment?

A Yes, I sure would.

Q Does that mean that space can be freed up once in a while unexpectedly maybe?

A I wouldn't say unexpectedly. We don't -- technology changes, and new things come out, but we're always in the planning phase of things like that. So, you know, it wouldn't be just that I would walk in tomorrow and they would say, "Oh, we don't need this anymore."

Q Yes, I don't mean that, I guess. I mean isn't it possible that new technology could come along that reduces the required size of equipment that you

435

currently are using? In other words, you could replace equipment you're currently using with smaller equipment to do the same job, or maybe even handle more capacity?

A Well, as Ms. Cruit said, we do get -- technology is changing, and things do become smaller, but they have added features to them, and they're taking up the same amount of room because our customers want added features and things like that.

Also, if we have an existing frame that has working equipment in it -- and these things are very expensive. I'm sure that Mr. Ramos can attest to the price of this equipment nowadays. Just because a newer one comes out, we don't replace the old one until there's a good technological reason to do it. I mean, it's just too expensive.

Q If a CO or a central office is a dynamic environment, would you consider it appropriate to evaluate that space situation when an application comes in for physical collocation?

A Well, you know, we talk amongst ourselves. We do. We do talk that, you know, this office is crowded, this isn't crowded. We're always evaluating this office. You know, if space was to become available, we would tell our INAC folks and this,

436

that, and the other that space is available. And if we were to put a second floor on this building or a building addition in the future, it wouldn't be anything that we would keep quiet. We wouldn't keep it a secret. We would let everybody we that we can have the physical collocators.

Like I said, our charge is to encourage local competition. We truly want you in our central offices. We want to be in the long distance business. That's what Mr. Locker said. That's what -- we have many publications that come out. We get bulletins, company papers and everything like that that it is very important to the corporation that we get into the long distance business. And the only way we can do that is to have collocators in our building and take local market share. I understand that, and that's what we're trying to do. That's what we're trying to do.

Q Well, I believe that that's your sentiment, Mr. Ream. If BellSouth believes that, why does it deny a physical collocation request on the basis of a five-year-old waiver that it got from the FCC?

A I don't know if they did or didn't.

MS. SUMMERLIN: I have no further questions.

437

COMMISSIONER CLARK: None for Mr. Rubin?

MS. SUMMERLIN: Pardon?

COMMISSIONER CLARK: Do you have questions for Mr. Rubin?

MS. SUMMERLIN: Yes, but I guess Staff may want to --

MS. KEATING: I just have a few questions for either witness. I would suggest maybe if Ms. Summerlin just proceeded on with Mr. Rubin, it might --

MS. SUMMERLIN: Okay. If I can just have two seconds to get my papers for Mr. Rubin.

COMMISSIONER DEASON: How long do you anticipate your cross for Mr. Rubin to be?

MS. SUMMERLIN: Not very long. I wouldn't think more than 20 minutes, maybe less.

COMMISSIONER DEASON: Okay. We're going to take a five-minute recess and give you a chance.

And just let me announce that when we conclude with these two witnesses, we're going to recess for the evening, and we'll have to reconvene at a later time. And that's going to be the 16th of November at 9:30.

It was our intent to finish this today, but it's obvious that it's taking much longer than we

438

earlier anticipated. So just so everyone can kind of prepare.

But anyway, right now we're going to take a five-minute recess.

(Short recess.)

COMMISSIONER DEASON: Call the hearing back to order.

Ms. Summerlin, I've been informed that the parties feel like we can conclude the remaining witnesses hopefully by around 8:30 this evening, and so we're going to proceed with that assumption. And I heard a rumbling that when 8:30 comes, you may not have a quorum here, so just be advised.

MS. SUMMERLIN: We may get through even quicker, because we're pretty much ready to get through.

COMMISSIONER DEASON: Very well. Let's proceed.

Q (By Ms. Summerlin) Okay. Mr. Rubin, I just a have a couple of questions to ask you.

There was -- when we went on the walk-through in North Dade Golden Glades, there was an old STP switch, I guess is the right term for that, that was supposed to be removed.

A (By Witness Rubin) Yes, that's correct.

439

Q Has that been removed at this point?
A It has not been removed. I got a call from Ron Keith last week, and he indicated that was going to start either this week or next week.
Q Okay. And when that is removed, how much space will that free up, or how many bays will that remove?
A Well, you have a picture of the -- I don't know what the -- I would have to count up the number of bays to determine that. I don't have that figure in my head. But that area is reserved for the growth of the O4T toll tandem. After 1999 -- not even after 1999. The next growth order that will be take place at the O4T toll tandem, we'll put a bay in that area.
There's also two bays that are reserved directly in back of the new STP for growth. One frame is planned on going into that area next year.
Q Okay. What is the genesis of the removal of this old STP? Why is it being removed?
A Why is the STP being removed?
Q Yes.
A Well, it has been replaced with a new one. I would assume that the new one has greater capacity and greater functionality.
Q Okay. Is the new one going to take up as

440

much space as the old?
A Well, the new one is on the floor in the diagrams, and it was taken up with one lineup as opposed to two lineups. The bays that make up that STP are much bigger, a much bigger footprint. They're 50 inches wide by 30 inches deep. And that's just the physical bay itself. The footprint for the bay -- actually, the footprint with the front and back of that bay is 21 square feet.
Q Okay. I have just one other document that -- I know you have probably already seen it, and it's already in the record. It's a response filed to POD 27. It's got on the top Golden Glades Building Space Plan, and then in parens, Issue 4. If I just show you a copy of this so you can familiarize yourself -- I'm sure you've seen it before. And all I want to do is just ask you just a couple of questions on that. It's already in the record.
Are you familiar with that?
A This is part of the plan. This is considered a space plan that we try to make up for all of the offices that we have responsibilities for.
Q It's got May 18, '98 up at the top. And what I'm asking or what I want to ask about is, there's a couple of sentences here under Power

441

Equipment Space. And I'll just read it. It says, "We will continue to grow power equipment in the first floor power room. There is ample room for growth. Stan Flanders agreed that the southwest corner of this room could be used for a storage room. This will be accomplished by moving the existing air handler vents up, thereby making room for storage shelves along the walls."
I'm not going to read all the rest of it, but can you help us figure out exactly what room on either Mr. Nilson's diagram or on your picture, you know, whichever way you want, tell us which thing is going to be the storage room and which is going to be the power room?
A No, I don't know -- I don't have the north facing arrow.
Q If I give you Mr. Nilson's -- do you have that?
A Yes, I have that.
This doesn't show -- it says the southwest corner, and I don't remember where the southwest corner is. But the only -- there might have been a fan --
Q Is it possible to identify which room has the air handler vents? I mean, is that --

442

A I think this office between coordinates 5, 6, and A, I think along there, along that wall. It's not reflected on here, but I think there's some air vents. And this --
Q Five, 6, and 8? Is that what you said?
A Five, 6, 5 and 6 and A, coordinate A, and between 5 and 6, where it says Future Engine Room Expansion.
Q Future engine room expansion?
A This was an area that the power engineer had come to me and said can he reserve that area as a possibility for an engine room expansion. That was quite a while ago. And now that the old air handler unit will be removed -- that area actually would not have been large enough. I should actually take that off the drawing. But I believe in that area there was -- there's an exhaust fan.
Q Okay. So you're saying that the 142 square foot future power --
A That's for the new battery string that is at coordinates 5 and 6, between D and C, the three existing battery strings, and that will be the new battery string that will go into the office.
Q Okay. So am I correct that it's the 404 square foot unassigned air handling unit future engine

443

room that we're talking about to be the storage room here? I mean, I'm --
A No, no, no.
Q -- not clear.
A And what he was -- and he's really talking -- he's really talking about shelves. He's saying that we could get some storage room, not a room, but have some storage room in the form of shelves by just moving the existing air handler vents up a little bit.
Q Where are those vents? They're in this --
A Well, that I don't remember exactly where they are.
Oh, you know, that might have been where the diesel engine is. I'm not really -- I don't think it was in the power room. I think it was in the engine room that he was talking about this.
Q Okay. On page 2 of this same thing, the May 18th, '98 document that I was looking at, I just want to ask you a couple of questions. It says on the second page O3T space. It says, "Assuming the two lineups to the south of the existing O3T switch are reserved for growth, there is 25 years of growth space available for O3T." Is this something that's actually going to happen, or what --
A No. As I mentioned in my opening statement

444

when I described this, that would probably be true as far as the amount of time if we were reserving two lineups, but I'm only showing one lineup reserved for growth.
Q So we're talking 12 and a half years?
A At two frames a year, we're looking at about six and a half years.
Q Well, it says here that assuming the two lineups to the south are reserved for growth, there's 25 years of growth space, and you're saying that you're going to have one lineup reserved.
A Well, this might have been based on the addition of only one frame a year as opposed to two.
Q So why would this change since May?
A This is a board gauge of what is expected in the office, and that's why I say that, you know, if we reserve two lineups, we'll have so much amount of space. It's not something that's defined in concrete. It can change. I have statements to that effect.
And also, some of the toll tandems, the paragraph just below that where it says depending on the DS1 demands of our customers, the amount of space and the number of years, growth could change.
Q You heard me, I know, ask Mr. Ream about getting -- in your role as being a -- capacity manager

445

I think is --
A Common Systems Capacity Manager.
Q Common Systems Capacity Manager. That you would normally get applications for physical collocation; is that right?
A That's right. We receive these requests.
Q But you didn't get one for Supra for this request?
A I did not see Supra's request for the physical collocation at Golden Glades. However, I had been involved in looking at the floor space in Golden Glades during the April, May, or June time frame in regards to physical -- not physical, but virtual collocation. And from that review, I was well aware that there was not a contiguous enough area to allow for physical collocation.
Q But you didn't evaluate Supra's application specifically?
A No, I did not evaluate Supra's, no.
MS. SUMMERLIN: I don't have any further questions.
COMMISSIONER DEASON: Staff?
CROSS EXAMINATION
BY MS. KEATING:
Q Good evening, Mr. Ream and Mr. Rubin. I'll

446

begin with you, Mr. Ream.
I believe in your summary, you made a statement that for a 200 square foot collocation request, you would actually need four to five hundred square feet?
A (By Witness Ream) That's correct.
Q Could you explain why you would need that much space for a 200 square foot request?
A Well, I can attempt to, but Mr. Bloomer will do a much better job when it comes his turn up here.
But for their request for 200 square feet, we would have to create a room with the firewalls and everything like that. But we have to create along with that a common area that we would place the point of terminations or POT bays in, the interface between the collocator and us. And in that common -- so we have to create another room, if you will, just to house more equipment so that you can -- because that's what the collocation agreements are, I guess. I mean, that's our instructions.
So because of having to put equipment in another area and having to have walkways to get to it -- and as time goes on, Mr. Bloomer has been telling me that the building restrictions are forcing us to

447

create separate walkways and paths to get into this common area or to get into the collocator area -- it requires much more space. They just can't have -- they, I shouldn't use that word.

The collocator has to have a separate entrance to get into his space separate from our equipment areas. They just can't walk down our aisle at 3:00 in the morning, you know, in amongst our equipment when it's an unmanned office to get to their area. So it forces us to set up aisles for them, this common area, and things like that. So that's why it requires much more space than the initial 200-foot requirement.

Q Well, Mr. Ream, if you were only going to have one physical collocator in an area, why would you need to create a whole new common area with aisles?

A Well, we have to create the common area. With the physical collocation -- collocator, we have to have a common area to go along with that.

In our other offices where we are expecting or have room for more tenants or more collocators to come in, the common area space is 1,000, 800 feet. It's much bigger. When I made that statement about, you know, 500 feet, four or five hundred feet, I scaled down what we would typically do, because for

448

one single collocator in one office -- and that's all there could be because of the space requirements -- then I scaled down the overall number of square feet.

But, yes, it takes up a lot of square footage in a CO to set up a proper common area.

Q Mr. Ream, on page 5 of your rebuttal testimony, you indicate that the growth of the local switch is --

COMMISSIONER DEASON: Ms. Keating, is your microphone on?

MS. KEATING: It's on. I'll get a little closer.

COMMISSIONER DEASON: Thank you.

MS. KEATING: My voice may be getting lower as the night wears on.

Q (By Ms. Keating) On page 5 of your rebuttal testimony, you state that the growth of the local switch is projected to be about 12 frames per year? This is line 20 on page 5 of your rebuttal.

A At line what?

Q Twenty.

A Twenty? Okay. Yes.

Q Okay. And you also indicate that this space is temporarily being held for that in the vendor staging area?

449

A That's correct.

Q Is that the same thing that's identified on the map that you used for your presentation --

A Right. It should --

Q -- as the new equipment staging area?

A Let's see here. It's right at K, H, J and G5. That's the space that you were talking about. It's at the top there? It says new equipment staging area and admin area?

Q Okay.

A Is that where you're --

Q That's it.

A Yes, that's exactly right. We --

Q Thank you.

A Okay.

Q Is the projected growth for more lines, or is it for more capacity on current lines?

A I'm sorry. Oh, the -- you better restate that.

Q You projected that you're going to grow this 12 bays or 12 frames per year?

A I didn't project that. That's the switch capacity manager. When I got the information from him, he expected to add those bays. That's how they give us the information, in bays, so we don't have to

450

convert.

Q Well, is it your understanding that that growth is necessary to accommodate additional lines, or is that to accommodate additional capacity on the lines that you currently have?

A I think that's for -- I hate to guess. I would suspect that that's for lines. Based on Mrs. Cruit's, you know, talking about trending and things like that, that's where these projections come from, 18 months. So probably capacity and lines, now that I think about it.

Q Do you know if that's analog?

A No, I don't know whether it would be analog or digital. I really don't.

Q Do you know who would know? Would one of the later witnesses know?

A Well, in the documentation that Mrs. Cruit had about the D&F charge and things like that, it would be broken down in there. I don't know how to read it. I couldn't help you.

Q Thank you, Mr. Ream.

Mr. Rubin, I've just got a couple of questions for you. Looking at the diagram for the North Dade Golden Glades office, there's the area to the left-hand side that's designated --

451

A (By Witness Rubin) Pardon me. Which floor are you --
Q First floor, first floor. There's the area designated as work area restoration, and it's also designated on your presentation map as circuit pack storage area?
A Yes. That's the area that the PICS, which is property inventory control system, the circuit packs that were along the wall, where it says new air handler unit, those cabinets used to be along this wall. But because they're putting in that new air handler unit with a much larger air return, and because this walkway will now become the main feed for bringing in equipment into the office, those cabinets had to be moved, so they moved them into that area. On the walk-throughs, those cabinets were not there. They were against that wall.
Q Well, how long has that area been designated as a circuit pack storage area?
A Well, I designated it that area on 10/13 when I updated this drawing.
MS. KEATING: Thank you, Mr. Rubin. I believe that's all Staff has.
MS. WHITE: I have no redirect.
COMMISSIONER DEASON: Okay. And we have no

452

exhibits.
MS. WHITE: And can these witnesses be excused?
COMMISSIONER DEASON: Yes, they may.
MS. WHITE: I would call Mr. Bloomer to the stand.

- - - - -

JAMES D. BLOOMER

was called as a witness on behalf of BellSouth Telecommunications, Inc. and, having been first duly sworn, testified as follows:

DIRECT EXAMINATION

BY MS. WHITE:
Q Mr. Bloomer?
A Yes, ma'am.
Q Would you please state your name and address for the record?
A My name is James D. Bloomer, and my work address is 20 -- excuse me. My work address is 10KK1, 301 West Bay Street in Jacksonville, Florida.
Q By whom are you employed and in what capacity?
A I'm employed by BellSouth as a facility planner.
Q And have you caused to be filed direct

453

testimony consisting of 13 pages in this docket?
A Yes, ma'am.
Q Do you have any changes to that testimony?
A Yes, ma'am. I need to correct my business address on line 11 of the first page.
Q Okay. Would you do so?
A Yes, ma'am. The correct address for my business address is Room 10JJ1, 301 West Bay Street, -- that's B-a-y -- Jacksonville, Florida 32202.
Q If I were to ask you the questions that are in those 13 pages of direct testimony tonight, would your answers be the same?
A Yes, ma'am, they would.
Q And you had five exhibits attached to your direct testimony, did you not, JDB-1 through 5?
A Yes, ma'am.
Q And do you have any corrections to those exhibits?
A No, ma'am.
Q And you also filed rebuttal testimony consisting of 15 pages?
A Yes, ma'am.
Q Do you have any changes to that testimony?
A No, ma'am.
Q And if I were to ask you the questions that

454

are contained in that testimony tonight, would your answers be the same?
A Yes, ma'am, they would.
Q And you had two exhibits attached to your rebuttal testimony, JDB-6 and 7?
A Yes, ma'am.
Q Do you have any changes to those?
A No, ma'am.
MS. WHITE: Commissioner Deason, I would ask that Mr. Bloomer's direct and rebuttal testimony be inserted into the record as though record.
COMMISSIONER DEASON: Without objection, they shall be so inserted.
MS. WHITE: And I would ask that Mr. Bloomer's direct and rebuttal exhibits be marked for identification as a composite exhibit, JDB-1 through 7.
COMMISSIONER DEASON: That will be Exhibit Number 31.
(Exhibit 31 marked for identification.)

483

Q (By Ms. White) Mr. Bloomer, would you please proceed with your summary?
A Yes, ma'am. My name is James D. Bloomer, and I go by the name of Jim, and I'm a facility planner in the Current Planning Group of the Property Management Organization with BellSouth. And I'm here to specifically respond for BellSouth to Issues 2 and 3 of the Supra complaint concerning factors used in determining if space is available for physical collocation, and then whether space is actually available in these two central offices at question.
And I guess the best way to start would be what would we ask you to do as a result of all this effort we're going through.
We would ask you to see that our factors and the process we use are reasonable, they're fair, and they're nondiscriminatory, that our conclusions are reasonable, and that it's not necessary for the Staff or for the Commission itself to mandate space allocations in these two buildings.
And the best way to start with this summary is to tell you that in the general umbrella of what I do, what I do for BellSouth and what other people like me do for BellSouth, is that collocation is real important to us. Our objective is not to keep people

484

out. Our objective is to get customers in. Collocators are a potential source of customer revenue for us in bulk or in line. Customers are good. So that is the parameter that we start this process with.
The second general thing about space allocation and looking at buildings is that a forecast yesterday was good for yesterday, and so was the space allocation. But if things change today, then your space allocation could change, and your forecast has definitely changed. So you can't always go back. And especially five years, six years, however long you want to go back, it isn't relevant anymore.
The best analogy I can think of is the one in my testimony where you take a picture of your child five years ago and take another one today, it's still your child, but there's a whole lot of difference. But the basic underlying thing is still there. It's still your child.
The process we use to determine if space is available for collocation is open. We use common terms from the real estate industry and from the facility management industry for the definition of the space and what's included in it.
We use common software, Excel and AUTOCAD, to generate the square foot measurements and the

485

summaries of how those things add up. Those are the things you see as my exhibits. One is a blank assessment form. That's all Excel spreadsheet. The actual little pictures of the buildings are all done from AUTOCAD.
This process is fair. If you look at my exhibits, there's nowhere on there where we say who is wanting what space. In fact, we use the process either intuitively or in form for every requirement for new space we get in one of our buildings.
So now we get down to it. What are the factors we actually use to review the requirement? And here I'm talking about a legitimately, contractually sound requirement which contains all the information necessary to properly review it. And there's four general sets of factors that I use in my direct testimony, and I've explained them pretty thoroughly there, and I'll just summarize them real quick for you.
And these are the same things you use every time you put furniture in your house, something in your garage, you arrange your tool bench. It's the same basic kind of process. You start with what shape is this space I'm going to be working in, is it long, skinny, short, tall, fat, where are my doors, where

486

are the windows? You do that in your living room when you go to place a sofa, what is the space I'm working in.
The second thing you look at is what am I doing in this space now, what's in there, and what's my forecasted demand? What else am I going to put in this room in addition to what I'm buying now?
We do the same thing with our central offices. We start out with what's the shape of this building, and what's here and what's here that can't be moved, what's over here that shouldn't be moved, and then we figure out from there what we do with the space.
We analyze our current usage. We start out with the gross square footage. We then say, "Okay. We can't use this for anything but its purpose. We're occupying this much space. We're reserving this much space, and we have a vacant number," which is then what's left.
That vacant number, in very general terms, we then say, "Okay. I have a requirement here provided by collocator A through Z, department of BellSouth X through Y." We don't care. You take that requirement, and you look at this vacant space, and you say, "Okay. Can I get the glove on the finger?

487

Does it fit, and how do I know if it fits?"
There's a third class of factors that are the national and state and local regulatory people who decide what you have to do in a building to get something there. And if you all have ever done a building addition to your house, put a new garage or a swimming pool, you've had contact with regulatory people. And it's not -- they interpret the codes as they see the codes need to be interpreted. And we do so much business with them and so often that it is -- it's a lot like our relationship, pardon the example, but to the Public Service Commission. We know what you expect, and we strive to do it.
After the regulatory people have their shot at this requirement and whether it fits, the last thing we look at is anything that BellSouth has that says, "Okay. You've got this requirement. You put it here in the building, but you have to put something next to it." Now, there's families of equipment, like Jerry and Guy talked about these digital cross-connect systems. You don't spot them willy-nilly all over the office. You have to put them together. Once you put one on the floor, its growth is predetermined. It has to go next to it.
So when you take that vacant space and you

488

massage it through those last two major concerns, you end up with pockets of space that are available for use, and you then say, "Okay. What configuration does it need to be?"
We've gotten some excellent collocator inquiries that are full of detail that give us the exact dimensions of what they want. We pop that thing against the vacant space and say, okay, we've got room for them or we don't. When we have incomplete applications that don't tell us everything we need to know, we send it back. We say, "We can't do it."
And that's the process, that's how it results, and it's pretty cut and dried.
Do the factors work? Yes. It's a flexible process. If you change the forecast, you change the space allocation.
We find space with it. We don't always deny space with it. We find it. We've run this one particular building in Miami three times and found space each time because people are willing to give up stuff. They can't justify it. We put the heat to them, and they come up with the space. Jerry has been very active in that with me working with the central office people.

489

And finally, I do this for 206 buildings in the State of Florida. This process is run the same way every time. If it's the first time in, if it's the last time in, first collocator or twenty-fifth collocator, the requirements come in, we do the same analysis, and we let it go.
And I know we're rushed for time, but I think I've covered the major things that I need to get in front of you.
MS. WHITE: Mr. Bloomer is available for cross examination.
COMMISSIONER DEASON: Ms. Summerlin?
CROSS EXAMINATION
BY MS. SUMMERLIN:
Q Good, evening, Mr. Bloomer. I'm Suzanne Summerlin, as you already know.
I've only got really one thing that I want to ask you. I have an exhibit here to be identified. It's very short. It's something that Supra created from information that has been produced in the case. I just want to ask you a question about that.
A Is this something I should say anything out loud about, ma'am, or is this --
Q Oh, no, I don't think there's anything --
A I just didn't know. I want to be careful.

490

Q -- special about this. It's just information taken from the items that BellSouth has produced in this case to Supra.
You were saying a few minutes ago in your summary that the process of doing this physical collocation starts with, you know, what is the space you're starting with, and I guess that's a question we have for you.
MS. SUMMERLIN: This exhibit that I would ask be identified for the record as, I guess, 32.
COMMISSIONER DEASON: It will be so identified.
(Exhibit 32 marked for identification.)
Q (By Ms. Summerlin) The first item on this list is a response to Supra's First Set of Interrogatories, Items 2, 3, and 4. I know you don't have those in front of you, but if we need to, we'll hunt them down and get them for you. But those were -- if you will accept, subject to check, that those were responded to by you, and it reflects the total space in the North Dade Golden Glades office as 26,255 feet. And then the second item on that list is a response to Supra's First Request for PODs, Item No. 1, that was supplied by Mr. Rubin, and that reflected 23,115 square feet. The third item was a response to

491

Supra's Second Request for PODs, Item No. 31, that was responded to by you that shows 27,968 square feet. Then the Petition for Waiver that we've referred to earlier here today back in '93 or '94 -- I'm not sure for Golden Glades which year it was, but that reflected a total space of 27,764 square feet. And finally, Supra's First Request for PODs, Item No. 3, are some blueprints that were produced by BellSouth that reflect 27,305 square feet.

Do you have any idea how this range of space numbers could have happened and which one happens to be the right one?

A Could I have just a second to look?

Q Sure, sure.

A Thank you, ma'am.

The first line appears to be the numbers that are on the space assessment worksheet provided in the direct testimony for Golden Glades, I believe.

Now, the second number on POD Item No. 1, on POD Item No. 1, I don't show that number, ma'am. I show 26,255. Am I not looking at the right place?

Q Let us hunt it down.

Okay. Go to the next one and we'll look for that second one so that we can confirm. If we're wrong, we will certainly admit that. But on the third

492

one, Second Request for PODs, Item No. 31.

A Okay. That number comes from, as it states on the POD cover sheet, a BellSouth space record form for space inventory completed sometime in the past and measured by somebody I don't know. The rest of those numbers appear to come from that space report form.

I can't tell you the last time that report was updated, ma'am.

Q What other numbers come from the space report --

A I'm sorry, ma'am. That would be Item No. 31, the next one down that you asked me about.

Q Okay. So the FCC figure you wouldn't know about, because you didn't do that; is that right?

A No, ma'am, I would not know.

Q Okay. And the final one with the blueprints, you wouldn't know about that one?

A The blueprints. I'm sorry, ma'am. Did you get architectural drawings or a study plan drawing? I'm not sure what you got, so I can't --

Q I think we're talking about the ones that were used today.

A Okay.

Q Apparently it shows that number. Would you like us to give you one to look at?

493

A I think, ma'am, if you did that by multiplying what's on there or whatever -- I mean, I don't know how you calculated to your number, so --

Q Would you like us to show you this so you can confirm what we're saying, or you just -- you don't know why it would be different?

A No, ma'am. I mean, somebody who calculated it might not know how to calculate gross square footage. It might be as simple as that.

Q Are you the person responsible for figuring out how much space is in that building?

A I'm the one who's supposed to maintain it, yes, ma'am.

Q Okay. The second item on the list apparently was provided by Mr. Rubin, and it says -- I'll send this copy over to you. And it says the total gross space, 23,115.

A Okay.

Q So you don't know where that came from?

A I know I discussed it with Jerry when I saw it, and I told him, "Jerry, you don't know how to measure space."

Q Okay. So --

A "And so your numbers are wrong."

Q Just one second and we'll show you this.

494

There appears to be a yellow number on the center of the map, the blueprint, I'm sorry, and we'll show it to you to let you confirm that that's correct.

A Okay. Excuse me. I'm not at the mike. I see a yellow number there, yes, ma'am.

Q Does that match up with what we're saying, 27,305?

A No, ma'am. That's probably the first floor number.

Q Okay, okay. And then add the second floor to that to get the --

A Yes, ma'am. I see a number in yellow on the second floor that somebody put there, yes.

Q Okay. So basically you don't know where these all came from. Which one do you think is the right one?

A The one I just measured would be the right one.

Q The one you just measured? Which one is that?

A It would be the one for the direct testimony, the space assessment worksheet that I filed with that.

Q And you don't know which one of these numbers that is?

A Reading off my direct, the space assessment work form, which was Exhibit -- I'm sorry. I've just forgot my number, but it's 26,225.
Q 26,225?
A Yes, ma'am.
Q So that's another number then. Okay.
A And ma'am, as you know, and probably everybody who has ever measured anything knows, if you take two measurements on two different days with a cloth tape, you're very likely to get two numbers that are somewhat different. You'll never get an exact match anytime you do consecutive measurements.
Q Well, I understand what you're saying, except that this is -- there's a range here in excess of 4,000 square feet. I mean, that's a pretty significant variation.
A Yes, ma'am, but the only one I did was the first one.
MS. SUMMERLIN: Okay. All right. I think that's all we've got.
COMMISSIONER DEASON: Staff?
CROSS EXAMINATION
BY MS. KEATING:
Q Good evening, Mr. Bloomer. I just have one question.

You've produced several exhibits, JDB-3, 5, 6, and 7, that are diagrams of the floor plans of these offices. We would just like to know what the scale is that these are drawn to.
A Ms. Keating, it's probably dependent on how big the drawing was on the screen. They're roughly 1 to 20, because when you take an electronic format file and you put it on a viewing screen and say print this and fill an 8-by-11 sheet of paper, the computer will make it whatever scale is necessary to fill that 8-by-11.
Q But basically one inch to 20 feet?
A That's real rough, but, yes, ma'am, that would be close.
MS. KEATING: Thank you.
COMMISSIONER DEASON: Redirect?
MS. WHITE: No redirect.
COMMISSIONER DEASON: Exhibits?
MS. WHITE: I move Exhibit 31.
COMMISSIONER DEASON: Without objection, Exhibit 31 is admitted.
(Exhibit 31 received in evidence.)
MS. SUMMERLIN: Supra would move Exhibit 32.
COMMISSIONER DEASON: Without objection,

Exhibit 32 is admitted.
(Exhibit 32 received in evidence.)
MS. WHITE: And BellSouth would call Wayne Mayes.
And may Mr. Bloomer be excused?
COMMISSIONER DEASON: Yes, he may.
- - - - -
T. WAYNE MAYES
was called as a witness on behalf of BellSouth Telecommunications, Inc. and, having been first duly sworn, testified as follows:
DIRECT EXAMINATION
BY MS. WHITE:
Q Mr. Mayes, would you please state your name, address, who you work for, and what your job title is?
A My name is T. Wayne Mayes. My address is 9112 Holly, H-o-l-l-y, Springs Court, Louisville, Kentucky 40242. I'm employed with BellSouth, and I'm the Program Manager-Collocation for Property Services and Management.
Q And could you please turn your microphone on?
A And the mike is on. Sorry.
Q You've prefiled seven pages of direct

testimony in this case?
A That's correct.
Q Do you have any corrections?
A Yes, ma'am, I do. On the first page, I would like to correct my address, as I just stated. And that's line 12 and 13. My address 9112 Holly, H-o-l-l-y, Springs Court, Louisville, Kentucky 40242.
Also on Exhibit TWM-2, where it says under -- the first line of text, where it says, "Boca Raton Main, have been waiting for permit 62 days," I would like to change that number to 56.
Going down two lines, the third entry where it says, "Fort Lauderdale Main, Company A," where it says, "Have been waiting for permit 65 days," I would like to change that to 55.
And line 9, where it says Pembroke Pines, I would like to change that to 72 days.
Q With the changes to your direct testimony, Mr. Mayes, if I asked you those questions tonight, would your answers be the same?
A Yes, ma'am.
MS. WHITE: And I would like to have the direct testimony inserted into the record as if read.
COMMISSIONER DEASON: Without objection, it shall be so inserted.

499

Q (By Ms. White) And you had two exhibits attached to your direct testimony, TWM-1 and 2?
A That's correct.
Q And you've made the changes to those?
A Yes, ma'am.
MS. WHITE: And I would like to have the exhibits attached to Mr. Mayes' direct testimony marked for identification.
COMMISSIONER DEASON: They will be identified as Exhibit 33.
(Exhibit 33 marked for identification.)
MS. WHITE: And Mr. Mayes has no rebuttal.

507

Q (By Ms. White) So, Mr. Mayes, if you would, please give your summary.
A Yes, ma'am. In my position as Program Manager-Collocation for BellSouth Telecommuncations for the nine-state region, I oversee architects and outside vendors who construct the space for the collocators and the physical collocation. This construction includes the common area enclosure, the individual enclosure for each collocator, and any code related work that has to be done through officials.
As a part of this process, we have to file for a building permit, and my testimony deals with the building permit interval. As I just said, I've got Exhibit TWM-1 attached to my testimony. On this exhibit, it is basically a general procedure guideline as to what you have to do in the various municipalities where Supra has asked for collocation to obtain a permit. And it's basically just go through this department, this department, this department, kind of general.
You'll notice as you thumb through the about 20 pages that the procedures are pretty much the same throughout the different municipalities. But unfortunately, the way they interpret the plans or how long it takes them to look at the plans is not very

508

similar. It takes quite a bit of time.
I guess the thing that really is kind of frustrating is that this is not a problem that we have in the other states. Like I said, I've got nine states, and with very few exceptions, Florida is the one where we're having the problems. And understandably, Hurricane Andrew came through and has a backed a lot of things up. These code organizations have come under fire, both the inspectors and the officials that look at the plans. So I can understand their point of view, but as far as from BellSouth's point of view, we want to get the plans through quickly for permitting, and it's pretty frustrating on our part, as well as on Supra's part.
Also filed with my testimony is Exhibit TWM-2. And like you just saw on the corrections, this shows the actual history of the permit intervals that we've faced when we asked for permits in these different buildings where Supra has asked for space. These are other collocators asking for space in the same building. And there's a few of them where you'll notice no one has asked for space there.
Additionally, at the Commission's request, I filed late deposition 2, which basically covers my tracking sheet, and it covers the programs that the

509

program manager system is now handling.
If you look at the space, you'll see the -- Exhibit 2, you'll see that it's taking about 45 to 75 days to get permit interval, and that is a long time, especially if you work your way to my Late-filed Deposition Exhibit 3 and you notice that with the exception of one in Tennessee which took a long time, it's much, much longer than it has taken anywhere else.
And I apologize that I don't have more information for you on the late deposition. Given a few days notice, that's all I could gather. But it is pretty representative of how it happens in other states.
Like the day I left Louisville, on a new collocation job, I asked the contractor how long it's going to take to this one. "A day. I'll walk it through." I mean, it's frustrating to have to deal with 45 days when you're used to that.
I'll try to rush this along here.
In addition to these permit problems, there's other code official problems that we would like to just let you realize that we're not trying to drag our feet on these projects, but sometimes things happen. And some on those will be like, we'll get to

510

the final inspection, and the code officials at times ask for other construction items before they will give you the certificate of occupancy.

An example of this is, you may get to the final, and they say you need to replace a sidewalk, replace shrubbery, fire alarm system devices. You know, when you've already got the schedule and you've told people you have a final inspection that day, that's also frustrating. And these things happen throughout the process. It's not always at the final, but there are a lot of things that the code officials throw on that are not necessarily directly related to the collocation project. They're in different areas of the building, or outside or whatever.

Also, another point that has been talked about several times is that the code officials are treating these spaces by the different tenants as a multi-tenant situation. And by this we're saying that they're saying because there are different tenants, the code requires you to separate these constructions, and the separation would be a firewall construction, which is basically the ceiling to the floor, and no penetrations, fire rated doors, and things like that, and that adds to the construction process. It's much more extensive.

511

And it's kind of like you see in the tape that the gentlemen have given you earlier, it's got all the cable racking overhead and such. And when you have that, it's kind of hard to build a wall from the floor to the ceiling. But through penetrations, cable openings and things like that that have to be fire treated, we do it, but I just want you to realize that these things happen, and this is also adding to some of the problems we're facing.

Another problem, some code officials are saying, "You've got other tenants in here. Now you've got to add a second means of egress," which is basically a fire rated corridor out to an exit.

So if you can picture the video man walking through the office, and all of a sudden you see that you've got to build a hall there, and there's equipment here and equipment there, you can see that Mr. Bloomer has got a planning nightmare there also.

Because of this concern on multi-tenancy, BellSouth has written -- or actually we've requested that Bellcore write a letter to the Southern Building Code Congress International to try to get this situation changed, try to not treat the space as a multi-tenant. This is similar equipment, and we feel it shouldn't be treated that way, that that is the

512

situation for other RBOCs, and we would like to have the same treatment. The SBCCI has written a letter back to us supporting our position.

Of course, now we have to go to the Florida code officials and get their buy-in, because they're a separate code, they have to buy in. But we are going to approach those folks and try to get that taken care of.

In addition to that, we're also going to talk to them when we do about any way that we can quicken up the permit interval process.

I guess that's pretty much my testimony. Thank you.

MS. WHITE: Mr. Mayes is available for cross.

COMMISSIONER DEASON: Miss Summerlin?

CROSS EXAMINATION

BY MS. SUMMERLIN:

Q Good evening, Mr. Mayes. How are you doing? I've just got a couple of questions.

On your Exhibit TWM-3, I think it's the late-filed exhibit that you provided --

A Yes, ma'am.

Q -- that's got the intervals for obtaining permits in Florida?

513

A Yes, ma'am.

Q Okay. On this list, you've got Miami Grande, I guess is how you say that, E, and it says, "Have been waiting for 77 days"; is that correct?

A Which one are you referring to, E?

Q Miami Grande-E. On that list under the facility, it's Miami Grande. It's about two-thirds of the way down.

A On the first page?

Q Yes, I think that's the first page. It's the first page of what I've got. It's Exhibit TWM-3.

A I'm sorry. I was on the wrong page.

Q It's your late-filed exhibit.

A I'm sorry. My apologies. I was on 2.

Q Oh, okay. Okay. I was talking about Miami Grande-E.

A Okay. Yes.

Q Okay. It just says, "Have been waiting for 77 days." So does that mean that the regular permit interval for that office has been 77 days?

A It means we have been waiting for 77 days; that's correct.

Q Okay. Are you aware of Supra's physical collocation project in that central office?

A Not exactly. We've got hundreds of

514

physical collocations. I don't remember that one exactly, no, ma'am.
Q Would it surprise you that work has been done already on that collocation project before any permit has been issue?
A There has been no work on the Supra project in Grande. I can tell you that for a fact. There are other collocations that they're doing construction now, but there has been no Supra work done in that office to my knowledge.
Q When did you last check on that?
A I can tell you the contractor has not been offered that work yet.
Q Well, if -- subject to checking on this, it's my understanding that there has been work done, and I'm just asking would that be a surprise to you if it had, that work had started without a permit.
A It would be a real surprise to me, because I would be willing to bet money that there has been no work done for Supra there.
Q Okay. Well, we won't follow down that rabbit trail, I guess. I'm just trying to ask you that -- are you aware of any work being done on any of these collocation projects before a permit is issued?
A No, ma'am.

515

Q It's your understanding that the permit must be obtained before anything can start?
A That's correct.
Q Okay. Is a permit necessary to simply install a cageless collocation?
A Well, you really have to have the facts before you. I would not put in cageless collocation without looking at the electrical requirements. You're going to have a lot of heating requirements. So I would say no, because you're going to take a lot of mechanical work to do that, and the mechanical work in itself would require it.
Q Is a permit needed for a virtual collocation installation then?
A I don't handle virtual collocation. That's handled by the network folks. I would assume no. That would be no unless they get to the point to where they have to add mechanical equipment, and then they would need it, yes.
Q How long has this firewall issue been a problem for BellSouth?
A Could you explain as far as a problem?
Q Well, the idea that firewalls are necessary for any kind of physical collocation installation in any of BellSouth's central offices in South Florida.

516

A Since I started, I guess about May, April, it has been a problem. That's why in June we requested that they start the letter process with the SBCCI. And then, of course, we recently just got that letter because the gentleman was out of the country for a while.
Q So you're not aware of what kind of problems may have existed prior to May? Is that what you're saying?
A Well, it's the same problem. The code has been around for a long time, so it's an old problem, I guess, since the code was probably issued in '94, I believe.
Q So the first time BellSouth has done anything about this is this letter that was recently written in June; is that right?
A It's more of a problem when you start getting a lot of collocation requests. Yes, ma'am, that's correct.
Q Why can't a CLEC take responsibility for the permitting issue?
A I have offered to get -- well, first of all, the contractor is the one that files for the permit. And I have offered to Supra, and you can back this up, that we will give you the name of the

517

contractor, we will give you the name -- or the permit number, when it was filed, and the municipality. And at that point, Supra can check up to see, you know, we're not just making this stuff up. This is when it went in, and you can ask why it's not making it.
So in a way we're partnering it, is the way I see it, and that's the way it's working with other collocators, and we're not having a problem with it as far as I know.
Q So Supra is the only company you're having a problem with?
A On this issue with it, yes. I mean, I'm working with the other folks.
Now, when you saying having a problem with, you better -- you know, have a problem with as far as what?
Q Well, I thought I just heard you say that you hadn't had a problem except in this situation, and I thought that's what you were saying.
A Well, I'm saying as far as working with them on the permit issue.
MS. SUMMERLIN: No further questions. Thank you.
COMMISSIONER DEASON: Staff?
MS. KEATING: Staff has no questions.

518

MS. WHITE: No redirect.
COMMISSIONER DEASON: Exhibits?
MS. WHITE: Thirty-three.
COMMISSIONER DEASON: Without objection, Exhibit 33 is admitted.
(Exhibit 33 received in evidence.)
MS. WHITE: Mr. Mayes may be excused?
COMMISSIONER DEASON: Yes.

- - - - -

W. KEITH MILNER
was called as a witness on behalf of BellSouth Telecommunications, Inc. and, having been first duly sworn, testified as follows:

DIRECT EXAMINATION

BY MS. WHITE:

Q Mr. Milner, talk loud. I'm going to ask you as you're walking up.
You filed direct testimony consisting of 14 pages?
A Yes, I did.
Q And do you have any changes?
A No, I do not.
Q And if I asked those questions again tonight, would your answers be the same?
A Yes, they would.

519

Q And did you have four exhibits attached to your direct testimony, WKM-1 through 4?
A Yes.
Q Any changes to those?
A No.
MS. WHITE: And I would move that the direct testimony be inserted in the record.
COMMISSIONER DEASON: Without objection, it shall be so inserted.
Q (By Ms. White) And you filed rebuttal testimony consisting of 17 pages?
A I did.
Q And you had no exhibits attached to that?
A That's correct.
Q And do you have any changes to your rebuttal testimony?
A No, I do not.
Q And if I asked you those questions, would your answers be the same?
A They would.
MS. WHITE: And I would move the rebuttal testimony into the record as if read.
COMMISSIONER DEASON: Without objection, it shall be so inserted.
MS. WHITE: And I would ask that the

520

exhibits to Mr. Milner's direct testimony be numbered, please.
COMMISSIONER DEASON: Exhibit 34.
(Exhibit 34 marked for identification.)

552

Q (By Ms. White) And Mr. Milner, when you give your summary, would you please state your name and address and who you work for and what your title is?
A Yes, I will. My name is Keith Milner. My business address is 675 West Peachtree Street, Atlanta, Georgia. I'm employed by BellSouth Telecommunications, Inc. as Senior Director, Interconnection Services.
Good evening, Commissioners. And I will make my summary brief. My name is Keith Milner, and I'm here to respond to Supra's complaints related to the physical collocation Supra has requested in two of BellSouth's central offices. I filed direct and rebuttal testimony responding to the information in Supra's complaint and to the testimony of Supra's witnesses.
Because the overall purpose of the Telecommunications Act of 1996 is to open telecommunications markets to competition, facilities such as collocation are available as a result of the obligations imposed upon BellSouth under Sections 251 and 252, and as a result of this Commission's orders in the arbitration proceedings between BellSouth and certain alternative local exchange carriers or ALECs.

553

BellSouth has worked in good faith to fulfill its obligations. BellSouth has provided 13 physical collocations and 92 virtual collocation arrangements to ALECs in Florida, all of them in a nondiscriminatory fashion, by following consistent and well established policies.

Contrary to any assertion by Supra, BellSouth's treatment of Supra's collocation requests has been nondiscriminatory and has been consistent with all state and federal rules and regulations. BellSouth stands ready to provide all of the items in both its Interconnection and Collocation Agreements with Supra.

To determine space allocation or availability for collocation in any of BellSouth's central offices, several factors have to be assessed. These factors are outlined in the FCC's First Report and Order at Paragraph 604. These factors fall into the following categories: 1, existing building configurations such as the building outline and physical capacity of the structure; and 2, space usage and forecast demand.

Other factors that also potentially impact space allocation or availability for collocation include building and electrical codes and regulatory

554

factors at the national, state, and local level, such as the National Fire Protection Act, the Southern Building Code, and local county and municipal codes.

Space design practices act as another set of codes, ensuring that space allocation meets the safety needs for employees, vendors, and the customer service provided by the building and its occupants.

To date, apart from Supra, BellSouth Long Distance and four other telecommunications carriers have requested a physical collocation arrangement in the Golden Glades central office, and those requests have been denied. Apart from Supra, one telecommunications carrier has requested physical collocation arrangements in BellSouth's West Palm Beach Gardens central office, and that request has been denied.

BellSouth offers physical collocation arrangements to telecommunications service providers for the purpose of interconnection, as well as for the purpose of the telecommunications carrier gaining access to BellSouth's unbundled network elements. BellSouth permits the placement of equipment in the physical collocation arrangement where such equipment is utilized for the purposes of providing telecommunications services through interconnection or

555

through access to unbundled network elements.

Where that equipment can also provide information services, the telecommunications carrier may offer information services through the same equipment so long as that equipment offers telecommunications service. BellSouth is not required to provide for collocation of equipment that can only provide enhanced services or information services.

In addition, BellSouth will not permit collocation of equipment that will be used only for those purposes. Further, BellSouth will not accept collocation requests from entities that are not telecommunications carriers.

BellSouth's position is consistent with the relevant portions of the FCC's First Report and Order. And I note that in the recently issued Memorandum Opinion and Order and Notice of Proposed Rulemaking in the FCC's Docket 98-147, the FCC, quote, tentatively concluded that we should decline to require collocation of equipment used to provide enhanced services, end of quote. That's from FCC 98-188, at Paragraph 132.

The language of the Interconnection Agreement between BellSouth and Supra specifically states that Supra may place, maintain, and operate in

556

the collocation space any equipment that Supra is authorized by BellSouth and by federal or state regulators to place, maintain, and operate in the collocation space. The FCC has specifically declined from requiring BellSouth to permit the placement, maintenance, and operation of equipment used to provide enhanced services. Thus, BellSouth has no obligation under federal law to accommodate Supra's request to place any such equipment in physical collocation arrangements. Further, Supra has pointed to no State of Florida requirements that BellSouth accommodate such a request.

BellSouth has no interest in whether Supra chooses to act solely as an enhanced service provider or solely as an information service provider. However, when Supra acts in such a capacity, it may not use collocation arrangements in BellSouth's central offices to provide such services.

The FCC has established rules in its Dockets 85-229 and 88-2 regarding open network architecture and comparably efficient interconnection to ensure parity between BellSouth and enhanced service providers regarding BellSouth's equipment in its central offices.

Thank you. That concludes the summary.

557

I was also requested by Commission Staff member Ms. Brown to provide information that would update the Commission on the progress BellSouth has made towards Supra's applications for physical collocation in 15 central offices other than Golden Glades and West Palm Beach Gardens. I have that information here. I believe Ms. White has copies. Most or all of the information that is contained here is, I'm sure, proprietary information to Supra.

Thank you.

COMMISSIONER DEASON: Ms. Summerlin?

MS. SUMMERLIN: In spite of -- I'm sorry.

In spite of the fact that Supra respectfully disagrees with many things Mr. Milner said, we are going to give him a break and not ask him any questions tonight.

COMMISSIONER DEASON: Staff?

MS. KEATING: Staff has no questions.

COMMISSIONER DEASON: I assume there's no redirect. Exhibits?

MS. WHITE: Thirty-four.

COMMISSIONER DEASON: Exhibit 34, without objection, is admitted.

(Exhibit 34 received in evidence.)

COMMISSIONER DEASON: Thank you,

558

Mr. Milner.

WITNESS MILNER: Thank you.

MS. WHITE: While Mr. Ramos is coming to the stand, Ms. Brown did ask Mr. Milner to do that. Do you want us to provide that as a late-filed exhibit? Because then we can do it with a notice of intent.

MS. KEATING: Is that not a late-filed deposition exhibit, and would that not --

MS. WHITE: No. She did not ask for it as a formal late-filed deposition exhibit. She said be prepared to discuss it at the hearing.

MS. KEATING: Oh, okay. That was my understanding, that it had been provided as a late-filed deposition exhibit. But if not, Staff would ask that that be marked.

MS. WHITE: Okay. Well, why don't I provide it as a late-filed, because it is proprietary to Supra. I didn't realize -- and we'll need to file a notice of intent. So I'll file it by the end of the week. How's that?

MS. KEATING: Commissioner Deason, could we ask that that be marked as Late-filed Hearing Exhibit No. 35?

COMMISSIONER DEASON: It will be so marked.

559

What does the exhibit consist of?

MS. WHITE: Status of Supra's physical collocation applications.

COMMISSIONER DEASON: Okay.

(Late-filed Exhibit 35 identified.)

COMMISSIONER DEASON: Ms. Summerlin?

- - - - -

OLUKAYODE A. RAMOS

was called as a rebuttal witness on behalf of Supra Telecommunications and Information Systems, Inc. and, having been previously sworn, testified as follows:

DIRECT EXAMINATION

BY MS. SUMMERLIN:

Q Mr. Ramos, did you file rebuttal testimony in this proceeding of nine pages?

A Yes, I did.

Q Would your answers to the questions there be the same if I read them to you right now?

A Yes, ma'am.

Q Okay. Do you have any changes?

A None.

MS. SUMMERLIN: I would ask that Mr. Ramos' rebuttal testimony be inserted into the record as though read.

COMMISSIONER DEASON: Without objection,

560

it shall be so inserted.

570

Q (By Ms. Summerlin) Mr. Ramos, have you got a very, very short summary?
A Just two minutes.
Q Okay.
A Commissioners, good evening once again. Thank you very much for this opportunity.
I would just like to take you straight away, sirs, to page 4 of my rebuttal testimony, and on page 4 it says -- you'll find Paragraph 604, which Mr. Milner as well referred to in his testimony right now. And if you go to lines 13 to 16, sirs, it will, you know, kind of like demonstrate exactly what Supra is requesting from BellSouth. "Incumbent LECs may not, however, reserve space for future use on terms more favorable than those that apply to other telecommunications carriers seeking to hold collocation space for their own future use."
The point there is that the proceeding here today has demonstrated that BellSouth has denied Supra collocation simply because of the fact that BellSouth has reserved space for its own future use for ten years growth. That's one, sir.
Then the other issue that I would just briefly like to touch on is on this issue of remote access concentrators, just very briefly, just to refer

571

you to the paragraph, sir. In that FCC Order 98-188, uniform standards for attachment of electronic equipment for the central office end of a loop, Paragraph 163, in that particular order the FCC clearly states that there shall be uniform national standards for attachment of electronic equipment, such as modems and multiplexers. And we're talking about modems.
Then if you go to the CFR, 47 CFR, the second paper given out to you now, 59.1, general duty, there it talks about -- if you go towards the end of that particular thing, of enabling such qualifying carrier to provide telecom services or to provide access to information services in the service area in which such qualifying carrier has obtained designation as an eligible telecommunications carrier under Section 214(e).
So simply this is just to -- these two paragraphs are to show you, sirs, that Supra has a right to -- has a legal right to what Supra is demanding from BellSouth.
And then on this permitting process, we want to free BellSouth completely from the obligations of providing physical collocation to Supra by allowing us to take over the appointment of a contractor, as

572

well as the permitting process. We will take up that responsibility. My company is offering BellSouth that obligation today, that BellSouth should not bother about going ahead with the permitting process for us. We will do it ourselves. We will also appoint the contractors if this Commission gives us the right to do that, sirs.
That's all I have to say.
MS. WHITE: No cross.
COMMISSIONER DEASON: Staff?
MS. KEATING: We have no questions.
MS. SUMMERLIN: No redirect.
COMMISSIONER DEASON: Very well. Exhibits? We do not have an exhibit; right?
MS. SUMMERLIN: No exhibits.
MS. WHITE: I guess we could move Late-filed Number 35 when it get -- well, whatever.
COMMISSIONER DEASON: It will just be handled in the standard manner for late-filed exhibits. We need to set a date for the filing of that late-filed exhibit. Is it already prepared, or is it going to --
MS. WHITE: No, we need to prepare it. Well, excuse me. It is prepared, but I don't have it with me, so we'll file it by the end of the week.

573

COMMISSIONER DEASON: Is that sufficient?
MS. KEATING: That's fine with us.
COMMISSIONER DEASON: Very well. Anything else to come before the Commission?
MS. KEATING: I just want to point out that the transcripts are due October 28th, briefs are due November 12th, and Staff recommendation is scheduled to be filed December 3rd.
COMMISSIONER DEASON: Very well. This hearing is adjourned. Thank you all.
(Proceeding concluded at 8:40 p.m.)

CERTIFICATE OF REPORTERS

STATE OF FLORIDA:
COUNTY OF LEON:

WE, MARY ALLEN NEEL and NANCY S. METZKE, do hereby certify that the foregoing proceedings were reported by us at the time and place therein designated; that our shorthand notes were thereafter translated under our supervision; and that the foregoing pages numbered 1 through 573 are a true and correct record of the aforesaid proceedings.

DATED THIS 27th day of October, 1998.

MARY ALLEN NEEL, RPR

NANCY S. METZKE, RPR

Exhibit _____

Official Recognition List

FCC Orders

1. FCC Order No. 86-252, issued in CC Docket No. 85-229, and released on June 16, 1986.

2. FCC Order No. 88-1947, released on December 23, 1988.

3. FCC Order No. 90-135, issued in CC Docket No. 88-2, and released on May 8, 1990.

4. FCC Order No. 90-416, issued in CC Docket No. 90-623, and released on December 17, 1990.

5. FCC Order No. 91-381, issued in CC Docket No. 90-623, and released on December 20, 1991.

6. FCC Order No. 92-18, released on February 13, 1992.

7. FCC Order no. 92-440, issued in CC Docket no. 91-141, and released on October 19, 1992.

8. FCC Order No. 93-379, issued in CC Docket No. 91-141, and released on June 9, 1993.

9. FCC Order No. 93-658, issued in CC Docket No. 91-141, and released on June 9, 1993.

10. FCC Order No. 93-892, issued in CC Docket Nos. 90-623 and 88-2, Phase I, and released on July 14, 1993.

11. FCC Order No. 94-143, issued in CC Docket no. 91-141, and released on February 14, 1994.

12. FCC Order No. 94-190, issued in CC Docket no. 91-141, and released on July 25, 1994.

FLORIDA PUBLIC SERVICE COMMISSION
DOCKET NO. 980800-TX EXHIBIT NO 1
COMPANY/ WITNESS: Staff
DATE: 10-21-98

13. FCC Order No. 95-2264, released on October 31, 1995.

14. FCC Order No. 96-325, issued in CC Docket No. 96-98, and released on August 8, 1996.

15. FCC Order No. 96-394, issued in CC Docket No. 96-98.

16. FCC Order No. 97-208, issued in CC Docket No. 93-162, and released on June 13, 1997.

17. FCC Order No. 97-880, issued in CC Docket Nos. 90-623 and 95-20, and released on May 14, 1997.

18. FCC Order No. 98-188, issued in CC Docket Nos. 98-147, 98-11, 98-26, 98-32, 98-15, 98-78, and 98-91, and released on August 7, 1998.

Florida Commission Orders

19. Order No. PSC-94-0285-FOF-TP, issued on March 10, 1994, concerning expanded interconnection issues, in Docket No. 921074-TP.

20. Order No. PSC-97-1459-FOF-TL, issued on November 19, 1997, in Docket No. 960786-TL.

21. Order No. PSC-97-1459-FOF-TL, issued November 19, 1997.

22. Order No. PSC-96-1579-FOF-TL, issued December 31, 1996.

23. Order No. PSC-97-0629-FOF-TX, issued May 30, 1997, in Docket No. 970207-TX.

24. Order No. PSC-98-0595-PCO-TP, issued April 27, 1998.

25. Order No. PSC-97-0630-FOF-TI, issued May 30, 1997, in Docket No. 970108-TI.

26. Order No. PSC-97-1213-FOF-TP, issued October 8, 1997, in Docket No. 970783-TP.

27. Order No. PSC-98-0206-FOF-TP, issued February 3, 1998, in Docket No. 971555-TP.

28. Order No. PSC-97-1490-FOF-TP, issued on November 25, 1997, approving BellSouth/Supra Collocation Agreement, in Docket No. 971013-TP.

29. Order No. PSC-98-0595-PCO-TP, issued on April 27, 1998, concerning collocation time frame issues in Docket Nos. 960757-TP, 960833-TP, and 960846-TP.

Federal Act

30. The Telecommunications Act of 1996

Code of Federal Regulations

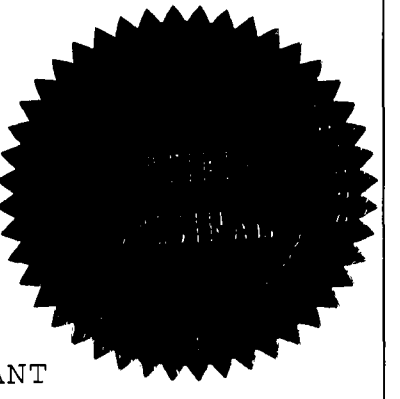
31. 47 C.F.R. § 51.323(f)(4)

32. 47 C.F.R. § 51.323(j)

33. 47 C.F.R. § 51.100(b)

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition for Emergency Relief of Supra Telecommunications and Information Systems, Inc., Against BellSouth Telecommunications, Inc.	)	Docket No. 980800-TP
	)	Filed: 10-2-98



TELEPHONIC DEPOSITION OF: AMANDA GRANT

TAKEN AT THE INSTANCE OF: Supra Telecommunications

DATE: Monday, October 12, 1998

TIME: Commenced at 8:40 a.m.
Concluded at 9:50 a.m.

LOCATION: 2540 Shumard Oak Blvd.
Tallahassee, Florida

REPORTED BY: ANITA M. PEKEROL, RPR, CP, CM. Notary Public in and for the State of Florida at Large.

NOTARY PUBLIC: JANICE PADGETT

FLORIDA PUBLIC SERVICE COMMISSION
DOCKET NO. 980800-P EXHIBIT NO. 2
COMPANY/ WITNESS: Grant/ Staff
DATE: 10-21-98

ACCURATE STENOTYPE REPORTERS, INC.
100 Salem Court
Tallahassee, Florida 32301
(850) 878-2221

APPEARANCES:

REPRESENTING SUPRA TELECOMMUNICATIONS AND INFORMATION SYSTEMS, INC.:

SUZANNE FANNON SUMMERLIN, ESQUIRE
1311-B Paul Russell Road
Suite 201
Tallahassee, Florida 32301

REPRESENTING BELLSOUTH TELECOMMUNICATIONS, INC:

NANCY B. WHITE, ESQUIRE
Assistant General Counsel
BellSouth Telecommunications, Inc.
Museum Tower Building
150 West Flagler Street
Suite 1910
Miami, Florida 33130

REPRESENTING FLORIDA PUBLIC SERVICE COMMISSION:

CATHERINE BEDELL, ESQUIRE
Senior Attorney
Division of Legal Services
Florida Public Service Commission

WAYNE STAVANJA
CALVIN FAVORS
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0863

ALSO PRESENT:

MARY JO PEED, ESQUIRE, BELLSOUTH (phone)
STAN GREER, BELLSOUTH
DAVE NILSON, SUPRA

I N D E X

WITNESS	PAGE
AMANDA GRANT	
Direct Examination by Ms. Summerlin	7
Cross Examination by Ms. White	40
CERTIFICATE OF REPORTER	42
CERTIFICATE OF ADMINISTERING OATH	43
ERRATA SHEET	44

P R O C E E D I N G S

- - -

The following telephonic deposition of AMANDA GRANT was taken on oral examination, pursuant to notice, for purposes of discovery, for use as evidence, and for such other uses and purposes as may be permitted by the applicable and governing rules. Reading and signing is not waived.

- - -

MS. SUMMERLIN: Go ahead and swear in the witness.

Can you all hear us all right?

MS. PEED: Yes.

MS. SUMMERLIN: I guess we can swear the witness, first.

MS. PEED: We'll do that right now.

NOTARY PUBLIC: Would you state your the name, for the record?

THE WITNESS: Amanda Grant.

NOTARY PUBLIC: Ms. Grant, will you raise your right hand?

Do you swear to tell the truth, and nothing but the truth, so help you God?

THE WITNESS: I do.

MS. WHITE: Before we go on, Janice, do

you have a form?

NOTARY PUBLIC: Yes, ma'am, I have got a form here, and I need to fill it out. Do I need to fax it to you there?

MS. WHITE: To the court reporter, I believe.

MS. BEDELL: Just fax it to us here at the Commission.

MS. SUMMERLIN: What is your fax number?

MS. BEDELL: 850-413-6198.

NOTARY PUBLIC: All right.

MS. SUMMERLIN: We'll take appearances.

Suzanne Summerlin, representing Supra Telecommunications and Information Systems, Inc.

MS. WHITE: Nancy White, for BellSouth Telecommunications.

MS. BEDELL: Catherine Bedell, for Florida Public Service Commission.

MR. FAVORS: Calvin Favors for --

MS. BEDELL: That's all right.

MS. SUMMERLIN: Mary Jo, you won't want to --

MS. PEED: I should appear as being present. Mary Jo Peed, with BellSouth

Telecommunications.

MS. SUMMERLIN: Nancy, is it agreeable with you that we follow the usual stipulations?

MS. WHITE: Yes.

MS. SUMMERLIN: I don't need to go through and list all of that stuff.

MS. WHITE: Amanda, that would mean that you would read and sign your deposition.

THE WITNESS: Read and sign the deposition?

MS. WHITE: Yes. You are not giving up your right to read and sign.

THE WITNESS: Okay.

MS. SUMMERLIN: Just to make sure that everything is recorded properly.

THE WITNESS: Yes.

MS. SUMMERLIN: Unless there is anything that anyone else has to do preliminarily, I'm going to go ahead and start.

Thereupon,

AMANDA GRANT

was called as a witness, having been first duly sworn, was examined and testified as follows:

DIRECT EXAMINATION

BY MS. SUMMERLIN:

Q Good morning, Ms. Grant.

Would you please, once again, give your name and address, your business address, for the record?

A Amanda Grant, 675 West Peachtree Northeast, Atlanta, Georgia, 30375.

Q Ms. Grant, what is your title?

A Manager of Federal Regulatory.

Q Manager of Federal Regulatory. And other than what appears to be obvious, can you just give us some idea of, exactly, what that entails? What you do?

A I have responsibility for local interconnection and collocation. And I give regulatory guidelines to subject matter experts from a Federal perspective.

Q So, are you, basically, the person responsible for coming out with the policies or disseminating the policies on collocation issues?

A I'm one of a group of people.

Q Well, before we get off on that track, let me go back and ask you a couple of foundational things.

What is your educational background?

A I have an Associate in Business Administration, from LaSalle University.

Q And when did you start working with BellSouth?

A 1958.

Q So, you have been there a while, then?

A Yes, I have.

Q Can you give me just, like, a real quick summary of what your work history has been at BellSouth?

A Do you want me to go all the way back?

Q If you can. Not too detailed, but just a general, real quick summary.

A I have been in the comptroller's department. I have been in the pricing department. I have been in a marketing department. I have worked with an ICSC headquarters staff before I came on this job. And when I came on this job, in August of 1985, I have worked on Federal Regulatory docket.

Q And did you say you were a manager? When did you become manager?

A I became a manager with BellSouth, which was Southern Bell then, in 1978.

Q So, when did you become manager of the

Federal Regulatory section? Is that August of '95, also?

A August 1, '85. And I became a manager back in 1978.

Q So, you got into the position that you are in right now --

A In August of '85.

MS. SUMMERLIN: We have another person that has come into the room, Dave Nilson, with Supra, just so you all know.

MS. WHITE: Let's take a break for a minute off the record.

(Discussion off the record.)

MS. WHITE: And I would like to note, for the record, that Mr. Nilson is in the room.

BY MS. SUMMERLIN:

Q Ms. Grant --

A Could I change one date? I said I became a manager in 1978. I really became a manager in 1974.

Q And what were you manager of in 1974?

A I was in Independent Company Relations.

Q And I think I got screwed up earlier, because I thought you said that in August of '95 you started as Manager of Regulatory, but I was wrong.

Is it supposed to be August of '85?

A I said '85.

Q I guess I misunderstood.

So, in August of '85, you became Manager of Federal Regulatory?

A Correct.

Q What I guess I'm trying to figure out is, where do you fit with all of these people that we are aware of that are involved in all of these issues?

Who is your direct supervisor?

A Steve Inman.

Q And what is his title?

A Operations Manager.

Q And then who is his direct supervisor?

A Ernie Bush.

No. Jerry Wilson, sorry. Jerry Wilson.

Q And who is Jerry Wilson?

A He is a division level that Steve reports to.

Q And what is the structure that Jerry Wilson and Steve Inman are in? In other words, what division is it, I guess?

A Federal Regulatory.

Q Division of Federal Regulatory.

Now, do you have any subordinates that you supervise?

A No.

Q Do you have any personal direct knowledge of the north Dade Golden Glades Central Office?

A I have some knowledge, based on discussions that I have had with some of the subject matter experts.

Q Have you ever been to it?

A No, I have not.

Q So, you have never really seen it yourself, though?

A No.

Q Which I wouldn't necessarily expect that you would have in that situation.

And that's true of West Palm Beach Gardens, also?

A Yes.

Q What exact duties have you performed that would have any connection to those two central offices?

A I have worked on collocation. And if an office has a space problem, then I am involved with the preparation for filing the Petition for Waiver.

Q So, is your primary job, really, to make sure that BellSouth stays in the right path with the Federal and State regulatory bodies on all of these

kinds of issues dealing with the collocation in the Central Offices?

A Somewhat, yes. I'm one of them.

Q Not all by yourself.

A No.

Q Let me ask you: What is INAC?

A That's an INAC group.

That's a person that is in each state that has overall responsibility for coordinating collocation.

Q So, there is an individual INAC?

A Yes.

Q A person?

A Yes.

The C stands for coordinator. I think it is Integrated Network Access Coordinator.

Q Great. Integrated Network Access Coordinator is what you said?

A Yes.

Q Now, is there an INAC committee?

A There is a group of INACs, and there is a staff person that is, also, the staff INAC. I don't know that you would call them a committee.

Q So, it is kind of a group of people who are individually INACs?

A Yes.

Q So, it is not really called a committee. It is just a conglomeration of people who are individually INACs.

So, there are nine of them for BellSouth; is that right?

A Correct.

Q Who is the staff INAC?

A Nancy Kallus.

Q What exact authority does a person who is an INAC have, or do they have any authority, or do you know?

A They have the authority to have the overall responsibility for the coordination to make sure that the collocation applications are handled properly, and they follow up to make sure that it is handled.

Q They have the authority to assure that collocation applications are handled appropriately; is that right?

A That's correct.

Q Does that mean that they have specific authority over any individual Central Office?

A No.

Not to my knowledge.

Q When you get right down to it, who is the individual or entity who has the authority to grant or deny a physical collocation application at a Central Office?

A The facility planner checks to see if space is available.

Q Is that the person that grants or denies it?

A The person who makes the decision whether or not space is available.

Q And in your view, the individual who has the authority to grant or deny is the person who determines whether or not there is space available?

A Correct.

Q So, that's the facility planner person.

Do you know who those people are for those two central offices, the ones that we're talking about?

A Jim Bloomer.

Q Is he the same for both?

A Yes.

He has responsibility for both.

Q You have already told me that the staff INAC person is Nancy Kallus. Who is the INAC for Florida?

A Pat Solin.

Q And that person, you said before, has the authority to assure that the applications are handled appropriately.

Do you know, from your point of view, what the duties are that that person would have?

A Not specifically.

Q So, I just need to talk to Pat Solin about that.

Do you participate in these INAC meetings, or are there meetings of the INACs at various times?

A Conference calls.

Q Conference calls. Do you participate in those?

A If my schedule permits.

Q Is there always somebody from your office that participates?

A No.

If I do not participate, there is no one from my office.

Q All right.

Do you know how often those meetings are held?

A About every month. Sometimes they're

canceled.

Q Do you remember whether or not you answered any specific interrogatories in this case?

A Indirectly.

Q When you say indirectly, do you mean you spoke with the person who did respond?

A Yes.

I provided information to one individual.

Q And who is that individual?

A Pam Tipton.

And I did provide some information this past Friday directly to the staff here in this building, the State staff.

Q To the State staff?

A The State regulatory staff.

Q There in Atlanta?

A Yes.

Q Regarding this case?

A Yes.

Q And what was that?

A The answer to four PODs on this second set.

Q So, those are documents that you have produced?

A Yes.

Q Can you tell me, do you have any idea, right off the top of your head, what, exactly, you were responding to in the interrogatories? I mean, what the subject matter was? If you don't, that's fine, I'll dig them out.

A It was documents to support BellSouth's position on development of collocation, and the equipment in the Central Office and for space.

Q Are you the person who would be responsible for interpreting the legal requirements in terms of what equipment BellSouth would permit to be collocated, physically collocated?

A No.

Q Who is that person or entity?

A My staff attorney is Senior Attorney Mary Jo Peed.

Q So, you would, basically, confer with Mary Jo Peed and then you would disseminate the information; is that right?

A Yes.

Q In your role as Manager of Federal Regulatory, are you over all nine states in that position?

A I am a staff person, yes, for the nine states.

Q When you say you are a staff person, what does that mean? As opposed to what?

A Federal is jurisdictionally interstate, which would encompass all nine of BellSouth's states. And I am on the BST headquarters staff. There are no Federal people in each state.

Q I see. So, you have just one Federal set-up, then, okay.

Are you knowledgeable about what equipment BellSouth will allow ALECs or CLECs to physically collocate in Central Offices?

A Generally. Not specifically.

Q Can you give me what the policy is?

A In physical collocation, BellSouth will allow equipment that is used for telecommunications services.

Q Is there any equipment that BellSouth will not allow to be physically collocated?

A Stand-alone equipment, that is used only for information services.

Q When you say stand-alone, what does that mean?

A There is no telecommunication services that is, also, used by that company.

Q There is no what, now? Please say that

response, again.

A Information services, if that is the only type service that the collocator is providing, it is prohibited. However, if that company is, also, providing telecommunications services, then it is permitted.

Q So, if the company is providing telecommunication services, BellSouth will allow equipment that would be, also, used to provide information services?

A Correct.

Q Are you familiar with the word "arrangement"?

A Yes.

Q Can you define that for me?

A Arrangement is an enclosure for physical collocation in one of BST's central offices.

Q An enclosure for physical collocation, okay.

Let me ask you, just for a second. We are talking to several people this morning. I am trying to get an idea of who knows more about a particular subject than somebody else, or who trumps somebody else, you know, to be very clear about what I'm trying to do.

Are you superior in terms of authority to Pam Tipton, or Nancy Nelson, or Pat Solin?

A No, I am not.

Q Can you tell me what your relationship is in this organization to them?

A I provide regulatory guidance when I am requested to do so.

Q And when I ask you what the policy is regarding types of equipment that can be physically collocated, are you the person who should know that, or would one of those people know more or have a greater weight in terms of their opinion?

A I think we would all know it as part of our job.

Q Well, what I'm trying to find out is, what is Pam Timpton's relationship to you?

A She's the Product Manager.

MS. WHITE: It is Tipton, by the way, T-I-P-T-O-N.

MS. SUMMERLIN: Oh, I'm sorry, because I have got T-I-M-P-T-O-N on this notice.

BY MS. SUMMERLIN:

Q So, Pam Tipton is a Product Manager.

And Nancy Nelson, how does she relate to you?

A She's a collocation coordinator for certain CLECs.

Q And Pat Solin?

A She's the INAC in Florida.

Q That's right.

So, as far as all of these individuals, as a Product Manager, what is Pam Tipton supposed to do?

A She has overall responsibility for collocation with BellSouth for their written policy.

And, by the way, that was provided to Supra.

Q She's responsible for the written policies on collocation?

A For the equipment, yes.

Q And does her jurisdiction, basically, go throughout the nine states?

A Yes.

Q So, if someone were to talk to Pam Tipton, would she be the person to respond to this issue more than you, or would you be the person that would have more authority in this, when I ask that question about the policy regarding --

A The Product Manager states the policies.

Q But you told me that you are responsible

for compliance with Federal and State guidelines; is that right?

A For the regulatory guidance, yes.

Q So, is there a situation where Pam Tipton might call and ask you?

A Yes, it is.

Q Can you tell me, from your point of view, why would a company want to virtually collocate in a BellSouth Central Office? Or can you tell me what advantages there might be from your perspective?

MS. WHITE: Well, I am going to object, from the standpoint that virtual collocation is not an issue in this docket.

But she can go ahead and answer.

BY MS. SUMMERLIN:

Q Ms. Grant, can you answer the question?

MS. PEED: Nancy, we didn't hear your objection.

MS. WHITE: I objected to the extent that virtual collocation is not an issue in this proceeding, but she may go ahead and answer.

MS. PEED: I didn't hear that. I'm sorry.

THE WITNESS: If a company did not want to maintain their own equipment then virtual

collocation is available, and BellSouth will maintain that equipment for the CLECs.

BY MS. SUMMERLIN:

Q Why would they want to come there at all?

A To have their equipment in a Central Office, the same as physical.

Q The reason for that would be what? What I'm trying to ask you is, from your perspective, why would companies want to virtually collocate in a BellSouth Central Office?

And I'm trying to find out from your perspective or from BellSouth's perspective, what are the reasons why anyone would care about virtual collocation?

A Well, if there was not any space in the Central Office, if they wanted to get in on a physical basis, then virtual is available and the CLECs could still get in the Central Office under virtual collocation.

MS. WHITE: And to the extent that you are asking her to speculate on what ALECs may want or not want, or think or not think, I will object to that extent.

MS. SUMMERLIN: Yes.

And you are absolutely right. I know that you can't tell what somebody else is thinking.

However, if you don't understand why these companies want to get into your Central Offices, that would be a serious problem. That's the reason I'm asking that kind of question.

BY MS. SUMMERLIN:

Q Why would a company want to physically collocate its equipment in a BellSouth Central Office?

A To obtain a presence in the Central Office, because any services that go into that equipment is rated at a lower rate. It is a monetary value, as well as the convenience of being inside of the Central Office.

Q If a company has to create or find their own physical location for their facilities, and they have to interconnect with BellSouth, your statement is that they're going to have to pay more to BellSouth; is that right?

A No.

That's not what I said.

Q Well, I'm just trying to understand what

your statement was.

You are, basically, saying that if the company physically collocates in a Central Office, the amount that they will have to pay BellSouth for services is going to be less than if they're located somewhere outside of that Central Office; is that right?

A That's correct.

Services are obtained from BellSouth is at a lower rate if you are collocated inside of a BellSouth Central Office.

Q Why is that?

A Because of the cross-connect.

Q In other words, the proximity? Is that the basic idea?

A Correct.

The cross-connect takes the place of the local channel.

Q If those services are rated at a lower rate, does that affect BellSouth's revenue?

A The revenue is whatever BellSouth collects. It is all cost-based.

Q Does it affect the money that goes to BellSouth from that CLEC if they're physically collocated?

A I'm not sure what you mean by does it affect.

Q Let me ask it another way.

If a CLEC wants to obtain the same services from BellSouth, if they are physically collocated in a Central Office, does that reduce the amount of money that they have to pay BellSouth for those services?

A For the service, yes.

Q You had said earlier that you are one of the individuals in charge of filing the Petitions for Waiver; is that right?

A Not actually filing. I have input to the petition.

Q Is your input related to when those Petitions for Waiver are filed?

A They're filed as soon as possible.

Q I know. But what I'm asking is, is your job, your role, personally, involved in giving input as to when it would be appropriate for those Petitions for Waiver to be filed?

A The guidelines say that if you do not have any space, then we would file a petition.

Q You said that you give input, and I am just trying to ask what kind of input do you give?

A Format on how to display the information to make sure that all of the information is correct in the petition. And that is obtained from the subject matter experts.

Q Is your office the office that is in charge of disseminating the guidelines to all of the various states to make sure that they're filing Petitions for Waiver timely?

MS. WHITE: Let me object. And let me ask this question: What does this have to do with this docket?

MS. SUMMERLIN: It has a lot to do with this docket.

MS. WHITE: The Petitions of Waiver are the subject of other dockets. I could understand if the Commission had not made a decision about who was first in line if space was filed in these cases, but they have made that decision and Supra is first in line. So, I'm not sure what the relevance of these questions are.

MS. SUMMERLIN: It has a lot to do with what Ms. Grant's duties are, and I have a right to ask her what her duties are. And what the motivation was for the way BellSouth has

responded to Supra's collocation application. That's perfectly relevant.

MS. WHITE: That's fine, and you can ask her the way BellSouth has responded to Supra's collocation application, but waivers don't have anything to do with that.

MS. SUMMERLIN: This has to do with the response that BellSouth provided to Supra, and it is perfectly relevant. It is perfectly appropriate, because it can read --

MS. WHITE: What was the response that BellSouth provided to Supra?

MS. SUMMERLIN: Let me ask Ms. Grant to show you.

BY MS. SUMMERLIN:

Q Ms. Grant, did BellSouth deny Supra's request for collocation in North Dade Golden Glades?

A Yes.

Because we had no space.

Q Had BellSouth filed a Petition for Waiver prior to that?

A To the denial?

Q Yes.

A You first deny it, and then you file the petition. And it takes a while to develop the

information for the petition.

Q Is that the policy of BellSouth?

A Yes.

Q To deny first?

A We had a Federal exemption for both of those Central Offices, and we had obtained the Federal exemption at the beginning of the implementation of physical collocation back in the '93/'94 time frame.

We were assuming that the Federal exemptions were sufficient, but when we were advised to file those petitions, also, with the Florida PSC, then we worked up an update of the petitions that we had already filed with the Federals several years before, which had been granted, and then we refiled with Florida PSC for those two Central Offices.

Q When did BellSouth determine that it should change that policy of denying first and then filing?

A We take it on a first come, first served basis. And when we get an application, we review the Central Office space. And if there is no space, then that's when you would tell the CLEC that there is no space, and then you would file the petition. You couldn't file the petition ahead of knowing that you

didn't have any space.

Q Am I correct that it was the policy to deny first and then to file the Petition for Waiver?

A It is to advise the CLEC that there is no space in the CO, and the definition is deny there is no space.

Q What I am asking, Ms. Grant is, was it BellSouth's policy to deny a request for physical collocation and then file a Petition for Waiver with the State Commission?

A Yes.

Q Has that policy changed?

A No.

Q So, you believe that it is BellSouth's policy today to deny requests for physical collocation before filing a Petition for Waiver?

A Yes.

Q Ms. Grant, are you familiar with what is included in the space preparation fee?

A No, I am not.

Q Are you familiar with any of the issues regarding the type of enclosure that is required within the Central Offices?

A Generally, but not specifically.

Q Who, of the names that I mentioned to you

earlier, would be the most familiar with that? You know, with the actual requirements for enclosures within a Central Office?

A Jim Bloomer.

Q Jim Bloomer?

A Yes.

Q There are not any Federal or State guidelines that you all are concerned about in terms of those issues, or are there?

A There are several orders that the FCC has released that address what goes into a petition.

Q If you will give me a minute, I have got to look through a couple of things. I won't be too much longer.

(Brief pause.)

BY MS. SUMMERLIN:

Q Are you aware of the issue that has come up about firewalls being required?

A Generally.

Q Can you explain your understanding of that issue?

A There are certain building codes by local governments that require firewalls, and the Central Office, also, has specifications that require firewalls.

Q What Central Office has that kind of specification?

A It's a BellSouth policy.

Q It is a BellSouth policy?

A As well as general. There are building codes that, also, require firewalls.

Q So, it is your statement that it is a BellSouth policy that you have to have a firewall?

A As well as local government policy, building codes.

Q So, it is your statement that every time somebody physically collocates they have to have a firewall?

A No.

I didn't say that.

Q Well, I'm just trying to understand, exactly, what you said. When you say it is a BellSouth policy, what do you mean?

A If there is an enclosure, there is, normally, firewalls. That is the BellSouth policy.

There are, also, local building codes that require firewalls.

However, you can, also, obtain cageless collocation, which is within a common area, which is, also, behind a firewall.

Q So, what you are saying is that even in cageless collocation, there is a firewall separating the entire area?

A Correct.

Q From BellSouth?

A Correct. The common area.

Q So, it is your understanding that every time somebody physically collocates in a BellSouth Central Office, they have to have a firewall?

A They have to adjust it to the building codes.

Q But do they have to have a firewall?

A I'm not that familiar with the building codes.

Q You were involved in these INAC conference calls back in December of '96; is that right?

A I would have to check my calendar, but I probably was on the call. I don't, specifically, remember that one.

Q Is it your understanding that this firewall requirement stems only from building codes, local building codes?

A BellSouth has internal policies about the way buildings are retrofitted, and the firewalls is

one of those requirements.

Jim Bloomer would be the person who would be most knowledgeable about that.

Q So, if there aren't any firewalls required now, that would be a policy change in a particular instance?

A Jim Bloomer would know more about that.

Q If you can just hang on a couple of minutes, I am looking to see what I have left.

(Brief pause.)

BY MS. SUMMERLIN:

Q Do you know who was responsible for putting out the minutes for these INAC conference calls?

A Nancy Kallus.

Q Does Nancy Kallus interact with you on a regular basis?

A Not on a regular basis, no.

Q Who does she report to? Do you know?

A I believe her supervisor's name is Joan Shores.

Q Would you have had anything to do with the production of these INAC conference call minutes?

A No.

Q Do you know who did have anything to do with that?

A Nancy Kallus.

Q That's fine.

Ms. Grant, are you familiar with any Federal or State guidelines that are being disseminated to the Central Offices regarding possible additions to Central Offices to, you know, take care of the increased demand from both BellSouth and physical collocators, or people that are asking for physical collocation?

A No, I'm not.

Q Who would be the person most knowledgeable about that type of subject? Do you know?

A Jim Bloomer.

Q All right.

Just a couple of more minutes, and I'll be through looking through my stuff.

(Brief pause.)

BY MS. SUMMERLIN:

Q Ms. Grant, are you there?

A Yes.

Q I know you thought that I had gone away for good.

Are you familiar with any discussion, back in December of '96, regarding changing the policy of having the firewall to a fence?

A I don't know if it was, specifically, in December. There have been general discussions about firewalls off and on during the whole collocation implementation, but nothing specifically.

Q But you do remember that there were discussions about that idea of changing the requirement from a firewall to just a fence?

A There was discussions about the fence, because the fence was used by some other telephone companies. And we had, also, been requested, I believe, by a CLEC, to install a fence in lieu of a wall.

Q Do you know if there was a decision to go that way?

A No, I do not. Jim Bloomer would be in a better position to answer that question.

Q Can you tell me something about the policies of allowing the collocator to accept responsibility for constructing the space, to set up the space for physical collocation in a Central Office?

A Can you be a little bit more specific?

Q Yes.

Does BellSouth have a policy of allowing a physical collocator the option of accepting responsibility for the construction of the space?

A Pam Tipton would be in a better position to answer that question.

Q Is it your testimony, Ms. Grant, that your understanding of the policy is that BellSouth was perfectly in an appropriate situation to wait until somebody asked for physical collocation before they filed a Petition for Waiver?

A Yes.

Q Do you remember having some kind of conference call with the INAC group in April of '97?

A I was probably on a call in April of '97 with the INACs. I don't, specifically, remember it.

MS. SUMMERLIN: I am going to go off the record for a second.

(Discussion off the record.)

MS. SUMMERLIN: Let's go back on the record.

BY MS. SUMMERLIN:

Q Ms. Grant, we're back on.

I am just going to read this paragraph to you out of these April 9, '97, INAC collocation

conference call minutes, and just ask you if you remember this. It is paragraph 4.

It says: "No space for physical collocation. When an area receives an inquiry for physical collocation, as soon as it is determined that space is not available to satisfy the request, the tax form, to be renamed the Space Assessment Worksheet, must be completed. CSCM and PPSM should cooperatively prepare the form and send it to the area INAC.

"The INAC will forward the completed form to Amanda Grant, in Regulatory, for review by Regulatory and Legal. A waiver must be filed and granted by the State and Federal regulatory bodies in order for us to deny physical collocation.

"The issue of no space is very sensitive. The ICS account team coordinators should work closely with the INAC and Regulatory to be sure that the customer receives appropriate status on their collocation request."

Do you remember that paragraph, or that subject?

A I have discussed that topic many times, and I don't, specifically, remember it on the April conference call, but it is, certainly, a familiar statement and familiar policy.

Q I guess what I'm asking is, there is a sentence in here, back in April of '97, that says a waiver must be filed and granted by the State and Federal regulatory bodies in order for us to deny physical collocation.

A That would have been as a result of the August '96 order on local interconnection, where the FCC said that the State had the authority. That that's where the petition should be filed.

Q But earlier, you said that the policy was to deny first and then file the petition. I am just trying --

A The word "denial" means that we go back to the CLEC, and we say that there is no space in that Central Office.

Q Yes.

A There is no space. We would not file a petition before we knew there was no space. And in these two Central Offices, we already had a Federal exemption.

MS. SUMMERLIN: I don't have any other questions, Ms. Grant. Thank you very much.

MS. PEED: Suzanne, I would like you to fax that one page from the minutes up here, please, so Amanda can have it for her review of

the testimony.

MS. SUMMERLIN: Sure.

MS. WHITE: What fax number, Mary Jo?

MS. PEED: 404-525-5360.

MS. WHITE: Does staff have any questions?

MS. BEDELL: No, we do not.

MS. WHITE: I just have a couple of follow-up questions, Amanda.

CROSS EXAMINATION

BY MS. WHITE:

Q Does BellSouth file a Petition for Waiver when it determines that there is no space for physical collocation?

A I'm sorry, Nancy, I couldn't hear you.

Q Does BellSouth file a Petition for Waiver when it determines that there is no space available for physical collocation?

A Yes.

Q And when does BellSouth determine whether space is available in a specific Central Office for physical collocation?

A When we receive an application from a CLEC.

Q And why does BellSouth wait until then?

A Because the requirements in a Central Office change from day-to-day, and we want to make sure that it is on a current basis. If we ask for a review prematurely and we had no applications, it might change by the time an application came in.

MS. WHITE: Thank you. That's all I have.

MS. SUMMERLIN: Thank you very much.

MS. WHITE: Thank you, Mary Jo. Thank you, Amanda.

MS. PEED: Nancy, can you call me?

MS. WHITE: Right now?

MS. PEED: Yes. Just call me at this number that you called before.

MS. WHITE: All right.

MS. SUMMERLIN: Thank you.

(Deposition concluded at 9:50 a.m.)

CERTIFICATE OF REPORTER

STATE OF FLORIDA:

COUNTY OF LEON:

I, ANITA M. PEKEROL, do hereby certify that the foregoing proceedings were taken before me at the time and place therein designated; that my shorthand notes were thereafter translated under my supervision; and the foregoing pages numbered 1 through 42 are a true and correct record of the aforesaid proceedings.

I FURTHER CERTIFY that I am not a relative, employee, attorney or counsel of any of the parties, nor relative or employee of such attorney or counsel, or financially interested in the foregoing action.

DATED THIS 14th day of October, A.D., 1998.

ANITA M. PEKEROL, CCR, RPR, CP, CM
100 Salem Court
Tallahassee, Florida 32301
850-878-2221

CERTIFICATE OF ADMINISTERING OATH

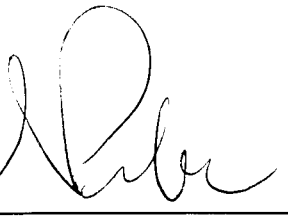
STATE OF FLORIDA:

COUNTY OF LEON:

I, ANITA M. PEKEROL, Registered Professional Reporter and Notary Public in and for the State of Florida at Large:

DO HEREBY CERTIFY that on the date and place indicated on the title page of this transcript, an oath was duly administered by me to the designated witness(s) before testimony was taken.

DATED THIS 14th day of October, 1998.



ANITA M. PEKEROL, CCR, RPR, CP, CM
100 Salem Court
Tallahassee, Florida 32301
850-878-2221

My Commission Expires: February 20, 1999.

(AP) 10-12-98 ERRATA SHEET

I have read the transcript of my deposition, pages 1 through 44, and hereby subscribe to same, including any corrections and/or amendments listed below.

10-20-98 Amanda Grant

DATE: (Amanda Grant)

(Petition for Emergency Relief of Supra Telecommunications and Information Systems, Inc.)

Page/Line	
8/20	I HAVE WORKED ON FEDERAL REGULATORY DOCKETS.
10/14	ERNEST BUSH

STATE OF GEORGIA)

COUNTY OF FULTON)

CERTIFICATE OF OATH

I, the undersigned authority, certify that Amanda Grant personally appeared before me at 675 W. Peachtree St, Atlanta, GA and was duly sworn by me to tell the truth.

WITNESS my hand and official seal in the city of Atlanta, County of Fulton, State of Georgia, this (DAY/MO) October, 12, 1998.

Janice E Padgett
Notary Public
State of Georgia

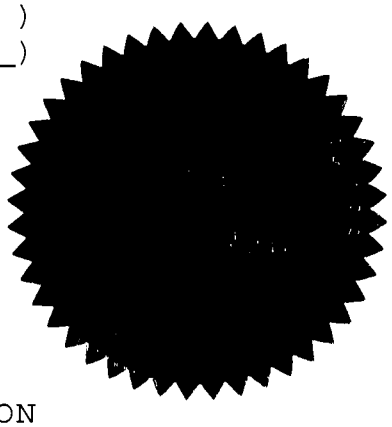
Notary Public, Gwinnett County, GA
My Commission Expires Feb. 19, 2000

Personally know ✓ or produced identification ____.

Type of identification produced _____.

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition for Emergency Relief of Supra Telecommunications and Information Systems, Inc., Against BellSouth Telecommunications, Inc.	)	Docket No. 980800-TP
	)	Filed: 10-2-98



DEPOSITION OF: PAM TIPTON

TAKEN AT THE INSTANCE OF: Supra Telecommunications

DATE: Monday, October 12, 1998

TIME: Commenced at 9:55 a.m.
Concluded at 12:00 noon

LOCATION: 2540 Shumard Oak Blvd.
Tallahassee, Florida

REPORTED BY: ANITA M. PEKEROL, RPR, CP, CM. Notary Public in and for the State of Florida at Large.

FLORIDA PUBLIC SERVICE COMMISSION
DOCKET NO. 980800-TP EXHIBIT NO 3
COMPANY/ WITNESS: Tipton/Staff
DATE: 10-21-98

ACCURATE STENOTYPE REPORTERS, INC.
100 Salem Court
Tallahassee, Florida 32301
(850) 878-2221

APPEARANCES:

REPRESENTING SUPRA TELECOMMUNICATIONS AND INFORMATION SYSTEMS, INC.:

SUZANNE FANNON SUMMERLIN, ESQUIRE
1311-B Paul Russell Road
Suite 201
Tallahassee, Florida 32301

REPRESENTING BELLSOUTH TELECOMMUNICATIONS, INC:

NANCY B. WHITE, ESQUIRE
Assistant General Counsel
BellSouth Telecommunications, Inc.
Museum Tower Building
150 West Flagler Street
Suite 1910
Miami, Florida 33130

REPRESENTING FLORIDA PUBLIC SERVICE COMMISSION:

CATHERINE BEDELL, ESQUIRE
Senior Attorney
Division of Legal Services
Florida Public Service Commission

WAYNE STAVANJA
CALVIN FAVORS
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0863

ALSO PRESENT:

STAN GREER, BELLSOUTH
DAVE NILSON, SUPRA

I N D E X

WITNESS	PAGE
PAM TIPTON	
Direct Examination by Ms. Summerlin	5
Cross Examination by Ms. White	87
CERTIFICATE OF REPORTER	89
CERTIFICATE OF ADMINISTERING OATH	90
ERRATA SHEET	91

P R O C E E D I N G S

- - -

The following deposition of PAM TIPTON was taken on oral examination, pursuant to notice, for purposes of discovery, for use as evidence, and for such other uses and purposes as may be permitted by the applicable and governing rules. Reading and signing is not waived.

- - -

MS. SUMMERLIN: Suzanne Summerlin, representing Supra Telecommunications and Information Systems, Inc.

MS. WHITE: Nancy White, representing BellSouth Telecommunications.

MS. BEDELL: Catherine Bedell, representing Florida Public Service Commission.

MS. SUMMERLIN: And just for the record, Nancy and I are going to follow the usual stipulations.

Is that right?

MS. WHITE: Yes.

And that means when your deposition is transcribed, you will get a copy of it. You will need to read it and sign it. And if there are any corrections, misspelling of names or

anything, you can put those corrections on an errata sheet.

THE WITNESS: All right.

Thereupon,

PAM TIPTON

was called as a witness, having been first duly sworn, was examined and testified as follows:

DIRECT EXAMINATION

BY MS. SUMMERLIN:

Q Good morning.

A Good morning.

Q Would you please give your name and address, for the record?

A Yes.

My name is Pam Tipton. And my business address is 675 West Peachtree, Atlanta, Georgia.

Q And what is your title?

A My title is Product Manager.

Q Let me just ask you, what is your educational background?

A I graduated from Agnes Scott College, in Decatur, Georgia, with a Bachelor of Arts Economics Degree in 1986.

And then I have a Master's Certification in Project Management from George Washington

University, which I received in August of '97, '96. I can't remember. I think it was '96, actually.

Q Project management?

A Yes.

Q Now, let's see, how long have you worked for BellSouth?

A Ten and a half years, approximately.

Q And what job did you have when you started with BellSouth?

A I started as a staff support for what was then corporate accounts, what is now Interconnection Services, and I supported the special access services methods and procedures development. And I did account team support, technical support.

Q And you were in that position, staff support, for how long?

A Approximately two years. Just over two years.

Q And then where did you go?

A I moved to Florida to do field supervisory, also, in special access, ordering and billing. I supervised a group of 14 service representatives, also, in what was then corporate accounts and is now Interconnection Services.

Q And how long were you in that job?

A I believe it was just over two years. I was loaned from that position. Because of the skill set that I had, I was loaned to a trial regional operations center, because at that point we had State-specific and customer-specific operations, and we were trialing a regional center.

So, I was loaned back to Atlanta for a period of about six months to set up this new regional office and set up the mechanization systems, determine staffing needs and that type of thing.

Q So, that brings us to what, about five years ago or something like that?

A Yes.

I went back to Florida following that, and I took a position as the State Coordinator for large projects and customer installations that were on an expedited basis. And I guess I was in that position for approximately three years.

Following that, I moved to Atlanta, to a technical support and a combination of product project management for collocation. That was in January/February of 1995.

Q And is that where you have been since?

A Yes.

Q So, you are called Product Manager?

A Yes.

Q What, exactly, does the Product Manager person do? What is a product, collocation?

A Collocation, that's correct. I'm responsible for both virtual and physical collocation.

Q And how broad is your jurisdiction, if you want to call it that?

A I am not sure that I understand what you mean by jurisdiction.

Q Are you across all nine states?

A Yes.

I'm across all nine states.

Q And just any issues that deal with virtual or physical collocation?

A That's correct.

I'm responsible for ensuring that we have the policies and procedures in place to meet customer requests, to ensure that we're in compliance with our regulatory requirements.

I'm responsible for ensuring that those policies and procedures are communicated. I may not be the one that, actually, effects that communication or the development of those policies and procedures, but I'm responsible for ensuring that they're communicated or documented.

I'm, also, responsible for making sure that we have adequate capital and expense funding for our network and property management services folks to prepare space for physical collocators and virtual collocators.

Q Who is your direct supervisor?

A By name?

Q Yes.

A Randy Kinkaid.

Q And what is his job?

A He's the Director for Interconnection Services Marketing, I believe is his title. And his title is just Director, but it is Interconnection Services Marketing.

And, actually, our district was just renamed, so I'm not real sure what our district name is now called. It used to be vertical services. I'm not sure what the new name of our district is, because we have got a broad range of products that are handled within our district.

Q So, I guess I'm confused. When you say district, what other kinds of districts are there?

A Oh, our organization is set up so that we have an Assistant Vice President, and then directly reporting to that Assistant Vice President would be

several Directors.

Each Director group, we just refer to them as a district, because the title Director used to be called a district level position.

And so, my Director is one of several Directors who has a number of people reporting to him.

My Director, Randy Kinkaid, has --

Q Marketing?

A -- marketing. And he has all Product Managers reporting to him. I mean, all of the people that report to Randy Kinkaid are Product Managers.

There is another product management district, as well, within our organization.

Q Are all of the Product Managers that report to him doing physical and virtual collocation?

A No.

I'm the only one that does physical and virtual collocation. I mean, an example of what some of the others do, we have calling name services, wireless product management, local portability, that type of thing, lots of different subjects.

Q Do you have any staff that you are supervising?

A I have one person that I would be supervising, but that position is currently vacant.

And that vacant position is responsible for product management of our poles, ducts and conduit offering.

Q Do you have any direct knowledge of the two Central Offices that we're talking about in this case, the North Dade Golden Glades or West Palm Beach Gardens?

A No.

I have never been to either one of those offices.

Q All right.

Exactly, in what way have you been involved in this case up to now? I know that you don't have any personal visiting and, actually, seeing those offices. What involvement have you had in this case?

A I had to respond to some of the interrogatories that came in.

Of course, I reviewed the case when it was initially filed.

And I have consulted with various members. I think you will be talking with Nancy Nelson today. She's the account representative for Supra. But, mostly, I have been responsible for responding to interrogatories, coordinating some of the production of documents, that type of thing.

Q So, you don't have any authority of any sort over Nancy Nelson --

A No.

Q -- or over Pat Solin --

A No.

Q -- or Amanda Grant in any way? You are just a different entity?

A That's correct.

We all kind of operate as a team, and we have input from various sources, depending on the issue. And so, it really kind of depends. But I have no direct authority over either one of them.

Q So, when someone files an application for physical collocation, when do you get involved in that situation?

A I never become directly involved in an individual application.

Q When do you become involved in the process, or how are you involved in the process?

A I am not involved in the day-to-day operations, because that's carried out by the account team coordinators, and the State-specific either SMEs, the subject matter experts, or the INAC; which is what Pat Solin is for Florida, the Interexchange Network Access Coordinator. They serve as the State

Project Coordinator for all collocation requests, so I don't become involved in the individual ones.

Q Are you, primarily, involved in these INAC meetings or conference calls and that type of thing where you coordinate? I am trying to figure out what you do every day.

A I understand.

There is a monthly INAC conference call that is held with participants from all nine states, and I participate as a subject matter expert, so to speak. We have a number of subject matter experts that, also, participate on those calls.

The purpose of those calls is really to, first of all, bring to the table any unique is circumstances that the INACs may be experiencing in the states.

We use that time to communicate policies and procedures, and ensure that everyone is following the same policies and procedures. If somebody is concerned or confused about a particular policy, we use that time to address it. But we, certainly, don't use that call to establish any policies.

So, I'm there to, I guess, reinforce any existing policies. Take action on items on things which might be unclear and need to be clarified. Get

the Project Manager for collocation involved, if need be, for a new process or process improvement, that kind of thing.

Q Who would that person be, the Project Manager?

A The Project Manager is Larry Thomas. And he's a fairly new assignee.

Q So, you would be knowledgeable on how the charges are calculated for these types of applications, or would you?

A In general, yes, I am familiar. On specific requests, I'm, certainly, not familiar.

Q But you would know the general formula that is applied by the company?

A Yes.

Q And other issues of that sort.

Let me go through here.

Would you have any familiarity with how many times BellSouth has granted physical collocation across the nine states? Are you familiar with that?

A Actually, no, I'm not. I know that it is over 200. It is, actually, probably around 300 to 350, but I really do not know.

Q And that's physical collocation?

A Physical collocation.

Q Do you have anyone idea on the virtual?

A I know that it is over 200, but I don't know the exact number, either.

Q Who would know that exact number?

A Amanda Grant would probably know the exact number. She prepares a summary which indicates the number of requests, and their status of whether they're in progress or complete.

Q When these INAC meetings are held, who is it that is responsible for the minutes?

A Nancy Kallus.

Q Does anyone review those minutes after they're drafted the first time?

A No.

I believe Nancy just writes the minutes and distributes them. If there is something that somebody has a question about, they would probably deal directly with Nancy on that issue.

Q From the perspective of a person in charge of these policies for BellSouth, you would be very knowledgeable about why companies would want to virtually collocate in Central Offices of BellSouth; is that right?

A I'm not sure what --

Q What advantage, from your perspective,

does it give to a company to virtually collocate in a BellSouth Central Office?

A Advantage over what?

Q As opposed to any other way of providing services.

A I think virtual collocation provides an efficient means for them to interconnect to BellSouth's network. That's why a number of customers have expressed why they want to virtually collocate.

Q Efficient in the sense that it is what?

A It is less expensive for them to connect to our network, versus having their equipment placed in a location outside of our Central Office.

I, also, know that a number of customers prefer virtual collocation because they may not have the technical work force available or in the particular area. And so, they would choose to virtually collocate their equipment in our office, because BellSouth then leases that equipment back from the collocator, and is responsible for the maintenance and repair for that equipment.

So, it is a real big advantage for companies who don't want to have a local work force in every area.

Q In each geographic area, or whatever?

A Yes.

Q What are the advantages of physical collocation?

A Once again, it provides an efficient means for connecting to our network, as opposed to having equipment located in an off site premises, because of the billing arrangement on the services. Essentially, as with virtual collocation, you replace the local channel element on any service with a cross-connect element.

And a collocator might choose physical collocation for a couple of reasons.

First, if they have a local work force and they want to be able to directly access their equipment, they would choose physical collocation over virtual collocation.

And, as well, BellSouth, even though we have not been required to, voluntarily allows switching equipment to be placed as part of a physical collocation arrangement.

And so, we have some customers who have chosen physical expressly for that reason, because they want to be able to place, in a lot of cases, a remote switching module.

Q A remote switching module.

How does a remote switching module compare to a remote access concentrator? Do you know the differences between those?

A No, I don't.

Q Basically, is physical collocation going to be less expensive for a CLEC or an ALEC than virtual in terms of paying BellSouth for the interconnection and obtaining services?

A No.

In general, physical collocation is more expensive, because we provide direct access to that equipment on a 24-hour, seven-day a week, basis.

BellSouth creates a physical location between its equipment areas and the physical collocation area. We, commonly, will construct a common area, and within that enclosed common area we'll place all physical collocation arrangements, and collocators pay a prorated share of that common area development.

Q When you say it is more expensive, are you talking about the initial application fee is more expensive?

A Actually, the initial fees. Because the space preparation fee, which recovers the cost to

create this area for physical collocation is not a fee which is charged for virtual collocation.

Q So, that is what you were referring to as the initial start-up?

A Yes. The initial start-up.

Q But on an ongoing basis, if you put those initial fees aside on an ongoing basis, is it less expensive for the CLEC or ALEC if they're physically collocated to obtain service from BellSouth?

A That's difficult for me to say, because it depends on a number of things, like, the size of the arrangement, the amount of time that a collocator may need BellSouth to work on virtually collocated equipment, versus their cost to maintain their own equipment.

And so, there is a lot of factors that might impact that. So, it is hard to say flat out, yes, one is more expensive than the other, because you may have -- well, I guess on average what we're seeing is that physical collocators are requesting an average of 200 square feet. Whereas, with virtual collocation, we're seeing an average or a range of somewhere between 12 and 25 square feet.

Q But in terms of just this provision of service from BellSouth to the CLEC?

A I would say it is pretty comparable.

Q It is not less expensive if you are in a physical collocation arrangement?

A I really can't say.

Q In other words, isn't there an element that is charged in addition if you are outside of the Central Office, or if you are in a virtual environment?

A I am not sure I can really address that question. I think there are too many variables for me to say definitively that one is more or less expensive than the other.

Q Are you familiar with the policies that were developed when the Telecommunications Act was first adopted regarding applications for collocation by BellSouth?

A I am not sure what you mean by policies regarding applications.

Q What I'm talking about, specifically, is when BellSouth would receive applications for physical collocation, were you familiar at that earliest point with the policies regarding whether or not there would be a denial of an application if there was not enough space, or when those kinds of denials would take place?

A Yes. I'm familiar with the guidelines. I'm not sure that I would call them policies, but I'm familiar with the guidelines from the time the Telecommunications Act was passed, yes.

Q What was the guideline at the beginning, right after the Act was passed, or early on?

A For denying space?

Q Yes.

Or denying an application for physical collocation.

A The only time that we would deny an application for physical collocation is if we did not have adequate space available for physical collocation in the particular office that was being requested.

Q Do you know whether it was BellSouth's policy to deny and then file a Petition for Waiver?

A It is our general procedure to do that, because the conditions in the Central Office change sometimes on a weekly basis, because of equipment placement, equipment removal, collocation requests that are coming in right on top of each other, sometimes on the same day.

So, we always evaluate each request as it comes in, and our ability to meet that particular request.

So, let's say that we received a request for a given office, and it appeared at that time that that might be the last collocator that could fit in the central office, we would not go ahead and file the petition right then.

We would wait for the next collocation request, because it could be six months down the road when the next request came in. So, when we got the request, we would then send it to the field, they would evaluate the availability of space and then determine if we had had space available. And then that's when we would initiate the effort to file the Petition for waiver.

Q Were you familiar with the fact that the Telecommunications Act required that BellSouth have a waiver or make a showing to the State Commission prior to denying an application?

A I'm aware of that now, yes.

Q Were you aware of it back then?

A To be honest, I think that I had an oversight to see that we were required to file with the State immediately. So, we're aware of that now.

Q You think it was a mistake at that time?

A It was my oversight. I don't know about the part of others. I can only speak for myself.

Q Were you the person responsible for that by yourself?

A No.

I'm, certainly, not the one responsible myself.

Q I cannot imagine that one person was responsible for that.

A No.

Absolutely not.

Q When you say that the evaluation is made as to whether or not there is enough space, how do you make that evaluation?

A I am not sure that I can address that question, because I don't do space evaluation.

Q So, in your position, you would not be responsible for the policies regarding determining whether there is adequate space?

A No.

Actually, it wouldn't be a policy. It would just be a method, and procedure and guideline for determining if there is space available. And that falls within the property management space planning, and network operations and common systems capacity management.

Q Were those types of individuals involved

in these INAC get-togethers?

A From a headquarters perspective, yes, they were.

Q Who would those people have been?

A Karen Hill, for property management. And when Karen was on maternity leave, Wayne Mayes joined our team. Tom Weber is common systems capacity management.

Q Are you familiar with whether or not the INAC group ever discussed issues regarding the maximization of space for physical collocation?

A What do you mean by maximization of space?

Q Well, I mean, was there ever any attempt by that group to design or come up with a method of determining the availability of space in a Central Office? You know, in a routine, regular, set up established formula.

A INAC would not have been the one to have done that. It may have been discussed at some point on a call, because of a particular need that a State might have raised, but the INAC would not be the one to, actually, develop any kind of guideline or procedure about maximizing space.

Q Well, in your job, you were more or less

responsible for policies regarding virtual and physical collocation for the whole nine-state area; is that right?

A Well, yes, I am responsible for participating in policy decisions and for ensuring they're communicated, but I'm not solely responsible for making those policies.

Q But are you familiar with any effort on the part of any of these people that you interacted with to come up with that type of a formula early on in terms of trying to determine whether space is available?

A I am not, specifically, aware, no. I know that they have all provided input. And I don't know that there could ever be a formula, per se, for determining space. It is always assessed on an individual office basis.

Q Are you familiar with the testimony in this case?

A I have read the testimony.

Q Would you agree that they appear to present a formula, now?

A I am not sure that I understand what you are referring to as the formula. I know that there is a space assessment worksheet that is completed.

Q That's what I'm talking about.

A I'm sorry. I don't call that a formula.

Q I am using the word. I'm making that word up.

A Okay.

Q What I'm saying is an approach, whatever you want to call it.

A Sure.

Q But what I'm interested in is whether there was an effort to standardize that approach so that there would be consideration of the fact that there would be requests for physical collocation?

A I am sorry. I wasn't understanding your question.

Q I may not have said it right.

A The space assessment worksheet was, actually, established very early on in BellSouth's collocation offering; actually, prior to my taking on collocation as a responsibility. So, when I came to this product in 1995, the space assessment worksheet was already developed.

It is my understanding that this same approach, with the particular categories of space, as they're broken out on the space assessment worksheet, are the same categories that we used in providing our

documentation to the FCC for our Petitions for Exemption back in the '92/'93 time frame, when we were, actually, offering physical collocation as a result of the expanded interconnection orders.

So, that's the same guideline or formula, as you say, that we use today. I mean, the worksheet may look a little differently, because I think they're using a different software to type it up, but it is the same guideline.

Q So, BellSouth is, basically, using the same approach that it used during the FCC waiver process?

A Yes.

That's my understanding.

Q Who would be the person most knowledgeable about that FCC waiver process?

A About the process?

Q Yes.

And about these types of applications for waiver.

A I would say that Amanda Grant probably is the most knowledgeable about the FCC waivers. She's one of the few who have been involved with collocation since we first started offering it.

Q Are you familiar with the policies of the

company regarding the types of equipment that can be physically collocated pursuant to BellSouth's viewpoint?

A Yes, I am.

Q Can you just give me an idea what that policy is?

A For virtual?

Q In other words, what kinds of equipment can be physically collocated?

A Can be physically collocated?

Q Yes.

A Our policy is we allow for the types of equipment that are used for the interconnection and access to unbundled network elements that provide telecommunication services.

Now, in general, that includes transmission equipment, which might be, like, a multiplexer DSX panel, cross-connect device. You know, I'm not real knowledgeable on specific equipment.

And we, also, allow switching equipment, which would, you know, be voice type switching equipment, though I'm not sure what particular category it falls in, DSLAM, which is a Digital Subscriber Loop Access Multiplexer, I think is what

that stands for. I know that it is used in the provisioning of DSL/ATM type services.

Q What kinds of equipment does BellSouth say that you can't physically collocate, or that a CLEC or ALEC can't physically collocate?

A We don't permit the collocation of an equipment that is used solely to provide enhanced services or information services. I guess those terms are used synonymously.

Q Define solely. "Used solely to provide," what does that mean?

A Well, equipment that is not used to provide what I guess, generally, is accepted as basic telecommunications service. It is equipment, by the definitions as I understand them, of enhanced services that act on format, content, retrieval, those types of things.

Q That would be prohibited?

A Yes.

And we have that policy because of the FCC's guidelines that they have set up with the ONA and computer inquiry proceedings.

There are some specific guidelines there about our treatment of Internet, and enhanced service providers and the equitable treatment of those

customers. And, at this time, we are not required to provide collocation for an enhanced service provider.

And so, therefore, we do not allow the collocation of enhanced services equipment. We're trying to be fair to those customers who are not both a telecommunications provider and an enhanced service provider.

Q If a company is an ALEC or a CLEC that is going to provide general telecommunication services, and they want to have other types of equipment, such as remote access concentrators, what is BellSouth's policy towards that kind of request?

A I don't know what a remote access concentrator is, so I don't know that I can answer that question.

I can say that we have a number of CLEC or ALEC customers who are both a telecommunications provider and an enhanced service provider. And we have a number. And they will, usually, tell us that up front, when either negotiating a physical collocation contract or during the application process.

And our policy is that we will permit the equipment which is used to provide telecommunication

services, but if they want to place their enhanced services equipment, they will need to place it in a location other than in the Central Office.

But to the extent that a particular piece of equipment can perform enhanced functionalities, the particular equipment provides telecommunication services, but can, also, perform enhanced functionalities, then we permit that to be placed, as well.

I mean, the lines are kind of getting grayer about particular pieces of equipment as technological improvements have come out.

Q Does BellSouth physically have in its Central Offices the type of equipment that provides enhanced services?

A I am sure that we do in some locations, because, as well, under the ONA and computer inquiry guidelines, we have a Bell operating company as the FCC defined it at that time.

It is my understanding that a Bell operating company has the right to treat its enhanced services operations in a particular manner, provided that we follow certain cost accounting methodologies in the allocation of costs and that type of thing.

I'm not, specifically, familiar with the

exact guidelines.

Q So, what you are saying is that there is a Bell affiliate that is allowed to put this type of equipment in the Central Office?

A No.

I'm not saying that. And I really don't have any particular knowledge about whether an affiliate is located in the Central Office or not.

Q But you do believe that BellSouth has located in its Central Offices equipment that it uses to provide enhanced services? That's what I got from what you said a few minutes ago.

If that's not correct, just say so.

A I guess I would say that I don't have any particular knowledge about whether we do or whether we don't. I am just familiar with what our general guidelines are about whether we can have that equipment in the Central Office or not.

Q From somebody else?

A Yes.

Q Who would know whether you have that kind of equipment in the Central Office?

A I don't know. I am sorry.

Q Can you define the term "arrangement"?

A Arrangement?

Q Yes.

A As it relates to --

Q This issue.

A This particular issue?

MS. WHITE: Equivalent or collocation?

MS. SUMMERLIN: The types of equipment that can be physically collocated.

THE WITNESS: When we are defining the types of equipment that can be physically collocated, we look at each piece of equipment individually.

BY MS. SUMMERLIN:

Q You look at each piece of equipment individually?

A Yes.

As what is indicated on the application or the firm order document that is submitted by the customer.

Q And what do you do when you look at each piece of equipment individually?

A I don't know, because I'm not the one that performs that function.

Q Are you the person that would disseminate this policy throughout these states, or let people know about these policies?

A Yes.

I participated in the policy development, and in the writing of the carrier notification letter, and that's what has been distributed to the folks within our company.

Q So, you know that you all are getting a piece of equipment, but you don't know what you look at it for?

A No.

Because I'm not an equipment person.

Q Who would know?

A We have a team of folks who review each application that comes in when there is a new type of equipment that is being requested. They review the application and perform -- I'm not sure, exactly, what they do, because I didn't develop the procedure.

Q What team is that?

A It is a representative from Science and Technology and Network.

Q Is there anybody on the INAC Committee that would have something to do with that?

A No.

Q So, basically, you are responsible for these policies, but you don't know what it is based on? I mean, you are responsible for telling people

all over the place, but they don't tell you what the reason is? I'm not trying put words in your mouth. I'm asking.

MS. WHITE: I think you are asking two different questions.

MS. SUMMERLIN: Yes.

BY MS. SUMMERLIN:

Q What I'm asking is, this is a pretty significant idea to a lot of ALECs and CLECs. And if you are the person or the role that is telling all of the states how to respond to these applications, which is what I understood, I may be incorrect on that, I am trying to understand what that policy is based on.

And the term "arrangement" has come up, and I am just trying to understand what arrangement means, and understand, exactly, what the idea is behind this.

And that's what I'm trying to get from you.

MS. WHITE: And I guess I'm hearing a whole bunch of different questions.

Do you want to know how the policy on the type of equipment allowed or not allowed came about?

MS. SUMMERLIN: Sure. That would be a good one to start with.

THE WITNESS: How the policy came about?

MS. WHITE: Or who formulated it?

BY MS. SUMMERLIN:

Q About looking at each piece of equipment.

A Well, it is necessary to look at each piece of equipment. I mean, we don't just look at it to see what type of functionality. We're, actually, evaluating the equipment.

The equipment evaluations started from the standpoint of evaluating for NEBS compliance, for safety and network assurety reasons. You know, we have to protect both our interests, as well as other collocators' interest, when we're allowing new equipment to be placed in the CO.

Q Network security?

A Network assurance. And security, from the standpoint of fire rating, whether it passes the flammability test, its particular heat dissipation, whether it has any type of -- I don't know what you call it from a technical sense, but when it emits some kind of frequency that might cause interference. I don't know what that is, actually, called.

So, our equipment evaluation was set up,

initially, solely to determine whether the equipment was going to be a safe piece of equipment, so it wouldn't interfere in our network provision, or the provision in the networking services from other entities that are collocated.

And as we expanded the allowable equipment to be placed in our Central Offices for collocators, it used to be only transmission equipment that we allowed.

And when we expanded that to include switching equipment, we felt a need to, also, evaluate what a piece of particular equipment performs. In addition to, does it meet the NEBS criteria?

Q What is NEBS?

A NEBS Network Equipment Building Standards. It is a BellCore standard.

Included in that are, I believe, some of the National Electric Code Standards.

Q So, initially, there was a deal where transmission equipment was allowed?

A Yes.

Q Do you know why there was a change from transmission equipment to switching equipment, or an additional element of switching equipment?

A No, I don't.

Q So, do you have any idea what this policy today is based on?

MS. WHITE: The policy about what equipment is allowed and what is not allowed?

MS. SUMMERLIN: Yes.

BY MS. SUMMERLIN:

Q About looking at each piece of equipment individually and determining that enhanced services of equipment may not be physically collocated?

A I know that we have the policy, because the FCC's rules are very specific that we are not required to permit or allow the collocation of enhanced services equipment.

And we were trying to take into account our treatment, our equitable treatment, of our enhanced services and information services customers who might not be allowed to collocate for other reasons, For providing telecommunication services.

And we have a number of customers who do not provide telecommunications services. And we're concerned that we would rapidly exhaust the space in our offices if we allowed all enhanced service providers. Including, of course, our obligations for competitive local exchange providers, that we would rapidly exhaust our space and not be able to meet our

obligations under the Telecom Act for providing access to our unbundled elements.

Q So, let me ask, and see if I understand what you are saying. That's all I'm trying to do.

BellSouth's position on this is that if you let an ALEC or a CLEC physically collocate this equipment, then you are going to upset the BellSouth customers who buy service from BellSouth that happen to be enhanced service providers only?

A Well, we have specific guidelines under the ONA and computer three guidelines. And I am marginally familiar with these, but I remember these very clearly. That we are required by FCC regulations to provide a comparably efficient interconnect for all enhanced service providers.

Q Okay.

A And so, therefore, we would not be able to provide a comparably efficient interconnection to all enhanced service providers if some are physically collocated because they're an ALEC, and some are not physically collocated because they're not an ALEC.

Q So, the position is that you would be giving an unfair advantage to CLECs or ALECs that happened to provide enhanced services?

A I'm saying that we would not be able to

provide this comparably efficient interconnection.

Q Am I hearing from you that there is a parity, and you are concerned about not being fair to all of the enhanced service providers? That what you are saying?

A Yes. That's correct.

Q So, that in order to keep any of the enhanced service provider entities, some of whom may be actual telecommunications providers of plain old telephone service, and, also, in order to treat the other ones fairly, you are going to keep everybody out as far as enhanced service providing?

Is that the idea?

A It is not that we're keeping them out. We're just ensuring that we can meet our obligations under the Telecom Act to provide space in as many offices as possible for ALEC customers.

I mean, we have had so many requests from enhanced service providers that we fear that the primary and most desirable offices would be exhausted of space very rapidly if we allowed the collocation of enhanced service providers.

And then that would not give the opportunity to ALECs, who were trying to gain real access to the unbundled network elements, especially

the loops, that they wanted to provide telecommunications services.

Q So, This is a different reason, now?

A No.

It is the same reason.

Q Well, I'm interpreting it to be a new, different reason.

But what you are saying now is that the concern is that you don't want somebody to take up too much space? Is that the reason?

A No.

It is not that we don't want someone to take up too much space.

Q I didn't understand what you just said, because that's what I got from it.

A Our first obligation is to meet our obligations under the comparably efficient interconnection.

Q Which is fairness to all enhanced service providers?

A Parity for all enhanced service providers.

Q Is the policy about what equipment can be physically collocated for BellSouth in the Central Office consistent throughout the nine states?

A Yes.

Q So, there is no alteration at all?

A No.

Q Is that true about the virtual collocation, also, all of the policies related to collocation?

A Yes. That's correct.

Q I asked you earlier if you knew or if you could define the term "arrangement," didn't I?

A I don't think you did. I don't know. I think we got sidetracked by a multiple question.

Q Yes.

I'm sorry. I lumped a whole bunch of stuff together at various points.

Do you have any idea what that word means?

A Arrangement?

Q Yes.

A In what context?

Q In the context of the issue that we're talking about in terms of the physical collocation of certain types of equipment in BellSouth's Central Offices.

By way of explanation, that term has been provided to Supra on many occasions to Supra by your

people, so I'm just trying to find out what you mean by the term.

A When we're assessing our ability to provide physical collocation, we consider the term "arrangement" to mean the complete complement of equipment.

When we are considering the evaluation of whether equipment is permitted in the Central Office, we evaluate the individual piece of equipment. Because you can't determine, for example, NEBS' compliance based on an arrangement. You have to determine each specific piece of equipment, and whether it is going to burst into flames after it has been operating for 10 hours.

Likewise, you look at that particular piece of equipment for its functionality, and determine whether it is transmissions, switching, enhanced, et cetera.

Q Why is it, likewise, that you would look at the functionality? I don't get the leap. I understand the safety idea, and I think that makes perfect sense. But once you get past that, why is it appropriate for BellSouth to look at that functionality?

A Well, for one thing, we need to evaluate

each piece of equipment to, first of all, ensure -- and let me state something, first.

I'm not trying to assert that we are overly-suspicions when someone sends us an application. But we need to ensure that the reasons that a collocator is coming to request space from us are for those reasons provided in the Telecom Act. And, that is, to provide telecommunications service.

So, we need to evaluate each piece of equipment to determine is the intent to provide telecommunications service. And so, therefore, we evaluate each piece of equipment, and is this a telecommunications request here.

Q If an ALEC wants to physically collocate, and they say to BellSouth that they want to provide basic telecommunication services, why is it appropriate for BellSouth to look at anything that they want to do on top of that?

A I'm not sure that I understand the question.

Q What I'm saying is if an ALEC or a CLEC comes to BellSouth and says they want to physically collocate in your physical office, we want 200 square feet, we want to provide basic telecommunication services, as well as other enhanced services, why is

it appropriate for BellSouth to say anything about that in terms of prohibiting any of that equipment?

A Well, you can still provide enhances services through that equipment arrangement, but the equipment that, actually, performs the enhanced functionality would need to be located, as it were, off site, out of the BellSouth Central Offices.

Q Why?

A Because is goes back to the comparably efficient interconnection issue, that we're trying to have parity in the way that we treat all of our enhanced service providers. But we, certainly, would not prohibit -- I'm not real familiar with the technology, but I can give you an example.

One of our customers is going to be providing basic telecommunication services, but is really going after the data market. And they want to provide both high speed data, as well as Internet access. And they told us that in their up-front planning sessions.

But the Internet host, and server and processor are located at their host site. And then their DSLAM equipment and voice switching equipment are located in their collocation arrangement that is within the Central Office.

Q So, what you are saying is that somebody else agreed to that idea?

A Yes.

Q Do you know what charges are included in the space preparation fee? Are you familiar with that?

A I'm familiar, in general, with what charges might, typically, be included in the space preparation fee.

Q Can you give me some ideas?

A The space preparation fee is for charges to construct the common area, within which BellSouth would then locate all of its physical collocators.

And if you will let me explain what the common area might be.

Q All right.

A I'm more familiar with the offices in Atlanta, so I'll just use that as an example. Our Courtland Street Office, in Atlanta, is a really good example of what we have done for physical collocation.

On the first floor, at least a third of the building, we have enclosed off for physical collocation. So, what we did was constructed a wall and constructed an access into that area. So, we

built this big room. I don't really have any idea how big it is.

And within that large area, we then had the individual collocators come in and we have enclosures for those equipment arrangements. We just don't happen to have had any that have requested unenclosed space at Courtland Street.

So, based on the size, we put the 100 and 200 square foot enclosures along one wall. And we then had a couple that were larger, so we put them over in other areas, for example.

So, the space preparation charge, then, includes the prorated share of an individual collocator; their prorated share to construct that common area wall, what we call the ingress/egress, or entrance to get into that space; the doors and framings and that kind of thing; the cost to bring the power from wherever the power source is; the cabling and the power racking to bring in general cable support structure over into that common area.

So, like, at Courtland Street, for example, I think our universal frame is located on one of the upper floors. I don't know if it is the second, or fourth, or something like that. So, we brought cable racking down and over to the common

area.

It may include the HVAC, which is the heating, ventilation, air conditioning. And in some offices, I know that we have had to add additional chilling units. In some offices, we have just rearranged the ductwork to bring it over and ensure that we had direct feed.

I know that in some locations, we have had to build fire rated walls, because the local building code, say, required it. So, then, we had to separately encase all of that ductwork and stuff.

And so, anyway, for a space preparation charge, BellSouth would have a total cost for preparing the space for collocators.

We would initiate the construction of that after the first request for a particular office. And then based on the amount of square feet that the collocator is utilizing, we then prorate the cost back to the collocator of that total cost.

Q So, in the example that you just gave, if you had that big room, where you had a bunch of different people, say, you had only one -- apparently, in that office, you had a lot of space, so you were able to set up a whole thing?

A A larger area. That's correct.

Q So, you had one company come in, initially, to use maybe 200 square feet, as an example?

A Yes.

Q But you would take the entire square footage and then charge that collocator for the square footage that they used, not anything more than that for the use of the space?

Is that right or not?

A Actually, with the space preparation costs, there are going to be areas in the common area which are not assignable; such as the doorway and walkway to get into that area. The area where the point of termination bays might be located.

I don't know the specific formula, but there is a standard industry, real estate industry, formula that is used to attribute a portion of that, a small portion. And I don't know what that is.

So, in a portion of that for the space preparation charge only, there is a factor that is used to be able to share, also, the common use areas; all of the walkways, and entrance hallways and all of that stuff. So, we're able to recover the costs for that, as well.

Q When you have a situation like that, and

you've only got one company in there, is there some basic unit that is determined? Do you know what I'm saying? So that later, companies might use four of those units, and then you would know that that is how much their charge would be for those costs to create that space, initially? You are not familiar with that?

A When you say a unit --

Q I mean, I am just thinking in terms of, like, in the door to that space, the ingress and egress, those type of things, you know that you have a total possible capacity for that room, theoretically?

A Yes.

Q I would assume that they would come up with some factor that would relate to the smallest possible unit, or whatever?

A I think there is a percentage of space that is standard in the real estate industry, that is not usable. And they use that percentage. I don't know that it is particularly a unit; like, one square foot, or something like that.

I think, for example, if 2,000 square feet were built, it would be a standard percentage applied to that. And the same percentage would be applied whether it is a thousand square feet or 5,000

square feet. That's my understanding.

Q Is Bloomer the person who knows all of this stuff?

MS. WHITE: About the charges?

MS. SUMMERLIN: About this formula that she's talking about.

THE WITNESS: I don't know. I don't know who you will be speaking to. I don't know who might be more familiar.

BY MS. SUMMERLIN:

Q You were saying a few minutes ago that in that situation you built a firewall; is that right?

A In some situations, yes. Local building code in some areas requires us to build a firewall. And it just so happens that at the Courtland Street office, they required us to build a firewall.

Q Was it BellSouth's policy at one point to have a firewall in all physical collocation situations?

A Not in our recent physical collocation offering, no.

Q Not in the recent?

A No.

Q Was it at one time?

A When we, originally, offered physical

collocation back in the '92/'93 time frame, it is my understanding that that was our policy, but I do not know that for an absolute fact, because I was not involved in collocation at that point.

Q Is it your understanding that right now BellSouth does not have a policy that a firewall is going to be required in every physical collocation situation?

A Our policy right now is that we do not require a fire rated wall, ever. We only will construct to meet the local building codes. It is very expensive to construct a firewall.

Q Yes.

A And we prefer not to have to do that.

Q If a physical collocation applicant is told that a fire rated wall is going to be required, is it your understanding that some ordinance or some actual document has been produced by a local governmental body that would support that requirement in that situation?

A It is my understanding that that would be the case. It is, also, my understanding that in response to inspections, that they may produce some type of document. I think either Mr. Bloomer or Mr. Mayes would probably be a better one to address that

question to.

Q You said someone would produce a document? What did you just say, exactly? I didn't understand.

A When we have constructed a space, and we are required to have an inspection of that space before we can allow occupancy, that in some cases --

Q The inspector shows up with something?

A Yes.

Q Has anyone ever requested a variance on one of these situations?

A I don't know.

Q So, you don't know whether BellSouth has pursued trying to address this concern?

A I do know that we went to the Southern Building Code Congress, and have asked for a regional variance.

Q Southern Building Code Conference?

A Congress, I believe it is. You can verify that with Wayne Mayes. I believe it is the Southern Building Code Congress.

Q To get a waiver from this requirement, or a variance?

A A variance, yes.

Q You don't know anything about when or

anything?

A No, I don't.

Q He's the one that would know that, Wayne Mayes?

A Yes.

Q Does BellSouth have a policy that a fence is an acceptable enclosure if there is no requirement for a fire rated wall?

A I'm sorry. Would you repeat that? I didn't hear part of it. Is it our policy that is it acceptable?

Q Let me start over. I'm sorry.

A Sure.

Q If a physical collocation applicant comes in and says I don't want an enclosure, what is BellSouth's policy in that situation?

A When they don't want an enclosure at all?

Q Yes.

A Oh, that's fine.

Q That's no problem?

A It is no problem, provided that the local building code allows us to have unenclosed spaces. And it is my understanding that it really wasn't until we received Supra's request in Florida that we found out that there might even be a potential building code

issue. We, honestly, never dreamed that there would be a building code requirement to separate individual collocators.

So, we had all intentions of being able to build out this common area, and have both enclosed and unenclosed in this same big area. And it really was not until we received Supra's request, which was our first one, first active request, especially in the State of Florida, and we had one other request in one of the other states, that they decided not to go forward.

Q One other request in another state for what?

A For unenclosed space.

Q For unenclosed?

A Yes.

Q It is your understanding that Mr. Mayes would have the documentation related to this whole problem with the building code?

A To the building codes? I don't know that he would have the documentation, but he's a better one to address the questions. He would probably know who would have the documentation, if he doesn't.

Q Okay.

A I don't know whether he does or doesn't.

Q Is there some requirement in the Telecommunications Act for a separate common area when have you physical collocators?

A No.

There is provisions for us to be able to physically separate collocation from our equipment in the FCC first report and order.

Q When you say there are provisions, what do you mean? That permit BellSouth to do that?

A Yes.

Q Not require, but simply permit BellSouth to do that?

A Yes.

Q To physically separate?

A Yes.

And we just call it a common area, because we needed to call it something.

Q But there is no provision there that says, specifically, how that should happen?

A That's correct.

Q And you just said that an unenclosed space is not a problem with BellSouth?

A That's correct. Provided that that unenclosed space, in our definition --

Q Unless the local building code --

A Right.

And we offer physical collocation in areas that are separated from our equipment. And so, therefore, an unenclosed physical collocation arrangement would be in an area separated from our equipment. And we commonly refer to that as the common area.

Q Do you know if BellSouth Dot Net has equipment physically collocated in the BellSouth Central Office?

MS. WHITE: I am going to object, from the standpoint that that question is totally irrelevant to the issues in this proceeding.

MS. SUMMERLIN: Well, what I'm asking is, is there a BellSouth affiliate that has a collocation agreement with BellSouth to physically collocate enhanced services equipment in a BellSouth central office?

MS. WHITE: I am going to object, from the standpoint that that's a public record with the FPSC and you can find it yourself. You can look for the answer to that yourself.

BY MS. SUMMERLIN:

Q It is possible that there is some other corporate name for that entity? I'm just asking if

you know?

MS. WHITE: For what entity?

MS. SUMMERLIN: BellSouth Dot Net.

THE WITNESS: I don't know.

BY MS. SUMMERLIN:

Q That was easy enough. If you don't know, you don't know.

A I know that we don't have a physical collocation agreement with Dot Net.

Q You know that you don't?

A We do not.

Q And you don't know whether any of the equipment for that company is physically collocated anywhere?

A No, I do not.

Q Can you tell me what the Harmonized Core Team is?

A It is a group of BellSouth managers, who, I don't know what their formal charter is, but my understanding and experience with them is that they help to review company policies and procedures as they relate to the implementation of the Telecommunications Act.

Q Is there some head person in that group? Who is in charge of that group? Do you know?

A I don't know any more.

Q So, they're, basically, responsible for implementing the Telecommunications Act? Is that what you believe?

A I don't know that they are responsible for implementing the Telecommunications Act. I know that my experience has been with them that when we have needed assistance with either interpreting a policy or establishing a policy, that they are one of the factors that reviews that policy or procedure.

Q Who is someone on that team that you know? Or who do you know that is on that team?

A I don't know who the actual members are. I have been a few times, and there have been different faces there every time, and you are not always introduced to everyone.

Alan Price is one. I am trying to think of some other folks. I know that he is one of the representatives on that team.

Q Would one of those people show up for one of these INAC meetings, ever?

A No.

Q They don't, what is the word for it, slum or whatever? Are these the top dogs?

MS. WHITE: Don't answer that question.

BY MS. SUMMERLIN:

Q I'm not trying to get you in trouble here.

MS. WHITE: That's why I told her not to answer that question.

BY MS. SUMMERLIN:

Q What's the policy for virtual collocation of BellSouth?

MS. WHITE: For equipment?

THE WITNESS: What do you mean? Policy for what?

BY MS. SUMMERLIN:

Q Based on some of the documentation that has been produced, it appears that virtual collocation is considered once someone has been denied for physical collocation, but, also, when they ask, specifically, for virtual; is that correct?

A Yes.

BellSouth offers virtual collocation to anybody that wants it. But in that situation, where we don't have space for physical collocation, then we offer virtual as an alternative.

Q Under the virtual collocation arrangements, what kinds of equipment are being allowed?

A Transmission equipment is allowed in virtual collocation.

Q Are switches allowed?

A No.

Q Have they ever been under that virtual collocation?

A No.

Q Once someone accepts a virtual collocation arrangement, do they enter into the agreement, an interconnection agreement, with you all?

A No.

Q Or is there a contract for that?

A No.

We offer virtual collocation based on the terms contained in either our FCC Number 1 Tariff, or the Florida Dedicated Access Services Tariff.

And then when that arrangement is completed, BellSouth does commence an equipment lease, so that kind of is an agreement of sorts. But it is just part of the terms of virtual collocation, since BellSouth then accepts the responsibility for maintenance and repair.

Q You said that Supra's application was the first time that this problem arose in Florida?

A In Florida.

Q How many times has this problem arisen anywhere else?

MS. WHITE: Wait a minute. Which problem? I'm confused.

BY MS. SUMMERLIN:

Q That problem about the requiring of that fire rated wall for that enclosure.

A Well, actually, let me clarify that.

Supra's applications were the first applications requesting unenclosed space in Florida, which then highlighted the issue that we were not going to be permitted in the areas that Supra has requested space, I can't address the other areas, to be allowed to provide unenclosed space.

We have had other situations where we have been required to place fire rated enclosures. When a customer has just asked for an enclosure and we filed our plans for permit, we had to go back and design it as a fire rated enclosure.

Q In other places in Florida?

A In other places throughout the region.

Q Throughout the region?

A Yes.

I don't know of a location, specifically,

but that is one of the issues that was brought to my attention.

Q In Florida, you have had companies ask for enclosed space?

A That's correct.

Q Have you had to build fire rated walls for those?

A Yes, we have.

Q Everywhere in Florida?

A I can't address that. Jim Bloomer could possibly answer that question. I know, specifically, in some of the South Florida locations.

Q And Bloomer is the one that knows?

A Yes.

I think that Bloomer would be the right one.

Q Is it required that you have a common area in order to allow physical collocation in a Central Office?

A I can address from a general understanding standpoint. I don't know that I can address it, specifically.

Well, first of all, BellSouth will separate physical collocators from its own equipment areas. And then we have other network infrastructure

requirements which must have a place where both BellSouth and a collocating party can gain access to that equipment; such as the point of termination bay.

So, in a sense, there is a requirement that we have a space that is physically accessible by both parties in a secured environment.

So, if you say required to have a common area, yes, it is required that we have this area where both parties can gain access to certain network infrastructure elements.

Q Where the two companies are hooking up?

A That's correct.

Q Basically, the point of termination, or whatever?

A That's correct.

Q Is there no minimum amount of space, that you are aware of?

A No.

I think it depends on the particular size of the arrangement that is going in.

For example, a customer that might be requesting to place only one or two bay's worth of equipment, then, naturally, the amount of equipment needed to create that point of termination interface

would be small. The amount of space would be small.

So, if you are placing, and I'm exaggerating, say, a hundred bays of equipment, we would need a lot more of this common space to have point of termination equipment.

Really, it would be a factor of perhaps a number of things, but one would be the size of the particular collocation arrangement.

Q Am I correct that it is, primarily, access to the point of termination equipment?

A I am not really the best one to answer the particulars. I'm just trying to speak in general.

Q Who do you think would answer that? Would it be these gentlemen, like, Guy Ream and --

A Yes.

One of the others that you will be talking with. I'm not sure if it is Guy Ream, or Jerome Rubin would be better, or perhaps Jim Bloomer. I know that all three of them are particular to Florida, and placement of equipment, and space allocation and that type of thing.

Q What do you know about the growth projections that are made for the various Central Offices? Who does that?

A I am not sure.

Are you asking as far as particular equipment or space?

Q Well, I guess what I'm asking about is that somebody somewhere has to figure out how much increase in demand there will be on any given period of time for BellSouth. If there were nobody asking for physical collocation, somebody has to figure that out.

A Right.

Q What I'm trying to figure out is, who is that entity or person?

A I don't know, exactly, who performs those projections. But I know that probably Guy Ream or Mr. Rubin would know who those planners are.

I mean, I know we have network planners, and I know that we have different people who perform different types of planning. So, say switch, versus what they call circuit, but I don't really know their job title, and how they're organized and all of that stuff.

Q Are you familiar with a hybrid wall?

A I'm familiar with the term, yes.

Q What does that mean?

A I can give you my basic understanding.

But probably the better one to address the particulars would be either Wayne Mayes or Jim Bloomer.

But the hybrid wall was to create a physical separation for the enclosure. It was an eight-foot gypsum board that was raised, I believe, six inches off the floor, to allow for efficient air circulation. And it had at the top some type of screen, or mesh, or some other divider. And that was to be able to provide a physical visual barrier between collocators, or between the common area and BellSouth's equipment area.

Q Is that something that would be considered an enclosure? An enclosed space?

A A hybrid wall could be used in creating an enclosure, yes.

Q What you were saying earlier was that the bottom line is that the Telecommunications Act allows physical collocation for access to unbundled network elements for an interconnection; is that right?

A That's correct.

Q If somebody has equipment that provides an enhancer that uses unbound network elements, wouldn't they be appropriate for physical collation?

A I'm sorry. Could you rephrase that question?

Q If a company, a CLEC or an ALEC, has equipment that they want to physically collocate that uses unbundled network elements to provide enhanced services, would that not be inappropriate?

A Yes.

But as I stated earlier, there are, certainly, applications where companies are using our unbundled elements, for example, a loop to provide enhanced services, but the equipment that provides the enhanced functionality, if it provides only enhanced functionality and is not, normally, used to, also, provide telecommunications service, then that equipment may be located off site and you would have, like, transmission equipment or switching equipment.

An example of that would be, to my understanding in the way ATM architecture is employed, for example, where the DSLAM might be located in a collocation arrangement to give direct access to the unbundled loop.

And then there would be a transport piece, which would go from that DSLAM equipment to an off site location, where the protocol conversion would

take place in the equipment that performs the enhanced functionality.

Q What are some enhanced services? What would you use an example of enhanced services?

A Internet access.

Q What is another enhanced service?

A That's the best one I have. I really don't know. I'm not familiar enough with all enhanced services.

Q Are you familiar with any other enhanced services, besides Internet service?

A I'm sure that I have come in contact with them, but I just can't think of them right at this very moment.

Q Is it your position that BellSouth does or does not provide enhanced services from a Central Office?

A I am sorry. Is it what?

Q Does BellSouth provide enhanced services present a Central Office?

A I don't know.

Q You don't know?

A I do not know.

Q What you are telling us about this firewall issue is that it is based on the permitting

that is done by the local governmental bodies; is that right? That is where it is coming from?

A It is based on the local building code, is my understanding.

Q And does BellSouth experience a lot of trouble with permitting? That type of issue?

A The better one to address that is probably Wayne Mayes. But it is my general understanding, based on what I have been told by others, that we have had problems in certain areas.

Q In certain areas?

A Yes.

But I do not know the particulars in a given office or municipality.

Q Do you remember being on one of these INAC conference calls back in April of '98?

A I am, generally, on them every month. I couldn't tell you whether I was on that particular call.

Q All right.

What I will do, I guess, is just show you this right here.

MS. WHITE: Number 1?

MS. SUMMERLIN: Yes.

MS. WHITE: You meant --

MS. SUMMERLIN: It is Number 1, I'm sorry. Yes, Number 1.

BY MS. SUMMERLIN:

Q Would you look at that?

A Just the part that is marked right here?

MS. WHITE: Read the whole paragraph.

BY MS. SUMMERLIN:

Q You need to read the whole paragraph.

A All right.

Q What this, basically, indicates is that Pam Tipton will be Regional Data Manager, and would like to develop a standard spreadsheet for use by each area. This is following up a statement that there is a need to track various collocation project milestones.

This implies that you would be on top of these types of issues; is that correct, in terms of the permitting issues in the various states?

A No.

It means that I was trying to work with the states to develop an interim method to make sure that we had the actual milestone dates tracked so that we could report those when we were requested to report those.

But what has, actually, happened is that

we have developed a regional database, which we're inputting all of our data. That particular conference call took place during a period of time when I was acting as both Project Manager and Product Manager.

We have since had a Project Manager who is responsible for the development and implementation of that database.

Q So, what you are, basically, saying is that your role there was to collect data?

A Yes.

Q But this same paragraph has a statement: "Since permitting is not a problem in most states, it was decided that INAC would not be required to track permitting intervals."

Is that correct?

A That's what the statement says, yes.

Now, in general, we don't have a problem with permitting, but I do know that we have isolated cases of permitting problems.

Q You have some unusual, very bad problems; is that right?

A Yes.

That's my understanding, that we do.

Q Is BellSouth tracking these problems now?

A Yes.

Q Is BellSouth taking an active effort to do something about these problems?

A I would say that that would probably be better addressed by Wayne Mayes. But it is my understanding that we are.

Q All right.

What is a waterfall chart?

A A waterfall diagram is kind of a linear depiction of the collocation process.

For example, it is easier for me to do it if I draw you a picture, but starting from the left-hand side of the page, it is a time interval moving to the right side of the page. And then the application phase would be the first line of time.

And then you would, essentially, skip down a line, and at the end of the application interval, you would show the period of time that the collocator has to review the written response that BellSouth has provided.

At the end of that response, we would assume that the collocator would go for a firm order. So, they place a firm order, and it begins; BellSouth review, planning, design, engineering, construction of the collocated space.

Q It is, basically, a visual depiction of the process?

A Yes.

Q If you had to say what an average time frame was for completing a physical collocation project throughout the nine states, what would that be? Is there some kind of average?

A I don't know the current average. Our database is still under development. We don't have all of our data in one centralized location for the whole region.

The last time we did a manual tally, I believe the average time frame was around 115 days to 120 days.

Q And what does that encompass? What is the start on that?

A Oh, the start date for our provisioning interval is the receipt of a bona fide firm order. What we consider a bona fide firm order is a complete and accurate document.

Q With the money?

A With the money in hand, yes. You have to have that money in hand.

Q That's the important part.

A And the document would include all of the

information that has been gathered from the application phase. It definitely assumes the application phase has been successfully completed and that any corrections and modifications have been made.

It, also, assumes that we don't have any major changes from the application phase, because if there are major changes, such as the number of racks, or the amount of equipment that is placed, or sometimes a change even in vendor equipment, because it changes the heat dissipation which might affect HVAC, or it might change the power requirements.

As long as things are substantively the same, bona fide firm order, with the money, is the start of the provisioning interval.

The conclusion of the provisioning interval is when BellSouth has completed its network infrastructure and its space construction.

Now, under certain conditions, we will permit the collocator to begin their equipment installation prior to the actual BellSouth complete date.

But for reporting purposes, we establish the completion of the provisioning interval when we have completed our work.

Q Is it true that BellSouth has a policy not to expedite physical collocation projects?

A That's correct.

Q What is that based on?

A It is based on the fact that we are required to provide space on a first come, first served non-discriminatory basis.

And to permit the expedite of collocation requests would, in essence, give earlier access to space or preferential access to what could only be a limited number of resources to the customer that may have, essentially, the deepest pockets.

So, it may give some of the bigger carriers or more well-funded carriers a preferential access to collocation space over a smaller or less funded company.

Q Isn't there an inherent preference in the sense that if you can't afford to pay for it, you wouldn't be there to start with?

A Not necessarily. Because, you know, granted, I don't have any specific knowledge of what it might cost. But when I was in my position in Florida doing project coordination, I heard the field people talk all of the time about how much it cost to expedite work when we had construction work to do.

And, in that case, I was dealing with outside plant construction work.

But sometimes it could cause the cost of a job to increase three and four-fold when you expedite it, because then you are paying overtime charges to the vendor or to your own employees, you are paying expedite ship charges, sometimes you are having to expedite the manufacturer, so you are paying vendor manufacturing expedite, whatever that might be.

So, that it can exponentially increase the amount a company may pay, and they may have budgeted for a particular number of installations, but not included what it might take to, essentially, get the space earlier.

Q Couldn't BellSouth institute a practice of allowing an estimate to be made for expediting a project and then giving that estimate to the company that is applying and giving them the option to pay for it, if they wanted to?

A Actually, no.

We want to make sure that we're giving non-disparate treatment. And so, to allow one collocator to expedite, and another one might not have the financial ability to do that, gives a

preference access to the resources needed to construct the space, to build out the space; whether it is network infrastructure or the actual physical construction.

Q Yes.

But what is BellSouth's concern with this? What law does BellSouth rely on to take that kind of a posture?

A Well, the Telecommunications Act that requires us to provide space, on the first report and order -- and I am not, exactly, sure, which it, actually, delineates -- on a first come, first served, non-discriminatory basis.

Q How would allowing someone to pay to expedite a project have anything to do with that?

A Because I'm sure that the resources at some point are limited in a given area for constructing space. And it gives preferential access to those resources; whether physical materials, pieces of equipment or time intervals.

Q But if a company files an application to physically collocate, they reserve their right to whatever there is in that particular office. And that has nothing to do with how long it takes to implement the completion of the job or to complete the job, does

it? How does that tie together?

A If collocator A comes in and requests space, and they might not have the funds to perform an expedite, but BellSouth has done the planning, and design and has begun construction, we've, also, placed on order the termination equipment necessary to fill this request.

And then another customers comes in, and they want to expedite, they may be able to jump ahead of this collocator by paying a lot of money for the expedited termination equipment that might be needed to be manufactured, or whatever.

So, we're just assuring that everyone stays in the order in which their request was received.

Q If that company wants to pay the penalty, basically, of paying such a higher amount, what difference does that make to BellSouth?

MS. WHITE: Well, I'm going to object, from the standpoint that I think you are maybe arguing your own position. She's explained why BellSouth has the policy a couple of times now.

MS. SUMMERLIN: I understand. I know there is a reason behind this, and I'm trying to find out what it is.

THE WITNESS: I stated it.

MS. WHITE: If you want her to repeat it a third time, she can do that.

BY MS. SUMMERLIN:

Q I'm trying to ask you, from a couple of different perspectives, to try to understand what the idea is. You have said what the idea is, and I appreciate that.

MS. WHITE: Let me go off the record for a minute.

(Discussion off the record.)

MS. SUMMERLIN: Back on the record.

BY MS. SUMMERLIN:

Q You talked about this issue of how much time it takes to, actually, complete the physical collocation for a company that is applying for physical collocation?

Is it BellSouth's policy that there is any specific period of time that an applicant can rely on to have a particular request completed?

A Regarding the provisioning intervals to have it completed?

Q Yes.

Everything involved in getting physically

collocated in an office.

A Yes.

In Florida, we strive to complete our provisioning and construction of space within the three-month guideline that was prescribed by the Commission; excluding the time period that is needed for the permitting interval, from the time we request the permit until we receive it.

Each request is negotiated on an individual case basis, because the requirements in every office differ, sometimes greatly. But sometimes we might already have space prepared.

Typically, the first applicant into an office may experience a little bit longer time frame, because we don't have the infrastructure in place, for example, to the area that we're designating for physical collocation.

Q So, what you have said is that BellSouth will strive to meet the three months. Is that what you are saying?

A That's correct.

Q And if that three months is not going to be met, the applicant's option is to negotiate?

A Well, actually, we always negotiate the time period for every request that we process. And

we always work to complete each request as soon as we can. So, in some cases, we are able to meet the three-month time frame, and in some cases we're not.

I don't know the particulars of any specific request, but that's what our procedures are set up to do.

Q Exactly, how does the applicant have any way to negotiate this?

A Well, they participate in discussions with the State Coordinator, who is the INAC, who is Pat Solin, for Florida. And we try to help work with the customer in determining their priorities, because sometimes that can impact when a particular site might be available.

With some of our customers, maybe two or three sites are a higher priority than the other sites, so those may have a shorter time frame if it can be worked out. We work individually with customers based on their priorities, and based on all of the needs of the offices that are involved.

Q What you said to me before is that if you had to say an average, you would say 115 days to 120 days? Is that what you said?

A At the point at which we did a manual assessment, which was several months ago, that was the

regional average. And that included all nine states, maybe with the exception of Kentucky. I don't know that we had requests in Kentucky at that time.

Q The requests in Florida, do you know what time frame they have taken? Do you have any idea?

A Not specifically, no.

Q Who would know about these kinds of issues?

A At the present time, Keith Milner may have that information available, but I do not know for sure. As I said, our database has been developed, and we're currently in the process of getting all of the information fed into that database so that we can have ready access to it.

Q So, basically, BellSouth's policy, and what you understand, is that there is no absolute time frame that they have to meet; is that correct?

A I am not saying that there is no absolute time frame that we have to meet. I'm saying that we recognize that this Commission established a three-month interval as a reasonable time frame under ordinary conditions for us to provide physical collocation, and we make every effort to meet that.

But we, also, recognize that there are

certain situations that we run into that prevent us from doing that. What we try to do is, on every case we communicate with the customer up front during the application review process, we provide that written response back. And then during the firm order process, we try to communicate any particulars in a given installation which might prolong the interval or allow us to come in early.

Q Has BellSouth's come in early?

A I don't know.

MS. SUMMERLIN: Hold on just a second, and I'll be through.

THE WITNESS: I know we have had some requests that are less than 90 days, so I guess I should say we have come in early.

BY MS. SUMMERLIN:

Q You have had some requests that are less than 90 days?

A We have had some completions that were less than 90 days. I remember when we were reviewing the data for the manual tally, which came up with around 115 days as our average, that we did have some requests that were less than 90 days.

Q This is a June 1998 INAC minutes. There is a statement here that says -- let me just show it

to you. It is paragraph Number 6.

A All right.

Q It says: "Pam suggested that we develop a tool for determining the interval for multiple orders, which would allow for a longer response time for large volume of orders. She said that Legal has a concern about making a customer who wants to take away more of our -- I guess it is "of," the word here is "or" -- but "more of our business via multiple collocations wait longer for a response."

Has there been some work done in that regard?

A Yes, there has.

I do want to clarify that statement, as well.

The legal quote that is in quotations in the meeting minutes as reported was presented to us from Legal as a concern, as customer might state it. As if they came to us and said: "We want to take more of your business, so you will make us wait longer."

Our concern is, once again, to try to provide the quickest response time we can. It is understandable that when a customer comes to us with multiple requests for a given area, the same people

with the same expertise may be required to answer all of those requests.

Let's say in the Miami-Dade area, for example, if all of the offices in the Miami area requests were submitted all at once, the same people with the same expertise, like with equipment or space planning, et cetera, would need to review all of those. And so, it is physically impossible for someone to perform all of those revisions, I mean, reviews, all at the same time.

So, what we have developed is a guideline for the coordinator, the account team coordinators, to use in working with their customers.

And what it says is to ask the customer if they have a priority of offices, as I have talked about before. Offices that they need to be in sooner than others.

It, also, instructs them to consult with the State INAC coordinator to determine what the given workload is. Let's say that if they have all come into a particular metro area, they can take into account the time frames which might be reasonably expected for a response, so that we can tell the customer this is when we can reasonably respond to your applications.

Q Has BellSouth done anything to address the fact that there are, like you were saying, a metro area? A Metropolitan area is going to have probably a greater level of interest, I would expect.

In Miami-Dade, for example, has there been any response to that kind of problem? I assume that that is not an unusual thing, to have a number of requests by the same company for an area.

A When you say have we done anything --

Q Have you added employees, or have you looked at trying to adapt to that kind of workload problem?

A I can't, specifically, address that, because I don't know.

MS. SUMMERLIN: I don't have any further questions. Thank you very much.

MS. BEDELL: The staff doesn't have any questions.

MS. WHITE: I just have one question.

CROSS EXAMINATION

BY MS. WHITE:

Q Ms. Summerlin was asking you about expediting collocation applications.

If resources are limited, might the expediting of a collocation job for one company impact

when another company's collocation job can be completed?

A Yes.

Q And why would that be?

A Because by expediting, it means that it is guaranteeing an earlier date than what was committed, which means that it would more than likely take resources away from another job that was in progress in order to meet a commitment that somebody was paying for.

MS. WHITE: Thank you. That's all I have. All right. Thank you. You are done.

(Deposition concluded at 12:00 noon.)

CERTIFICATE OF REPORTER

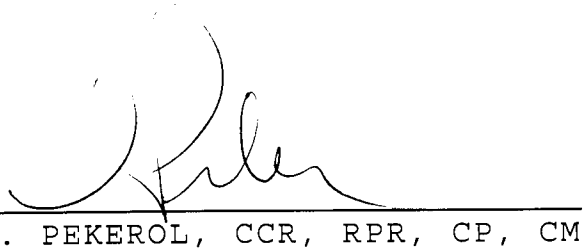
STATE OF FLORIDA:

COUNTY OF LEON:

I, ANITA M. PEKEROL, do hereby certify that the foregoing proceedings were taken before me at the time and place therein designated; that my shorthand notes were thereafter translated under my supervision; and the foregoing pages numbered 1 through 89 are a true and correct record of the aforesaid proceedings.

I FURTHER CERTIFY that I am not a relative, employee, attorney or counsel of any of the parties, nor relative or employee of such attorney or counsel, or financially interested in the foregoing action.

DATED THIS 14th day of October, A.D., 1998.



ANITA M. PEKEROL, CCR, RPR, CP, CM
100 Salem Court
Tallahassee, Florida 32301
850-878-2221

CERTIFICATE OF ADMINISTERING OATH

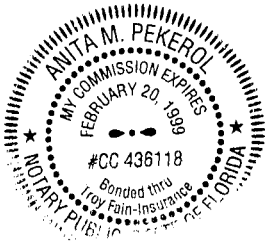
STATE OF FLORIDA:

COUNTY OF LEON:

I, ANITA M. PEKEROL, Registered Professional Reporter and Notary Public in and for the State of Florida at Large:

DO HEREBY CERTIFY that on the date and place indicated on the title page of this transcript, an oath was duly administered by me to the designated witness(s) before testimony was taken.

DATED THIS 14th day of October, 1998.



ANITA M. PEKEROL, CCR, RPR, CP, CM
100 Salem Court
Tallahassee, Florida 32301
850-878-2221

My Commission Expires: February 20, 1999.

(AP) 10-12-98 ERRATA SHEET

I have read the transcript of my deposition, pages 1 through 90, and hereby subscribe to same, including any corrections and/or amendments listed below.

_____ _____

DATE: (Pam Tipton)

(Petition for Emergency Relief of Supra Telecommunications and Information Systems, Inc.)
Page/Line

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

E R R A T A S H E E T

I, the undersigned, PAMELA A. TIPTON, do hereby certify that I have read the foregoing transcript and that to the best of my knowledge, said transcript is true and accurate, with the exception of the following corrections listed below:

PAGE	LINE	READS	SHOULD READ
10	20	LOCAL PORTABILITY	LOCAL NUMBER PORTABILITY
18	14	PHYSICAL LOCATION	PHYSICAL SEPARATION
29	6-7	COLLOCATION OF AN EQUIPMENT	COLLOCATION OF ANY EQUIPMENT
58	16	HARMONIZED CORE	HARMONIZE CORE
78	10-11	ON THE FIRST REPORT AND ORDER	IN THE FIRST REPORT AND ORDER
85	18	AS CUSTOMER	AS A CUSTOMER

10-21-98
DATE

Pamela A. Tipton
WITNESS' SIGNATURE

DATE

NOTARY PUBLIC

MY COMMISSION EXPIRES:

FORM SEL 225 REPORTERS PAPER & MFG CO 800 626 6313

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition for Emergency Relief of Supra Telecommunications and Information Systems, Inc., Against BellSouth Telecommunications, Inc.	)	Docket No. 980800-TP
	)	Filed: 10-2-98

DEPOSITION OF: NANCY NELSON

TAKEN AT THE INSTANCE OF: Supra Telecommunications

DATE: Monday, October 12, 1998

TIME: Commenced at 12:03 p.m.
Concluded at 12:40 p.m.

LOCATION: 2540 Shumard Oak Blvd.
Tallahassee, Florida

REPORTED BY: ANITA M. PEKEROL, RPR, CP, CM. Notary Public in and for the State of Florida at Large.

FLORIDA PUBLIC SERVICE COMMISSION
DOCKET 980800-TP EXHIBIT NO 4
Nelson/Staff
DATE 10-21-98

ACCURATE STENOTYPE REPORTERS, INC.
100 Salem Court
Tallahassee, Florida 32301
(850) 878-2221

APPEARANCES:

REPRESENTING SUPRA TELECOMMUNICATIONS AND INFORMATION SYSTEMS, INC.:

SUZANNE FANNON SUMMERLIN, ESQUIRE
1311-B Paul Russell Road
Suite 201
Tallahassee, Florida 32301

REPRESENTING BELLSOUTH TELECOMMUNICATIONS, INC:

NANCY B. WHITE, ESQUIRE
Assistant General Counsel
BellSouth Telecommunications, Inc.
Museum Tower Building
150 West Flagler Street
Suite 1910
Miami, Florida 33130

REPRESENTING FLORIDA PUBLIC SERVICE COMMISSION:

CATHERINE BEDELL, ESQUIRE
Senior Attorney
Division of Legal Services

WAYNE STAVANJA
CALVIN FAVORS
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0863

ALSO PRESENT:

STAN GREER, BELLSOUTH
DAVE NILSON, SUPRA

I N D E X

WITNESS	PAGE
NANCY NELSON	
Direct Examination by Ms. Summerlin	4
CERTIFICATE OF REPORTER	33
CERTIFICATE OF ADMINISTERING OATH	34
ERRATA SHEET	35

P R O C E E D I N G S

- - -

The following deposition of NANCY NELSON was taken on oral examination, pursuant to notice, for purposes of discovery, for use as evidence, and for such other uses and purposes as may be permitted by the applicable and governing rules. Reading and signing is not waived.

- - -

Thereupon,

NANCY NELSON

was called as a witness, having been first duly sworn, was examined and testified as follows:

MS. SUMMERLIN: Susanne Summerlin, representing Supra Telecommunications and Information Systems, Inc.

MS. WHITE: Nancy White, representing BellSouth Telecommunications.

MS. BEDELL: Catherine Bedell, representing the Florida Public Service Commission.

MS. SUMMERLIN: And we're going to do the usual stipulations?

MS. WHITE: Yes.

What that means is, when the deposition

is transcribed, you read it, you sign it. If there are any corrections, like misspellings of names, there is an errata sheet where you would make those corrections. Then you sign it as being true and correct.

THE WITNESS: When is that done?

MS. WHITE: We'll send you the deposition --

THE WITNESS: Okay.

MS. WHITE: -- when it is transcribed.

Thereupon,

NANCY NELSON

was called as a witness, having been first duly sworn, was examined and testified as follows:

DIRECT EXAMINATION

BY MS. SUMMERLIN:

Q Good morning, still.

No. Good afternoon, I guess, Ms. Nelson.

Would you please give your name and address, for the record?

A Nancy Nelson. My business address is 600 North 19th Street, Birmingham, Alabama.

Q I am going to try very hard to get you done, so you can get out of here.

A I appreciate it.

Q We'll focus on getting done in about 45 minutes, at the most.

Can you give me your title?

A Systems Designer.

Q What is a Systems Designer?

A In my case, you could say I have a subtitle. I'm Collocation Coordinator.

Q As a Systems Designer, is that an engineering type thing, or a computer type thing, or what, exactly?

A I would say that it is more of a pay grade type. I do more of an operations type job. It is the Collocation Coordinator, which designates what I do.

Q Can you give me your educational background?

A With BellSouth?

Q Well, just, like, whatever college or whatever you have.

A Palm Beach Junior College. And then I went into BellSouth, and pretty much have been within BellSouth and some additional college.

Q So, when did you start with BellSouth?

A 1972, September.

Q And what kinds of jobs have you had with

BellSouth? I mean, just a summary. I won't ask you to go through every little detail.

A I started as a craft person and as a service rep. I went through the ranks into marketing, doing marketing and sales. Headquarters positions, marketing, account executive. Basically, those types in the various different groups.

Q When did you become the Systems Designer that you are right now?

A The Coordinator that I am now would have been September of '94.

Q September '94, okay.

So, you have had this same position since then?

A Yes.

Q Now, you told us that your address. Is that Atlanta or Birmingham?

A Birmingham. Downtown Birmingham.

Q Okay.

A 35240 -- no, 35204, I'm sorry. We have only been there since June.

Q I just didn't listen when you told me your address. It mentally tells me that you are in Birmingham. I am trying to hurry.

Who is your direct boss?

A Peggy McKay, M-c-K-A-Y.

Q And what is her job?

MS. WHITE: What is her title?

THE WITNESS: Manager, I believe. I'm not real certain what her title is. I report to her directly, though.

BY MS. SUMMERLIN:

Q Do you have to supervise anybody in your position?

A No.

Q Do you have any direct personal knowledge of North Dade Golden Glades Central Office?

A I know the facility code. I don't know what direct knowledge you want me to know about it.

Q No.

All I meant was had you ever been there to see it, actually?

A No.

Q And that's true of West Palm Beach Gardens, too.

A Right.

Q There is a legal reason for going through this rigmarole.

A I have seen the outside of Gardens. I was raised in the Gardens. But I haven't been to

either office inside.

Q Fine.

You have participated in these INAC conference calls sometimes; is that right?

A Yes.

I used to.

Q When Supra filed its request for physical collocation for these two central offices, did those applications go directly to you?

A Yes.

Supra sent them to me.

Q So, what is your job when those requests for physical collocations come in to you?

A I review them for the data that BellSouth is asking for, to see that the data has been provided, do a scan or check balance on it, and prepare a distribution sheet to go to the field. And that's the initial.

Q And when there is a determination that the application should be granted or denied, who does that? Since the application comes directly to you, do you then convey back the response?

A I'm not sure what you mean by granted.

Q Well, I mean, BellSouth is either going to deny or grant the application for physical

collocation. I mean, either let the company physically collocate or not; isn't that right?

A Well, there are a couple of stages. The first phase is just to evaluate what is on the document to see if it is what we call bona fide, to see that the application fee is right and that the data is bona fide, to make a bona fide application.

Then it goes out to the field, and there may be additional bonifcation at that point, because you have subject matter experts looking at their area of expertise doing the balance on it.

Q Okay.

A Then it would come back from the field from them what is the response to be.

Q And when they come back to you, or they give you their input, the subject matter expert people, are you the person who then conveys to the company that the request is either granted or denied?

A The SMEs do not give me the information directly. I get a response back from the INAC, and the INAC gives it to me and then I prepare a response to the customers.

Q And in this situation, is that Pat Solin?

A Pat Solin is the Florida INAC.

Q Is she the one that would be --

A She would be gathering the data from the SMEs and giving it to me.

Q Do you know what the basis for denying Supra's applications for those two Central Offices was?

A There was no space.

Q And what do you base that knowledge on?

A The State INAC told me that, and I had previously processed applications where the space was denied.

Q For those offices?

A Yes.

Q So, you are familiar with that happening?

A Yes, I am.

Q Are you familiar with any concerns about the kind of equipment that Supra wanted to physically collocate in those offices?

A I was aware that that question came up after the paperwork was distributed that there was some question of the equipment.

Q Are you familiar with the concern that was raced by BellSouth?

A Limited concern.

Q Well, what was that concern?

A Switching equipment is permitted in the

wire centers and enhanced service providing equipment was not allowed.

Q Do you have anything to do with that policy at all?

A No.

Q It is just something --

A I may be a messenger, but I'm not a policy maker.

Q You are just a messenger for other people.

Do you have any understanding of what the basis of that decision is?

A No.

Q And in your chain of command, who makes that determination? Is that the INAC?

A About the equipment?

Q Yes.

A Is that what you asking?

Q Yes.

A No.

That would be a policy statement by BellSouth, who makes it.

Q I'm sorry. Go ahead.

A I'm not certain what your question was, if that wasn't it.

Q What I mean is, in the context of dealing with these two applications, somebody that you deal with raised that concern so that you could convey it; is that right?

A Not about these two.

You mean, North Dade and Gardens?

Q Yes.

A Not specific to North Dade and Gardens.

Q Were there other Supra applications that you did communicate that concern?

A I don't remember whether I wrote the letter or Mark or Cathy wrote the letter. I was aware of the discussions taking place, but I don't really recall who wrote the final letter.

Q Who, in the review of the applications, raised that issue?

A I'm not certain who all was involved. I know Pam Tipton was involved. And let me see if I recall who else. John Whitlock, Science and Technology, may have been involved in that. I don't know if he was or not. I really don't know anyone beyond that who else may have questioned it.

Q Does an application get sent to John Whitlock automatically when it comes in?

A Yes.

Q And that's how that process occurs when there is some concern like that? That's how it happens?

A That's right.

Q All right.

Does the word "arrangement" ring any bell for you in terms of this issue of the concern about the equipment that Supra wanted to physically collocate?

A I know how I imply arrangement. I don't know what you mean by equipment and the arrangement. I mean, I look at an arrangement as the entire placement of a collocator into a wire center.

An all-encompassing term, maybe. But that's a Nancyism.

MS. WHITE: A Nancy Nelsonism.

THE WITNESS: That's right. We have got too many Nancys. Sorry about that. I didn't mean to imply you.

BY MS. SUMMERLIN:

Q Is this a document that you are familiar with? I am not sure whether you guys asked for confidentiality. I didn't get all of this stuff directly, so I don't know. I think that you probably did.

A I'm familiar with it.

MS. WHITE: Is it proprietary?

THE WITNESS: No.

This is a document that we provide to any and all collocators.

BY MS. SUMMERLIN:

Q All right.

A Or applicants or parties that are interested.

Q So, this document is titled BellSouth Certified Transmission Vendor List for the Engineering, Installation and Collocation Arrangements.

And does that mean, basically, that this title refers to any company that has equipment that they want collocated is referred to as an arrangement? Is that what that means?

A I don't know. It is a BellSouth Certified Transmission Vendor List, and each one has a different title. You have a power vendor list, and a switch vendor list, and then it is for both engineering and installation of collocation service.

I see service and arrangement. I find that synonymous in my mind. It is for the arrangement of the services for the equipment to be installed, to

be connected.

Q This is the North Dade Golden Glades Expanded Interconnection Application and Firm Order document.

Let me just let you look at that, and see if that's familiar to you.

A I recognize the form.

Q This is what we sent in as a public record.

MS. WHITE: Is it a public record?

MS. SUMMERLIN: It is the application that we sent in.

MS. WHITE: I know. But is it proprietary to Supra?

MS. SUMMERLIN: Well, I think in our situation right now, we're not real worried about that. On another day, we will have a different argument.

MS. WHITE: I hear you.

MS. SUMMERLIN: Today, we're happy to show it to you.

MS. BEDELL: It is a public record, now.

BY MS. SUMMERLIN:

Q On the last page of this document, which is, I was going to look for it, BSTEI-1-P --

A Right.

Q -- at the last page here, page 12 of 12 -- and this is BellSouth's form that we filled out, apparently, or you all filled out, I'm not quite sure at this point -- but the form, basically, sets out a statement here in paragraph 17. And it says: "Dates are negotiated during the firm order process. For planning purposes you may indicate your desired space acceptance date."

And there is a date here, and your desired commencement date and there is another date. Then it says: "For this arrangement."

So, in that sense, does that mean that the agreement that Supra wanted to make with you guys was that arrangement? Was that your way of looking at that?

A What agreement? I don't know what you mean.

Q The request to physically collocate --

A Right.

Q -- in that office, is that encompassed in that term "arrangement" there?

A I would take that application as what Supra would want to have happen in a wire center.

Does that answer your question?

Q Okay.

A But I take it in total.

Q I'm trying to get a definition of the term "arrangement" from you. And by way of showing you these documents, I'm trying to understand what your view of that term is.

A To me, it is everything that is in that package, total.

Q Thank you.

Do you have anything in your job to do with the time frames for completion of physical collocation process?

A Yes.

Well, it is one of those things that there are so many people in the loop. The answer is, yes, I'm one of them.

Q I concede to you that based on everybody I talked to, everybody is involved in everything.

A Well, it is definitely a team effort.

Q What, exactly, do you have to do with the completion of these installations?

A It is a multi --

Q The physical collocation process.

A It is a multi phased process. I initiate the document to the field, getting it out to the

field. When the response data comes in, I am responsible for ensuring that the data goes out to the customer, the response form goes out to the customer, and that it would be in line with their agreement if one is in place at the time.

Q I am sorry. I don't mean to cut you off.

A That would be the response.

And then when the firm order comes in, I would be responsible for the distribution, initial review and distribution of that. And then at closeout, helping to close it out. And I accept the checks and the validation, the application fee and the firm order fees.

Q When you talk about the response form, is that the accept or denied type document?

A There are two, actually, I guess you could say. The response, if it is allowed to go all the way through, because there is space. Then there is a more lengthy response, which would be, like, on some of the other applications that we returned to Supra.

In the case of an exemption, or no space, whatever the situation was, if there is a notification that there is no space, that we cannot process the application any further, I would be responsible for

the refund of the funds, the application fee funds and the notification to the customer.

Q Which would be, like, the denial?

A A letter.

Q A letter denying?

A Right. That there is no space.

Q Did you at any time call Supra to ask what Supra's intentions were regarding physical collocation in several Central Offices?

A Actually, John Rankey called me, and I was involved in other meetings where they had come to talk about the collocation.

Q Did you ever ask Supra what its intentions were regarding future plans to physically collocate in Central Offices?

A If a customer is interested, I ask when their applications are going to come to me. Where they may be going, in case I have any information.

Q Have you ever been instructed to try to find out what offices of CLEC intends to physically intends to collocate?

A Not specifically. I will ask a CLEC, for planning purposes, if they can tell me how many numbers they expect to give me for a planning purpose. I mean, I have offered that you can tell me as

detailed or as big as you want.

If you going to tell me that I'm going to do 10 in Florida, I'm happy to know that. If you are going to tell me that I'm going to do five in North Florida and five in South Florida, I'm happy with that.

And I let the client tell me as much detail as they want, because I understand their position.

Q Did you call and ask Supra what their intentions were about several Central Offices in Florida? About did they tend to physically collocate in some other Central Office?

A I really don't recall. I may have had discussions with them, but I don't remember who initiated the call.

Q When you have that kind of discussion, who do you convey that information to?

A Usually, just myself, because the workload would be coming to me, so it gives me an idea of workload.

Q You are not required in your position to let other individuals know at BellSouth that a company is planning to physically collocate somewhere else?

A No.

I don't, normally, tell anybody the details. Like, if they said, if Supra were to tell me: "Nancy, I have sent you 15, and now I'm going to be sending you 10 more," and somebody asks me for a forecast, I would say that I'm hearing that 10 more are coming, but I wouldn't necessarily tell them where they're all going even if I had that data.

Q Did you in this situation, with Supra?

A I didn't release anything prior to what Supra released to me.

Q What I mean is, Supra told you, and did you then convey that to some other people in BellSouth?

A I am not certain. Which ones are we talking about? There was a lot of work, so can you be more specific?

Q We're talking in this case about North Dade Golden Glades and West Palm Beach Gardens.

A Okay.

Q And I'm talking about the other applications or the other Central Offices besides those that you were told Supra was interested in.

A They told me that there were 17 that they submitted to me at once.

Q I'm talking about offices that they did

not apply for at this point.

A At this point?

Q Yes.

MS. WHITE: Offices in addition to the 17 for which they have applications?

BY MS. SUMMERLIN:

Q Yes.

A And the question is about those offices, again? Now, that we have got it defined as to which ones we're getting to, what was the question about those?

Q Let me ask a more specific question.

A I'm sorry I'm slow following this trail, but I'm trying to keep this so I can answer what you are asking.

Q Just hang on a second.

(Brief pause.)

BY MS. SUMMERLIN:

Q Are you familiar with the fact that Supra has, like, a Phase 2 plan? In other words, after the first initial 17 Central Offices?

A I recall conversations with someone that used that term, "Phase 2".

Q Do you recall talking to Supra about its interest in physically collocating in Boca Teeca?

A No.

I don't recall that.

Q You don't recall that?

A Not specifically. I'm not saying that my notes might not, but I don't, specifically, recall it.

Q All right.

Who would you convey that kind of information to if you got it, if you do decide to convey it?

A If you I got information that applications were coming?

Q Yes.

A Maybe the Account Team AE, but there really is no need to give it to them, either. It is really more of a workload, what are we having come in. And you I try to let the customer know if I know that that wire center has no space. Like, if I have worked an application and I know that space has been denied, then I might tell the collocator that I have already denied an application to that particular wire center.

If they would say: "Nancy, we want to going to Boca Teeca," and I have already just denied a space to that, then you I would say that I have been told that there is no space to that.

Q If you found out that somebody was

interested in Boca Teeca, and you knew that there had been prior problems with Boca Teeca, would you not be required to convey that to your legal department or to somebody in the company, so that they could be preparing a Petition for Waiver which was filed?

A No.

That's not my role at all.

Q So, you are not instructed to do that at all?

A No.

Q Why were you included in these INAC meetings?

A Why was I included in the INAC conference calls? For a majority of the time, I was the collocation center, period, amen.

I handled all of the documents that came through for all of the collocators. And the people in the field that are the INACs, were the people that I handed off, so it was important that we were in sync with what was going on.

Q You were the collocation center for how long? Is that for Florida?

A No.

I'm regional.

Q From what period of time were you the

collocation center?

A Well, I was always the lead person since '94, and then various people have come on during the time. And I really don't recall as people were added.

Q All right.

So, you would never have conveyed any information like that when you were in one of those kinds of conference calls?

A Conveyed what kind of information?

Q About the fact that a company wanted to physically collocate in a certain office, you mean, that wouldn't have been something that would have come up?

A Traditionally, I would not have told them. I may have said Tennessee expects to get 10 more from someone, or I have been told that some work may be coming to you in a particular state, predominantly from a workload perspective.

Q Do you have any interaction with Nancy Kallus?

A Yes.

Q What kind of interaction do you have with her?

A Discussion with regards to the process with the INACs. Discussion regarding the forms.

Q You are in Birmingham, and where is she physically located?

A She's in Birmingham, at The Colonnades.

Q Is that where you are?

A No.

Q You are not at The Colonnades.

So, you have been involved on a regional basis since '94 in BellSouth's collocation efforts?

A Yes, ma'am.

Q So, you are familiar with changes in policy over that period of time on various issues?

A I am, usually, there to hear it. I think it is important that I understand it.

Q Was there ever a policy that fire walls would be required in all situations?

A No.

Not to my knowledge. That's not my area. That's property.

Q Do you have any idea how many companies have been granted physical collocation by BellSouth?

A Not off the top of my head.

Q Can you approximate?

A Most that have applied. And I am not trying to be sarcastic. Do you want a number? How many different companies?

Q Yes.

If you have any idea.

THE WITNESS: Do I guess?

MS. WHITE: Do you know the answer to the question?

THE WITNESS: I can ballpark it. Let me see.

MS. WHITE: In Florida or region wide?

BY MS. SUMMERLIN:

Q Region wide, if you know.

MS. WHITE: Physical collocation.

THE WITNESS: I can address the ones that are in my district.

Ask the question of what I'm counting up. Just applied for? The people that have applied?

BY MS. SUMMERLIN:

Q What I'm asking is, how many companies has BellSouth granted physical collocation to?

A It will take a minute. Seven or eight, maybe 10, throughout the region.

Q Throughout the nine states?

A That is a large number of work. You are just talking about the actual separate companies.

Q I'm talking about companies.

A I would say about 10, eight to 10.

Q Eight to 10 different companies?

A Eight to 10 different company names off the top of my head.

Q Okay.

A And we're talking physical?

Q Yes.

Physical collocation.

A Okay.

Q How many companies have been granted virtual? Do you know?

A More than that. Some companies have not applied for physical.

Q Or for virtual, you mean?

A No. You asked me virtual. So, there are fewer physical apps than there have been virtual apps and companies.

Q I understand. I took your answer the wrong way.

A I know.

Q Is it your understanding that the policy was to wait until somebody asked for physical collocation, and then file a Petition for Waiver once a denial was made?

A I don't know if that's quite true.

It is my understanding that we will attempt to comply with all requests for physical collocation as long as space is available. And when it is no longer available, then it will be applied. And that we will proactively at least address looking at one before an exemption would be filed.

Q In other words, what you are saying is that BellSouth's policy was too wait until it had to deny somebody and then file a Petition for Waiver; is that correct?

A Wait until we exhausted looking at the space to evaluate before we apply.

Q Was this the policy from the time that the Telecommunications Act was passed?

A Which? The '96, I presume, you are referring to?

Q Yes.

A Actually, it has always been. We're not going to deny unless we have to. And our people exhaust and they make all attempts to try to comply and provide physical collocation, period. That's our first goal and attempt. And my goal is to attempt to get it as smooth and as communicated in as we can to the customer.

Q I am just about through. Hang on one

second.

A I have all bases covered here. If it runs over, that's fine. I just won't get home until late, but I'm all covered there.

Thank you. I appreciate it.

Q Are you aware of whether any BellSouth affiliates have enhanced services equipment physically collocated?

A I don't work with any of our affiliates.

Q What has been your experience with this problem of local building codes? Do you have any experience with that at all?

A Secondary-hand. I have been given the brief that there are two building codes in the world, residential and industrial. And industrial is not telecommunications-specific.

And that our people in the field have had to do numerous amounts of education to those various communities, so that they understand what we are trying to do, and how we are trying to do it and the time frames that we are trying to do it in.

Q Did you ever have any active involvement in that at all?

A No. Not active.

Like I said, mine is all hearsay back and

forth about what is going on.

Q From all of the people?

A Right.

MS. SUMMERLIN: I don't have any more questions. Thank you.

MS. WHITE: Thank you. I appreciate your trying to finish. All right.

(Deposition concluded at 12:40 p.m.)

CERTIFICATE OF REPORTER

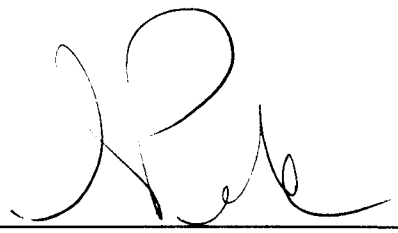
STATE OF FLORIDA:

COUNTY OF LEON:

I, ANITA M. PEKEROL, do hereby certify that the foregoing proceedings were taken before me at the time and place therein designated; that my shorthand notes were thereafter translated under my supervision; and the foregoing pages numbered 1 through 33 are a true and correct record of the aforesaid proceedings.

I FURTHER CERTIFY that I am not a relative, employee, attorney or counsel of any of the parties, nor relative or employee of such attorney or counsel, or financially interested in the foregoing action.

DATED THIS 14th day of October, A.D., 1998.



ANITA M. PEKEROL, CCR, RPR, CP, CM
100 Salem Court
Tallahassee, Florida 32301
850-878-2221

CERTIFICATE OF ADMINISTERING OATH

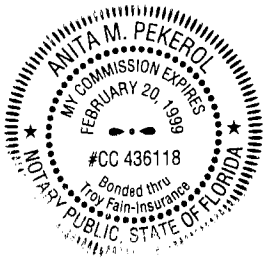
STATE OF FLORIDA:

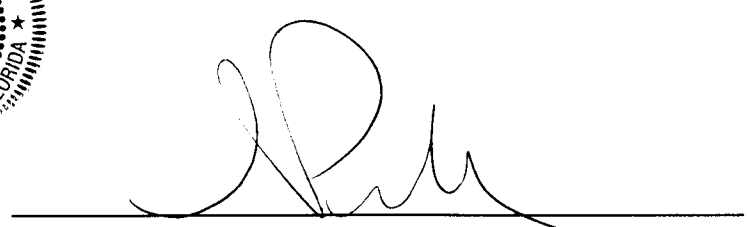
COUNTY OF LEON:

I, ANITA M. PEKEROL, Registered Professional Reporter and Notary Public in and for the State of Florida at Large:

DO HEREBY CERTIFY that on the date and place indicated on the title page of this transcript, an oath was duly administered by me to the designated witness(s) before testimony was taken.

DATED THIS 14th day of October, 1998.





ANITA M. PEKEROL, CCR, RPR, CP, CM
100 Salem Court
Tallahassee, Florida 32301
850-878-2221

My Commission Expires: February 20, 1999.

(AP) 10-12-98 ERRATA SHEET

I have read the transcript of my deposition, pages 1 through 34, and hereby subscribe to same, including any corrections and/or amendments listed below.

_____ _____

DATE: (Nancy Nelson)

(Petition for Emergency Relief of Supra Telecommunications and Information Systems. Inc.)

Page/Line

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition for Emergency Relief of Supra Telecommunications and Information Systems, Inc., Against BellSouth Telecommunications, Inc.	)	Docket No. 980800-TP
	)	Filed: 10-2-98

DEPOSITION OF: PAT SOLIN

TAKEN AT THE INSTANCE OF: Supra Telecommunications

DATE: Monday, October 12, 1998

TIME: Commenced at 1:25 p.m.
Concluded at 1:55 p.m.

LOCATION: 2540 Shumard Oak Blvd.
Tallahassee, Florida

REPORTED BY: ANITA M. PEKEROL, RPR, CP, CM. Notary Public in and for the State of Florida at Large.

FLORIDA PUBLIC SERVICE COMMISSION
980800-TP EXHIBIT NO. 5
Solin / Staff
10-21-98

ACCURATE STENOTYPE REPORTERS, INC.
100 Salem Court
Tallahassee, Florida 32301
(850) 878-2221

APPEARANCES:

REPRESENTING SUPRA TELECOMMUNICATIONS AND INFORMATION SYSTEMS, INC.:

SUZANNE FANNON SUMMERLIN, ESQUIRE
1311-B Paul Russell Road
Suite 201
Tallahassee, Florida 32301

REPRESENTING BELLSOUTH TELECOMMUNICATIONS, INC:

NANCY B. WHITE, ESQUIRE
Assistant General Counsel
BellSouth Telecommunications, Inc.
Museum Tower Building
150 West Flagler Street
Suite 1910
Miami, Florida 33130

REPRESENTING FLORIDA PUBLIC SERVICE COMMISSION:

BETH KEATING, ESQUIRE
Senior Attorney
Division of Legal Services

WAYNE STAVANJA
CALVIN FAVORS
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0863

ALSO PRESENT:

STAN GREER, BELLSOUTH
DAVE NILSON, SUPRA
ANGEL LEIRO, PARALEGAL, SUPRA
MARK E. BUECHELE, ESQUIRE, SUPRA

I N D E X

WITNESS	PAGE
PAT SOLIN	
Direct Examination by Ms. Summerlin	5
CERTIFICATE OF REPORTER	22
CERTIFICATE OF ADMINISTERING OATH	23
ERRATA SHEET	24

P R O C E E D I N G S

- - -

The following deposition of PAT SOLIN was take on oral examination, pursuant to notice, for purposes of discovery, for use as evidence, and for such other uses and purposes as may be permitted by the applicable and governing rules. Reading and signing is not waived.

- - -

MS. SUMMERLIN: Suzanne Summerlin, representing Supra Telecoummunications and Information Systems.

MS. WHITE: Nancy White, representing BellSouth telecommunications.

MS. KEATING: Beth Keating, appearing for Commission staff.

MS. SUMMERLIN: The usual stipulations?

MS. WHITE: Yes.

What that means is that when the deposition is transcribed by the court reporter, you will be sent a copy, really, the original, I guess, and asked to read it and sign it to certify that it is accurate and correct.

And if you have any corrections, like,

the misspelling of a name or a word, there is an errata sheet where you will be able to note those corrections.

Thereupon,

PAT SOLIN

was called as a witness, having been first duly sworn, was examined and testified as follows:

DIRECT EXAMINATION

BY MS. SUMMERLIN:

Q As you heard, I'm Suzanne Summerlin. I realize just now that I haven't been doing that each time.

Would you please give your name and address, for the record?

A My name is Pat Solin. My work address is 6451 North Federal Highway, Ft. Lauderdale, Room 919.

Q And what is your title?

A Specialist.

Q Specialist?

A Yes.

Q Are you considered an INAC coordinator?

A Yes.

Q Can you, just for a minute, give us some educational background, whatever your educational background is?

A I was a graduate from Indiana University in Business Administration.

Q And how long have you worked for BellSouth?

A Since 1976.

Q And what kinds of jobs have you held in BellSouth?

A I have been in their marketing department, forecasting, and trunking and INAC. Specialist in INAC.

Q When did you start with INAC?

A It was approximately the end of 1994.

Q Who is your direct supervisor?

A Rick Weeks, W-E-E-K-S.

Q What is his job title?

A I don't know, to tell you the truth.

Q Do you know what is his job, basically?

A He manages a group of individuals, new services planners and myself.

Q Do you have any people that you supervise?

A No.

Q Do you have any direct knowledge of the two Central Offices that are at issue in this case; the North Dade Golden Glades or West Palm Beach

Gardens?

A What do you mean by direct knowledge?

Q Well, have you been there to look at them, or had any actual interaction with the people there?

A No.

I have never been there.

Q Can you just describe for me what your duties are in your position as Specialist?

A For INAC?

Q With INAC, yes.

A I coordinate activities for CLECs, CAPs and interexchange carriers coming into Florida to do business, specifically, with Supra. I do collocation coordination for Florida.

Q Would any company that files an application for physical collocation in Florida be dealing with you?

A Yes.

Q Exactly, when do you get into the process? If someone files an application for physical collocation, how would you get involved in it?

A The applications get sent to myself and other departments within BellSouth for review. I

take their inputs, respond back with the information that needs to be given to the customer on their application, so that they can proceed then with firm orders.

I would, also, coordinate any questions and concerns that we would have in the field, and make sure that they get addressed.

Q When you get the application, and you get input from all different kinds of places on the application; is that right?

A Just the specific groups who have to answer application requests.

Q Are those the people who go and look at the Central Offices to see if there is space?

A One of the groups.

Q Who else would you be talking to?

A Power planners have to respond, the common systems people have to respond, property has to respond, capacity management has to respond.

Q Once you get these inputs, do you make the decision or do you just simply convey what the result of the inputs are?

A Make what decision?

Q Whether to grant or deny an application for physical collocation?

A No.

I just gather information and submit it.

Q Who makes the decision? Like, if you were going to deny an application for physical collocation at a Central Office, or if the company wanted to, who is the person who makes that decision?

MS. WHITE: Because of lack of space?

MS. SUMMERLIN: Or any other reason.

THE WITNESS: As far as denying for lack of space, it would be the space planners after they have done a review.

BY MS. SUMMERLIN:

Q So, it's just whichever group that looks at it has the authority to deny on their own basis?

A I really don't understand the question, because I don't know when we would be denying, except for equipment types and space.

Q I guess what I'm trying to understand is whether or not you have a bunch of individual groups that are looking at it, and they each have to say it is okay or it is not okay. And if anybody says that it is not okay, then that's what happens. Or is there one person that takes all of the inputs and makes a decision?

A Each individual department looks at it to

make sure that it is all within BellSouth specifications for what is and is not allowed in our Central Office, or any problems that it could bring.

We will even look at it and ask questions, like, are you sure this is what you want to do? You know, are you sure this is how many bays, things like that?

So, some questions can be just generic, trying to be helpful in making sure that the collocators have all of their ducks in a row. And others of it would be very specific concerns about harm that equipment could do in our CO, or has it been NEBS certified.

But those are not decisions that I make as to whether it is or is not.

Q So, I guess if the power planner people looked at the application and they decided there was a problem with the power issue, like some piece of equipment would require too much power for that office or whatever, I'm just throwing out an idea as an example, would they simply say, no, to the application and pass that to you?

A No, they wouldn't.

They would ask for clarification from the collocator to understand, exactly, what the collocator

is trying to accomplish. And make sure that, first of all, the collocator really had the correct power requirements on their application.

Q If they had the correct requirements, but it was not going to fit into that Central Office, how do you handle that kind of problem?

A I don't understand the question. I don't know how that would apply.

Q Well, what I'm saying is, I'm just trying to figure out who it is that makes the decision as to whether all of the requirements are met. You know, whether it is a committee of these different groups, or whether it is one person that takes in information from everyone and then makes a decision.

It is not anything more complicated than that. I'm just asking how it works.

A It would depend on the situation.

For example, in your concern about power, if the power planner had a grave concern, they would probably go to their network staff support people or network and technologies, I guess it is called, would be another group, to say does this present a problem for our Central Office?

Q And if it did, then those people wouldn't be making that decision?

A I don't know.

Q You have never had this kind of scenario come up?

A I don't make those decisions, so I can't tell you, specifically, who does. Who in the power group would make a decision to deny a request.

Q So, I guess the thing is, what you are saying is that you never make the decision. All you do is convey whatever they tell you?

A That's correct.

Q Have you been in, exactly, the same job that you are in now since '94?

A Yes.

Q So, you have been there since the Telecommunications Act was passed, and are familiar with all of the iterations, and everything that everybody has had to go through since that law was passed?

A If you are asking me if I have intimate knowledge of the Act, no.

Q I'm not. All I mean is, you participated in these INAC conference calls on an ongoing basis?

A Yes.

Q So, you are familiar with the issues that were raised in that situation?

A Yes.

Q And other people that are in, exactly, the same position as you in other states were members of those conference calls?

A Yes.

Q Is that right?

A Yes.

Q So, any issues that would have come up in that scenario, you would be familiar with, somewhat at least?

A Perhaps.

Q I'm not going to ask you some spit it all out word-for-word. I am just trying to get an idea of what your experience has been and what you know.

Are you familiar with the approach that BellSouth took with situations where an application for physical collocation would come in, and nobody before that had asked for a physical collocation in a particular office and the company determined that there was not enough space? Have you had situations like that that you are familiar with?

A The only instance that I can give you is, if an application comes in, it is then determined when the application comes in whether or not we have to file for exemption. We don't file before an

application comes in.

Q And that has been that way since the passage of the Act, as far as you know?

A To my knowledge.

Q Were you aware that there is a provision in the Telecommunications Act that says that the company is supposed to get a waiver from the State Commission before it denies physical collocation?

A No.

Q Do you have any familiarity with BellSouth policy regarding the types of equipment that are okay to be put into Central Offices as far as BellSouth is concerned?

A No.

That's not my direct responsibility.

Q Is it correct that your responsibility is to interface with the customers, or is it to just simply to gather information within the company, within your company?

A I gather information within the company. I respond back to the applications. Then when firm orders come in, and we receive the firm orders within the State and are ready to begin the implementation, I coordinate between the departments.

And I stay in close contact with my

customers to make sure that they understand where we are at each part of the process.

Q Are you familiar with any of the local building code problems that have arisen?

A I have not specific knowledge, but, yes, I have general knowledge of problems.

Q Your main focus has been the State of Florida; is that right?

A Yes.

Q Have you experienced many situations where there are requirements for fire walls to be constructed in Florida?

A I can't answer that, specifically, because that's not my area of responsibility. That would be the property people. I do know that we are required to build fire walls quite frequently, and it is part of the fire code, but I am not the one to give you specific information.

Q Do you have certain areas where that has happened, or where those requirements have come up?

A I couldn't tell you the specific areas.

Q When you say frequently, what do you mean by frequently, just in general terms?

A Well, I can't differentiate for you between what, exactly, you mean by fire wall. I just

know that BellSouth needs our equipment separated from collocation equipment, but I can't tell you how those walls are rated. That is not my area of expertise. But I know that there is separation for the protection of BellSouth and the collocator, physical collocators.

Q Is it an area of your responsibility to make sure that these kinds of projects are completed in a timely fashion?

A Yes.

Q Would this issue arise in that context at all?

A No.

These are mandates put out by individual municipalities, that are beyond the control of BellSouth.

Q As a person who is focused mainly on Florida, are you aware of any efforts in Florida to try to address the local governmental entities that are creating these issues?

A By BellSouth, or by contractors in general?

Q By BellSouth?

A I wouldn't be able to answer that question.

Q Who do you think would be knowledgeable about that?

A People within property management.

Q Mr. Bloomer, do you know if he would be?

A He would, yes.

Q What involvement have you had in this case? Have you had to answer any interrogatories?

A No.

Q Have you had to produce any documents?

A No.

Q Just the fun of coming here today; is that it?

Do you know how many companies in the State of Florida have been allowed to physically collocate by BellSouth?

A I can't give you an exact number. I would say approximately between 10 and 15.

Q That's physical collocation that we're talking about? That's what you are responding to?

A Yes.

Q I know that I probably asked you something similar to this, but do you have any awareness of the policies about what types of equipment can be physically collocated according to BellSouth?

A No.

I don't set any of those policies. If I would see any equipment that I would question, it would be referred back to BellSouth's staff.

Q To figure out whether it was okay?

A To figure it out, yes.

Q Do you have any interaction with the Core Harmonized Team?

A Personally, no.

Q The person that is your supervisor, is he over just Florida, or over more than Florida?

A No.

Just Florida.

Q That's Rick Weeks?

A Yes.

Q In Supra's situation, somebody communicated back to Supra that the application for fiscal collocation was denied.

Was that from you?

A No.

Q Who would that have been from? Do you know?

MS. WHITE: The letter?

BY MS. SUMMERLIN:

Q The communication that the application

was denied.

A No.

I can't positively tell you who that would have been.

Q So, that's not part of your job to communicate?

A No.

I would not communicate that back to Supra.

Q I guess I misheard you, because I thought that's what you said earlier; that that was one of your things, that you communicated with the customer.

A I communicate with the customer about when we go to firm order. I communicate with them on an ongoing basis on the status of their jobs, or any questions that they have. Or let them know how the project is going, or any questions that, generally, might come up from the field.

Q You don't do it at that first cut?

A But I do not tell a customer whether they are denied or given permission to collocate.

Q Have there been situations that you were involved in where the property people had checked out an office, and said that there was not enough space

and that then had to be denied? Or are you not familiar with any situation like that?

A Yes.

I would know of that.

Q Is there any effort made to check to see what the basis is for the space evaluation on a particular Central Office?

A Yes.

I know that they work quite diligently to review for space, and make a diligent effort to provide for collocation whenever they can.

Q I guess what I mean is, you have certain people in property management. You just, basically, accept what the property management people say when they tell you all that there is not enough space; is that right? There is nobody else that goes and checks behind property management to see?

A I think it is a group effort, of more than just property management. And I know that there are several checks made within their own organizations before they would ever go and file for an exemption.

And specific information required by the Public Service Commission that they have to provide when they file for an exemption.

Q So, you are not familiar with what areas

in Florida this fire wall problem has come up? You don't know?

A Well, I don't understand what you mean by fire wall problem.

Q The problem that the local governmental entities have created. This building code issue that says that if a company comes into a BellSouth Central Office, it becomes a multi-tenant environment, and then there is a requirement for a fire wall.

A I know general, third hand, information, but I cannot tell you the specific municipalities.

Q Do you know what the counties are?

A I can't tell you the specific counties.

MS. SUMMERLIN: I don't have any further questions. Thank you.

MS. WHITE: Staff?

MS. KEATING: I don't believe we have any questions. Thank you.

MS. WHITE: That's it.

(Deposition concluded at 1:55 p.m.)

CERTIFICATE OF REPORTER

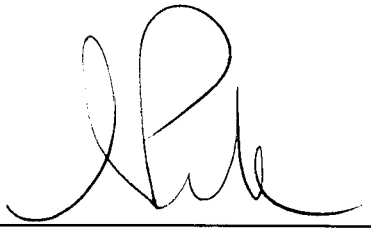
STATE OF FLORIDA:

COUNTY OF LEON:

I, ANITA M. PEKEROL, do hereby certify that the foregoing proceedings were taken before me at the time and place therein designated; that my shorthand notes were thereafter translated under my supervision; and the foregoing pages numbered 1 through 22 are a true and correct record of the aforesaid proceedings.

I FURTHER CERTIFY that I am not a relative, employee, attorney or counsel of any of the parties, nor relative or employee of such attorney or counsel, or financially interested in the foregoing action.

DATED THIS 14th day of October, A.D., 1998.



ANITA M. PEKEROL, CCR, RPR, CP, CM
100 Salem Court
Tallahassee, Florida 32301
850-878-2221

CERTIFICATE OF ADMINISTERING OATH

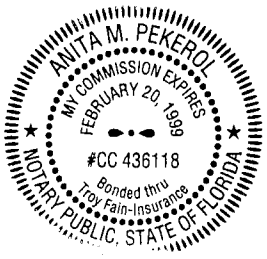
STATE OF FLORIDA:

COUNTY OF LEON:

I, ANITA M. PEKEROL, Registered Professional Reporter and Notary Public in and for the State of Florida at Large:

DO HEREBY CERTIFY that on the date and place indicated on the title page of this transcript, an oath was duly administered by me to the designated witness(s) before testimony was taken.

DATED THIS 14th day of October, 1998.



ANITA M. PEKEROL, CCR, RPR, CP, CM
100 Salem Court
Tallahassee, Florida 32301
850-878-2221

My Commission Expires: February 20, 1999.

(AP) 10-12-98 ERRATA SHEET

I have read the transcript of my deposition, pages 1 through 23, and hereby subscribe to same, including any corrections and/or amendments listed below.

_____ _____

DATE: (Pat Solin)

(Petition for Emergency Relief of Supra Telecommunications and Information Systems. Inc.)

Page/Line

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition for Emergency Relief of Supra Telecommunications and Information Systems, Inc., Against BellSouth Telecommunications, Inc.	)	Docket No. 980800-TP
	)	Filed: 10-2-98

DEPOSITION OF: GUY REAM

TAKEN AT THE INSTANCE OF: Supra Telecommunications

DATE: Monday, October 12, 1998

TIME: Commenced at 2:00 p.m.
Concluded at 3:50 p.m.

LOCATION: 2540 Shumard Oak Blvd.
Tallahassee, Florida

REPORTED BY: ANITA M. PEKEROL, RPR, CP, CM. Notary Public in and for the State of Florida at Large.

FLORIDA PUBLIC SERVICE COMMISSION
DOCKET NO. 980800-TP EXHIBIT NO. 6
COMPANY/ WITNESS: Ream/Staff
DATE: 10-21-98

ACCURATE STENOTYPE REPORTERS, INC.
100 Salem Court
Tallahassee, Florida 32301
(850) 878-2221

APPEARANCES:

REPRESENTING SUPRA TELECOMMUNICATIONS AND INFORMATION SYSTEMS, INC.:

SUZANNE FANNON SUMMERLIN, ESQUIRE
1311-B Paul Russell Road
Suite 201
Tallahassee, Florida 32301

REPRESENTING BELLSOUTH TELECOMMUNICATIONS, INC:

NANCY B. WHITE, ESQUIRE
Assistant General Counsel
BellSouth Telecommunications, Inc.
Museum Tower Building
150 West Flagler Street
Suite 1910
Miami, Florida 33130

REPRESENTING FLORIDA PUBLIC SERVICE COMMISSION:

BETH KEATING, ESQUIRE
Senior Attorney
Division of Legal Services

WAYNE STAVANJA
CALVIN FAVORS
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0863

ALSO PRESENT:

STAN GREER, BELLSOUTH
DAVE NILSON, SUPRA
ANGEL LEIRO, PARALEGAL, SUPRA
MARK E. BUECHELE, ESQUIRE, SUPRA
JEROME RUBIN, BELLSOUTH
JAMES D. BLOOMER, BELLSOUTH

I N D E X

WITNESS		PAGE
GUY REAM		
	Direct Examination by Ms. Summerlin	4
	Cross Examination by Ms. Keating	64
CERTIFICATE OF REPORTER		78
CERTIFICATE OF ADMINISTERING OATH		79
ERRATA SHEET		80

E X H I B I T S

LATE FILED DEPOSITION EXHIBITS:

NUMBER	DESCRIPTION	PAGE
1	Common Systems Capacity Manager's Form (To be marked later)	19

PROCEEDINGS

- - -

The following deposition of GUY REAM was taken on oral examination, for purposes of discovery, for use as evidence, and for such other uses and purposes as may be permitted by the applicable and governing rules. Reading and signing is not waived.

- - -

MS. SUMMERLIN: Suzanne Summerlin, representing Supra Telecommunications and Information Systems, Inc.

MS. WHITE: Nancy White, representing BellSouth Telecommunications.

MS. KEATING: Beth Keating, for the Commission staff.

MS. SUMMERLIN: The usual stipulations?

MS. WHITE: Yes.

What that, essentially, means is that you will get a copy of the deposition, you will be asked to read it and sign that it is true and correct.

If you have any changes or corrections, usually, like a misspelled word or name, then there is an errata sheet that they give you where you can make those corrections.

THE WITNESS: Okay.

MS. WHITE: And you will be sent that after it is transcribed.

THE WITNESS: All right.

Thereupon,

GUY REAM

was called as a witness, having been first duly sworn, was examined and testified as follows:

DIRECT EXAMINATION

BY MS. SUMMERLIN:

Q Good afternoon, Mr. Ream.

Just for the record, would you give your name and business address?

A My name is Guy Ream. My business address is 6451 North Federal Highway, Ft. Lauderdale, Room 916.

Q And what is your title?

A I'm a Common Systems Capacity Manager.

Q And what are your general duties in that position, just generally?

A Generally, I monitor the office additions of equipment and the office removals of equipment. I plan where equipment will be placed in a Central Office.

And that's what I do.

Q And how many Central Offices do you do that for?

A Twelve.

Q And one of them is West Palm Beach Gardens?

A That's correct.

Q And you took us on a tour, actually, two times.

A Twice, yes.

Q I'm not going to drag out all of this history. But can you just tell me, in a couple of sentences, what your educational background is?

A I am a high school graduate. And I attended a tech school for a couple of years, and ended up with a certificate in television repair back in 1966.

Q And when did you start with BellSouth?

A Well, I started with Bell Telephone Laboratories, up in Illinois, in October of 1966. And I worked there for about three and a half years. Then I came to Florida, and I hired on with BellSouth here in 1971, I believe, yes.

Q That's 27 years.

A Right.

And the three years that I had with Bell

Telephone gives me 30 years, that's right.

Q I got married in '71. That's why that number rings a bell for me.

A Well, I did, too. It seemed to coincide.

Q In your position that you have, who is your direct supervisor?

A John McDonald.

Q And what is his title?

A Manager. I think just Manager.

Q What, exactly, what is the section that he is in or whatever?

A Well, we are part of the capacity management district.

Q Do you have any people that you supervise?

A No.

I have no direct reports.

Q And how frequently do you go to that Central Office in West Palm Beach Gardens?

A We've had a lot of activity in that office. And I would say, as a rough estimate, I guess I have probably been there, including tours, 15 times this year. I am out in the field a lot.

Q I guess instead of asking you all of these little detailed questions, you know why Supra is

involved in this proceeding; is that right?

A I think I understand.

Q Supra wants to get into the Central Office.

A Yes.

Q And BellSouth's position is that there is not enough space in West Palm Beach Gardens?

A That's correct.

Q Is that correct?

A Yes.

Q Let me just first ask what role have you had in BellSouth taking that position?

A Actually, that was already determined.

Let me preface this by I was out on medical leave for six months of last year and the first month of this year. And I believe that it was already determined that there was not room for collocation there.

Q Okay.

A That's my understanding.

Q Would you, normally, have a role in making that kind of decision?

A A limited role. If an application came in for collocation, one of my jobs is that the Common Systems person has a page or two to fill out

if space is available and where would that space be. Just general information? What is the distance of cabling to different locations? And I have filled those out.

Q Is that the space assessment worksheet, or whatever that thing is?

A It is part of the collocation package. And I, honestly, don't know the real title to it.

Q Is it the same worksheet that Mr. Bloomer has in his testimony?

A I don't know. I haven't seen his testimony or the worksheet. I don't know.

Mine says Common Systems Capacity Manager's Worksheet, or whatever it is. So, I doubt if Mr. Bloomer would see it or work with it.

Q And that is something that you fill out for whom?

A I receive it in the mail, or in FedEx, or whatever, and I fill that out and return it to Pat Solin, the INAC coordinator.

Q And who does she pass that to?

A I don't know. I really don't know.

Q All right.

So, you fill out this form. Who is the person that comes and visits that you talk to about

this situation? I assume that you were referring to somebody that comes to the Central Office to make that assessment.

A No.

Actually, in the ones that we have had that I have been involved with, we have had a whole second floor available for collocation, or, you know, lots of space. And I would mark that there was space available.

We have a consultant, I guess, Smoak & Associates. And they're the architectural engineers and things like that. And we confer back and forth to make sure that there is space available, and where that space might be.

Q So, you and the Smoak & Associates people would look at the situation and make the determination?

A Yes.

Start to design the area. There are a lot of variables that go into where we could put those, and it really does take an architect that knows the codes and things like that.

I mean, I might take them to the second floor. I'm just saying that a lot of our second floors are vacant, and I might take them up there and

say, well, we have this area to use. And it may be thousands of square feet. And then they would assess it, and decide what the best place to put it and things like that. We kind of work together.

Q Somewhere along the line, somebody says that there is not enough space in the Central Office, therefore, we deny Supra's application.

Who does that?

A Well, I haven't had one. I have had one other Supra application in the Greenacres office, and there was space. I processed the form and talked to the engineers, I mean, the architects, and said we'll pass this on.

So, I don't know who denied the one for the Gardens' Central Office. Like I said, I wasn't here. I don't even know if the application came through, or the form that a Common Systems person would fill out. I don't know. I haven't run into those circumstances yet, and I don't know what happens when I put down that there is no space available.

Q You never had one denied before?

A I only had two others, excuse me, three other offices, that have had physical collocators come through. And I have space in those offices.

Q This is the first time that you have run into an application being denied?

A Yes.

And I didn't even deny it. I support it. There is not space there available, but I didn't fill out any form.

Q But let me just tell you where I'm coming from, so that you understand why I keep asking this question.

A Sure.

Q I have asked four people in a row this morning who made the decision to deny Supra physical collocation, and nobody seems to know. I mean, this is an amazing company.

A In the Gardens' Central?

Q Yes.

A I don't know. I never saw the application. I never saw an application come through. It was denied someplace before it hit me. That's all I know.

Q But your assessment was the initial foundation, theoretically, for that ultimate denial?

A No.

I have never made an assessment of that office for collocation.

Like I said, I missed a period of time last year and the first month of this year. I don't know if there was somebody else that tried to do the physical collocation, and it was denied. I don't know.

Q I thought you said that you filled out a two-page thing. You didn't do it for Supra?

A No, I did not.

I never received it. I'm sorry. I have done it for your other application that you had, but not for this particular one.

Q So, somebody else at BellSouth received that two-page form?

A I don't know. I didn't, as the Common Systems person. So, I don't know if it ever came through or not.

Q So, you are the person who knows more than anybody else in the company about what goes on at that Central Office; isn't that right?

A That's flattering. I think that may be a stretch.

I know a lot about the little stuff that goes on. I don't know the equipment itself that is in the office, how it works, this, that and the other. But I do know about equipment going in and out of the

office, and walking the floor space with the Central Office form and things like that. Kind of a general fund of knowledge, I guess.

Q Is there anybody that would know more than you about that Central Office?

MS. WHITE: In terms of the space, the equipment?

MS. SUMMERLIN: Yes.

BY MS. SUMMERLIN:

Q In terms of the space.

A The space?

I have, personally, been involved in the space in that office for several years now, because it is so tight and it is so close. And last year I started to get it identified for building additions and things like that, because we felt we were running out of space.

Yes, I'm very knowledgeable about the space within the office, but I work with Jim Bloomer on that as an team effort. Everything we do is kind of team.

Q You work with Jim Bloomer on what?

A On the space problems in that office. And deciding that we needed to pursue putting a building addition on and things like that.

Q You said that you were out six months last year and one month this year. Is that January of '98 that you were out?

A Yes.

Q We didn't file an application until May of this year.

A I'm just saying that I never saw your application.

Q So, we filed an application with BellSouth, and you would be someone who would, normally, fill out a space assessment form, but you didn't get that; is that right?

MS. WHITE: Let me remind you of something, Suzanne. There were a couple of other denials before Supra came along in this office. So, I don't know whether these denials were made in a time that Mr. Ream was out or not.

THE WITNESS: I did not make a denial for that office. It is my understanding that if a denial has been made, then applications after that are returned, or not passed down.

BY MS. SUMMERLIN:

Q So, you don't get to see them?

A Right. That's, exactly, right.

Q Before I leave this, what entity or person in your organization makes this decision?

A A decision about --

Q To deny or to grant, either way.

A Well, when an application is made, it is sent out to power, and a space person and whatever. And I would guess that any one of those people could say we can't provide service.

I know that if I had received an application for this office, I would have said there is no room. I would have denied it if I would have seen it. I don't know what else I can tell you.

And the other three or so that I have had, I received the request, and go through the process of filling it out and sending it back. And I don't know what the others are doing.

Q So, you have 12 central offices that you go to, and you have only had three requests for physical collocation?

A That's correct.

Q In the 12 offices?

A Yes.

Just three out of the 12.

Q So, actually, what did you do with those applications, in connection with those applications?

A Well, I met with the architects on the initial one. When the first collocator comes in, and we don't have an area set up, per se, with building suites and common areas set up on architectural plans, we, actually, would meet with the architect. They would come down from Atlanta, and we would go to our different Central Offices with them and start the preliminary ball rolling.

And, in my case, once we have met with an architect and we said, well, there is plenty of room, we can place them, then I would answer the application saying, yes, they can be placed.

Q You would answer the application how?

A Just saying that the space is available, and give the general measurements about how far the cables would have to be run from where we were going to place them in an office and things like that.

Q Who did you answer, specifically?

A I gave it back to Pat Solin.

Q So, you gave it back to Pat Solin?

A Yes.

Pat collects the finished portions of the application.

Q So, then, Pat Solin does what?

A I don't know. I really don't know.

Q So, you don't contact the company and say there is space available?

A No.

Q Where do you say yes or no?

A It is on the form.

Q What form is that? The application form?

A No.

Actually, it is a regular, standard form that we have for Common Systems Capacity Managers to answer back to the INAC group. And it has got some measurements, like I said, that, apparently, you need to engineer your stuff. And they say how far away it is from the entrance cable, and how far away it is from the mainframe and some technical things like that.

Q Is it, basically, an evaluation form? Is that what we're talking about? An evaluation of the application?

A No.

Nothing out of the application. It is just that. It just says: "Is there space available?" And I would check "yes."

Q For anybody?

A It is a blank form, a generic form: "Is there space available?" "Yes."

How many square feet are available, and I would say whatever is available, or how many feet are requested. Is there space available? I would say, yes.

Then in a little paragraph in there, it says how far away is it from the mainframe, and how far away is it from the fiber distributing frame and technical things like that to help the collocator start to price out what they're going to have to spend to run cable and things like that.

MS. SUMMERLIN: Nancy, I would like to identify, as a late filed Exhibit Number 1, that form, whatever it is. The Common Systems Capacity Managers form.

THE WITNESS: Part of the collocation package.

MS. SUMMERLIN: I would very much like to get a copy of that form.

(Deposition Exhibit 1 to be marked at a later date.)

BY MS. SUMMERLIN:

Q And you have said that goes back to Pat Solin?

A That's correct.

Q But you don't understand that she is the

person that makes a decision or conveys anything. You don't know what she does?

A I fill out the form and move on to my next job. I don't really keep track of this on a day-to-day basis.

Q So, the three times that you have been involved with this, you said that there was no space?

A Yes.

MS. WHITE: No.

MS. SUMMERLIN: That's what he said.

THE WITNESS: That was Supra, three other offices.

MS. SUMMERLIN: That's what I asked him. He said there have been three other occasions.

THE WITNESS: Three other offices I have had space.

MS. WHITE: He said he had space.

MS. SUMMERLIN: That's what I meant.

MS. WHITE: I thought you said there was no space. I'm sorry. I misunderstood.

BY MS. SUMMERLIN:

Q I just said that three other times in the other offices you said there was space?

A Yes.

For three other offices, I have had

space.

Q Now, you have never had to deny or say that there was not space?

A Personally, no.

Q But somebody else had to respond to this issue for Supra, even though you were there, theoretically?

A Yes.

Q And why would you not have received that request?

A Well, because I believe that there had been a previous request, and it had been denied because of space, so the Supra order would have never got sent it to me, because conditions had not changed.

Q Now, the two previous applications, were you involved in denying those?

A No.

I don't even know. I am just saying that I think there was one, but I don't even know, because I never saw it.

Q How long have you been involved in this position with that Central Office?

A I guess about three years, minus the time that I was out sick.

Q So, you have been there since the

Telecommunications Act was passed in '96?

A I can't reference it, to be honest with you. I can't reference to that, but I would say, yes. I have been doing this for about three years.

Q Wouldn't it seem unusual for you not to have known about the earlier denial?

A I didn't see them. I mean, if I had denied it, I would have, but I did not see them.

Q Who came around to that Central Office to make that assessment, or who would be the person to make that assessment?

A One of my fellow managers, who took over for me while I was gone for seven months.

Q And who was that?

A That was Lou Caban, C-A-B-A-N.

Q So, am I safe in assuming that Lou Caban was a person who did the first denial?

A I don't know. I really don't know. Honestly, I don't know. I am just assuming that there was a denial before this one, but I, honestly, don't know, because I just don't.

Q Do you all deal with Smoak & Assiciates to help you design the configuration of the workstations, work areas?

A No.

Q You don't?

A No.

Q Who is in charge of that? Do they just spontaneously appear?

A Well, that is, usually, an operations thing. They place them where they feel that they most efficiently can be used.

Q Who is "they"?

A That's the Central Office personnel operations.

Q You mean, the people that, actually, work there?

A The people that, actually, work on the equipment and use the workstations.

Q Who is that gentleman that is at that office? Ron --

MS. WHITE: The foreman?

BY MS. SUMMERLIN:

Q Ron Meyer?

A Ron Toner.

Q Is he, basically, in charge of that kind of decision?

A Well, yes. I will say that he probably was not there when most of those were placed. Those have been there quite a while. But it is, typically,

the Central Office personnel who say they want this desk here or whatever.

Q So, they, basically, decide what they think would be convenient?

A That's right. Most efficient, yes.

Q You have said that, as far as you know, there has not been any consultation of anybody like Smoak & Associates --

A No.

Q -- about the most efficient set-up for those workstations?

A Now, Smoak & Associates have just come on-line in the last few months, I don't know how many months. But they just do collocation areas, setting up for the walls and things like that. But, no, not for anything else. Not for equipment placed within the Central Office or anything like that. They wouldn't really do that.

Q So, basically, you are not involved with looking at the way these layouts are configured at all for the workstations?

A Most of them, the ones in Gardens that we're talking about, they have been there as long as I have been walking into that Central Office. They were put in on the initial -- when the switches went

in, per se.

Q What year was that?

A I don't know.

Q In the '80s?

A Yes.

Sometime in the '80s. It may have been that long.

Q I guess what I'm asking is, has there been any effort to study this subject a little bit?

A Not that I'm aware of.

Q Are you familiar enough with the function of each of those work stations to know what kind of modifications might be made to any of them?

A No.

I sure wouldn't be. I had Central Office background experience, I have lost track of time, 20 years ago. All of this stuff is newer than that, and I couldn't work on it if I had to. So, I, honestly, couldn't tell you there.

Q Does anybody from headquarters or wherever come and visit the Central Office to make that kind of assessment at any time?

MS. WHITE: About the use of workstations?

BY MS. SUMMERLIN:

Q The use.

A Not that I know of. They could, but I have no knowledge of that.

Q Are you aware of whether there are any virtual collocators in West Palm Beach Gardens?

A Yes, there are.

Q Are there any fire walls placed around those?

A For virtual collocators, no.

Q What is BellSouth's policy regarding the kind of enclosure it needed for a virtual collocation?

A As I understand it, for virtual collocation, you can be within our lineups, within our aisles. And that's my understanding.

Q In other words, there is no need to separate the equipment?

A No.

Because we maintain it.

Q Who owns that equipment?

A The virtual collocator.

Q The virtual collocator?

A Yes, that's my understanding. They own the equipment.

Q And the reason that you don't need to

separate it is because you maintain it?

A You know, they just give me the rules, to be honest with you. I don't know if it is because we maintain it or not.

All I know is, when they come through with a form and say they want to virtual collocate, I make every attempt to find them a spot within our aisles, within our existing aisles, so they can place their equipment. And the guidelines, I just don't know.

Q You said earlier that you have only had three other Central Offices where you have had an application for physical collocation?

A As far as I can think about now, yes. I have to run through my fingers. But I have some small offices that are out of the way.

Q Has there been any requirement for a fire wall around those physical collocation situations?

A Yes.

Smoak & Associates is in the process right now of designing walls for that reason, and doors, hallways and things like that. Common areas, yes.

Q What exact configuration are you talking about? Is that all three of those?

A Yes.

Q What kind of configuration is that? Is that around an individual collocation installation, or is it a common area type thing, or what?

A Well, the ones that I have seen on the prints, we have not built any yet, but the prints are coming through. And they will show rooms, a series of proposed suites, with surrounding fire walls, and doors in and out and things like that. But they're regular fire rated walls.

I shouldn't even say that. They're regular balls. I'm not an architect. I just see a line on a piece of paper that says they're going to put a wall around this.

Q Am I correct that what you were just saying is that there is a larger space than just for the one physical collocator?

A The common area is large, yes. So, we can put the pots, bays and things like that in there, yes.

Q And the fire wall is around that common area, or is it around each installation?

A They're putting walls around each little suite; whether it be a hundred feet, or 200 feet, or 300 feet. I mean, that's what they're showing on

their drawings, creating these little suites. And then around the whole area would be this common area, or a larger area, which would be walled off, too, with separate entrance doors so they can get to the stairs, or whatever.

Q Is that true in all three of those cases?

A Yes. In all three of mine, yes.

I think there is some sort of a standard or whatever. Once again, I defer that to the construction people.

Q You said earlier that you had Central Office experience; is that right?

A That's right. When I started with Southern Bell back in '71, yes, I started in the Central Office.

Q In terms of the kind of equipment that exists in the Central Office now, are you familiar with that equipment to the level that you can talk about the functionality and all of that stuff?

A Well, there is about one or two pieces of equipment left in the Central Offices that I worked on. All of the other stuff is really new. And there are a few.

Things are still in use that interface with copper cable. Copper is old, and I'm old and it

is still being used. But most of the equipment, quite honestly, is computer software driven and things like that. And I have no experience with it. I mean, I can point to it, and people can point it to me, and I may know the name of it and I have a general idea what it is for, some of it, but I would never touch anything.

Q Has it been your experience that over the years, as technology has progressed, the equipment to provide the same level of service has become smaller and smaller?

A Actually, yes, on the one hand, it has become smaller, but we're using so much more of it that it kind of balances out. In some of our offices, we're running out of room because we're providing more services, more band width, if you will.

That was in the paper the other day, or whatever, the information explosion. When I was out in the office, people just talked on the phones. They send data and things like that. So, it was one copper pair for one telephone conversation. Now, there is a little box. And we have great big frames that are fiber optics and things like that.

So, we seem to be accelerating in the amount of equipment that we put in a Central Office.

It is higher density, I would concede that, but we have more of it.

Q Is that because you think there is greater demand for services? Is that what you are talking about?

A Certainly.

Q But the actual pieces of equipment to provide the service are becoming smaller?

A Well, they're different. They're different. And we're not providing the same service now. We're providing data service, and it requires different equipment, which is big.

I mean, in this particular office, in the Gardens' Central Office, it has been there for 30 years, or 25 or so, and we're exhausting it. We're going to put a building addition on top of it, on the second floor, because were running out of floor space.

I mean, we are not putting the equipment in because we're not going to use it. We're using more equipment.

Q Who is paying for the construction? Who is paying for the construction of the walls around the individual suites in those offices?

A I don't know. In conversations or

whatever, they said the collocator is paying for it. It was split up amongst the collocators to pay for this. But that's all I know about it. The actual cost and everything like that, I don't know.

Q So, you are not involved in developing any of that?

A No.

Not at all.

Q Do you ever attempt to try to find space in one of your lineups for physical collocation, in terms of trying to condense the existing equipment?

A In the three offices that I have, no. We have vacant space available. We feel there will be other collocators coming in, so we set up a collation area for that so we can serve the others.

It is very difficult to just do one at a time. We would like to set up an area that will hold more people.

Q You said that the office configurations or the workstation configurations have been there since the office opened in West Palm Beach Gardens?

A Most of them, yes. Some of the newer equipment is brought in. Changes for the switches and stuff like that, since those switches were installed, which I think it was 10 years or greater. They have

been there a while.

Q Who determines where any particular piece of equipment goes?

MS. WHITE: Workstation?

MS. SUMMERLIN: Equipment, switching or transmission. Any of it.

THE WITNESS: Transmission equipment?

BY MS. SUMMERLIN:

Q Yes.

A That is, usually, done with myself and the Central Office personnel. We will talk about where we want to place new technology and things like that.

If it is new technology coming in, something that has not been there before, I will meet with Central Office people, and try and explain what it is in generic terms.

Once the equipment is installed, then they know far more than I will ever know. But I may know the generic terms of what it is for. But I will have spoken to my planners, or whatever, about how many might be coming in. If this was just one, or if it could be the first one of 50.

Because Central Office people find it easier to work on the different equipment if it is

kind of lined up and contiguous, rather than have to go all over the office to work on things with test sets and things of that nature.

So, usually, with information like that, I will go out and talk to the Central Office personnel and we'll come to an agreement on where we think it should go in.

And that's how it works on new equipment.

And existing equipment, that is already there and growing in a certain order, then it will just get pretty much added in the particular lineup where it is and things like that.

Q Who, initially, set up the first equipment that went into that Central Office? Do you have any idea?

A I don't have a clue.

Well, it was done years ago, before divestiture. And those were done by AT&T, and long lines and people that were far removed. They used to be our equipment engineers. And that was years, and years and years ago.

Q Do you find that it is the general trend to just simply add on to whatever is already there when you have more equipment coming in?

A If it makes sense. I mean, if it is the

same type of equipment, we will try to bunch it together.

If we see that we're going to have a problem down the road in time, we may decide to place it in another spot. You know, start another lineup if the overhead gets too congested.

A lot of times there are a lot of cables that go between these pieces of equipment. And if the overhead cable rack is getting too congested, and it literally does, we then will say we can't have this any more here. We'll have to move over to another spot in the Central Office, maybe only four feet away, but we'll have to start putting equipment in a different area.

Q Has anyone suggested to you, within BellSouth, that you redesign the configuration in that Central Office to maximize space for physical collocation?

A No.

Q Has anyone asked you to do a study to analyze what could happen if that were done?

A No.

Q Were you around when the FCC waiver was obtained for that office?

A I had nothing to do with it.

I was with the company when that transpired, but I don't know anything about it.

Q Hang on one second.

This is the Petition for Waiver. And it is CC Docket Number 91-141. There is an attachment to this that appears to, in very unclear letters, set out what the various categories of space are.

I'm going to give it to you. I just wanted to tell you what I was looking at here. I am trying to look under the column for North Dade Golden Glades for vacant reserved space.

MS. WHITE: Gardens.

MS. SUMMERLIN: Hang on a second.

MS. WHITE: This is the petition.

BY MS. SUMMERLIN:

Q I may be looking at the wrong one here. I'm sorry. I am trying to pull out something that you don't have any knowledge of at all.

You are saved by my stupidity.

Are you familiar with Mr. Bloomer's testimony?

A Somewhat. I can't say as I have committed it to memory. I glanced at it. And to be honest with you, most of these things are becoming a blur.

Q Do you have any idea of what the space that is currently reserved for future use in your Central Office, West Palm Beach Gardens, is?

A I would have to look at my testimony here, because I know I wrote it down. Off the top of my head, no.

Q Do you have a figure in your testimony for the gross amount of space?

A In the what?

Q Not the net, but the total amount of space is what I'm trying to get.

A Yes.

On page 3, line 16, I quoted it as 3197 square feet. I believe I took that from Mr. Bloomer's figures or testimony.

Q Mr. Bloomer's testimony states that there is 3,687 square feet. And that in 1994, there was 2100 square feet reserved.

Are you familiar with that at all, the 1994?

A No, I'm not.

Q The question here on page 3 of your testimony says: "BellSouth has reserved 3197 square feet in the West Palm Beach Gardens Central Office for future growth."

Do you support that idea?

A Mr. Bloomer, at the time that this was written, had a space diagram, and I added the square feet off of that and that's what I used for my figure.

Q I'm sorry. Would you repeat that?

A At the time that I was writing this testimony, I had a space diagram that Mr. Bloomer had, and I added up the space, the vacant space or whatever it was, and that's the number I came up with. And I don't have his testimony to lay down line for line.

Q Well, now, I think I found the right one. This is the Petition for Waiver. And it is CC Docket 91-141. And Docket Number 80-386. And it is page 3.

And paragraph 3 here says Gardens, West Palm Beach, Florida. And it talks about there are four switches and associated peripheral equipment, consisting of polling equipment, circuit equipment, DC power and main distribution frame located in the Gardens Central Office. BellSouth has reserved 2100 square feet for projected growth of the switches over a two-year period.

A When was that written?

Q Let me see when it was written.

November 18, 1993, is what this says.

Here, let me give it to you, so you can look at it.

A I had nothing to do with the office in '93. I can't even think where I was. So, what do you want me to answer?

Q I guess what I would ask is, how do you square up the fact that 2,000 was reserved in 1993 for two years. And today, when everything is so terrible, BellSouth has 3,000 -- whatever it was in your testimony -- 3,197 square feet?

A Part of it, and I don't know the square footage, but I will say that three years ago when I walked into that Central Office, and when I was first starting out as a Common Systems person, three years, two and a half, I don't know, I got to talking with the Central Office foreman, and he said: "We're running out of space in this office."

And they were aware of how the offices are growing, and I agreed with them, it looked pretty a tight. And I got to thinking about it, and I came up with an idea of combining two power plants.

Do you remember on our walk-through, there was one big power area, with the batteries and all of that stuff? Well, that was there. And then in

the room that we walked into just right off of that power area, we had new frames up against the wall and we said we're going to grow this way. That was a second power room.

So, about three years ago when I went in there, there was power, and batteries and things like that. I said, ah, hah, here is a good idea. We will combine. So, we cleared out that room that was a power room, and combined it into that existing one that we went into.

So, we gained space there.

Now, off the top of my head, whether or not that is enough space, I don't have a drawing to make these numbers come out, but I do know we gained space there.

Q But, apparently, 2,000 was reserved in '93 for a two-year period. And, you know, I'm just trying to ask you to resolve this, because it appears that we're now five years later.

MS. WHITE: I think he's trying to tell you that he cannot resolve it.

THE WITNESS: I can't resolve it.

MS. SUMMERLIN: That's all I ask.

MS. WHITE: If Mr. Bloomer discusses that in his testimony, you are welcome to ask him

about it.

MS. SUMMERLIN: I will ask him, but I'm asking Mr. Ream right now.

THE WITNESS: I'm afraid I don't have an answer for you right at the moment.

BY MS. SUMMERLIN:

Q Do you have a definition for the term "arrangement"?

A No.

Q Is there anything in your Central Office that you would call an arrangement?

A Not off the top of my head, I can't.

Do you mean, like telephone jargon speak or something like that? Not that I can think of.

Q Are you familiar with BellSouth's policy about the types of equipment that can be physically collocated?

A No, not really.

Q Are you familiar with any of these building code issues?

A Only what I have heard. You know, I have to take other people's word for it, just looking at space.

Q When we were walking through the Central Office with you, I asked you at one point who made the

projections of growth. And you said "they." And so, I want to know who is "they." Because I have asked them to be produced today, and you are it.

A Well, when we first started with the walk-throughs and wanting to know what the projections were, I went to our circuit capacity manager, and switch capacity manager, and power and asked them.

Q So, you asked them, and what is the result of that?

A You know, they gave me what they felt that the offices were going to grow in their particular disciplines.

Q Isn't it true that if you have got something that says that your company filed something in '93 that said there was a need for 2,000 feet of space for two years, and five years later you have got more space available, that that is inherently problematic in terms of relying on your projections?

MS. WHITE: I am going to object, to the extent that I think he's been asked and has answered this question. This question has been asked and answered three times now.

BY MS. SUMMERLIN:

Q Well, I am asking now, why should we rely on the projections?

A I can't speak to the '93. That was a long time ago, and things have changed. I don't know.

Q Who is it that you talked to, the circuit capacity what?

A Manager.

Q Who is that person?

A It is Vulla Ellis.

Q How do you spell that?

A V-U-L-L-A Ellis.

Q Ellis?

A Yes.

Q And that's the circuit capacity manager?

A Yes.

Q Is that a lady?

A Yes.

Q And where is she?

A Ft. Lauderdale.

Q And who is the switch capacity person?

A Carl Smoot

Q When they make these estimates, do they talk to you at all?

A Well, when they made these, I went and asked them. At the time when we did these walk-throughs, my question to them was: "Well, how much equipment did you add this year," you know "and

for the rest of the year, and how much equipment do you think you're going to have next year, or do you plan to have next year?"

And they went into their systems or whatever, and came back and said: "This is what we plan to do."

Q And so, you don't have any idea what they based any of that on?

A Well, I know they have charts. They have computer systems that they use for planning systems. That's what they pull their data from, yes.

Q But you don't know the assumptions that they have used?

A No.

Q You don't know, basically, anything except what they have told you?

A That's correct.

Q They told you five bays for this much time?

A That's, exactly, right.

Q That's what I'm trying to determine.

A That's, exactly, right.

Q So, we need to talk to people who know what the projections are based on, okay.

Is it possible to do things vertically in

the Central Office in such a way that you can maximize the space?

A No.

You mean, like, attach equipment to the ceiling?

Q Yes.

A No.

Q Or to go up?

A You know, our bays come in standard heights and things like that. And today's bays come preassembled in racks, pretty much preassembled from the factory, to stack one on top of the other. In most cases, I just can't think of how that would work, because they require different powering, they have different cabling and things like that.

Most of this equipment is now designed not only electrically, but mechanically, so they can fit the cabling in and things like that.

One of the things that you addressed was the density of the new equipment, and it is. And it takes a lot more wires and things running out from it now just for that reason.

So, no, I don't think it would be, in most cases, feasible to stack equipment on top of the other.

Q Has anyone, actually, tried to look into that idea?

A Not that I'm aware of.

Well, there are standard installation practices. And if it was in there, would it be feasible, but I don't believe so. I don't believe anybody has looked into doing that.

Q Isn't it possible that having vertical racks, more wire racks, might be a feasible idea, as opposed to building a new addition?

A It is the manufacturers of the equipment that decide how it is to be placed with other equipment.

And just from the density of our cable rack and things like that, I don't believe there is anything to gain there. I don't think it is feasible.

Q Have you asked any of the equipment manufacturers?

A No, I have not.

Q Has anybody else asked any of them?

A I don't know.

Q Do you have STD, whatever that is; standard?

I'm sorry, do you have seven foot or 12-foot standards?

A In that particular office, 11-foot-six is the environment, because it is an older existing office. But BellSouth has adopted to buy seven-foot equipment as pretty much the standard, because the overhead congestion is so great.

The new equipment, in most cases, is very cabled intensive, copper intensive. And we're crowding our overhead cable racks and we can't service all of our equipment, so everything that we're ordering now today is in the seven-foot cable racking environment height in most cases.

Q So, the reason that wouldn't work is because there is too much cable?

A Too much congestion above, yes.

Q Across everywhere in the office?

A Well, in most instances, yes.

Q But there are some 12-foot setups?

A In the office, certainly. Most older offices have existing 11-foot-6 racking, 12-foot. But the new equipment we buy, we buy it seven foot.

Q I wanted to make sure that I'm asking you about the right Control Office.

This is Docket 91-141, transport phase. And this is page 2 here.

MS. WHITE: Of the Petition for Waiver,

or the order?

MS. SUMMERLIN: This is the order.

Memorandum opinion and order.

BY MS. SUMMERLIN:

Q On page 2, at paragraph A, there is summary given of the pleadings. And I just want to read this one paragraph, and then I want to ask you a couple of other questions to see that if the things that were said that were going to happen did, actually, happen, or if you know. That's what I am doing.

A Okay.

Q "BellSouth seeks exemption for three Central Offices at its Garden Central office in West Palm Beach, Florida. BellSouth alleges that 2300 office space are unavailable for physical collocation because this space is used for entrance, and bathroom facilities, and a mechanical room containing heating, ventilation and air conditioning equipment.

"BellSouth, also, has reserved 2100 square feet within that office for projected growth.

"In its reply, BellSouth states that 600 of this 2100 square feet are needed for three years of growth for a DMS 200 access tandem switch, and a DMS 100 switch to provide local switching.

"BellSouth asserts that another 600 square feet are needed for a DMS 200, a TOPS," T-O-P-S "operator switch and a DMS signal transfer point.

"Finally, BellSouth claims that the remaining 900 square feet must be reserved for main distribution frame growth and maintenance administration."

Did you all, actually, put in these additional switches? Do you know?

A Well, I don't know the time frame. I mean, the one switch is not there. It has been replaced.

When was that written?

Q It is dated February 14, 1994.

A Those DMS TOPS switches there, and the tandem switches there, and the local switches there are growing and have been. There is a reference in there to a DMS STP. That's been replaced, by a -- well, it has been replaced. I can't think of the name.

But there is another STP there. It has just been modernized. It has been replaced.

Q But is the DMS 200, also, put in, as far as you know?

MS. WHITE: Is that the tandem one?

BY MS. SUMMERLIN:

Q Well, what this sentence says is --

A Yes.

There is a DMS tandem, there is a DMS local and there is a DMS TOPS in that office.

Now, whether or not they're 100s or 200s, I don't, honestly, know. They're big brown switches, and they continue to grow.

Q But just give me a little leeway here.

A Sure.

Q In its reply, Bell states that 600 of this 2100 square feet are needed for three years of growth for a DMS 200 access tandem switch and a DMS 100 switch to provide local switching.

BellSouth asserts that another 600 square feet are needed for an additional DMS 200, a TOPS operator switch and a DMS signal transfer point

So, it was the additional one that I was trying to find out about.

A The additional TOPS, it is a switch. When we talked in the front door and walked into that first bit of equipment, that is the DMS TOPS switch.

Now, whether it is a 100 or 200, I don't know. Those are, you know, manufacturers' designations, but it is a DMS switch, yes.

A new one was placed. I don't know when it was placed, but there is one there now.

Q All right.

Were these switches put in while you were there?

A No.

They have been in.

Q Have any of the switches been put in while you have been there?

A One of them was removed and replaced while I was there.

Q The STP?

A The STP, right.

Q All right.

Is it correct that 450 square feet of frame was recently removed?

A Yes.

Well, I'm not sure about the square footage off the top of my head, but we did take out those 29 verticals between your two visits. Yes, we did take that out.

Q So, a substantial amount, would that be a fair statement, if you don't want to go as far as 450?

A I just don't know if it is 400 feet or what. But it was removed, and we moved the STP

workstation over there, yes.

Q Why was the 450, or whatever number it is, feet of frame removed?

A Well, because we were trying to create space for a new collocator that was going in, and for starting a new lineup of equipment. When they placed the new STP a year or so back, it has a workstation with it and we needed the space for equipment.

So, the frame looked like a good place, and it was unused, that end of it, so we took it off and created a work location.

Q Is it your understanding that every one of the workstations that is currently in that office is needed?

A Yes.

I have seen somebody working at them over the years when I go in. There will be people here, there and the other.

Q So, your basis is that once in awhile somebody is sitting at them?

A Well, they use them. I don't know what they do. I never was a switchman. But I know they use them, and that's all that I can really attest to.

Q When you said that the frame was removed, part of the frame was removed, that there was a

workstation that was removed, also?

A No.

We moved an existing workstation that was in the way of some equipment growth over to where that was. We removed the end of the frame, and we moved that workstation over into that area.

Q So, you relocated a workstation in that situation?

A Yes.

Relocated.

Q But it is not your testimony that these work stations are absolutely essential; all of the work stations that are in that office at this point?

A I couldn't say one way or another.

Q Fine.

This document is a West Palm Beach Gardens Central Office second floor planning meeting.

A Okay.

Q Are you familiar with it?

A I probably am.

Q This is probably a proprietary thing. I'm not sure.

MS. WHITE: Yes, it is.

THE WITNESS: Those are minutes that I wrote.

MS. SUMMERLIN: You guys don't get to look at it. They can't look until they sign whatever they need to, or BellSouth does whatever it needs to do.

MR. BUECHELE: Doesn't the Court always get a chance to look at that, regardless?

MS. WHITE: They didn't ask for it. Documents don't have to be given except to the attorney that filed the request.

BY MS. SUMMERLIN:

Q What I'm going to try to do, I don't want to give out stuff that I'm not supposed to give out, but I have to be able to ask you the question. I'll see if I can figure out some way to do this.

There is a whole bunch of stuff on this list here of things that possibly could be done.

MS. WHITE: The numbered list?

MS. SUMMERLIN: Yes. To maximize space.

I don't think this stuff right here is confidential, Nancy. I'm just going to read this paragraph here. And that, basically, tells you what the list is about.

MS. WHITE: All right. That particular paragraph is okay.

MS. SUMMERLIN: And then I am going to

try to say the things on the list without saying everything.

BY MS. SUMMERLIN:

Q Tad Rubin suggested the following ideas: To replace or modernize equipment that would extend the exhaust date of toll and switch equipment and, therefore, defer the $12 million expenditure.

Larry Whipple agreed to have his infrastructure planner do a cost analysis on these items. See attached open letter mail for assignments.

And you tell me if I am correct, because I am trying to use this. These are, apparently, ideas that might increase the space available in West Palm Beach Gardens Central Office.

A Yes, they were.

Q Were you involved in this meeting?

A Yes, I was.

Q And this says that this planning meeting was held on April 13, 1998.

A That's correct, yes.

Q Okay.

A Whatever it says.

Q It says something about --

MS. WHITE: Why don't you just do it by number?

BY MS. SUMMERLIN:

Q Well, this Number 1 talks about replacing. If I don't use actual titles of the equipment or the actual numbers, I think it will maintain the -- see if this is okay. And if it is not, then we'll figure out another way to do it.

But it says replace a number of bays of a particular type of equipment with some other equipment for a gain of an equal number of bays.

Has that been done, Section 1?

A No.

Q It has not been done?

A No.

Can I give reasons?

Q Sure.

A In this particular case, it was replace eight bays of --

MS. WHITE: Geez, you can't even trust your own.

THE WITNESS: It has not been done because of the cost. I'm sorry. All of those items, when we were looking at doing any of those modernizations, if you will, was based on cost to defer the second floor story building. And they came back as either far too costly or

technically not --

BY MS. SUMMERLIN:

Q Feasible?

A -- approved products at this time.

Q They're not approved products?

A Some of them are not approved. The gentleman that made that, who made those suggestions, was brainstorming.

Q Will you go through the list and tell me, with the number, whether it is too costly, or whether it is not feasible, or whatever the deal is?

A Well --

Q If you know?

A -- I think someplace you have the answer to all of that, because I believe in another memo we answered that. So, you should have that. You should have, in your POD someplace, the answer to that.

Q Well, I don't know if we have that or not. If you can, tell us the best you can. If you don't know the answer, that's fine.

MS. WHITE: To the extent you remember.

BY MS. SUMMERLIN:

Q If you don't know, that's fine.

A That's fair enough.

MS. WHITE: Give it by Number 1, 2.

THE WITNESS: Fair enough.

Number 1, too expensive.

Number 2, too expensive.

Number 3, it wasn't feasible.

Number 4, I don't remember.

Number 5 was too expensive.

Number 6 was not an approved product.

Number 7, the space gain was negligible.

Number 8, I don't remember.

BY MS. SUMMERLIN:

Q Thank you.

It says here that you were assigned a certain task to check on the possibilities of adding a second floor; is that right?

A That's correct.

Q So, what is the outcome of that?

A The outcome is that the feasibility study was done, and that the general project, with the scope of the project and everything, has been sent to our headquarters people, you know, staff, to get funding for the project. So, we feel that it is necessary. And so, we're trying to get funding for it to do that.

Q As far as you know, things are moving forward?

A Yes.

Q Based on your understanding of why this Petition for Waiver was filed, whatever understanding you have of that in '93, why would you think that that Petition for Waiver was filed?

A I don't know. I really don't know. I don't even know what the office looked like in '93. So, I would guess that whoever filed it felt that there was not room.

Q Felt that there was not room?

A Yes.

I mean, why else would they file it?

Q I guess that's what I was trying to get at.

If there was not room to such a serious degree that there needed to be a Petition for Waiver filed in '93, why has it taken until '98 to look at trying to make an expansion of that office?

Do you have any ideas?

A I can only tell you that when I started in that office back three years ago, about three years ago, the Central Office personnel expressed to me a concern that they were running out of space.

And last year, we were asked by our property management people to identify offices that we were having space problems in, or that we thought we

would potentially. And at that time, I identified that office about a year and a half ago, and then I went out sick.

And when I came back, we started the process. We started the process to, you know, identify it; that we truly were going to run out. And we started doing some studies, of which you saw some minutes of, to really get other people to realize that we had a space problem.

And that's what happened.

Q Is there a standard practice to replace older equipment with newer, high density equipment?

A A standard? Not that I know of.

Equipment, as time goes on, gets declared manufacture discontinued or manufacture not supported, but that's a long 10 and 20 year period of time. Equipment, usually, gets replaced when there is no use for it any more.

Q Is there any effort, that you are aware of, on BellSouth's part to start being more aggressive in that regard, to address the kinds of problems that you are getting in this particular case?

A Not that I'm aware of, no.

Q Is there any effort to go and look throughout the equipment that you have in that Central

Office to determine if some of it is not being utilized at any given time?

A Yes.

That's true.

Q How often is that done?

A Well, in that particular office, it is probably done every few months, because space has been tight. Every time something frees up or whatever, we try and get it removed as soon as possible.

Sometimes, you know, a bay may sit there for a month or two. But if we have something coming in, we'll tear out the old one and put something new in its place. We manage that office very closely for space to make the best utilization that we can.

Q Is it true that the DMS STP switch, or whatever, I guess it was the switch, was installed and removed since 1993?

A I don't know about installed, but it was removed, yes, and it was replaced. It was replaced by another STP, a modern one.

Q The one that replaced it, is it the same size?

A It is right next to it.

No. I would I say that the one that replaced it is a little bit smaller, but we have

placed other modern equipment where the old one was, anyway. We put SCPs in where the old STP was.

Q Well, is the newer equipment higher density?

A Oh, I'm sure it is, yes. We, also, use more of it. And that particular thing that it controls has grown.

Q The thing that it controls?

A The signaling seven system that an STP controls, we now have more ports than what we had in the old one. That's why it was replaced.

Q More demand, basically?

A Yes.

Q This is the not the document that you were talking about earlier? That's not the thing that you filled out?

A No, it is not.

Q Speaking of things --

A No.

That's not the thing that I filled out.

Q -- did you have any part in filling this out with Mr. Bloomer?

A No. No, I did not.

Q So, he didn't consult with you on this?

A No.

Q Well, I guess we can ask Mr. Bloomer how he did that.

MS. SUMMERLIN: If you will give me a couple of minutes to walk outside, I'll come right back and probably be through.

MS. WHITE: Does staff have questions?

MS. BEDELL: We have a few, maybe 10 minutes. Probably less.

(Brief recess.)

MS. SUMMERLIN: Let's go back on the record.

BY MS. SUMMERLIN:

Q Mr. Ream, we were talking to various of your colleagues this morning. You all never talk to each other, of course, but I have talked to all of you today.

But one of these ladies made the point that things are very dynamic in the Central Offices, and that conditions change and that there is a constant need to reassess the amount of space that is available in any of the Central Offices.

Now, what I want to ask you is, it is your testimony that when Supra made its application to get into the Central Office, you were not consulted or made aware of in any way that application; is that

right?

A That's correct.

MS. SUMMERLIN: All right.

THE WITNESS: I would like to clarify a point, if I may.

Back when you were asking about the list of --

BY MS. SUMMERLIN:

Q Suggested ideas?

A -- suggested ideas, and my answer was that they were too expensive, I wanted to just amend that and say that they were too expensive or too costly based on the equipment, on the space that we would gain back.

Q The cost benefit analysis?

A Yes, exactly.

MS. SUMMERLIN: All right. That's all I have.

CROSS EXAMINATION

BY MS. KEATING:

Q Good afternoon, Mr. Ream. My name is Beth Keating. And I'm counsel for the Commission staff. I have just a few questions.

And the first one is, I think you indicated in your testimony that you had some

experience in the circuit design, and equipment planning and ordering?

A Yes.

Q What I would like to know is a little bit about BellSouth's own planning and placement for its own equipment in the Central Office.

For instance, how far in advance of the actual implementation date does BellSouth start planning for additional equipment?

A I will tell you that right now we're planning for additions for next year. We are budget-driven, like I guess most companies, and we're planning the addition of equipment for next year.

We have computerized systems that the planners use to keep track of today's actuals. They can look at demand for today, and they can look at projected demand for next year, and the year after and they start to load in the equipment to meet those demands.

So, in some instances, you know, six months. Talk to a switch planner and they can probably tell you a year in advance, based on what has happened last year, what is going to happen.

And so, certainly, standard items that get added to the office every year to increase band

width capacity, they're planned well in advance.

New technologies come out, and if the regulatory or the company decides that we want to add this and offer it as a service, then a couple of months, a shorter term type thing. And that's the type of planning that is done.

Q When you say six to 12 months, though, does that include the actual ordering and purchasing of the equipment, or is that strictly the planning phase?

A Well, it is so variable. The actual ordering could be at least -- well, it is hard for me. If it is on an expedited basis, they could sometimes get things in in a month. But, normally, the normal interval of time, and this and that, it is probably 60, or 90 days, or longer. It just depends on workload and things like that.

Q What about installation? How long does that, usually, take?

A That depends on the equipment. As the planners, or the phone company, if you will, we don't, usually, plan the installation intervals and things like that. Our installation vendors do that.

And we, typically, just give them a date when we want something completed by, and how long it

takes is up to the installation vendor.

I never installed a piece of equipment. I have watched it, but I never installed it, so I couldn't tell you. And we, typically, do not take that into account. We just give them an end date of when we need something.

Q Looking at your testimony on page 3, I'm looking at the bottom of that page, and I believe the statement goes over to the next page, too --

A All right.

Q -- you state there that 712 square feet had been reserved for the tandem switch for growth.

A That's correct.

Q This growth space reserved is in the middle of the isolated ground plane of the 16 switch equipment.

A Then it gets confusing.

Q Is located in the middle of this ground plane, because the collocator equipment uses integrated grounding?

A I didn't get a chance to review this testimony before it was filed, and this is wrong. I have scratched through it. And that sentence where it says it is "located in the middle of this ground plane," that should be crossed out.

Q All right.

A Because it kind repeats itself.

What it really should say is that this space is not suitable for collocation, and then start with because the collocator's equipment uses integrated grounding. And BellSouth does not place integrated equipment within the isolated switch grounding.

Maybe it will make more sense, now. I apologize for that.

Q I think that does help.

What you are saying is that you don't, actually, plan around a collocator's needs?

A No.

Q Okay.

A This particular equipment was placed a year ago, I think before there was physical collocation that created the way the equipment is laid out. It was done a year ago. And I do apologize for the miswording of that.

Q Thank you for the clarification.

Again, going back to the 712 square feet --

A Sure.

Q -- now, how many bays are there per row,

just in general?

A Just in general, I think that there is 12 to 14, as I remember. But I don't remember.

Q Do you have an idea of how many square feet per bay?

A Actually, someplace in my testimony, I wrote it down. Bays are all different.

It is on the last page, on page 6 and 11, DMS switch frame has a footprint of three square feet.

Q And is that for one bay?

A One bay.

Q So --

A Yes.

One bay is three square feet, covers three square feet. And I think the dimensions are 27 by 18, I think.

Q And at BellSouth's current projection rate, do you have an idea of the time frame that all 712 square feet will be exhausted?

A No.

But that particular area was growing at -- well, I said 12 to 16 bays for '99 in the year 2000. Six to eight bays per year is what it was growing at.

I guess I can illustrate. If this was

the room, the back of this page, and there is a door here and there is a door down here, we have placed a row of bays here that is full, and there is another row that is just starting that has a bay in it.

Our next growth job, actually, when I wrote this, my planner told me six to eight bays a year that we would expect to place.

In the interim, from the time that I did the first walk-through to the second walk-through, he felt that he was going to run out of equipment and he ordered 10 bays to be placed this year. The tandem growth is pretty high because of all of the new service providers, and so that keeps growing.

But, at any rate, to try to illustrate this for you, if this is the room, and it is kind of a rectangular room, we have a line of bays going across here. And we're supposed to be three feet off the wall, or off some columns, so they can get access to the back. And we have placed a single bay here.

Now, we're going to grow this 10 more bays, and that will almost fill up that lineup. And we have room to place two more lineups in that office, or in that room. And then we get into the doorway and the aisle to get through there, which must be four-foot wide.

So, in another two years, we will be down to where we will probably be able to grow another aisle of our own equipment, which will be past the two years.

But what, effectively, has happened is that there is no room, as I understand it, to put in these fire rated walls and things of that nature to make this usable for collocation. And that's what my testimony is kind of directed at.

I don't know when we will, actually, exhaust this particular room. But by growing this switch in that manner, we will run out. There won't be room. With a cross-aisle and things like that, there won't be room for a collocation area.

Q The projected growth rate, has that been fairly steady, or does that vary?

A According to my switch planner, someplace they have a memo from him that he's been growing at a rate of six to eight bays a year for the last couple of years.

And this year he put in, I think it was, six in the beginning of the year and he didn't feel that he could make it into next year in his next growth job, and he's adding 10 bays now.

So, it is accelerating, because,

apparently, a lot of these things have to do with the regulatory. The cheapest way for interconnected providers, whoever, ALECs, and CLECs and everybody to connect to a company right now happens to be through a tandem, so it is growing fast.

Q I believe you have, also, discussed the grounding issue.

A Right.

Q Can any other grounding area be created?

A Well, in my BellCore training, there is a standard, if you will, that says that isolated grounds and integrated ground equipment should be kept at six or seven foot apart, so that a man couldn't be touching one piece of equipment and touching the other one at the same time. If there was an electrical strike on the building, they could be electrocuted.

So, we try and we maintain this distance. So, that's what our guidelines are, to keep these things separate, the integrated and the isolated ground.

Q Is there any way to shift around the equipment to still accommodate that space?

A Once it is in place, the equipment is working, and you couldn't just move it, per se.

Q Now, looking on page 5 of your

testimony --

A Yes.

Q -- you state that 686 square feet have been reserved for toll growth?

A Yes.

Q And that part of this area is occupied by the Central Office supervisor?

A That's correct.

Q Now, will the growth of this switch displace the area that is currently used by the Central Office supervisor?

A The growth of the toll?

Q Right.

A This is the third time that we have moved this man in this office since I have been there. He was, originally, in this tandem area, this old power room.

I had a brilliant idea. Because when I started there a few years ago, the local switch was growing into his existing area. And I said: "Okay. We'll move you over into this old power room," and I don't think he lasted there more than a couple of months and he moved over to where he is now.

And when he started, he had a little cubicle, if you will, and a desk, but there was an

area this big. This is, basically, what we're talking about.

And we've now put a virtual collocator here, maybe even closer. But he can look through the bays of equipment and be handed stuff at his desk, now. And we're putting equipment in over in this location on our next job.

So, to answer your question kind of roundabout, we're slowly squeezing him out around through the office. He's a pretty good guy, actually. He's very easy to deal with from that standpoint.

Q But he would never be completely squeezed out of the office?

A He may end up in the men's room, I don't know. We've had jokes about that, but I am sure that we can tuck him away someplace.

Q Looking on page 6 of your testimony.

A Okay.

Q -- the first three lines, you state that in each of the preceding eight cases the unoccupied space is adjacent to a type of technology that is continuing to grow or space that is planned to be used by BellSouth in the next two years.

A Yes.

Q Now, does that mean that all of the

projects that you have identified in your testimony are projected to be complete within the next two years?

A No.

What I was trying to say was that we have identified projects out over the next two years, or projected what they will be, and that they're growing in those particular areas.

That's all I can say. They're growing in the technology. Our local switch continues to grow out. Our tandem switch continues to grow in that room, and our power continues to grow in the power area and things like that.

So, in some instances, we think that we may exhaust that particular area itself in two years. It is someplace in one of the PODs where I think I identified that we will run out of room. That's why we're putting a building addition on.

Q In other words, complete may not quite be the most accurate term?

A Yes. That would be correct, yes.

We think we'll exhaust our toll area before we exhaust something else.

Q Just one more question. And this is a follow-up on something Ms. Summerlin asked you.

I believe you all were discussing the capacity manager's form.

A Oh, for the collocation?

Q Right.

A Right.

Q And there was a question about whether it identified a specific carrier that had asked to collocate in that Central Office, or whether it was a generic form.

A The request that I get, is, I think, a standard package that comes in from the collocator. And then the people that have to look at it, there is a collocation package that has everybody's blank forms that need to be filled out. You know, I think it is a 10 or 12-page document.

I pulled two or three pages out that said Common Systems return form, or whatever it said. And I filled that out. And I put their name on that form.

In other words, on the form, the headers do not come prefilled out. I take a blank form and put down whatever their common language code is for their particular site. We identify them by facility codes. And I put that down, and the date that I receive it, and things like that and send it back.

I don't know if that clarifies that for you or not.

Q I think it does. Let me just make sure.

So, what you are saying is that when the different groups go through the Central Office to determine whether there is space available for a particular collocator, you do know who has, actually, asked?

A Oh, certainly, certainly.

MS. KEATING: Thank you very much, Mr. Ream. Those are all the questions I have.

MS. WHITE: All right. You don't have anything. You may go home.

THE WITNESS: Thank you.

(Deposition concluded at 3:50 p.m.)

CERTIFICATE OF REPORTER

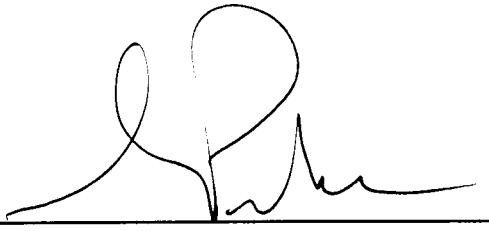
STATE OF FLORIDA:

COUNTY OF LEON:

I, ANITA M. PEKEROL, do hereby certify that the foregoing proceedings were taken before me at the time and place therein designated; that my shorthand notes were thereafter translated under my supervision; and the foregoing pages numbered 1 through 78 are a true and correct record of the aforesaid proceedings.

I FURTHER CERTIFY that I am not a relative, employee, attorney or counsel of any of the parties, nor relative or employee of such attorney or counsel, or financially interested in the foregoing action.

DATED THIS 14th day of October, A.D., 1998.



ANITA M. PEKEROL, CCR, RPR, CP, CM
100 Salem Court
Tallahassee, Florida 32301
850-878-2221

CERTIFICATE OF ADMINISTERING OATH

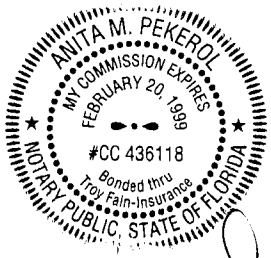
STATE OF FLORIDA:

COUNTY OF LEON:

I, ANITA M. PEKEROL, Registered Professional Reporter and Notary Public in and for the State of Florida at Large:

DO HEREBY CERTIFY that on the date and place indicated on the title page of this transcript, an oath was duly administered by me to the designated witness(s) before testimony was taken.

DATED THIS 14th day of October, 1998.



ANITA M. PEKEROL, CCR, RPR, CP, CM
100 Salem Court
Tallahassee, Florida 32301
850-878-2221

My Commission Expires: February 20, 1999.

(AP) 10-12-98 ERRATA SHEET

I have read the transcript of my deposition, pages 1 through 79, and hereby subscribe to same, including any corrections and/or amendments listed below.

Guy Ream

DATE: (Guy J. Ream)

(Petition for Emergency Relief of Supta Telecommunications and Information Systems.)

Page/Line	

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition for Emergency Relief of Supra Telecommunications and Information Systems, Inc., Against BellSouth Telecommunications, Inc.	)	Docket No. 980800-TP
	)	Filed: 10-2-98

DEPOSITION OF: JEROME RUBIN

TAKEN AT THE INSTANCE OF: Supra Telecommunications

DATE: Monday, October 12, 1998

TIME: Commenced at 4:00 p.m.
Concluded at 5:55 p.m.

LOCATION: 2540 Shumard Oak Blvd.
Tallahassee, Florida

REPORTED BY: ANITA M. PEKEROL, RPR, CP, CM. Notary Public in and for the State of Florida at Large.

FLORIDA PUBLIC SERVICE COMMISSION
DOCKET NO. 980800-TP EXHIBIT NO 7
COMPANY/
WITNESS: Rubin / Staff
DATE: 10-21-98

ACCURATE STENOTYPE REPORTERS, INC.
100 Salem Court
Tallahassee, Florida 32301
(850) 878-2221

APPEARANCES:

REPRESENTING SUPRA TELECOMMUNICATIONS AND INFORMATION SYSTEMS, INC.:

SUZANNE FANNON SUMMERLIN, ESQUIRE
1311-B Paul Russell Road
Suite 201
Tallahassee, Florida 32301

REPRESENTING BELLSOUTH TELECOMMUNICATIONS, INC:

NANCY B. WHITE, ESQUIRE
Assistant General Counsel
BellSouth Telecommunications, Inc.
Museum Tower Building
150 West Flagler Street
Suite 1910
Miami, Florida 33130

REPRESENTING FLORIDA PUBLIC SERVICE COMMISSION:

BETH KEATING, ESQUIRE
Senior Attorneys
Division of Legal Services

WAYNE STAVANJA
CALVIN FAVORS
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0863

ALSO PRESENT:

STAN GREER, BELLSOUTH
DAVE NILSON, SUPRA
ANGEL LEIRO, PARALEGAL, SUPRA
MARK E. BUECHELE, ESQUIRE, SUPRA
JAMES D. BLOOMER, BELLSOUTH

I N D E X

WITNESS	PAGE
JEROME RUBIN	
Direct Examination by Ms. Summerlin	5
Cross Examination by Ms. Keating	57
Cross Examination by Ms. White	67
CERTIFICATE OF REPORTER	70
CERTIFICATE OF ADMINISTERING OATH	71
ERRATA SHEET	72

E X H I B I T S

LATE FILED DEPOSITION EXHIBITS:

NUMBER	DESCRIPTION	PAGE
1	Work Orders for Switches in Golden Glades (To be marked later)	60
2	Projected Date of Completion of O1T (To be marked later)	66

PROCEEDINGS

- - -

The following deposition of JEROME RUBIN was taken on oral examination, pursuant to notice, for purposes of discovery, for use as evidence, and for such other uses and purposes as may be permitted by the applicable and governing rules. Reading and signing is not waived.

- - -

MS. SUMMERLIN: Suzanne Summerlin, representing Supra Telecommunications and Information Systems, Inc.

MS. WHITE: Nancy White, representing BellSouth Telecommunications.

MS. KEATING: And Beth Keating, for Commission staff.

MS. SUMMERLIN: The usual stipulations?

MS. WHITE: Yes.

As you probably heard with Mr. Ream, you will read and sign the transcript of the deposition when it is completed.

THE WITNESS: Okay. And when will I, actually, see it?

MS. WHITE: You will probably see it by the end of the week.

WITNESS: All right.

Thereupon,

JEROME RUBIN

was called as a witness, having been first duly sworn, was examined and testified as follows:

DIRECT EXAMINATION

BY MS. SUMMERLIN:

Q The point is, you will have a chance to look at it before it is official.

A All right.

Q Please give your name and address, for the record, please.

A Jerome Rubin. 18516 Northwest 27th Avenue, Opa Locka, Florida.

Q And what is your title?

A Common Systems Capacity Manager Specialist.

Q Can you give us your educational background?

A Where do you want me to start?

Q Wherever. Your college background.

A Well, after graduating from high school, I attended RCA Institute, in New York, and got an Associates Engineering Degree in 1964.

I went to work for Western Electric. I

worked for them in the power engineering department for two years, got drafted and spent three years in the Army. I went to 28 weeks of school as a microwave radio repairman.

When I got out of the Army, I went back to work for Western Electric. And then I applied to several schools to get a four-year degree.

I went to the University of Miami, and I got a four-year degree in engineering in 1971.

Q So, you are an engineer?

A Yes.

Q Who is your direct supervisor?

A That is John McDonald.

Q And do you have any subordinates that you boss around?

A No.

Q Of course, you spend a lot of time at North Dade Golden Glades Central Office?

A I have spent a lot of time there, yes.

Q The bottom line of this case, as you well know, is that Supra wants to get into North Dade Golden Glade Central Office.

And what I would like is for you to just give a short, sweet summary of why that should not happen, based on your testimony.

A The shortest summary?

Q Other than no space.

A Well, there is no contiguous space large enough to allow for a physical collocation, of not just Supra, but any ALEC.

Q I forgot to ask you, when did you, actually, start with BellSouth?

A With BellSouth was in March of 1972.

Q So, you have been aware of a lot of changes at BellSouth.

So, were you involved in this process of getting the waiver for this Central Office from the FCC?

A No.

Q Have you reviewed the waiver petition that was filed by BellSouth?

A No.

Q Let me just ask you: How much space has BellSouth reserved for future use now at this Central Office?

A I didn't commit that number to memory, but it is in the testimony.

Q Let's see, then. Let me look through your testimony.

3,596; is that right, based on page 3 of

your testimony, line 9?

A Yes.

Q And that's reserved for future use for BellSouth.

In this document here, which is CC Docket 91-141, which is the Petition for Waiver that was filed with the FCC, it looks like it was received by somebody in 1993.

Let me see when it was, actually, filed. February 16, 1993.

This attachment appears to be a chart that shows the various categories of space for a whole slough of different Central Offices, not just for West Dade Golden Glades.

A And do you have a question in relation to it?

Q The question is, if you will look for that column, I think I have something circled there.

MS. WHITE: The vacant reserved space?

MS. SUMMERLIN: Yes.

BY MS. SUMMERLIN:

Q And do you see what the amount is? It is hard to read.

A It looks like a thousand, or it could be 1800. I really can't make out the second digit.

Q I think we have a better copy somewhere here. Let me see. Vacant reserve space, here it is right here. This appears to be the same thing, if you will look on that one, under vacant reserve space.

A It looks like a thousand.

MS. SUMMERLIN: Do you guys want to see this? I don't know if your copy is clear or not.

MS. WHITE: This copy was made from my copy, which is not very clear.

MS. SUMMERLIN: Here is this one, if you all want to look at this.

MS. KEATING: I want you to make it real clear, for the record, what page you are referring to.

MS. SUMMERLIN: We are looking at page --

MS. WHITE: Exhibit 1.

MS. SUMMERLIN: It will Exhibit 1 to --

MS. WHITE: The Petition for Waiver filed by BellSouth in Docket 91-141,

MS. SUMMERLIN: Which I have already clarified that. I am looking for the page number.

MS. WHITE: I don't think there was one.

THE WITNESS: I don't see pages.

MS. SUMMERLIN: It just says Exhibit 1. That's what you were saying, Nancy; is that right?

MS. WHITE: Yes.

MS. SUMMERLIN: I'm sorry. It is Exhibit 1, Beth.

BY MS. SUMMERLIN:

Q Anyway, the bottom line is that that figure there appears to be 1,000; is that correct?

A That's what it says there, yes.

Q Have you got any idea why there would have been earmarked a thousand square feet for future use that would have been reserved by BellSouth in '93, and now today BellSouth has 3,596 square feet reserved for future use?

A Could you more specific with your question? Exactly, what is it that you are trying to ask?

Q What I'm asking is, why would there be almost four times as much space available to be reserved for future use now, when there was, apparently, a thousand square feet left available in 1993, which was five years ago.

A The Central Office, and every Central Office, is a dynamic thing. You have growth

occurring, new technologies come in, old bays are removed, new bays are added.

You are looking at a picture in time in 1993 that I cannot address, because I don't know what the circumstances were in the office at that time. I can only address the picture in time that we're dealing with right now. And things change. And I can address why we have the space now, not what we had in '93.

Q Let me look here just one second. I'm trying to look to see how many years this was supposed to be reserved for.

To your knowledge, has there been any change in the outer structure of the Central Office, the North Dade Golden Glades?

A Any change in the outer structure?

Q In other words, any new building addition onto what existed at that time?

A I can only address an answer to that question from the time I have been on the job, which is two years. So, I am not aware of any growth occurring at that building over the last two years.

Q Have you had any discussions where you could determine whether there were any changes between the time of this Petition for Waiver and

now?

A Discussions with who?

Q With anyone at BellSouth, to find out whether there had been any additions added on to that Central Office since this Petition for Waiver was filed?

A Can you please repeat the question?

Q What I'm asking is, have you tried to investigate whether or not there was any change in the building itself since this Petition for Waiver was filed?

A Why would I want to do that?

Q I asked you a question. Have you investigated that?

A I have not made any investigations into the building growth of the central office.

Q So, your testimony is that in the two years that you have been there, there has not been any change in the building?

A There has not been any change in the building.

Well, you are talking about the outside.

Q The outer structure, yes. I don't mean on the inside.

A Right.

Q Did you have any participation in filling out the space assessment worksheet for the North Dade Golden Glades office? This particular document here. It does not have anything on it, except Space Assessment Worksheet, and it was issued 4-15-97.

A Your question is whether I had anything --

Q Anything to do with that.

A -- to do with this particular one?

Q Yes.

A This looks like the Space Assessment Worksheet that I filled out.

Q You filled that one out?

A It looks like it, yes. Let me just read it for a second.

Q Okay.

A Yes.

This is the Space Assessment Worksheet that I filled out.

Q If I were trying to determine which category of space includes the office space, is that under occupied space? Or the workstation space, I guess, is that going to be under the occupied space category?

All of the desks and the workstations is

what I'm trying to find out.

A Which item number are you referring to?

Q I'm just trying to find out where under that it would be, those type of things.

A Your question is, under what figure would the allocation for the maintenance areas be?

Q Any areas that would be considered workstations, with desks, or file cabinets, or chairs, all that kind of stuff, or any subset of that that is clearer than what I'm communicating.

A Well, the maintenance areas are considered part of the switches, so that was considered as being occupied space.

Q So, it would be under occupied space?

A You are asking me to remember a form that I filled out several months ago. If you are putting me to the wall to say answer that, then I believe that was --

Q I am just trying to find out.

A I believe that that's how I looked at that space. The space that was part of the switch, and it is considered as occupied.

Q So, would it be, actually, labeled on there as switch?

A It would come under switch area, which

would be shown as the area occupied by the switch, the present switch.

Q Thank you.

Is there any actual determination on this form of, exactly, how much space is taken up by those workstations?

A No.

Q You have this item here that says administrative space. Space occupied by employees performing work functions, clerical, service centers, test centers.

Is there a number, specifically, for that on there?

A Yes.

It is broken down right in here, which shows service order a hundred square feet, SIMMI 65 square feet, CXR and trunking 150, cable console 30, DACS, office administration 380. So, it puts a total of 805.

Q So, it is all included in the 805 figure?

A Yes.

Which are scattered throughout the office. It is not a contiguous amount of space in the office.

Q Now, that says space occupied by

employees performing work functions. In other words, anything that is a desk would fall under that; is that right, with a terminal?

A I'm not sure that I included every desk and item or cabinet that was in the office.

Q Because you said something about it being considered a maintenance area under the switch figure. So, is it possible that there are desks that are included in the switch area, also?

A Your can question does not really --

Q Let me be real clear.

One of the positions that Supra is taking in this case is that there are a tremendous number of areas in the Central Office that are spread out that are workstations that may or may not be necessary, absolutely and essentially.

And what I'm trying to find out is what figure on your form captures all of those desks. And if you are telling me that 805 covers all of the desks and all of the workstations, then that's fine. That's all I'm asking.

A I really don't remember if that's covering all of the work areas.

Q Okay.

A I didn't have access to the one that was,

if there was one, filed whenever, and so I don't know what was said before or what was put in there before. I really don't remember going back. I'm not sure if there is a date on there.

Q It just says issued April 15, 1997. That's what this says.

A I think that might have been the form date on it. I don't know.

And when you are looking at trying to do a space assessment, I used inside dimensions of the office walls. I think that's what I used. So, if you have two people -- I think that now there is a guide that is being used to determine space, and I was not aware at the time that I filled this out.

And this was not really filed with anybody, so I don't know why you are really looking at this now.

Q Well, I am looking at it because you are a witness in the case, and you hold the key to us getting into the Central Office, basically. That's why I'm looking at it.

A We're not denying a virtual collocation to you in the Central Office.

Q Well, we're asking for physical collocation. And I guess what I'm trying to pin down

here is what you did on this form, because this is, certainly, critical to our situation, and I'm just trying to understand what these numbers mean, what they represent.

I'm not trying to give you a hard time. I am just trying to capture whether or not some of the workstations are scattered throughout. I went through there. I know that they're scattered throughout the switches.

A Right.

Q So, is it possible that some of those areas are included in the switch numbers here, and not necessarily in the administrative?

A I think the only thing that is included in there is what is specified in there.

Q Well, I'm going to ask it one more time.

Because you implied a couple of minutes ago that you are not sure what you included under the administrative space, and whether you included all of the desks or not. Are you saying that all of the desks are included in administrative space?

A No.

I'm saying that all of the desks are not included. I'm saying that what is shown on that number is what is specified in the write-up.

Q What this write-up says is space occupied by employees performing work functions; i.e., clerical, service centers, test centers.

MS. WHITE: Can we go off the record for a moment?

MS. SUMMERLIN: Sure.

(Discussion off the record.)

MS. SUMMERLIN: Let's go back on the record.

BY MS. SUMMERLIN:

Q Before I ask you about this, I am trying to figure out what it is. I will just ask it so we can clarify this.

Is it correct that your reason for filling out this particular worksheet was not really to address the space usage, but the power needs of the central office?

A It was to address the power requirements in the office and the utilization of the power in the office.

Q Am I correct that your testimony goes to the fact that there is not enough space in this office for somebody to physically collocate?

A Correct.

Q So, if I use something that you have

filled out that talks about space, is that not a reasonable thing to do?

A Reasonable in what way? What is reasonable?

Q Is it not reasonable, when you have filled out something where you talk about the space that is available in that office, and you have filed testimony saying that there is not space, then isn't it reasonable for me to ask you about that?

A The major concern when I filled this out was to address the situation, that based on the growth of equipment in the central offices, we have a potential problem where we will run out of the capacity to provide power, because of our backup engine, before we run out of space.

That was the purpose of me filling that document out.

Q And as you said, this may not be the right date. Do you have any idea when you did this?

A The exact date, no.

Q Is this, like, two or three years ago?

A Oh, no, no.

It doesn't go back that far, but I really can't recall the exact date.

Q And what was the conclusion of this

problem here about power? What did you all do about this, or what was your conclusion?

A Well, the conclusion was that we cannot, I guess, deny virtual collocation on the grounds of power issues. And we will have to, I guess, address the power needs when they occur.

So, we're looking into an engine replacement in the Golden Glades office. We have a 750 KW engine, and we're going to be replacing that with a 1200 KW engine.

Q So, the conclusion was that even though there was a power problem, it just has to be addressed? Is that what you are saying?

A It has to be addressed, and it is being addressed.

Q Did you have anything to do with the Space Assessment Worksheet that Mr. Bloomer did?

A Yes.

I assisted him in the completion of that.

Q This right here is identified as Exhibit JDB-2, dated September 10, 1998.

Does that look like the correct thing that you had something to do with?

A Yes, it does.

Q I, unfortunately, have to go back to that same question. I'm trying to figure out where the desks are reflected, those types of items.

Is there a specific spot on there that you can identify where they would be included?

A I think you would have a better answer to that question by directing it to Mr. Bloomer. I assisted him by giving him the amount of frames that will be growing in the different entities in the Central Office, and identifying how many vacant bays were scattered throughout the offices and how many new additions would take place, or the expected number of bays that would grow in each of the entities.

Q How did you know w information to give him?

A I contacted the circuit capacity manager and the switch capacity managers and asked for their growth expectations in the office.

Q Do you know anything about how they developed those predictions?

A They use some mechanized tools for determining what their expected growth is.

Q Do you know what assumptions or presumptions they used?

A Specifically, do I know their

assumptions?

Q Yes.

A No.

But what they have told has been borne out in the last two years that I have been in this position, and I see that that growth has been occurring. Each year what they have projected has occurred.

Q For two years?

A For the two years that I have been there, yes.

Q What is the growth that they had predicted? Can you remember?

A Well, it is --

Q If you don't remember, that's fine. I'm just asking.

A I remember some of them. But I think it is in my testimony as to what the growth will be that will be occurring.

Do you want me to try and give you that answer?

Q Sure.

A All right.

For the O1T total tandem, I believe it is 14 frames. For the O4T, it is 11. For the DSO, it is

six.

THE WITNESS: Is this okay for me to answer?

MS. WHITE: Yes.

BY MS. SUMMERLIN:

Q Well, you have said to me that it is in your testimony, and you are not quite sure, so you are qualifying your answer.

MS. WHITE: I think he meant just from a proprietary standpoint.

MS. SUMMERLIN: Oh, I'm sorry.

MS. WHITE: He wasn't saying is it okay. It is just the question was proprietary.

THE WITNESS: But when Guy mentioned eight --

BY MS. SUMMERLIN:

Q He got in trouble?

A He got in trouble, right.

MS. WHITE: You are doing it on the high level.

THE WITNESS: AndI think for circuit, it was 22.

Power, I can't remember.

Understand that I can give you a very good example in Golden Glades. The projection

was to add 22 bays of equipment in the toll area. That's the projection.

Well, just within the last two weeks, the infrastructure planners have informed me that we have to put in a new digital cross-connect switch; which is going to take up, in the initial installation, 48 linear feet of space, which we, also, have to plan for.

And that's a 2048 capacity digital cross-connect switch. We're only going in with 1,024. And the space needed for the maximum growth is another 48 feet.

And that one job alone takes up over 26 bays of space.

BY MS. SUMMERLIN:

Q How much growth does that take care of? How long into the future?

A I can't answer that question.

Q So, your basis for the projections, in terms of your understanding of what they're based on, you don't basically, know what they're based on, except that in two years it appeared to be borne out by what happened?

A Borne out definitely, yes.

Q But you don't know the assumptions that

are being made at all?

A That's not my job function, no.

Q Have you made any kind of study of how the administrative or clerical areas, workstation areas, could be altered in that Central Office?

A That wouldn't fall under my job description. I wouldn't be involved with doing anything like that.

Q Who would anybody charge of something like that?

A I really don't know.

Q You don't know?

A You are making the assumption that I would know that it needs to be done. I mean, I don't know that that needs to be done.

Q I'm just asking you if you know who would be in charge of looking at whether or not there could be consolidation of workstations in the Central Office. And you are saying "no."

A I'm saying that I don't know who would be doing that.

Q You are not aware of anybody doing it at this time; is that right?

A To my knowledge, I do not know if that's being done or it is not being done. Maybe it is being

done. I don't know.

Q Are you aware of whether or not the North Dade Golden Glades structure can be added on to?

A Yes.

It can be added on to.

Q How can it be added on to?

A Well, it is landlocked. We cannot grow out. We can only grow up. And the second floor is only half as large, I believe, as the first floor.

Q So, the other half of the second floor might be available?

A For growth, yes.

Q Is it your job to look at consolidating the switch equipment or transmission equipment in that Central Office?

A What do you mean by consolidating?

Q Maximizing the space available for physical collocation?

A We try to maximize the utilization of space in the office that is free. If the office already has equipment in it, what are you asking, whether we try to maximize the space that is already taken up?

Q Yes.

I'm asking if there is any consideration

given to looking at the equipment that is already there, and consolidating it or changing it out to a more efficient, higher density type of equipment so that there would be space freed up.

A That is done on a continuous basis all of the time.

Q By whom?

A By the switch capacity managers, by the circuit capacity managers and by the Common Systems people, too.

Q That is not something that falls under your job duties?

A Some of it does. We try to maximize. If you go into the Central Offices, you will see that, I guess, the technologies have changed over the years. And there is different density jack fields in the cross-connection. So, whenever we have new additions, we always put in the high density jack fields.

Q What are you saying? Jack?

A Jack fields.

The DSX cross-connection lineups. All Central Offices have lineups for the different speeds, the DSX 1, DSX 3. They, also, have fiber distribution days where we bring in fiber cables.

Q I thought you said jack fields?

A Jack. It is a jack panel. There are, actually, 84 jacks.

Q J-A-C-K?

A Yes, J-A-C-K.

That appear on a panel. And many years ago, they would put in 16-field jack fields, so we make a conscious effort to utilize the space that we have because the offices are growing at an incredible rate.

So, in our plans, that's one of the things that we do, is we provide plans for the orderly growth of equipment. We recommend that high density jack fields are used.

Q How much time has been considered in the space that is reserved for future use on this Space Assessment Worksheet? How much future growth? What period of time is supposed to be covered in the space that is reserved for future use here?

A The amount of time that is covered in the numbers, you mean, in my testimony?

Q Yes.

I assume your testimony matches up with this.

A Yes, it does.

Q In other words, it says total vacant space reserved for future use 4,035 square feet, right here.

How long is that supposed to take BellSouth into the future in terms of growth? Or is there any period of time that that is supposed to represent?

A This is an indication of the total space reserved for future use.

Can you ask that question, again?

Q I guess what I'm trying to figure out is, I assume that it is your testimony that all of that space that is reserved for future use should be BellSouth's. How long will that take BellSouth to use that up?

A I can address what I have in my testimony.

Q Okay.

A And the figures that I have shown for the amount of space to be used cover three years.

Q So, it is a three-year period of growth?

A That I have identified in my testimony, yes.

Q Is it your position that it is appropriate for BellSouth to be able to reserve space

for up to three years while denying physical collocation to a requesting company?

A Can you repeat that, again, please.

Q Is it your position that it is appropriate for BellSouth to deny physical collocation to a CLEC or ALEC while reserving enough future use space for three years?

A All I'm saying in my testimony is that the numbers that I have shown here cover a three-year period. The amount of space that is available in the Central Office that exists today does not allow itself for physical collocation, for the amount of area that is required.

Q How much area is required for physical collocation?

A It varies. It depends what the ALEC is asking for.

Q What if the ALEC is asking for 200 square feet?

A If the ALEC is asking for 200 square feet, then the total amount of area that is required would depend on the equipment that they're adding, the number of terminations they need and the number of point of termination bays that are needed to be installed in what we're calling a common area.

And, also, where that location would be installed. If there aren't egresses that allow access to both the ALEC and the common area, then hallways have to be built.

And if a collocator is asking for 200 square feet, the common area that has to be built, with all of the fire rated walls that are required by code, can run anywhere from, let's say, 550 to 1,000, depending. And that's just for one collocator.

So, when you say you want 200 square feet, we can't provide physical collocation in just the 200 square foot area.

Q So, it is your testimony that it could be 550 square feet necessary for one company to physically collocate?

A I had a plan. I have had physical collocation requests in 10 offices. In one of those offices, it was done with an area of about 530 square feet. That was an ALEC requesting 200 square feet of space.

But not every ALEC who asks for 200 square feet of space necessarily might have the same size common area. It depends on what they plan on putting in their space, and how many bays we would have to add in that common area.

Q You were talking about the fire rated walls that are required. What code are you talking about?

A I guess the building codes that are mandated on us by Florida.

Q Have you done any kind of a study in North Dade Golden Glades yourself to determine what kind of space would, actually, be required to have a company that asks for 200 square feet?

A I have not processed any requests for physical collocation in Golden Glades.

Q Did you not receive Supra's application?

A No, I did not.

Q You did not?

A No.

Q Do you know who did receive it?

A It is my understanding that the office was closed for physical collocation by a previous ruling.

Q So, you made no evaluation of Supra's request yourself; is that right?

A That's correct. I didn't see anything, so I made no evaluation.

Q Do you know who did see the earlier request by the company that denied prior to that? You

just said a minute ago that you understood that a request had been denied previous to Supra.

A No. I didn't say that.

I said that I understood that the office had been denied or closed to physical collocation from an earlier ruling, I guess from those papers that you showed me.

Q You are talking about the FCC waiver? That's what you are talking about?

A Yes.

That's what I'm talking about.

Q So, you have never, actually, evaluated anybody's application for North Dade Golden Glades?

A For physical collocation, no.

Q Has anybody else evaluated it, that you are aware of?

A I can't answer that question.

Q So, you don't know?

A No, I don't know.

Q Is there anybody else who logically would have evaluated that kind of an application?

A I just told you, I don't know who.

Q You said you don't know, but I'm asking, is there somebody, logically, other than you, who would have been able to do that kind of evaluation,

that you are aware of?

A I guess somebody did it in 1993 when it was, originally, filed.

Q What I'm talking about is Supra's application that was filed in May, I believe, of this year. You never saw it, is what your testimony is; is that right?

A That's correct. I have never seen it.

Q You don't know who denied it?

A The actual person who denied it, no, I do not.

Q Yes, the actual person who denied it; because there is a bunch of elusive people over at this company, I'll tell you.

A You know, it is not unreasonable to understand that an office that has been in existence for almost 30 years can fill up with equipment. I mean, I don't think that is an unreasonable assumption. And in all of the offices that we have, we have only denied physical collocation in one.

Q One out of 10?

A One out of 10 where I have had physical collocation requests.

Q Which is North Dade Golden Glades.

A Which is North Dade Golden Glades. And

that office had been denied from a previous ruling.

And so, I guess when the requests were generated for physical collocation, if the office was rejected -- or not rejected -- but if the office was exempt from physical collocation, there wouldn't be any need to send requests to me to look at them.

Q Would you agree that, apparently, the situation that existed in 1993 was dramatically different than the situation currently?

A I cannot address what the situation was in 1993, because I wasn't there.

Q All right.

If I show you --

A And the office is a dynamic thing, that changes.

Q If I show you this document, where it talks about reserving 1,000 square feet, and you know what the current situation is, does that suggest to you that there is a dramatic difference?

A I would expect dramatic differences to occur over a five-year period of time.

Q So, do you think it is reasonable not to reevaluate requests for physical collocation, given the dynamic nature of this situation? I'm just asking. You are not in control of that process?

A I'm not in control of the process.

Q Do you know who it is who decides whether or not applications come to you or don't come to you?

A Who decides? Well, if an application --

Q Let's say when you do get one, where does it come from?

A I receive a FedEx package, with all of the requests that I have office responsibilities for.

Q From whom?

A I believe Nancy Nelson, I think. I think that's where they come from. I never had a need to question who sent them to me.

Q You said that you have 10 Central Offices.

A Right.

I have responsibilities for 18. I have 10 that I receive physical collocation requests for.

Q In those requests that you have received, how many of those were, like, 200 square feet. Were a lot of them? Can you give me some idea?

MS. WHITE: You mean, what the ALEC requested?

MS. SUMMERLIN: Yes, what the ALEC requested in square footage.

THE WITNESS: Some were asking for 200,

some were asking for a hundred.

BY MS. SUMMERLIN:

Q You just said a few minutes ago that one of those requests that you received for 200, you ended up having to do 530-something feet; is that correct?

A Yes, that's correct.

Q Is that same proportion true of all of the rest of the requests that you have dealt with?

A No.

Q What is the proportion for the rest of them?

A Like I said, each Central Office is unique. Depending on what the office conditions are, where the collocator can be placed, it varies.

Q Is that 530-something feet the highest proportion of those 10 that you received?

A I can't answer that question. The reason I can't answer that question is that some of them have been reworked.

Q Reworked?

A I guess the building inspectors that we have in Dade County have gone into some of the collocation areas that we have built. And they're saying that some of them are fire hazards and, therefore, we're not allowed to have an egress into

the common area. Most of the ones that I design have egress into the common area, so most of those have to be reworked.

Q You are not allowed to have an egress into the common area? Meaning, a doorway?

A I think that Jim Bloomer would be better able to answer that question for you. He's more directly involved with that.

By the way, that stipulation increases the amount of space, not decreases.

Q The fire rated walls?

A The fact that you cannot let somebody egress into our common area, which means you have to build hallways, so that makes the requirement for building the common area even larger.

Q But you don't know anything about that process, the code problem, or the variance, or any of that kind of stuff?

A No.

I, generally, do not get involved in that.

Q Has anybody asked you to look at trying to do anything at your Central Office to make it possible for physical collocation?

A Whenever I get a request for physical

collocation, that's what I do.

Q But you don't get them for North Dade Golden Glades; is that right?

A I do not get them for Golden Glades, no.

Q What kind of effort is being made to put an addition onto the Golden Glades office, to your knowledge?

A To my knowledge, they are planning to have an addition done on the Central Office. So, they're planning on having the second floor extended.

Q Do you have some idea of when that is supposed to be?

A No.

I don't have the knowledge of those dates, no.

Q Is it, in your experience, reasonable to wait until you have only a thousand square feet left to decide to build an addition onto a Central Office?

A I don't really know that I could answer that question in regards to the amount of square feet that is available. We look for key indicators that would cause the need for building growth.

Building growths are very expensive, so we try to do whatever we can to postpone the addition

of a building, if we can succeed in doing that. And if that means newer technology, putting in bays, we try to do that.

Q What are those key indicators?

A Well, we have so much floor space available. And based on the growth that will occur each year, part of my job is to identify when or what might trigger a building addition.

So, if I look at the growth and I see that I may be running out of space in the next two to three years, I had better do something about it.

Q If you had a thousand square feet left right now, would that be a key indicator that you needed to get an addition?

A I might have 2,000 square feet left, but if I don't have room to grow my circuit equipment, that will key me to add a building addition.

Q If you have only a thousand square feet left, would it be pretty obvious that you would need to get an addition in the current scenario?

A I don't know if I can answer that question in the context that you are giving it.

Q Based on the situation that you are faced with right now at North Dade Golden Glades, the growth that you are aware of, the size of the office right

now, if you only had a thousand square feet, wouldn't that indicate that you would need to get a building addition?

A It would depend on where that thousand square feet is, and how I can utilize it.

MS. SUMMERLIN: Hang on just one second.

(Brief pause.)

BY MS. SUMMERLIN:

Q I have a couple of documents here from the West Palm Beach Gardens Central Office that don't have anything to do with you or your office, except that it has some ideas. It has some ideas about different ways to create more space.

And what I would like you to do is just let me just show them to you, this 1 through 8 here, and tell me whether or not any of these ideas have been expressed for the Central Office.

I guess I should read the heading, so the court reporter will have it. It is titled the West Palm Beach Gardens Central Office, Second Floor Planning Meeting, and it has a 4-24-98 date on it.

MS. WHITE: I would just answer by the number.

MS. SUMMERLIN: Yes. This is confidential.

MS. WHITE: Whether any of these numbers have been explored.

BY MS. SUMMERLIN:

Q One through eight there.

A All right.

Item 1 is something that I believe we try to do, any way that we can.

As I just stated, Item 2, we're adding a brand-new item in early 1999, the first quarter of 1999.

Q All right.

A I don't know if Item 3 has been done or looked at.

I don't know if Item 4 applies to Golden Glades.

Q All right.

A Same answer for Item 5.

Item 6, I'm not sure about. I would have to look and see if we're adding, or we have added light span equipment. I can't answer that.

Item 7, I can't address seven, either.

Item 8, they might be looking at. I really am not sure.

Q On Items 4, 5, 6 and 7, you said you are not sure that these apply. Does that mean that it is

possible that they might be useful, or that there is absolutely no way that it would be useful?

A I don't know. I don't know what amounts of equipment exist in the office that is being referred to.

Q That fit in these categories?

A Yes.

Q Do these strike you as ideas that might be worth looking at, or are they, obviously, not appropriate?

A They have looked and done many things in the office to regain space. They put in an ENET addition in both the 01T and 04T tandem switches.

Q All right.

Have they done these items that are on this list that you said didn't apply, or you just don't know?

A With those ENET additions, what they have done is enabled us to remove old bays. I'm not sure of the number of bays. For the 01T, we removed 43 bays.

Q When was that done?

A That was done this year. And that's why the dynamics of the office continually change. We know that we have a space problem, and we are

diligently looking at ways to regain space.

Q Would it have been appropriate for you to have had an opportunity to evaluate Supra's application?

A I feel that if I was given the application now, I would come to the same conclusion. There is no contiguous space available in the Central Office.

Q Do you have a plan of this Central Office with your testimony, or a layout?

A No.

Q I need to find one of these layouts.

This is something that we were provided after the walk-through. It is attached to Mr. Bloomer's testimony. It says, at the bottom, North Dade Golden Glades First Floor Plan.

A All right.

Q Can you point out there where those 43 bays were removed?

A It was on the second floor, and this is the first floor.

Q It should be on the next page.

A The O1T area is over here. And the bays were scattered that were removed.

Q Can you just X them, generally? I mean,

just generally?

A I can't really do that. Don't forget, I told you that they took out 43 bays and they put in 27.

Q Where? Are we talking about within this area here?

A Within this area here. And possibly up in this area.

Q So, you took out 43 and put in 29?

A Twenty-seven.

Q And what were the 27 that you put in? Were they replacement for that one?

A Do you want me to define it? I can't give you the names of the bays.

Q But was it by way of replacing those 43 bays, or was it just completely additional equipment?

A The addition took care of a year's worth of growth and the replacement of the older type switch bays that were there. And that's what that job covered.

Q How much of the 27 went for a year's growth?

A That, I couldn't give you an answer. I really don't know.

But when they plan growth jobs, they

cover a year's growth.

Q So, what you are saying is that the 43 bays were taken out, and you had new bays put in. This 27 that replaced whatever was happening with the 43 bays, plus --

A All of these bays didn't have the same footprint. The core or the switch is a much larger footprint.

Q The new --

A I mean, there wasn't an exact replacement as far as floor space utilization.

See, if you took out 43 bays and the footprint for the MS was nine square feet per bay, the ENET base, I think they're four cabinets and they take a much larger footprint. And then the majority of the 27 bays is the same nine foot square footprint that is taken up.

Q The majority are the same size as the ones that you removed?

A The majority. But there are some larger.

Q There are some that are substantially larger?

A Yes.

Q By doing that, have you had an absolute freeing up of space in terms of absolute terms? I

mean, I would assume that you still have some space that was freed up; is that right?

A It freed up some additional space for growth, yes.

Q And the stuff that you put in gives you a year's growth.

Is that what you are saying?

A A year's growth, yes.

Q From what date, roughly?

A I guess from the service date.

Q What was that? Early '98, or now?

A Oh, it's now. I don't know if it is this month or next month. It might have even been last month, so I don't know.

Q How many more of the type that you took out are left? The bays that you took out, the 43 bays?

MS. WHITE: How many of the 43 bays are left?

BY MS. SUMMERLIN:

Q The 43 bays that you took out are an old-fashioned type style; is that right?

A Right.

Q How many more are in the Central Office that are like that?

A It is my understanding that the ENET addition would take out all of the old bays in the office.

Q The ENET addition?

A The ENET addition enables us to take out certain bays. I'm not sure of the exact name of the bay, but we take out all of them. We don't leave the old ones there.

Q So, there are no more old bays left?

A No.

To my knowledge, there are no old bays of that type left in the office.

Q The 43 were it?

A Right.

Q When did the decision get made to expand the second floor?

A We knew that we would have to expand the second floor at some point in time. I don't know the exact date when the decision was made to expand it.

Q Was it in the last year?

A I guess there had been discussions about what building additions might be needed within the past year.

Q As an engineer, are you really familiar with the functionality issues of all of the equipment

in the Central Office?

A No.

That does not come under my job functions, or my need to know what they're used for.

Q So, you are not familiar with any of these issues about what type of equipment can be collocated and what kinds cannot?

A No.

For the 01, the 04, and the 03 and the local switch, how many DSOs are equipped?

MS. WHITE: Now, I'm confused.

THE WITNESS: What do you mean DSOs?

MS. WHITE: How many do they have, or how many are turned on?

MS. SUMMERLIN: Just a second.

Forget that one.

BY MS. SUMMERLIN:

Q Did you say that you have 18 central offices?

A That's correct, yes.

Q How many actual physical collocation installations do you have?

A The actual physical collocations that are taking place are in three of the offices.

Q You said that there was only one denied

out of 10 applications; is that right?

A That's correct.

I have had 10 offices, more than 10 applications.

Q Only one office has been denied out of 10?

A Correct.

Q You have already said this to me earlier, if I'm not incorrect, that all of the three that you have that have physical collocation involve fire rated walls, now.

Is that what you said earlier?

A To my knowledge, yes.

Q Is it your understanding that a virtual collocation situation requires any kind of separation?

A Virtual collocation does not require separation. It is treated just like it was our equipment.

Q Who owns that equipment?

A The ALEC owns the equipment.

Q The ALEC?

A Yes.

Q So, you have a situation where another company owns equipment in the office, but it doesn't turn into a multi-tenant situation?

A I can't address issues regarding multi-tenant or not. All I can address is issues of equipment placement in the office.

Q What makes you say the ALEC owns the equipment?

A Because we don't buy it. We don't buy it, and we don't install it.

Q So, BellSouth does not buy it?

A BellSouth does not buy it.

Q Are you sure about that?

A I am pretty sure about that.

Q Okay.

MS. SUMMERLIN: If you will give me one second, we're about through.

(Brief recess.)

MS. SUMMERLIN: Let's go back on the record.

BY MS. SUMMERLIN:

Q A little while ago, I asked you, Mr. Rubin, and you said that you had 10 Central Offices; is that correct? I'm sorry, 18, but you had 10 applications for physical collocation. I am totally confused. Now, tell me what you had 10 of.

A Physical collocation, if I have requests for physical collocation at all one firm, I would have

10 offices with physical collocation.

Q So, as of right now, you had said that you had three that have already been, actually, completed; is that right?

A We have firm orders received from collocators. And so, once we receive the firm orders, we start the process of having the areas built.

Q You said something about three. Does that mean that there are three in place and complete? Is that what that meant?

A It meant that there were three that were in the process of working. The construction for those three offices is in process.

Q And there are seven other applications pending.

Is that what you are saying?

A I have applications pending in seven other offices, correct.

Q That you expect to go ahead to completion, theoretically?

A If they come in with a firm order.

Q Are any of those for Supra?

MS. WHITE: It is your own information.

MS. SUMMERLIN: He can tell us.

MS. WHITE: I'm getting too paranoid.

THE WITNESS: Is it okay for me to answer that question?

MS. WHITE: Well, only if it is Supra. Don't tell them about the names of any other collocators.

THE WITNESS: Can you please repeat the question?

MS. WHITE: I'm sorry. And it is a long day.

Are any of those 10 --

MS. SUMMERLIN: Seven.

MS. WHITE: Are any of the seven --

THE WITNESS: The seven offices pending.

MS. WHITE: -- Supra?

THE WITNESS: No.

MS. WHITE: Okay.

BY MS. SUMMERLIN:

Q My understanding, from what you said earlier, is that the power issue in North Dade Golden Glades has been fixed, because there is going to be something done to the engine. It will be replaced or beefed-up; is that correct?

A No.

It has not been fixed. It is being addressed, and we're taking steps so that the power

will not be an issue in the replacement of equipment.

Q Will that result in one of those areas that has an engine in it right now being cleared out?

A Say that, again.

Q My understanding is that you were replacing an engine. Is that the way that you will address the situation?

A The present engine that is existing in the office, which is a 750 KW engine, will be replaced with a larger engine, a 1200 KW engine.

Q In that same spot?

A No.

It won't fit in the same spot. It will need a larger area.

Q But, theoretically, the old engine will be removed from whatever area it is in?

A The old engine would have to be removed. And the new engine, I believe, is planned to go in the same area. It is just that a larger area is needed, so they will have to expand that area.

Q Do you have any idea how much of an expansion that will require?

A The exact square footage, no.

Q Do you have any estimate?

A I do not have an estimate for the amount

of space, no.

Q I just have one final thing that I want to ask you.

The fact that Mr. Bloomer's chart or Space Assessment Worksheet reflects total gross square footage for the office of 26,225 square feet, and your space assessment worksheet reflects 23,115 square feet, is problematic for Supra, because that represents, potentially, an argument that there is 3,000 square feet less.

Is it your position now that the 26,225 square feet is the correct number?

MS. WHITE: Is the total gross square feet of the office?

MS. SUMMERLIN: Yes.

THE WITNESS: I think I already answered that earlier, but they're both correct.

BY MS. SUMMERLIN:

Q How are they both correct?

A One is taken on outside walls, and one is taken on inside walls.

Q You know that for sure, that that's the difference? You are talking about 3,000 square feet being removed?

A I believe that was the difference. I did

not go to outside walls when I filled out that other sheet.

Q So, it is your testimony, then, that the total gross square footage, we should accept Mr. Bloomer's number?

A Yes.

Q Do you have any idea what percentage of the switches in the office are unutilized?

A What do you mean unutilized.

Q Or under-utilized?

A I cannot answer a question like that. That's not what my job gets involved with.

MS. SUMMERLIN: No further questions.

CROSS EXAMINATION

BY MS. KEATING:

Q I have seven questions, and I know you have to catch a plane, so I'll try to move pretty quickly.

Starting on page 3 of your testimony, there you are discussing that space is reserved on the first floor of the Golden Glades office for future growth of the O3T and the O4T switches.

When will BellSouth be installing these switches?

A All of the switches that are identified

are installed, and in place and working.

Q At this time?

A At this time, and have been for many years.

Q Then why is there space reserved for future growth of these switches?

A The space in the Central Office, the switches are in close proximity to one another, so that we allocate growth for them.

And since they're close to one another, we want to plan to have enough space to grow them, depending on what the forecasts are and what our actual growth is. So, that's why.

Q So, does growth entail an addition of more equipment to that switch?

A More equipment to the switch.

Q Have work orders already been put in for the additional equipment that would be needed to grow those switches?

A The orders for the growth of the equipment are planned on a yearly basis, so the orders get sent out on key indicators that the switch capacity managers use, and when they see that they're approaching capacity, they then generate an order.

Q Do you know if you currently have work

orders in place for equipment necessary to grow those switches for this year?

A There is an order, and I'm not sure what the complete date is, on the 01T Central Office, the 01T switch. And then orders completed earlier this year for the 04T. We had a replacement for the STP.

Q What I would like to do is ask for those as late filed deposition exhibits. And that would be the work orders for both the 01T --

A 01T.

Q -- and the 04T?

A Also, for DSO, we had an order that was, also, installed and went into service this year.

Q You are not aware of any for 03T?

A 03T, also, had an order.

Q If I could get those.

MS. WHITE: The work orders for the switches?

MS. KEATING: Correct.

MS. WHITE: For 1998?

MS. KEATING: Correct. For this year, that would be for the DSO, 01T, 03T and 04T.

THE WITNESS: The STP was, also, installed and put into service.

MS. WHITE: All of the switches.

MS. KEATING: Right.

That will be, I believe it is, Deposition Exhibit 1.

(Deposition Exhibit 1 to be marked at a later date.)

MS. KEATING: We can just tie in work orders for switches, and title it Work Orders for switches In the Golden Glades office.

MS. SUMMERLIN: I think it would be Number 2, because I asked for that Space Worksheet.

MS. WHITE: That was in Mr. Ream's deposition.

MS. SUMMERLIN: I'm sorry. You are right.

BY MS. KEATING:

Q I have sort of the same question for the transmission circuit equipment. What is the projected growth for that?

A Well, the projected growth for the transmission equipment is 22 bays a year. And as I mentioned earlier, I have been informed recently, within the last two weeks, that we need to put in a new digital cross-connect switch, that alone will take up more than 26 bays of floor space.

So, for 1999, really, the expected growth in transmission equipment is 26 or 27, plus 22. You are looking at 47 bays.

Q Do you have a work order on that?

MS. WHITE: For 1998?

MS. KEATING: In the '98 time frame.

THE WITNESS: Well, that's not planned to go into service until 1999.

BY MS. KEATING:

Q So, you wouldn't put the work order in until next year?

A I'm not sure of the exact date they would put it in, because different types of equipment that you order have different manufacturing dates. So, they work that out. They look at the date of service that they request, and then they talk to the manufacturers to find out when they would have to submit an order.

Q But, to your knowledge, one has not been put in yet?

A To my knowledge, one has not been put in yet. It is being planned right now.

For the total equipment in transmission equipment, it is a little different than the switch, because, generally, with the switch there is one major

job that will add bays.

And then they have maybe two or three that will add circuit packs that go in the bays. The transmission equipment and total equipment are such that there are many orders. There are not just two or three. There could be 15, 20 orders in a given year.

Q You wouldn't just put in one work order for the whole?

A It depends. Customers will ask for a ring that requires and FOT type terminal, fiber-optic terminal bay, and that bay might require cross-connect panels. And we don't have room for the cross-connect panels, so you have to order a cross-connect bay to mount those panels in.

So, it kind of depends on what the customers are asking for.

Q Then on page 4, lines 10 through 12, you state that the future growth of the O1T is necessary due to increased interoffice calling and increased demands for ISP and ALECs.

How does interoffice calling affect the tandem switch?

A Well, a tandem, we don't have trunks that go to every office. So, when you place a call to somebody that lives in Perrine, and you are living in

Ft. Lauderdale, the call gets routed through a trunk through the tandem office, and then that tandem office will route the call to the Perrine office.

So, you have offices that have trunks to the tandem. And then local offices, when they make calls that aren't in the office, they can get routed through the tandem. It is the most efficient use, rather than having every office connected with every other office.

Q So, when you say interoffice calling, here, you are not contemplating within one building? You are talking about between different locations?

A Between different locations, different Central Offices.

Q How are ALECs causing increased usage on the O1T toll tandem?

A The ALECs are demanding or requesting service, and any request for additional service is going to generate more toll traffic.

Q So, it is not, actually, the ALECs themselves? It is the additional traffic?

A Well, the ALEC is setting up their space, such that if they want to route their traffic through different locations, they're going to have to have trunks through our tandem. If they want to place a

call and route it to wherever, and they might not be able to reach it from the location they're in and they would have to have a connection through the toll tandem.

Q Is that the same reason that you have indicated an increase in the use on the O4T?

A Right.

They're both toll tandems. One handles the Miami offices, and one handles the Ft. Lauderdale offices.

Q So, is that the only difference between an O1T and an O4T?

A That's the only difference.

Q On page 5, lines 1 through 3, you state that reserve growth at O4T and STP will reduce future space on the first floor by 393 square feet.

But if you look back on page 3, at lines 16 through 17, I believe, you state that 987 square feet is reserved for the O3T and O4T. So, does the 393 square feet for the O3T, O4T and STP, plus the end aisles and fire aisles area, make up the total 987?

A I believe that is correct. Because the numbers that I have reflected here are just for the equipment bays and the footprint, which is the space

in back of the bay and the space in front of the bay.

It does not take into account the end aisles that we have for walking through the offices. And, also, we have the fire aisles, the areas where we have air return ducts and we cannot put equipment in. So, it does it not take into account that.

Q It does not?

A It only takes into account the footprint print of the bay, and the area in front and the area in back.

Q Do you have any idea when the additional DSO and O1T equipment will be uninstalled? I believe you told me about the O1T.

A The DSO job, I believe, just completed. It just completed recently.

And what was the other?

Q O1T.

A O1T, it is in the process of being completed, or it is completed. I am not sure of the exact date on it.

MS. SUMMERLIN: Can we get you to check on that, and ask for that as a third late filed deposition exhibit?

MS. WHITE: You mean, the second?

MS. KEATING: She's got me off track.

MS. WHITE: That would just be a projected date for completion of installation of O1T.

THE WITNESS: All right. If there is a work order, there is definitely a job order associated with all of those.

MS. KEATING: That will be included in the first one; is that correct?

MS. WHITE: Yes. Projected installation date of the O1T.

MS. KEATING: Growth equipment.

(Deposition Exhibit 2 to be marked at a later date.)

BY MS. KEATING:

Q Looking on page 6 of your testimony, you state that ground plane restrictions dictate a seven foot separation from isolated and integrated ground planes. Could you give me an idea about what types of equipment are placed in the different ground planes?

A The isolated ground planes are set up for our switches in the Central Office, and the integrated ground planes are the toll equipment.

So, we have switch growth, we have switches. And this is, primarily, the situation on

the first floor in the building, because we have an, area with the toll, where the toll equipment grows and, also, where the switches grow. We have three switches down there on the first floor.

So, you cannot have the two grow together any closer than seven feet, because of the differences in the ground planes. I think I had mentioned earlier that it is for safety reasons so that somebody does not get electrocuted.

MS. KEATING: Thank you, Mr. Rubin. I believe those are all of the questions that I have.

MS. WHITE: I do have one.

CROSS EXAMINAITON

BY MS. WHITE:

Q You were talking about the second floor expansion.

A Yes.

Q Is there funding for that expansion yet?

A I think Jim Bloomer would be better able to answer that question.

Q Just a couple of more.

On the Space Assessment Sheet that you were shown by Ms. Summerlin that you filled out on Golden Glades, was the purpose of this form to say

that you didn't think that there was enough power for virtual collocation? Is that why you filled it out?

A The purpose was to indicate that there was a concern, based on the number of frames that were being added in the office. We felt that we would not have enough power to provide for the virtual collocator.

Q And what was the response back?

A That we cannot deny virtual collocation based on that.

Q So, you are in the process of fixing the power problem?

A We're in the process of upgrading the engine, which would help alleviate that problem.

Maybe I should bring this point out: That Central Office, Golden Glades, is being fed with a 208 volt house service panel. The capacity of the house service panel is only 860 watts. If we put in a 1200 KW engine, the house service panel will not be able to support the capacity of the engine.

So, when we put in the engine, we, also, have to change out the house service panel. This, I believe, can be done at a later date, so they can put in the engine.

And I'm not sure of all of the problems

that could arise from them putting in this engine, which will be rated at 480 volts, the new house service panel will be 480 volts. So, there are some engineering considerations that need to be worked out.

Q When you have to change out the house service panel, is the greater volt house service panel bigger than the one that is in there now?

A It will require additional space to do that, yes. Golden Glades is a very complicated office. There are a lot of factors that are looked at when you are doing the building addition.

The time frames involved in doing everything that needs to be done is pretty extensive. It is not something that can be done in a year or two years.

MS. WHITE: That's all the questions that I have. Thank you.

THE WITNESS: Yes, ma'am.

(Deposition concluded at 5:55 p.m.)

CERTIFICATE OF REPORTER

STATE OF FLORIDA:

COUNTY OF LEON:

I, ANITA M. PEKEROL, do hereby certify that the foregoing proceedings were taken before me at the time and place therein designated; that my shorthand notes were thereafter translated under my supervision; and the foregoing pages numbered 1 through 70 are a true and correct record of the aforesaid proceedings.

I FURTHER CERTIFY that I am not a relative, employee, attorney or counsel of any of the parties, nor relative or employee of such attorney or counsel, or financially interested in the foregoing action.

DATED THIS 14th day of October, A.D., 1998.

ANITA M. PEKEROL, CCR, RPR, CP, CM
100 Salem Court
Tallahassee, Florida 32301
850-878-2221

CERTIFICATE OF ADMINISTERING OATH

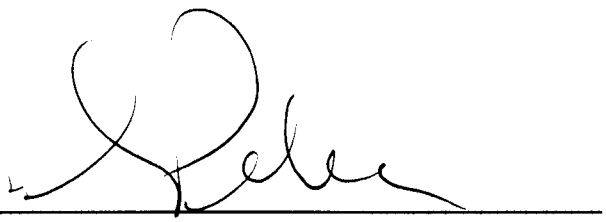
STATE OF FLORIDA:

COUNTY OF LEON:

I, ANITA M. PEKEROL, Registered Professional Reporter and Notary Public in and for the State of Florida at Large:

DO HEREBY CERTIFY that on the date and place indicated on the title page of this transcript, an oath was duly administered by me to the designated witness(s) before testimony was taken.

DATED THIS 14th day of October, 1998.



ANITA M. PEKEROL, CCR, RPR, CP, CM
100 Salem Court
Tallahassee, Florida 32301
850-878-2221

My Commission Expires: February 20, 1999.

(AP) 10-12-98 ERRATA SHEET

I have read the transcript of my deposition, pages 1 through 70, and hereby subscribe to same, including any corrections and/or amendments listed below.

10/20/98 _____

DATE: (Jerome Rubin)

(Petition for Emergency Relief of Supta Telecommunications and Information Systems.)

Page/Line	
5/13	"18560" NOT 18516
20/12	"office" NOT offices
28/25	"bays" NOT days
37/17	"Received" NOT Receive
39/1	"designed" NOT design
47/13	"DMS" NOT MS
52/25	"That" NOT qT, "Went" NOT one
55/1	"placement" NOT replacement
62/4	"toll" NOT total

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition for Emergency Relief of Supra Telecommunications and Information Systems, Inc., Against BellSouth Telecommunications, Inc.	)	Docket No. 980800-TP
	)	Filed: 10-2-98

DEPOSITION OF: JAMES D. BLOOMER

TAKEN AT THE INSTANCE OF: Supra Telecommunications

DATE: Monday, October 12, 1998

TIME: Commenced at 6:00 p.m.
Concluded at 7:45 p.m.

LOCATION: 2540 Shumard Oak Blvd.
Tallahassee, Florida

REPORTED BY: ANITA M. PEKEROL, RPR, CP, CM. Notary Public in and for the State of Florida at Large.

FLORIDA PUBLIC SERVICE COMMISSION
DOCKET NO. 980800-TP EXHIBIT NO. 8
COMPANY/
WITNESS: D. Bloomer/Staff
DATE: 10-21-98

ACCURATE STENOTYPE REPORTERS, INC.
100 Salem Court
Tallahassee, Florida 32301
(850) 878-2221

APPEARANCES:

REPRESENTING SUPRA TELECOMMUNICATIONS AND INFORMATION SYSTEMS, INC.:

SUZANNE FANNON SUMMERLIN, ESQUIRE
1311-B Paul Russell Road
Suite 201
Tallahassee, Florida 32301

REPRESENTING BELLSOUTH TELECOMMUNICATIONS, INC:

NANCY B. WHITE, ESQUIRE
Assistant General Counsel
BellSouth Telecommunications, Inc.
Museum Tower Building
150 West Flagler Street
Suite 1910
Miami, Florida 33130

REPRESENTING FLORIDA PUBLIC SERVICE COMMISSION:

BETH KEATING, ESQUIRE
Senior Attorney
Division of Legal Services

WAYNE STAVANJA
CALVIN FAVORS
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0863

ALSO PRESENT:

STAN GREER, BELLSOUTH
DAVE NILSON, SUPRA
ANGEL LEIRO, PARALEGAL, SUPRA
MARK E. BUECHELE, ESQUIRE, SUPRA
JEROME RUBIN, BELLSOUTH

I N D E X

WITNESS		PAGE
JAMES D. BLOOMER		
	Direct Examination by Ms. Summerlin	5
	Cross Examination by Ms. Keating	61
	Cross Examination by Ms. White	84
CERTIFICATE OF REPORTER		86
CERTIFICATE OF ADMINISTERING OATH		87
ERRATA SHEET		88

E X H I B I T S

LATE FILED DEPOSITION EXHIBITS:

NUMBER	DESCRIPTION	PAGE
1	Code (To be marked later)	42
2	Engine Floor Plan (To be marked later)	54
3	Planning and Purchasing for Transmission Equipment (To be marked later)	68

P R O C E E D I N G S

- - -

The following deposition of JAMES D. BLOOMER was taken on oral examination, pursuant to notice, for purposes of discovery, for use as evidence, and for such other uses and purposes as may be permitted by the applicable and governing rules. Reading and signing is not waived.

- - -

Thereupon,

JAMES D. BLOOMER

was called as a witness, having been first duly sworn, was examined and testified as follows:

MS. SUMMERLIN: Suzanne Summerlin, representing Supra Telecommunications and Information Systems.

MS. WHITE: Nancy White, representing BellSouth Telecommunications.

MS. KEATING: Beth Keating, appearing for the Commission staff.

MS. SUMMERLIN: The usual stipulations?

MS. WHITE: Yes.

And I'll explain that later.

Thereupon,

JAMES D. BLOOMER

was called as a witness, having been first duly sworn, was examined and testified as follows:

DIRECT EXAMINATION

BY MS. SUMMERLIN:

Q Please give your name and address, for the record.

A My name is James D. Bloomer.

And I work at 10JJ1, 301 West Bay Street, Jacksonville, Florida.

Q I hope you are not as tired as I am.

And what is your title?

A I am a Manager of Current Planning, Inside Property Management.

Q Current Planning, Inside Property Management?

A Yes, ma'am.

Q The most important entity for this case, apparently. We, finally, found the right person for all of these questions.

What kinds of duties do you have in that position?

A My primary duty is allocating space for company and customer requests inside our buildings.

My territory for equipment buildings is the State of Florida, and for administrative buildings it is everything north of Orlando, up to Pensacola.

Q Obviously, for Central Office stuff, it is the whole State?

A Yes, ma'am.

Q How long have you worked for BellSouth?

A Twenty-eight years and four months.

Q And what is your educational background?

A A BS in Management, an AS in Pre-engineering.

Q Okay.

A A ton of schools after that.

Q Who do you report to directly?

A Salvador, S-A-L-V-A-D-O-R, Brill, B-R-I-L-L.

Q What is his title?

A He is the Manager for Current Planning.

Q You are a Manager for Current Planning, also?

A Yes, ma'am.

The title is the same. The pay is different.

Q Do you have any people that you supervise?

A No, ma'am, I do not.

Q All right.

How many times have you visited North Dade Golden Glades and West Palm Beach Gardens?

A Several times each.

Q Are those all related to this case, or prior to?

A Some prior to the case.

Q As I understand it, the gist of your testimony is that you have gone to the Central Offices, both of them, and looked at them and determined that there is not adequate space for Supra to physically collocate; is that right?

A Yes, ma'am, it is.

Q Is that the gist of it?

A Yes, ma'am, it is.

Q Can you give me a summary, a little short summary, of how you have determined that for these two offices?

A Sure.

Q Do you want me to ask you questions? I'll do it either way. I will let you provide a summary real quick.

A We got the equipment forecasting input from Jerry and Guy for their buildings, and I went and

looked at the sites. And I know what the other people who don't have input to Guy and Jerry want in the building; like, the operations people who do work there. I know what our people need. They have to do air handling, and engines and those things.

And I piled all of that in a pot and stirred it around a few times, and there isn't any room in that place. I activated the property management building addition plan. We have got them in the budget. We're trying to get them to fund it, but they're in the proposed budget.

Q So, you are trying to get additions for both of these Central Offices?

A Yes, ma'am.

Q Are you the person who would know when that process started, the addition process, for both of these buildings?

A I can tell you when I started the active process, yes, ma'am.

Q When did you start the active process?

A Approximately March/April of this year, when I did my first tour of Gardens. That's the one that started, first.

They had an ongoing debate at the time of how they were going to add on, and I walked in the

building and gave them my opinion. And it started from there.

Golden Glades started approximately three months ago. We were in the middle of a walk-through. Jerry has the power problem. And we don't have space, so we needed something right then.

So, I did the right thing. I started the addition plan for that, as well.

Q All right.

So, the trick here is that you should have been to those offices sooner; is that it?

Three months ago, basically, we're talking July, then?

A Yes, ma'am.

Q For North Dade and Golden Glades?

A Yes, ma'am.

Q Now, we've got endless things that we have been asking everybody about, and you have heard all of this, so it is not like you don't know, exactly, what I'm going to ask you.

But one of the issues that I was trying to ask several different people about were the things on your Space Assessment Worksheet, I guess that is attached to one or the other of these testimonies of yours. Maybe it is the direct testimony.

When you made your assessment -- let me get to one of these where you filled it out.

A All right.

Q On North Dade Golden Glades, you heard the discussion with Mr. Rubin about North Dade Golden Glades and about the work sheet that he did?

A Yes, ma'am.

Q Is the 26,225 the correct number for the total gross square feet?

A Yes, ma'am. As best I know, that's the correct number.

Q Did you go to the outside of the walls to get that figure?

A I measured it in accordance with the Building Owner's Management Institute Standards for Measuring Floor Space, which is you start at the inside corners of the finished space of the exterior wall to develop gross.

Q Where in your Space Assessment Worksheet is there consideration for the work spaces? I know you heard all of that stuff earlier, and you know what I'm trying to get at.

A Yes, ma'am.

Q I'm just trying to figure out where in there is that considered.

A Do you have a copy of the map thing that went with this?

Q Yes.

Is that attached?

A Yes, ma'am.

When you look at the map thing, and I don't know a better way to describe this thing than the map thing, this is West Palm. I am trying to get those folks to the right page down there.

THE WITNESS: It is in the back, Ms. Keating. There should be two pages that look like this, about a third of the way in from the back. There are several of them.

MS. KEATING: JDB-3.

THE WITNESS: Yes, ma'am, JDB-3.

BY MS. SUMMERLIN:

Q Then First Floor plan for North Dade Golden Glades?

A Yes, ma'am.

I'm going to ask you to tell me which workstations you want to know about before I put my finger down.

Q Well, let me ask the question, again.

A Okay.

Q I don't know which one I'm asking about.

I saw two Central Offices, but I saw lots of desks and lots of terminals all over the place in both of those offices.

So, what I'm trying to figure out is, is there a uniform treatment of those workstations throughout here, and how is it characterized?

A Yes, ma'am.

Inside of the occupied switch area, there is a little space that says -- I'm not sure if the quality of the copy lets you read it, but that defines where the maintenance center is.

Q It is considered occupied switch space?

A Yes.

It comes with the switch. That is a fixed configuration floor space layout. You order it. You check the box. So, it comes that way.

Q So, that means that there is a desk -- let's see here, you were telling me --

A You can't hardly read it, probably, because the text is so small.

Is this copy better, ma'am? These are what I'm talking about right here.

Q Let's see here. I think this is the same thing.

A That's the one that looks like Gardens,

ma'am. It doesn't look like Golden Glades.

Q You are right.

A Maybe that reads a little better. Can you read it better off this one?

Q Yes.

You were saying that it says maintenance. Where does it say that?

A MTCE. We abbreviated, and we gave you a key down there to read the key.

Q That's your map.

MS. WHITE: If we make copies from that, maybe the copies would come out better.

MS. KEATING: If you would like, I could do that.

MS. WHITE: I hate to stop there, but if you want to make copies from this, this looks much better.

(Brief pause off the record.)

MS. SUMMERLIN: Let's go back on the record.

BY MS. SUMMERLIN:

Q So, we now have better maps.

Looking at the North Dade Golden Glades First Floor, there are two areas that are indicated as being tandem switch maintenance and STP switch

maintenance.

A Yes, ma'am.

Q And those are areas where there are workstations and desks?

A A fixed layout assembly. I mean, it doesn't come apart. It is all pieces that are hung together.

Q A fixed layout assembly?

A Yes, ma'am.

Q Now, isn't it true that there are other workstations throughout the First Floor, where there are some desks?

A Yes, ma'am.

There are other work areas throughout used by vendors who are in there installing equipment as required by our contracts with them. There are places that our people put down stuff to work.

Q That are desks, and tables and that type of stuff?

A Yes, ma'am.

Q And where are those? Where would they be considered to be?

A By rule, I put them in future space.

Q In future space?

A Because they can't be in an occupied

space. If you look at the map right there, put your finger down on the text right here. And I'll explain what this text says and that might help you.

It starts off by saying that this shaded area is 4346 square feet occupied by transmission equipment, integrated ground plane.

That 4346 square feet is made up of 4,076 footprinted bays on the floor with their aisles.

And there are some vacant bays in there that I track, also, because that's where those folks have their occasional desks, their file cabinet or whatever. So, if you look, that's where you see those things appear. They appear in those little holes that are all through the occupied equipment area.

Q So, is that the 77?

A There are 77 vacant slots in there, yes, ma'am.

Q Times 3.5?

A Yes, ma'am.

That was argumentable as the square footage footprint. Everybody seems to like that number, so I used it.

Q Can you explain what is in this top left corner of this map that is labeled Trans Maintenance Area Integrated?

A Yes, ma'am.

The transmission folks that work in the toll and circuit area have their toll and circuit records, and the desks that they use to work on the circuit drawings and they have them tucked in up there. They have some terminals up there that allow them to do testing. That is desks and tables, but it is something that they need to have to work.

Q Have you accounted for every single workstation and desk area, table area, that looks like of a clerical nature by doing it in these ways that you have just discussed?

A Yes, ma'am.

As I stated in my testimony and in the rebuttal, I account for every square foot in the building somehow in the most easily definable way.

And I tried to account for everything.

Q Is that the same type of thing right here in this section?

A There could be some occasional things in those. But that it is slightly different, because that equipment, if they put something in there, it has to be grounded properly.

So, generally, there is not anything in the switch areas, because you can't put a terminal in

there that is on an integrated ground plane. You can't run erasers, radios, fans, any of that kind of stuff.

Q You have in here 14 times 3.5 future space. Is that the same kind of an idea as up here?

A Yes, ma'am.

Just to account for that floor space.

To address your earlier question about the engine at Golden Glades, if you look right down there in the lower left center --

Q Engine room?

A -- engine room expansion, you see directly to the left of it, ma'am --

Q Yes.

A -- the engine room is going to end up being both of those rooms, because with a 1200 KW, it takes both of them.

Q The future engine room?

A Yes.

That whole thing will become the engine room.

Q Let me look at the other map.

On the Second Floor, were there any desk areas that were accounted for up there?

A Yes, ma'am.

Do you see those on the right-hand side of the Second Floor in a similar fashion? I accounted for the maintenance centers. Those are the fixed layouts that come with the switch.

And as you saw on the walk-through, there was not a whole lot of other vacant up here, except where we had piles of equipment waiting to be installed.

And this area, I believe, is a significant change from the walk-through. There is now equipment cut down which you may have had on the old, old drawings. That area has been cut in half by equipment installing going on now.

That was stuff that I pointed out to you last week that was in the shipping/ receiving room, and this week it is on the floor. These orders out here have started arriving. So, that material is arriving in the very space that it is going to be installed. That is going to be a very interesting installation.

Q Do you have a calculation of these tandem switch and local switch maintenance areas in terms of square footage? Is that the future amount?

A No, ma'am.

Just as on the bottom floor, that meant

there were 15 actual vacant spaces on this whole floor up here, just as it did down below. There is, actually, 15 footprint spaces vacant in this whole room up here that are scattered throughout here, from your question earlier.

Q What I'm talking about is, do you have a square footage for these areas right here?

A Not specifically, no, ma'am.

Q And that's true of these areas, also?

A Yes, ma'am.

Q You know that we had a walk-through in September, also?

A Yes, ma'am.

I would have loved to have been with you, but I couldn't.

Q On the West Palm Beach Gardens First Floor, if you can look at that for a minute --

A Sure. Let me take my time to get there. I don't want to lose my place in my pile here. Thank you, ma'am.

Q -- you have got STP over on the right-hand side. It appears STP maintenance area.

A Yes, ma'am.

Q And then TOPS maintenance area, isolated?

A Yes, ma'am.

Q Then you have various places where you have got future space in other areas?

A Yes, ma'am.

Q That's the same idea that that is supposed to account for?

A Yes, ma'am.

Those are the single-bay spaces, and that occupied block is vacant. Everything else is full. That's what that is trying to tell you.

Q What is this top left area up here? What is that labeled, administrative?

A I am forced, by definition of space, to call that administrative. It is, actually, the shipping/receiving room. I don't agree with that. I think it ought to be part of the equipment space, because I have to have it, but the rules say it is called admin.

Q Then you have equipment staging. What is that, up here on this section?

A That's the area in the walk-through where the stuff was scattered all over the floor because it was arriving and uncrating. And they had so much out in the shipping and receiving room that they had to bring it inside of the area and start laying it out in there, there was so much growth activity going on.

Q And then on the left side here, you have got two areas that are maintenance, again?

A Yes, ma'am.

Q Local DMS 100 Maintenance Area?

A Yes, ma'am.

It says LATA Tandem, DSM 200 Maintenance Area.

Q Do you have a number for the amount of maintenance space that is on here?

A No, ma'am, I don't.

That's that same fixed layout thing. There is one slightly odd-shaped, because it has to carry some of that aisle space right there.

If you remember from the walk-through, this is the place where you couldn't walk through because the equipment had grown right down to the wall. And I pointed out to you at the time that that was an unsafe aisle.

We, actually, have equipment sitting in the aisle, because there is no place for it to go.

Q Are you talking about here?

A Right here. Right underneath the column right there.

Q All right.

And this area right here is considered

office administrative, also?

A Yes, ma'am.

It is the lounge. By definition, they make me call it that. The folks who work there call it something else.

Q In your position as the property management person, are you aware of anyone being requested by your office or by anybody else to go into North Dade Golden Glades or West Palm Beach Gardens and look at the way the equipment is currently configured and determine whether there is unused equipment that could be removed, or a reconfiguration that might be done, or anything else, to try to maximize the design of these offices --

A Yes, ma'am.

Q -- for the potential physical collocation?

A Yes, ma'am, I am.

Q Who?

A Previous to 1998, I would do that myself, because property had responsibility for equipment layout. We would constantly argue with people, because it was our budget that funded the building addition.

Now, the network people fund the

building addition and they, also, fund the work necessary to move the equipment around, so it is all their budget. I just help them get it right. So, now, they ask themselves those questions. I don't have to ask them.

Q So, have you gone into this office? Did you go into this office last year?

A Yes, ma'am.

Q And do that kind of look?

A Right near the end of '97, yes, ma'am.

Q And you, actually, studied the way the equipment was configured in every way, shape and form?

A Yes.

I looked at the blocks of space, yes, ma'am. I looked at what was in the blocks, and it can't have a whole lot done with it.

Q You looked at blocks of space, meaning what? You are talking about areas --

A Yes, ma'am.

Q -- where there is no way whatsoever that it can be reconfigured?

Let me ask this question: In your background, you took pre-engineering and you have taken courses on this type of equipment?

A Yes, ma'am.

Q So, you are at a level fully qualified to be able to talk about the functionality and the operational requirements of all of this equipment?

A I can hold a reasonable discussion, yes, ma'am.

Q Well, I assume Guy Ream and Jerry Rubin could, too, but they don't seem to be willing to step up to the bar on this issue.

I'm asking you, are you the person at BellSouth that is able to make that kind of determination, about whether or not the equipment that is laid out the way it is right now couldn't be reconfigured in a more efficient way?

A I can suggest things that I know to the folks who have to fund the work. They're the subject matter experts themselves. They can either reject what I say, or carry on, or find their own ideas.

Q Have you been asked to do that kind of task in these two offices?

A I do it myself, yes, ma'am, before I recommend the building addition.

Q And so, you have already done that?

A I have taken a look at them, yes, ma'am, at a surface level.

Q At a surface level?

A Yes, ma'am.

Q Meaning what?

A I didn't pull the Circuit records to see the DPCR cards and what specific customers are assigned on what jack and what pin. But I looked at what they configured, and where they had things laid out and said: "We're in doo-doo."

Q Did you look at it from the point of view of any possible way to rearrange it, or did you simply look to see if it was reasonable the way it is?

A As a conscious thought?

Q Yes.

A Some of it, I did. Some of it, I did not. Because I know certain pieces of equipment have to grow certain ways. If they're in there, they're there.

Q Do you have any information regarding the growth projections for these offices?

A Only what Guy and Jerry would give me, to say: "Jim, this is the space allocation I need. Do you have it?"

Q So, they would tell you what somebody else told them, basically, about what space they needed?

A Yes, ma'am.

They assembled it.

Q So, you, basically, just accept what they have said to you about what kind of space is going to be needed?

A Yes, ma'am.

We have reasonable discussions at times.

Q You are not really the person that I can ask about the assumptions that were made to come up with these supposed projected growth figures?

A No, ma'am, I'm not.

Q You were involved in obtaining the FCC waivers for these two offices?

A No, ma'am.

I was involved in doing the North Florida offices.

Q I am confused here.

A I think I said in my testimony that I was North Florida.

Q I'm sorry.

So, you were involved in the North Florida Central Office locations?

A Yes, ma'am.

Q So, you are familiar with the process that took place --

A Yes, ma'am, I am.

Q -- at that time?

A Yes, ma'am.

Q I know that you heard all of the discussion earlier about the fact that in both of these offices BellSouth got waivers, stating that there was a certain amount of space that needed to be reserved.

A Yes, ma'am.

Q And now, five years later, there is more space available than there was being reserved at that point in time.

Do you have any explanation for that?

A I can see how it happens, but because of my experience doing the North Florida summary, I cannot be direct as to these two buildings.

Q And is it troubling to you at all?

A No, ma'am.

I think I used an analogy in my testimony that when you take a picture of a baby, and you come back five years later, it is still your baby, but she looks a heck of a lot different.

And that would be my suggestion here. There are some things at South Florida. The way they measured the space, they didn't do it consistently. It would appear different from the way that I would

have done it up north.

And that's why you see in my rebuttal testimony that there is a question that goes directly to future space, and one of the things that is not considered in the definition of it and that's the aisle that you have to take out.

And I believe if you look at the rebuttal testimony, the number that is left is nearly the same number that was there in the '93 filing. I'm suggesting that that might be more than just coincidence, but I don't know for sure.

Q So, you're, basically, saying that the reason for the great disparity between these two figures is because they didn't account properly for aisle space back in '93?

A I'm saying that that is a possibility, ma'am.

But, also, the building has just rolled over so fast.

Q The buildings roll over?

A Yes, ma'am.

It is a churn, just like when you mix ingredients in a bowl; in, out, around, sideways.

Q Equipment in, equipment out?

A And you have parameters that you have to

keep them within, so you are constantly playing, like, Rubic's Cube.

Q Do you think the FCC would have been as willing to give a waiver if they had known that there would be as much space available as, apparently, there is right now?

A I don't know how they would have acted, ma'am.

Q What you are saying is that the situation in the Central Office is dynamic; is that right?

A Yes, ma'am.

Q In a situation like that, where space becomes freed up, as well as becomes filled up, is that a fair way to characterize that --

A Yes.

Q -- is it appropriate for a company to take the posture that there is no possibility at any time for physical collocation in 1993?

A I don't know that, ma'am.

Q Is that not what BellSouth did by getting a waiver from the FCC in '93?

A I can only speak to the ones that I did in the north.

Q Well, the ones that you did, isn't that what the idea is, that you don't have to worry about

applications for physical collocation at those offices? I mean, why do you get the waiver?

A I get the waiver because there is nothing reasonable that can be done to accommodate the physical collocation under the terms that the FCC gave us to work with.

Q But isn't it true that five years later, things might have changed substantially?

A Sure.

Q And would it be appropriate, then, to re-evaluate the situation?

A I did.

Q And when applications come in to, actually, consider them, as opposed to just sending them back, basically, because of that waiver?

A If I hadn't just done it, I probably would go back and take the application, the first one, and say, okay, we need to relook at this thing. It is on the waiver. There has never been a request. Because we know that if somebody sends in a request, we have to take a look. Is this thing still good?

I'm speaking now to the FCC waiver. Is this waiver still good? It either is or isn't. We run a Space Assessment Worksheet on it. If things have changed, we take it off the waiver and process

the applications.

We have done that with a number of buildings.

Q How many have you done that with?

A I knew you were going to ask that, and I'm sitting here thinking. I'm down to five. And I believe we had some considerably larger number than that. I don't remember what the starting number was. Sixteen, I think, is the original number.

Q You had 16 FCC waivers?

A I think.

Q And, now, you are down to five?

A With the State, I am down to five. So, yes, I revise them all of the time.

Q Do you not find the difference in the amount of space that is available now, as opposed to what was supposedly available at the time that the favor was filed, pretty extreme?

MS. WHITE: I am going to object, to the extent that he's already testified that there isn't any space available. So, I'm not sure where you are getting available space.

BY MS. SUMMERLIN:

Q Let me talk about the space that was reserved for future use in '93, as opposed to the

space that is reserved for future use now at these two Central Offices.

A Can you go back to the first part of what you want me to answer?

Q The first part is, do you not find that to be a pretty extreme difference?

A Not knowing how they did those other numbers, I don't have a good basis to address that. The next time I do one on the building, I will know because I did this one. And I know how I measured it, and I know how I detailed it.

Q So, I thought that you were involved in this process before?

A Yes, ma'am.

In the North Florida buildings.

Q So, they did things completely different in South Florida than from North Florida?

A They were supposed to do them the same. And all of the folks who did them are gone, so I don't even have anybody to ask, so I have to make assumptions.

Q Who would have been making the projections of growth at that time when you were doing the North Florida offices?

A The Capacity Managers. I think they were

still called Capacity Managers then.

Q And they were, basically, at that time, at least in one of these offices, saying that they needed 1,000 square feet for two years' worth of growth; is that right?

A I read that, yes, ma'am.

Q And, apparently, five years later, there is substantially more space than that left for future use, theoretically?

A I don't know that I can still answer that question, for the same reason. I don't know how the folks that did the original form accounted for these code aisles. I don't know that.

Q But you know that they said to the FCC that a thousand feet was to be reserved for future use at a point in time?

A I see that on the filing.

Q So, if you look at their projections at that point in time, would it be fair to say that their projections were a little off?

A No, ma'am.

I can churn that building a couple of times, and still end up with -- we don't want to spend money to build building additions if we don't have to. It is just not good for the customer. You just don't

build a building addition and sink capital into the rate base to drive your revenue off of.

Q When you say that, what is the significance of that?

A The significance of that is that we do mining, growth, consolidation. All of those things that you were asking about, we do that to meet current customer forecasted growth. I mean, we don't spend money in a stupid fashion. It would be crazy.

Q Mr. Rubin stated that there are three years of growth that BellSouth was saying was necessary right now for North Dade Golden Glades; is that right?

A I heard him say that, yes, ma'am.

Q Do you think it is appropriate for BellSouth to reserve for its own use three years of growth at the same time that it is denying anybody physical collocation?

A Appropriate? I don't know. Appropriate? Is that the right word? I don't know.

No.

You have to be careful, ma'am, when you talk about equipment and what is a forecasted interval only to the extent that something ships this year and services next year. Which year's forecast is it in;

this year's or next year's? When somebody ships us equipment, the space has to be there for it.

Whether it services a year from now because it takes that long to install, that's another issue, but the space has to be there.

So, when Jerry says three years, he very easily could be talking about stuff that has to ship inside of the two-year window and the floor space has to be there for it. It may take them a while to wire it up.

I know that the requirement is a two-year forecast. My comments to the guys is that I have to have space for you two years from today for a ship date.

Q When you say to me that you have to have a two-year forecast, does everybody who makes projections at BellSouth have the same idea about this?

A For collocation, yes, ma'am.

Q Did they have it in '93?

A I was operating under those instructions in '93, yes, ma'am.

Q So, if you had filed that request in '93, would you have expected the situation to be the way it is now?

A I don't know that.

Q What I'm saying is, if you had filed the Petition for Waiver in '93, based on what you understand the process was, and you had said that you wanted to reserve a thousand square feet for future use in '93, would you have expected the situation to be as it is currently depicted at the Central Office now at five years later?

A It would not be unreasonable, ma'am. I have been doing this for 20 years. I have lived with enough of my mistakes. I'm still living with some of them.

Q Are you, basically, saying that, apparently, there were some mistakes made here?

A No, ma'am.

I'm saying that in my real life experience, which is what you asked me, that it is appropriate for me not to think that this is real unusual, because this stuff happens. I have been doing this a long time, and I have seen it happen. You just keep finding a way to do things. We find a way to do them.

Q Would one reason that this much space would be available now be as a result of changes in technology, so that equipment has become smaller to

provide greater, with higher density?

A As a building person, I doubt it. I doubt it for this reason: The equipment used to be 11-foot-6, and it is now seven. One of the primary reasons for doing that is that while the equipment can terminate more people, it, also, does two other things.

It takes more cable to get into it, so you have to have more rack overhead, and the air conditioning is eight times greater, 10 times greater.

So, you physically can't put the equipment as close as we used to in the old layout. Some of the old aisles used to be 2-foot-six, one-foot-eight. With the new digital equipment, we have 3-foot and 2-foot-6 aisles simply to get enough air down there to keep it cool.

It may be dense on a bay-by-bay basis, but when it comes from supporting it from a property management point of view, you have got to spread them out. If you can't get the air to it, you can't get the rack to it.

Q In your direct testimony, page 3, you were talking about the various factors to be considered.

No, I'm sorry. What is the process used to identify the Central Office space available for collocation.

A Hold on just a sec. I am just making sure not to lose that pile there.

Can you give me the page, again, please, ma'am?

Q Page 3, lines 21 and 22.

A Yes, ma'am.

Q As you said earlier, you heard Mr. Rubin talk about three years?

A Yes, ma'am.

Q In this situation here, you said that, generally, reserve space is held for the various space usages described in Step C, the forecasted needs for the next two-year intervals.

A Yes, ma'am.

Q And why is three years okay?

A It depends if you talk ship date or service date, ma'am. And I suspect that's the difference.

Q Ship date or service date?

A Yes, ma'am.

Q Well, this is talking about the forecasted needs for the next two-year interval.

A Yes, ma'am.

Q Why is that not cleared up right there? Why would you not have said ship date or service date if that's a significant factor?

Well, I'm asking you.

A I'm serious. I wrote it. I just didn't put the word in there.

Q What word should go in there?

A I'm saying the ship date is the forecasted need. Two years from today, the floor space has to be there.

Q The ship date?

A Yes, ma'am.

Q Meaning, the date that the equipment arrives?

A Yes, ma'am.

Q So, the equipment should be able to arrive within the next two years?

A Yes, ma'am.

Q Is what you are talking about?

A Yes, ma'am.

Q Are you involved in this local government process, the permitting process? Everybody else thinks you are.

A Yes, ma'am.

Q Somebody needs to know the answer.

A Yes, ma'am, I am.

I'm the mind reader that has to anticipate what they're going to do with the allocation of space. I say that as I explained in my testimony, and I think Wayne explains it in his.

The local code person has the authority to override and insist that we do what he thinks ought to be done, even if one of his buddies six months ago permitted, exactly, the same kind of work in an entirely different way. That's just the facts of life. It is not something that I can control. I have to learn from it as I go and plan for it.

Q Is this a problem that Supra has experienced based on asking for an unenclosed space? Is this a result of a particular municipality's code problem?

A Can you give me the questions one at a time, and I'll try to go through them? You gave me a couple.

Q Apparently, Supra is experiencing a problem in terms of being told that we have to have a fire wall, a fire rated wall.

A Yes, ma'am, a fire rated wall.

Q And I am trying to find out, exactly,

what is the source of that problem.

A The source of that problem at this point is that the City of Miami-Dade and the City of Ft. Lauderdale -- and I do not have the men's exact names, but we have some correspondence from some of them that says you will put one-hour walls around these people, this equipment, this need, before I will issue you a permit.

It is that cold-blooded.

Q Is this a code provision?

A It is their interpretation of the code.

Q Do you have a copy of that code provision?

A Not on me, no, ma'am, I don't.

Q Have you reviewed it?

A Yes, ma'am.

I have seen it a number of times.

Q Can you provide that as a late filed Exhibit Number 1, please?

A Sure.

I was going to say that I will provide you the ones that I think they're using, that they're quoting to us.

Now, their interpretation, please understand, is their personal interpretation of that

rule and it is not written down. But they decide how they are going to interpret it, and this is the section they quote.

Q I would appreciate in that late filed exhibit that you provide the code provisions that are being used by these two cities, and the individuals who are communicating this issue to you, the names of those individuals, please.

A Yes, ma'am.

Q And that will be late filed Exhibit Number 1.

(Deposition Exhibit 1 to be marked and filed at a later date.)

BY MS. SUMMERLIN:

Q Is it your understanding that their interpretation of this code provision would result in needing a fire wall around each physical collocator's equipment?

A That is, exactly, what they're saying.

Q To separate one collocator from another collocator?

A That's, exactly, what they're saying.

Q As well as from BellSouth?

A As well as not only from us, but from the common area, as well.

Q Is it your understanding that there are any virtual collocators right now? Is there a virtual collocator in either one of these Central Offices?

A I understand, from the walk-throughs, that there are.

Q Is it your understanding that there needs to be any kind of fire wall, fire rated wall, around those --

A No, ma'am.

Q -- installations?

A No, ma'am.

Q What is the basis of this fire rated wall issue, as far as you understand it?

A In virtual equipment, we control the floor space and the frame itself. As I understand it, the collocator pays a prorated share of his terminator capacity in that frame.

In the physical side, the collocator has control of his space, pays charges for it to be built and ongoing charges, so that makes him a tenant. He, actually, has control of the space.

That's the words that we have heard from those code officials, is that person has control of the space. Therefore, they're your tenant, which makes it multi-tenant, which makes us do all of these

other things.

Q Who owns the equipment in the virtual arrangement?

A It is my understanding, ma'am, that we have put the equipment on the floor. And it is my understanding that the ALEC, I think that's the right acronym, the collocator, pays a pro rata portion of that cost, depending on how much they terminate in that bay.

So, I am not sure how you want to define ownership. I'm just saying that it is our floor space, so they're not a tenant because they don't control the floor space.

Q Do they pay rent for the floor space?

A I do not think they pay a rent, ma'am, nor do they have control of it; which is the key things in the code interpretation.

Q So, in your understanding, who owns the equipment in a virtual arrangement?

A I have to repeat myself. I'm not sure what ownership means. I know BellSouth has the floor space and puts the frame there, and the collocator who is in there pays a portion of the cost of that work.

Q You don't know who owns it?

A That's what I'm trying to say, ma'am. Whatever the ownership is, I'm not sure in that kind of case.

Q You don't know whether that equipment is owned by BellSouth?

MS. WHITE: I'm sorry. But he's already answered that three times, four times, five times.

BY MS. SUMMERLIN:

Q Well, I am amazed that a person that has the kind of role that you have and the experience that you have, that BellSouth does not have you in a position to know who owns that equipment.

A I don't think it is material to what I do, ma'am.

Q Apparently, in this multi-tenant situation, it is critical if somebody is going to be in a position where they're going to have these kinds of requirements placed on them because they don't own the equipment or control the equipment.

So, your understanding is that this whole issue is based on control of the floor space?

A That's the way the code interpretation is based, yes, ma'am.

Q Is it your understanding that this is the

same problem throughout Florida, wherever this fire rated wall issue comes up, or do you know?

A I'm well aware that that is the same issue all the way through.

Q Are you familiar with the Grande? Is that how you say that Central Office? Is it Grande?

A Somewhat, yes, ma'am.

Q Are you familiar with Palmetto?

A Yes, ma'am.

Q Are you aware of Supra's application for collocations in those offices?

A Yes, ma'am, I am.

Q Is there a fire rated wall being built around Supra's space in those Central Offices?

A I don't think that has gone for an order, so the answer is, no, ma'am, not yet.

Q In other words, you don't know for sure whether there is going to be a fire rated wall required?

A Let me say this: If the permits are applied for, there will be a fire rated wall around it. At the time you go firm order, they will expect a wall to go up around it. They would be inconsistent if they did, otherwise.

And as I said, I try to learn from code experience as I go.

Q Why? Is it because it is in the same county?

A Same county, same building, where they have already insisted on it.

Q They have already insisted on it in Grande?

A Yes, ma'am.

Q And in Palmetto?

A Yes, ma'am.

Q Isn't it true that the BellSouth denial of Supra's application is based on the fact that the projections for need for BellSouth indicate that BellSouth is going to need all of the space that is available?

A That would be one of the factors, yes, ma'am.

Q Didn't you say, on page 2 of your rebuttal testimony --

A Hold on a second.

Q -- lines 22 through 24: "Equipment forecasts and the proposed space allocations derived from those forecasts are snapshots in time? This means that the forecast is good only until the next

forecast is completed"?

Is that right?

A That's what I said, yes, ma'am.

Q On page 3 of your rebuttal testimony, actually, the question is at lines 8 through 19, and I'm not going to read all of that. But the question here talks about that there was -- "Mr. Nilson's testimony says that there was no verification process for the data used in the '93 FCC Petitions for Waiver. Do you agree?"

Your answer, on line 12, is: "No, I don't agree."

And, apparently, your testimony is that you believe that the accuracy of those filings was assured because the studies were subject to audit by the FCC, for one thing?

A Yes, ma'am.

Q Were any of those Petitions for Waiver or those studies audited by the FCC?

A They didn't tell me which ones, if they did, ma'am.

Q So, you don't know?

A I do not know that. I just know that none of mine came back.

Q You don't know whether anybody audited

any of them?

A I don't know. I just know none of them came back with an error.

Q Later on, on that same page 3, there is a question on lines 23 and 24, I guess: "Was there an established process in place to control the inputs that were provided?"

And on the next page, your answer says: "Yes. A Space Assessment Worksheet requiring accountability for every square foot was provided."

Was there any verification that the projections for future need were verified by any entity other than the BellSouth employees who were providing this?

A I'm not aware of that, ma'am.

Q Are you aware of why Supra's application was denied for physical collocation in these two offices?

A Basically, the buildings do not have space.

Q Do you know what the basis was for that denial?

A Yes, ma'am.

There was not any space.

Q Are you aware of the fact that Supra was

told that there was an FCC waiver?

A I don't know.

Q You are not aware of that?

A I don't know who told them what, ma'am.

Q How many Central Offices do you deal with in North Florida? That's your area, right?

A Right now, it is the whole State.

Q So, you are familiar with all of the Central Offices in the State of Florida, then?

A I am supposed to become real familiar with them in a hurry if I need to. There are a great many of them that I know real well.

Q How many Central Offices are there in Florida?

A I think, at last count, there is over 200, including the remotes. And that's a real broad number.

MS. SUMMERLIN: I'll be through if you let me talk to them a couple of seconds.

(Brief recess.)

MS. SUMMERLIN: I just have two or three questions.

BY MS. SUMMERLIN:

Q Mr. Bloomer, on this North Dade Golden Glades First Floor plan --

A All right. First Floor?
Q -- yes --
A Yes, ma'am.
Q -- there is a section marked Engine Room.
A Yes, ma'am.
Q There is no square footage reported for that room. Do you have some idea of what that would be?
A The sum of that number in the power room area, the engine is included in the power. I think we do that by definition.
Q So, 2,901 square feet.
A Yes.
Q If you subtract 142 --
A I know the round number, ma'am, but I don't know the exact number.
Q What is the round number?
A The round number is 400 square feet, plus or minus some-odd.
Q So, that engine room is 400, roughly, square feet?
A Yes, ma'am.
Q Now, are you aware of the plan to put in additional power- -
A Yes, ma'am.

Q -- equipment?

A Yes.

Q What is your understanding of what is going to take place on that issue?

A I'm going to allocate both of those rooms for that 1200 KW diesel.

Q This room and this room?

A Yes, ma'am.

And remove the wall in between. The 1200 KW diesel takes about 20 feet of wall for the intake opening for the amount of air that it takes to support the combustion in the engine.

Q So, it is going to take both of these rooms?

A Yes, ma'am.

This engine is about 17, 18 feet long. Its control cabinet is about four feet deep. Its sound attenuator is another five feet. I might get the whole thing in there.

Q How is the office going to operate while that is being installed?

A We will probably have a temporary on-site during the transition.

Q Where will that be?

A Probably out in the parking lot. We'll

have to get a permit with a variance for that amount of time for the construction interval.

Q It is your understanding that both of these rooms will be completely taken up?

A Yes, ma'am.

That's what my space planning tells me.

Q Do you have the floor print of the engine?

A Not with me, no, ma'am.

Q Do you know, exactly, how much space the engine itself will take up?

A Not off the top of my head, but my number is fairly close.

Q What is a number?

A Eighteen feet for the actual engine. Four feet for the sound attenuator, on the exhaust around the radiator.

Q Eighteen feet, plus four?

A Yes, ma'am.

And the control cabinet that has to go in there is 3-foot-3 by 2-foot-2 deep. And the intake attenuator, which goes on the intake grill, has to be about five feet deep, the length of the intake opening.

Q Would you have access to the floor plan

for that engine, the actual footprint?

A I think we can round one up.

Q Can you give us a late filed exhibit?

A Sure.

Q I don't know which number we're on. I think we're on three.

MS. WHITE: Two. I only have one. One was the code provision and the names of the people.

MS. SUMMERLIN: Okay.

MS. WHITE: I don't have a two.

MS. SUMMERLIN: Okay.

(Deposition Exhibit 2 to be marked at a later date.)

MS. WHITE: Late filed two is the footprint of the new engine?

THE WITNESS: Yes.

MR. BUECHELE: And that will be the manufacturer's spec?

THE WITNESS: Pardon me, ma'am?

BY MS. SUMMERLIN:

Q Can you give you the manufacturer's specifications?

A That's, generally, what we use, yes, ma'am.

Q Now, moving on to a different question, you were on the walk-through of the North Dade Golden Glades office when we went on July 24th; is that right?

A Yes, ma'am, I was.

Q Do you remember that there was a pretty large set of bays, like, 25 bays, of Nortel STP switch?

Initially, we all believed that it was operational and it was determined that it was not?

A Yes, ma'am.

Q Do you remember that?

A Yes, ma'am.

Q Is that what you are referring to right here in this part of this diagram?

A Yes, ma'am.

Q The old STP to be removed?

A That's one of the changes from that walk-through, because the Thursday before it was working.

Q And the Thursday before, that space had been indicated as occupied, or would have been?

A Yes, ma'am.

Q Why was it automatically changed to reserve for future use?

A Jerry has a forecast that says he needs that much space, so I took off the little occupied section and made it part of the reserve for future growth section.

Q Was there any consideration to making that space available for physical collocation?

A I looked up overhead. And based on what I know about the other four factors, I would say it is not available.

Q Overhead, what did you see over the head?

A Racking, and the things that I have to fire rate around to try to build.

Q If the STP itself could be located there, why couldn't a physical collocation be adequate there?

A In a multi-tenant situation, I have to get a fire rated enclosure. It is two different ground planes, again, because the STP is an isolated ground plane and the equipment in the collocator cubicle is integrated, so you don't mix them.

And, lastly, we get the code issues of trying to get egress and all of the other things to it.

Q So, is the ground plane issue enough of a reason to deny this by itself, or is it the fire rated

wall issue?

A To my mind, there are yeses and noes. So, is it integrated equipment in the middle of isolated? No, we don't do that. It is not reasonable and customary to do that.

Q Would it be impossible to do that?

A Damn near.

Q Why?

A Because everything that is metal has to be grounded in a specific way. You can't have any metal touching metal that is in two different ground planes. Then your separations have to be there. Physically, theoretically, you could say I can do this, but the physical reality of it is, it doesn't get done.

Q Doesn't this say here that this is for future switch?

A Yes, ma'am, it does.

Q So, does that mean this space right now is empty?

A I haven't been there, ma'am, so I don't know right now.

Q That's what this, basically, implies?

A It could have racks and overhead cabinets already built in it, because it is part of a line-up

of equipment.

Q Those racks could be removed, couldn't they?

A Only if everything that is in them can fall down.

Q Well, conceivably, they might be able to be repositioned? You don't know?

A I don't know, ma'am. That's what I'm trying to say, I don't know.

Q But this entire area here, how much square footage are we talking about there?

A Excuse me, bifocals. There is 795, it looks like, ma'am.

Q What did you just say, I'm sorry, 795?

A Yes, ma'am.

Q Are you aware that Supra's application asked for an isolated, as opposed to an integrated?

A To tell you the truth, ma'am, there have been so many technical difficulties with the thing that I don't know what the current one says.

Q If Supra's application was for isolated, would that not make this a possible thing to look at?

A It could.

Q What if Supra wanted to take on the code problem about the fire rated wall? Has BellSouth

considered that type of situation?

MS. WHITE: What do you mean take on?

BY MS. SUMMERLIN:

Q What I mean is, what if Supra asked for the space, and BellSouth says you can have the space if you can get those people to let us do it without building a fire rated wall around it?

A I don't know, ma'am.

Q Is that something that might be a possible idea?

A I don't know.

Q Who would know, do you think? Or who would be the appropriate entity to talk to about that kind of an idea?

A I don't know that one, either. You are asking a specific question, and I don't have a good answer.

Q I have one other thing.

In your testimony, you disagree with Mr. Nilson's testimony where he had stated that you had had failed to label the unavailable space, I believe.

And you provided, I believe, a revised floor plan that labeled the West Palm Beach Gardens' spaces; lobby, men, women, janitor. Why did you not

put in a square footage for those locations there?

A Men's and women's rooms are unavailable for equipment. They're required by the code to be there.

Q I'm not arguing with you on that. I'm just asking why you didn't put a square footage for all of those areas, like, lobby, the various areas right there?

A I suppose it is unavailable, so I didn't really think to put it there.

MS. SUMMERLIN: That's all I have.

Wait a minute. I think I have one other thing, if you will give me a minute.

THE WITNESS: I did total them for you.

BY MS. SUMMERLIN:

Q You totaled it?

A Yes, ma'am.

Q Where did you total it?

A Sixteen, whatever it is, square feet unassigned. It is in this bad text right here in the middle of this area. The whole thing.

MS. WHITE: Is that the whole little square?

THE WITNESS: That is all of the unassigned space. I think that number goes

directly over to the space assessment form, so you can track it, and go right over there and find it.

BY MS. SUMMERLIN:

Q This is the entire area?

A Yes.

Q 1639 or 35?

A Let me look at a good copy, please, ma'am.

Q 1659?

A That sounds like the right number, yes, ma'am.

Q Does the 1659 include the 190?

A The 190 over here, ma'am?

Q The lounge.

A The lounge is in the occupied section.

Q So, it would not?

A It would not, no, ma'am.

MS. SUMMERLIN: That's all I have. I have no further questions.

CROSS EXAMINATION

BY MS. KEATING:

Q Good evening, Mr. Bloomer.

A Hello, ma'am.

Q I really have just a few questions, it

looks like, but they may jump around a little bit.

Looking at the floor plan for the North Dade office, there is quite a bit of occupied space. Isn't some of that occupied space used for an emergency operations center?

A Yes, ma'am.

Let me get both of my drawings, and I'll be right with you. I'm sorry, ma'am.

Q Isn't some of the occupied space in the North Dade office used for an emergency operations center?

A Yes, ma'am.

It is a little block of space that says 341. It is in the middle of the right-hand side. And it is used for two or three different things.

It is used for the men that work in the building full-time to come do their work reports and do their personal stuff.

It is, also, used in the restoration center. And in about a week, it is going to be a Pic's receiving center, which is outside the room right now. It is going to end up being moved in there, as well, to have three uses in the same space.

Q Let's start off with its function as an emergency operations center.

A Yes, ma'am.

Q Is that something that comes in to use especially when a hurricane is approaching, or there has been some damage to the system?

A Yes, ma'am.

There is three major times that we would use it.

One would be a natural disaster, like Andrew.

The second one would be a catastrophic service failure. Like, if somebody cuts a major fiber cable feeding the building, they would set up a major restoration center to coordinate everything.

And the third one would be a disaster in the building itself of some kind. You could have a major switch failure, and they pull three or four people in there to work that out while everybody else assigned does their normal stuff.

Q When you have people called in for an emergency situation, generally, how many people staff it?

A I think there are six workstations in there, ma'am.

Q Could you give me an idea, generally, of what each of those six people would do?

A No. Not really, ma'am. It is just whatever comes up.

Q You, also, indicated that it is a work area restoration. What does that mean?

A It is a work area. And that's where the guys who are assigned to the building, when they need to do something that you can't do with all of the clicking, and clacking and people slamming stuff around; you know, work reports, vouchers. Talking with the boss. Getting their counseling session for their performance appraisals. They use that room for that.

That's what work area means. It is where they do the stuff that they can't do anyplace else.

Q The first frame of reference that came to mind was study hall.

MS. WHITE: Close.

BY MS. KEATING:

Q Going to your testimony, this is your direct testimony, on page 6 you discuss grounding.

A Yes, ma'am.

Q How much space does BellSouth allocate for separating each plane?

A I'm supposed to allocate seven feet.

Q And that's in all instances?

A In all instances. In fact, I try to even force it whenever I find it not there.

Q Could you just show me on this diagram of North Dade's First Floor plan, and give me an idea of where some of the grounding separations exist?

A It would be anyplace. If you look for this word right here, where these are side-by-side, it is okay.

Where you have the word "isolated," this is where the separation is in here, right in here. It has to be seven feet from the last piece of equipment here to the last piece here.

See, this little restricted area, grounding, that's where there is a walkway. But we can't put anything in it of either kind because it is less than seven feet from here to here.

Q Thank you.

A Yes, ma'am.

Q Going down to page 11, this is still in your direct, you discuss some of the planning and purchasing of equipment. I covered this a little bit with Mr. Rubin.

A Page 11, ma'am?

Q I believe it is page 11.

A I'm sorry if I misheard you.

Q Talking about the allocation for switches and transmission of frames. And you, also, have the same discussion, I believe, on the next page.

A All right.

Q Or on the previous page, I discussed a little bit with Mr. Rubin the time frames for planning and for purchasing equipment that BellSouth puts in itself.

A Yes, ma'am.

Q And I believe that he was able to cover the time for switches, but I was wondering if you could give us a better idea about how far in advance BellSouth plans for placing transmission equipment.

MS. WHITE: We could probably provide that as a late filed exhibit.

BY MS. KEATING:

Q We'll take it off the top of your head.

A It depends on the due date that the customer requests. We have a customer desired due date. If they want something tomorrow, and it is in the interval, we have to have something on the floor tomorrow. So, that's one day.

It means that we have to find it somewhere in stock, from a ready stock, in a warehouse or a storeroom, and put it on the floor and service

it.

Q Transmission equipment does not take as long to plan for growth as switching equipment does?

A No, ma'am.

I'm trying to say that that is the short interval. Something like the DACS, that Jerry was trying to describe to you earlier, that humongous thing, you have to do a fairly good amount of planning for that, because you have to tie all of these various trunks that go all over the world from this building into that thing somehow, and program the software. So, its interval can be up to a year.

I have seen them last that long. And it all falls under the heading of transmission equipment.

Q What if a customer comes in and asks for that in a week's time?

A They don't ask for a DACS, because that's something that we use to try to allocate trunks all over the world. They do come in and ask for a repeater or a special assembly.

MS. KEATING: I'll take you up on your offer for a late file for a little more in-depth explanation of the time frames that are necessary for planning, and purchasing and transmission equipment.

MS. WHITE: Okay.

MS. KEATING: Realizing that it is on a customer-specific basis.

THE WITNESS: It was hard to give you a real good answer, and that's why I was trying to go to the two extremes.

MS. KEATING: Perhaps if you can do that in the exhibit, NS give us examples of different types of transmission equipment and how long it, normally, takes to put in an order and the installation time frame, that would be real helpful.

And I believe that is three.

MS. WHITE: Yes.

MS. SUMMERLIN: I think so.

MS. KEATING: Planning and Purchasing for Transmission Equipment, title it as.

(Deposition Exhibit 3 to be marked for identification at a later date.)

BY MS. KEATING:

Q Moving to your rebuttal testimony, now --

A Yes, ma'am.

Q -- you have already discussed this a little bit, the addition to the West Palm Beach Gardens office.

A Yes, ma'am.

Q And when do you expect a decision on the funding for that addition?

A It is sitting in the Executive Planning Council now, which is the big guys. We have told them that we have to have funding before the end of the year. Otherwise, we won't make the service dates on the equipment. We won't have room for the stuff that is already ordered.

Q So, if you are lucky, by the end of the year?

A Yes, ma'am.

I don't know.

Q And if funding is approved, when would construction begin?

A Oh, lord. The money is funded to start in 1999, last all of 2000. And we've got our fingers crossed to finish year end 2000, because the growth stuff that arrives 2001 currently does not have a place to sit.

Q On page 6, lines 14 through 15, you state equipment relocations are made to consolidate service areas and maximize space usage.

A Yes, ma'am.

Q I'm just looking for your opinion. Is

the space in these two offices used in the most efficient manner currently?

A Based on my 20 years of looking at it, yes, ma'am. There is not a lot that we can do with what is left in here.

Q So, moving on to page 8, this is where you discuss the building codes. And you indicate that some of the codes make some areas unusable.

A Yes, ma'am.

Q Could you give us a little bit more explanation of what makes an area unusable?

A Sure.

Let me organize my thoughts for a second to try to make it understandable.

The first thing that you have to look at is the configuration, the length and the width. Because when you build something for somebody to work in, you have to have aisles of proper width in front and behind the equipment, and a way to get out of it.

So, your equipment, it is like putting furniture in your living room. If the sofa is too big for the wall, it can't go there even though there is space there.

It is the same theory. It depends on the

configuration of the space and then the configuration of the equipment. You can't just physically build something around it that will pass code. I mean, there might be five square feet and it is a five square foot sofa, but you can't walk up to it because the wall is right there.

If you can picture what I am trying to say, it is like fitting this table through a door that size. You just can't get it through there. That's probably the simplest way to try to explain it.

The codes say that for fire exits, you have to be so wide, and if the space is only that wide, then you can't use it for anything but a fire exit.

It is accounted for in the space, but you just can't use it.

Am I losing you?

Q No.

A Let me continue a step further.

Some of the space that is shown as growth in the future is configured where a virtual collocator could go in it, but we couldn't get a physical collocator in it, because it is not wide enough to build the walls around his equipment like we are

supposed to.

But we could put a virtual guy in there, because the virtual stuff, we own the floor space. So, it doesn't become multi-tenant, and we stay out of all of that code crap.

THE WITNESS: Pardon me. You didn't put crap in there, did you?

MS. WHITE: It is late.

THE WITNESS: I'm sorry.

BY MS. KEATING:

Q Staying on this same line of thought, you state here that space configuration for BellSouth equipment growth is not apparent.

A Some of it, yes, ma'am.

Q Now, just to make sure that we're talking about the same walk-through, which walk-through?

A I think there was a question or statement that had something to do with the Supra testimony, that said: "When you walk through the space, doesn't it look like there is a whole lot more there than there really is?"

And that's what I'm trying to address. Yes, if you walk into the space and see the four-foot wide exit aisle, and a little bit of future growth space over here to the side, what you see is the seven

to eight feet of space. You don't see the aisle.

And that's what I'm trying to address, is that kind of thing.

Q So, you are not talking about any specific walk-through. You are just talking about if anybody were to walk in and just take a first glance look at it, this is what they would think?

A Yes, ma'am.

I was trying to address the specific comment that when you look into the space, it looks like there is more available there than what you see.

And I said: "It appears there is, but it isn't really there."

Q Then you go on to state that these configurations make the space unusable for any other purpose.

A Yes, ma'am.

Q What is that?

A There is some equipment, like the thing that Jerry was describing, that you can't put it Willy-Nilly all over the office. They have to go in side by side. Otherwise, the signals don't move fast enough to work.

So, when you look at a bunch of vacant space that is next to something, you say that is

available, but not really, because the stuff that adjacent has to grow in there. It doesn't have a choice. We can't put it someplace else in the office and make the equipment work. And there are certain families of equipment like that. Not all of them, just certain families.

Q Looking, now, on page 10 and --

A All right.

Q -- also, on page 11, you have the line items demonstrating the specific amount of feet.

A Yes, ma'am.

Q Could you just go through and real briefly explain, exactly, what each line item is for each of these offices?

A Sure.

Let's start with line 18.

It says there is 3197 square feet reserved. I believe that comes directly off the space assessment form.

And then what I did with the next two exhibits that came with the rebuttal, that's six and seven -- let me go to West Palm Beach Gardens, Number 6. Let me make sure that I'm in the right building.

What I'm trying to say to you is that the space that is reserved for growth, in accounting for

every square foot in this office, there are aisles in there that have to be there. So, this 1169 right here is the square footage of these aisles that have to be there. You know, they just have to be there.

So, when you take how much space is reserved out there, and you pull out the portion that belongs to the future space allocations, which is the shaded parts in here, the entire aisle is clear and shaded like we tried to show on the legend. And the part that is shaded is the part that abuts future space.

So, what I was trying to say is, you have to pull that out of the future space reservation, because you have to have an aisle there. It is not available for equipment. And that is what that 1169 is. That's the future percentage of that aisle.

So, that leaves me, actually, 2,028 square feet of future space somewhere in that room. Not all in one place, but that's the sum of it.

And Jerry's or Guy's, whoever it happens to be, that's the footprint calculation for their forecasted growth which I got from them. They read me what their forecast was, and we added them up.

And that last number is the total of anything that is vacant in that floor, is 877. It is

all of the vacant space. No matter where it is, or what shape it is, in 60 or 11 locations, or two or one, that's all there is.

Q And I'm assuming that that is the same explanation for Golden Glades, as well?

A Yes, ma'am.

Q So, if there is 877 square feet still available in North Dade, and 1,111 in Golden Glades, are you saying that there is not 200 square feet of contiguous space available? Or why isn't there?

A I'm saying that it is all over the building, as Jerry and Guy both discussed. I mean, it is pocketed all over the place. Some of it in different grounding planes. Some of it in places that you can't get to. Some in front of air conditioning grills that I can't block. I mean, I can't put a wall up or put anything in front of it, but it is in the space count, so we have to account for it.

If you were to ask me is it only 200, I doubt it. For a single collocator, the common area increases the space that you have to build for them. I don't know what the common area would be for anybody at this building, and I treat everybody the same. I don't know. I just know that that 200 feet is not what I would have to find for them.

Q Looking back at this, I believe this is mine.

Is there an exit aisle that runs through the area for the tandem switch?

MS. WHITE: In Glades or Gardens?

MS. KEATING: Gardens, I believe.

THE WITNESS: Gardens. Let me find out where my switches are.

Here is the tandem, and here is its fire aisle that runs between it and the local. Mainly because this local length is going to be length limited in lineups, that's as wide as you can get them, anyway. And the design standards for fire aisles in an equipment area says that at about every 50 feet you are supposed to have a cross-aisle for fire exiting.

So, if I understand my drawings, the local machine is here and the tandem machine is here. And there is a fire aisle that is supposed to run along that door, from this wall -- what is labeled as an exit door, probably does not pass -- connects to this exit door here, comes back through here and connects to this exit door back here.

BY MS. KEATING:

Q We may not be talking about the same thing. I am referring to Mr. Ream's rebuttal testimony.

A Are we talking about this room in here?

Q Yes.

Mr. Ream said that there is an exit aisle that runs through this area that reduces the square footage. And he's referring to -- I'll let you take a look at it.

A He's talking about this room here, ma'am. This room here.

Q Just to be clear, for the record, it says "isolated."

A A future tandem switch isolated. And you have an actual tandem switch in the same room. It is a tandem switch room.

Q Okay.

A In this room, you have to maintain exiting, as well, to get the people out of the room to the door so that they can get to the hallway to get to the exit.

What Guy is saying in here is that with a room this size, you are required, by code, to have a clear path, two exits, unobstructed. And so, when you

put that requirement in the space, as well, to connect those two doors, you end up losing about four feet right off the wall.

And I believe I pointed out to Dave, when we did the walk-through, that: "Look at this door and look at this door. I have to give you exit, or give us exit, or whoever is in here exit out of this room between these two doors.

So, that's the space Guy is talking about.

Q So, four feet right along in here?

A Yes, ma'am.

It is clear and unobstructed.

Q Thank you.

Moving down to page 11, and I am looking down at the bottom of the page where you discuss the pot bays, DC POW bay and other termination bay requirements. What are other termination bays?

A They could have DSX paneling in jacking up there -- we could build a bolt DS-3 into the room and then give everybody a breakdown in that one bay, instead of having them all have to buy separate little things around the collocation area.

Q We have already heard several of the witnesses today mention that Central Offices are very

dynamic as far as what happens in them. The space available, it varies from month-to-month, year to year.

If these are so dynamic, could you explain why BellSouth has been denying physical collocation based on waivers that were obtained in 1993?

A The first thing, when we got a request for this building, I got a phone call: "Jim, we've got a request for this building. Is the waiver still good?"

My answer was: " Hold on a minute. We've got to go find out."

And so, we went and found out. And I don't know that I related it earlier, but I started off with about 16, somewhere in the vicinity of 16 or 15, buildings in North Florida that were on the restricted list and we got it down to five.

A couple of buildings in Miami, Palmetto, especially, we ran the process twice to keep coming up with more space just so we didn't have to put it on the exception list. We are, finally, out. I mean, we're really out. And that's the next candidate for a building addition.

Q Are you familiar with cageless

collocation?

A I have heard the term, yes, ma'am.

Q Do you know if BellSouth has used it in Florida, or allowed an ALEC to use cageless in Florida?

A I believe they have the choice to get an enclosure around their equipment or unenclosed around their equipment. They can ask for it. I'm not in a position to say yes or no. If that's what they want, they're welcome to it. It's just whether it can be permitted that way. That's the issue.

It is something that is outside of us. That multi-tenant permitting issue, that's something we don't control. If somebody asked me for unenclosed, like, there has been a company B that has asked me for unenclosed at a place where I have space. We whipped it on through. We checked their footprints and everything else. They gave us a sketch of how their equipment was going to be laid out, so that we could make sure it stayed in the hundred feet and so we let it go.

Q Do you know if cageless has been brought up to any of the permitting agencies?

A Yes, ma'am, I do.

Q And their reaction?

A Put a wall around it, and put a fire rated corridor leading to it, and put fire dampers in all of your air conditioning ducts and do the whole code required fire protection rated thing.

Q Can you tell me where that was?

A Miami, Grande, Fourth Floor. In fact, we have redesigned that one eight times. We have eight collocators in there. There is now, I think, even a ninth. And almost every time we have had to go back and redo something for this permitting official that another one did not want done.

We have redone that room so many times that I, finally, told the contractors to quit drawing changes. We're going to stop and start all over one time for all eight permits and go, again. Because we couldn't get anything permitted, because everything kept changing so much. We were tearing down a wall while TQW, company A, was putting in their equipment.

Q Last question: Is BellSouth allowed any switch equipment to be collocated in any of its central offices in Florida?

MS. WHITE: Physical collocation?

THE WITNESS: That, I don't know, ma'am. I look at the names, and the footprints, and the heat and the weight. And what it does, I

leave to other folks. My job is to fill the building.

BY MS. KEATING:

Q I think you have indicated that because of the code requirements, that constructing fire walls is nearly impossibly?

A I think I used that term, yes, ma'am.

Q But other BellSouth witnesses have indicated today that there have been fire walls constructed.

A We have put them up in places where we can do them. The reason you can't, usually, do them in an occupied equipment room is that you have all this rack. And on top of that, you have air conditioning ducts, and you have lights, and conduits and all of that stuff.

That's one of the things about going out into the middle of a room saying give me 400 feet of collocation right there. You physically can't get the wall up through all of that stuff to protect it. You just can't get it up there without screwing something up.

MS. KEATING: I think that's it.

MS. WHITE: I have one question on redirect. I think that's just to clarify

something that you were talking about earlier.

CROSS EXAMINATION

BY MS. WHITE:

Q In the Palm Beach Gardens First Floor, the future tandem switch isolated area of 712 square feet, where you were talking about you have to have a four-foot fire aisle --

A Yes, ma'am.

Q -- is that four feet from the wall or four feet from the column that is attached to the wall?

A The code says clear of all obstructions, so it would be from the column face.

Q Rather than the wall?

A Rather than the wall.

Q How much does the column stick out of the wall?

A It could be whatever the width of the column is, ma'am. Half of it, or none of it. It depends on where the wall is built on that column.

MS. WHITE: I wanted to clarify that. That's it.

THE WITNESS: Thank you for letting me do this tonight, and not having to drive back tomorrow.

(Deposition concluded at 7:45 p.m.)

CERTIFICATE OF REPORTER

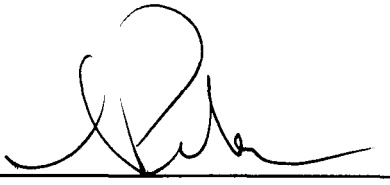
STATE OF FLORIDA:

COUNTY OF LEON:

I, ANITA M. PEKEROL, do hereby certify that the foregoing proceedings were taken before me at the time and place therein designated; that my shorthand notes were thereafter translated under my supervision; and the foregoing pages numbered 1 through 86 are a true and correct record of the aforesaid proceedings.

I FURTHER CERTIFY that I am not a relative, employee, attorney or counsel of any of the parties, nor relative or employee of such attorney or counsel, or financially interested in the foregoing action.

DATED THIS 14th day of October, A.D., 1998.



ANITA M. PEKEROL, CCR, RPR, CP, CM
100 Salem Court
Tallahassee, Florida 32301
850-878-2221

CERTIFICATE OF ADMINISTERING OATH

STATE OF FLORIDA:

COUNTY OF LEON:

I, ANITA M. PEKEROL, Registered Professional Reporter and Notary Public in and for the State of Florida at Large:

DO HEREBY CERTIFY that on the date and place indicated on the title page of this transcript, an oath was duly administered by me to the designated witness(s) before testimony was taken.

DATED THIS 14th day of October, 1998.

ANITA M. PEKEROL, CCR, RPR, CP, CM
100 Salem Court
Tallahassee, Florida 32301
850-878-2221

My Commission Expires: February 20, 1999.

(AP) 10-12-98 ERRATA SHEET

I have read the transcript of my deposition, pages 1 through 86, and hereby subscribe to same, including any corrections and/or amendments listed below.

10 20 98 James D Bloomer

DATE: (James D. Bloomer)

(Petition for Emergency Relief of Supta Telecommunications and Information Systems.)

Page/Line	
5/14	replace "of Cement" with "Facility"
5/15	replace "inside" with "in"
5/16	
8/4	insert "PSM" ~~Etc~~
8/10	remove "them" insert executive management
15/20	"arguable" not "argumentable"
18/11	"new" not "neer"
18/11	"put" not "cut"
63/6	"are" not "is"
63/18	insert "there" after "assigned"
65/1	delete "even" insert "enforce"
65/2	delete "force"
66/20	insert "plan" after date
79/19	delete "in" insert "and"
79/20	delete "bolt" insert "whole"

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition for Emergency Relief of Supra Telecommunications and Information Systems, Inc., Against BellSouth Telecommunications, Inc.	)	Docket No. 980800-TP
	)	Filed: 10-2-98

DEPOSITION OF: WAYNE MAYES

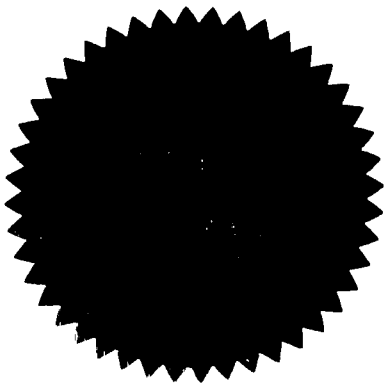
TAKEN AT THE INSTANCE OF: Supra Telecommunications

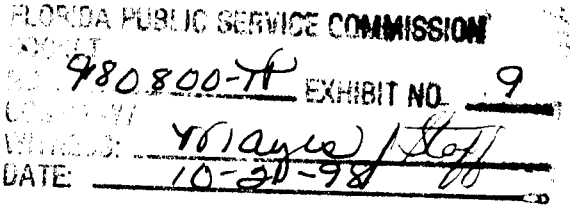
DATE: Tuesday, October 13, 1998

TIME: Commenced at 8:40 a.m.
Concluded at 10:08 a.m.

LOCATION: 2540 Shumard Oak Blvd.
Tallahassee, Florida

REPORTED BY: ANITA M. PEKEROL, RPR, CP, CM. Notary Public in and for the State of Florida at Large.





ACCURATE STENOTYPE REPORTERS, INC.
100 Salem Court
Tallahassee, Florida 32301
(850) 878-2221

APPEARANCES:

REPRESENTING SUPRA TELECOMMUNICATIONS AND INFORMATION SYSTEMS, INC.:

SUZANNE FANNON SUMMERLIN, ESQUIRE
1311-B Paul Russell Road
Suite 201
Tallahassee, Florida 32301

REPRESENTING BELLSOUTH TELECOMMUNICATIONS, INC:

NANCY B. WHITE, ESQUIRE
Assistant General Counsel
BellSouth Telecommunications, Inc.
Museum Tower Building
150 West Flagler Street
Suite 1910
Miami, Florida 33130

REPRESENTING FLORIDA PUBLIC SERVICE COMMISSION:

MARTHA CARTER BROWN, ESQUIRE
Senior Attorney
Division of Legal Services

WAYNE STAVANJA
CALVIN FAVORS
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0863

ALSO PRESENT:

STAN GREER, BELLSOUTH
DAVE NILSON, SUPRA
ANGEL LEIRO, PARALEGAL, SUPRA
MARK E. BUECHELE, ESQUIRE, SUPRA
DAVID THIERRY, BELLSOUTH
W. KEITH MILNER, BELLSOUTH
MARK GRAHAM, SUPRA

I N D E X

WITNESS	PAGE
THOMAS WAYNE MAYES	
Direct Examination by Ms. Summerlin	4
Cross Examination by Ms. Brown	41
Cross Examination by Ms. White	55
Cross Examination (Cont'd.) by Ms. Brown	57
CERTIFICATE OF REPORTER	59
CERTIFICATE OF ADMINISTERING OATH	60
ERRATA SHEET	61

E X H I B I T S

DEPOSITION EXHIBITS:

NUMBER	DESCRIPTION	PAGE
1	Letter from Ron Marts to Ron Chubb, 7-6-98	11

LATE-FILED EXHIBITS:

2	Permit Interval Tracking Document, (To be marked later)	48
3	Documents Verifying Permitting Process, (To be marked later)	53

P R O C E E D I N G S

- - -

The following deposition of THOMAS WAYNE MAYES was taken on oral examination, pursuant to notice, for purposes of discovery, for use as evidence, and for such other uses and purposes as may be permitted by the applicable and governing rules. Reading and signing is not waived.

- - -

Thereupon,

THOMAS WAYNE MAYES

was called as a witness, having been first duly sworn, was examined and testified as follows:

MS. SUMMERLIN: Suzanne Summerlin, representing Supra Telecommunications and Information Systems.

MS. WHITE: Nancy White, representing BellSouth Telecommunications.

MS. BROWN: Martha Carter Brown, representing Florida Public Service Commission staff.

MS. SUMMERLIN: The usual stipulations?

MS. WHITE: Yes.

DIRECT EXAMINATION

BY MS. SUMMERLIN:

Q Would you please give your name and address for the record?

A Thomas Wayne Mayes, 9112 Holly Springs Court, Louisville, Kentucky.

Q I knew that it was some other state than one of the ones that we have been dealing with so far.

Can you give us your title?

A Program Manager Collocation for Property Management.

Q Program Manager --

A Right.

Q -- Collocation for Property Management?

A Right.

Q And what is the area of jurisdiction, or control, or whatever that you have?

A I handle a nine state region for BellSouth.

Q The entire nine states?

A Right.

Q Louisville, is that where all of the main headquarters are for the property management group for the United States?

A No.

Q Just where you happen to be?

A That's correct.

Q In that role, what are your duties, specifically?

A I work with Parsons Infrastructure and, basically, we do the build-out portion of the collocation project; walls, mechanical, air conditioning and such, electrical, whatever.

Q You work with Parsons Infrastructure?

A That's a vendor who handles the actual contracting with the subcontractors, architects and so forth.

Q So, they act as the contractor?

A They use local contractors, but they act as a program type of manager, also. They handle the work.

Q And that is to, actually, do the installation of equipment or the preparation of space?

A Building related, right. Not equipment, building related.

Q So, would preparation of space be the right way to describe that?

A Yes.

Q Would they be involved if there were

additions being made to buildings?

A Yes.

Under different people. Not me, but, yes.

Q Let me ask you, what is your educational background?

A I have got a degree in management. It is a Bachelor of Science. Management is the specialty.

Q And when did you start working with BellSouth?

A 1977.

Q Has your career been in the property management area the whole time?

A Right.

Q How long have you been in the position that you are in right now?

A I have been a Program Manager for between two and a half and three years. The collocation part since about the last six months, I guess.

Q Who is your direct supervisor?

A Jim Newman.

Q Newman, N-E-W-M-A-N?

A Yes, ma'am.

Q What is his title?

A Manager.

Q Of Collocation Property Management?

A No.

Program management.

Q Program management, not property?

A It is in property services, management services, but it is a specialized area of that.

Q All right.

And do you have any subordinates that you supervise?

A No.

Q Have you visited these two Central Offices that we're discussing in this case?

A No.

I have been to one when I was on a roofing program, but as far as inside and looked around the space, no, ma'am.

Q Now, the purpose of your testimony, if I'm correct, is for one issue in this case; is that right?

A Is it permittable, was the primary purpose.

Q On page 2, it says: "I'll discuss issue 4," so that's what we're talking about the permitting process and its effect on the time frame. That's the only reason that you are being offered in this case;

is that correct?

A I mentioned that question, and the interval and other things that affect it, yes.

Q Describe for me what, exactly, you do that relates to that permitting process?

A Since property management is in charge of construction, of course, I authorize the work to be performed. And when our consultants and architects run into problems, they, typically, call me for guidance.

I have contacted officials in some instances. I have talked to our property management folks and tried to get help from them in some areas, such as multi-tenancy requirements and relief on that.

I guess as far as tracking our construction, I keep up with Parsons on how they're maintaining the intervals.

Q Do you interface with these local governments that are requiring the fire rated wall construction as a result of the building code?

A Typically, local contractors are the contact as far as filing permits. If there are problems, I have called local officials and asked for clarification or relief.

Q Are you familiar with the problems in

this particular case?

A Which case are you referring to?

Q The case that we're here about; Golden Glades and West Palm Beach Gardens.

Let me ask you, again, a different way.

Are you familiar with the fact that BellSouth has taken a position that there has to be a fire rated wall constructed around Supra's equipment if it were to be physically collocated in either of these Central Offices?

A That's my understanding. That being a separate tenant, that that will be required.

Q So, you are familiar with what I'm talking about on that point?

A That's correct.

Q Have you ever, personally, interacted with any of the governmental entities that are supposedly requiring this?

A On this issue, what I have asked our headquarters to do, our headquarters staff in Birmingham, is to write and get an understanding of why it is required. Because BellSouth does not want to do more construction than we have to.

I have written a letter, and I brought it today. But, basically, we have asked the Southern

Building Code Congress International, and BellCore wrote the letter on our behalf, basically, asking us to get some relief as far as not requiring the full wall separation.

This process, I guess, got started around mid-June. And, finally, in September, they gave us a letter, some relief. But, once again, this letter is referring to the Standard Building Code. And, of course, we're talking the Florida building codes, or some municipalities have their own variation. So, basically, they came off of this code.

So, we're trying for relief, but we have to kind of work our way down the line. So, when I get the hardcopy of the letter, I intend to talk to some of the code officials, local officials and see if we can get relief.

MS. SUMMERLIN: I guess we'll make this as Exhibit 1. This is a letter dated July 6, 1998, to Mark Chubb, C-H-U-B-B, from Ron Marts, M-A-R-T-S.

(Deposition Exhibit 1 marked for identification.)

MS. SUMMERLIN: Nancy, what I'm probably going to do, when I get through with this series of questions, is maybe take a couple of

minutes to look at this and come back.

MS. WHITE: All right.

BY MS. SUMMERLIN:

Q What I had asked you is have you, personally, interacted, so do I take from your response that this is the kind of interaction that you have had, trying to send letters?

A Are you referring to these two locations?

Q Yes.

A On these two locations, since there is not space, I have had no reason to interact with the local people.

Q Do you know, specifically, what entities are requiring the fire rated wall in these cases, in these two Central Offices?

A Well, I have a process in my testimony which you have to go through. And it is the permittable interval process that brought it out. And our architect has told me numerous times.

Q So, you don't know which cities we're talking about, necessarily, or what entities are required?

A They told me all of them, so that's what I have to go by. That's why we asked for the letters. It seemed like an easy way out to try to get some help

from code officials.

Q You said that you have been in the current position in dealing with collocation for six months?

A That's correct.

Q So, you started in April?

A Right.

Q Were you involved with any of these issues prior to that?

A I have had a nine-state responsibility for the last couple of years, so I guess during that time I have worked in Florida. Early on, the first part, when I started, I worked in Florida. And it is kind of a known fact that there are permit problems in Florida. That is nothing new to me.

And I have talked to different property management people in South Florida, and they, basically, all said the same thing. It takes a long time to get them, and you just have to realize that and plan accordingly.

Q Let me just ask you: Two years prior to the position you are in now, which would have been back to April of '96, you were involved in the nine-state region doing what, exactly?

A I handled the roofing replacement

program.

Q Roofing replacement?

A Yes.

Q Did you know about the fire rated wall issue during that period of time?

A No.

The roofing had nothing to do with fire rated walls.

Q When you took this position that you are in right now, did anyone update you on any prior activity related to the fire rated wall issue?

A I have talked to folks in the local property management organization, and just asked for the latest on permitting and so forth.

But most of the information has come from the architects, that deal directly and often with the code officials.

Q When you took this position and you got whatever information you got from whomever you got it, what is the earliest time that this fire rated wall issue had become a problem?

A From the beginning.

Q From the beginning. Let me ask you, what beginning?

A The beginning would be when you file for

the permit. At that point, you have got a problem when the code officials tell that you have to have that.

Q What I'm asking is, in terms of years, how long ago did this issue arise first for BellSouth?

A I have only been on the collocation for six months. It has been for my entire time now.

Before that, I am really not sure what happened before that. I can tell you that the code has been around for a long time, and you still need means of egress. You still need things like that.

But I am not sure, exactly, if I have answered your question.

Q Basically, you didn't have any experience at all with this issue prior to April of '98 as far as the fire rated wall issue; yes or no? That's all I'm asking.

A I'm not sure what you are getting at. I have been in public construct for 10 years, and I have dealt with fire rated walls.

Q What I'm asking is, the fire rated wall issue that I just mentioned to you a few minutes ago, about the requirement of a fire rated wall being constructed around a physical collocator's equipment

in a BellSouth Central Office, and this idea that they would become a separate tenant and that it would become a multi-tenant situation, did you have any experience with that issue prior to April of '98?

A No.

Q And you have not found out anything about any information about that prior to '98, or prior to April of '98?

A It has not come up before that time.

Q For you?

A For me.

Q That's all I'm trying to clear up.

Are you aware of any other action that has been taken by BellSouth on this issue, other than the letter that you have just presented?

A That's the strongest thing we can do, is get somebody from a code official agency to help us out, so that's the route we have taken.

Q Mr. Mayes, I asked you, are you aware of any other action, other than this letter, that has been done to try to have any effect on this permitting process?

A No.

Q Thank you.

What is cageless collocation?

A That's a term that I'm not really, exactly, sure. Some folks have used it that come from other regions. It is my thought that they're unenclosed, but I'm not really sure.

Q Let me ask you, in the time that you have been in the position that you are in, as of April of '98, how many other states in the nine-state region have had this type of problem that is being experienced right now in South Florida?

A There has only been sporadic instances in the nine states, in all of the rest of the states. So, for the most part, the main problem is Florida, South Florida.

And there have been some in Georgia in areas where a lot of construction was going on, kind of like Florida, being very busy in construction.

Q Some in Georgia. Do you have any idea where in Georgia?

A I can't recall, but it has been very recent.

Q It has been very recent?

A Yes.

In the Atlanta area.

Q Do you remember any other places in the nine-state region that it has been a problem? I know

that you are not going to know everything. I am just asking for your memory.

A I can't recall any.

Q You believe that there are other instances?

A There are very few, but, yes.

Q In your position, since you have been in it since April of '98, have you, or anyone else in your group that you work with, tried to institute any kind of procedures to take a more aggressive approach to the permitting process that goes on whenever there is a physical collocation, or any other kind of request that would involve ALECs or CLECs coming into the Central Offices?

A Actually, we have already taken a more aggressive approach for these than we do for our own work. We tell the contractors to expedite everything; whereas, on BellSouth work, we don't do that. We have taken that approach.

We have our contractors. Parsons calls them weekly and asks how things are going.

And, of course, we have offered to you that we will provide permit names and contractor numbers to you so you can follow it yourself to see that we're doing what we can do.

So, I think we are trying to be as fair as we can about it.

Q You said, just a couple of seconds ago, that you tell contractors to expedite everything. Is that what you said?

A Yes, as quick as possible. Get the permit as quick as possible.

I have talked to Parsons, and they have assured me that the guys call, usually, several times a week, but at least once a week, to check on permit status.

Q When you say expedite everything, you are just talking about trying to get the permit as fast as possible?

A Correct.

Q The reason I ask that is because yesterday I asked somebody, and they said that the policy is not to expedite.

MS. WHITE: No.

What you asked yesterday was about construction. He's answering from the permitting.

MS. SUMMERLIN: And that's what I am trying to clarify. I'm just trying to clarify it.

BY MS. SUMMERLIN:

Q And I am trying to figure out, exactly, what you are talking about when you say expedite. And what you are talking about is the permitting process?

A Right.

Q Do you know the individual that held the position that you have prior to you? What is that person's name?

A Karen Hill. And she went on maternity leave. And she still is in this position. We co-work the program.

Q Let me ask you this: Does it take any longer to do installation of equipment for a collocator than it does to do it for BellSouth?

A No, it does not. Similar work. As long as it is similar, no.

Q Are you familiar with BellSouth's position in this case, that BellSouth should not be required to guarantee a specific time frame for completing a collocation project?

A We're using the Commission's guidelines of 90 days. But we're saying that the permitting should not be included, due to it being out of our control.

Q Is it your view that that it is a legal commitment by BellSouth that it will meet the 90-day period as a completion date?

A I would say not a legal commitment, but we strive to meet it. It is just a lot of pressure to meet those dates.

Q It is a target to try to meet?

A That's correct.

Q Would it be your view that to do the same exact project for BellSouth that would be requested by a physical collocator, it would take three months?

A Probably longer.

MS. WHITE: For the construction, or putting the equipment in, or what?

BY MS. SUMMERLIN:

Q The same exact scenario that the position is that you have taken for collocators. In other words, excluding the permitting process.

A If we were to do the same type of job for us, it would probably take longer, quite honestly.

And when you say the construction, you are, also, saying that you have to do the design of the space, you have got to consider the mechanical system, the electrical system. That is all included in that.

So, we would probably take a little longer to develop the plans and do the construction. That's been my experience.

Q I have not had a chance to read this letter, but I just want to ask you this question: Is that a response back to BellSouth, or is that a letter from BellSouth to these people?

A BellSouth talked to BellCore, and BellCore wrote the letter to them. And this is a letter back in response to BellCore.

Q And what does that response, basically, say, just giving me a two sentence summary?

A They somewhat agree that tenancy is different today than when the code was put in place. There are instances these days where you have multi-tenant, but you don't have separations; cosmetic counters, food courts in malls, things like that.

So, they're recognizing that it does happen. But, in all honesty, it is still a matter of it comes down to interpretation of the local code folks, and I will have to talk to them.

Q When are you going to do that?

A Well, when we go to permit and they turn it down, at that point I will have to go and talk to

them. So, it will be following a permit review.

Q So, you are not going to try to take any more aggressive action, like, going to a City Commission or a County Commission with some kind of a proposal?

A At this point, we plan on going to the code enforcement folks.

At times, in talking to people in South Florida, they have had problems where they tried to go over people's head in getting things done, or them looking at things real hard.

So, as a first approach, I would like to go to them.

And my second approach will possibly be that. But you just have to realize that when you go over somebody's head, when you to go somebody's boss, they may take a negative reading and it may hurt you. So, I just want to try to deal with them first.

Q Are you aware of how many instances physical collocators have had to comply with this requirement with BellSouth in South Florida?

A All of them.

Q Why has BellSouth not taken that approach already?

MS. WHITE: What approach?

THE WITNESS: This started in June, so it takes a while. This gentleman that we wrote to, he does international work. He's been overseas. I have called and called, but we're, basically, at his mercy to get this letter out.

BY MS. SUMMERLIN:

Q What I'm asking is, you have said that all of these physical collocation applications have been held to this requirement in South Florida. Why did BellSouth not contest that requirement much earlier on in one of those early denials, or one of those early cases where this requirement has been in place?

A I am not sure. I was not in the program early on.

Q On the back of your testimony, you have got an exhibit here, TWM-1, I guess, where you have listed all of the cities. And then you have the scenario that the permitting process requires.

Let's start with Boca Raton there. I'm not going to go through every city. I just want to ask you a couple of questions on these.

From your testimony, am I correct that the individual person or entity that is responsible for getting the plans to the Department of Natural

Resources Protection for review, who would that person be?

A The contractor.

Q And who would be the contractor? Give me an example.

A There are numerous contractors in South Florida that we use.

Q That is not a BellSouth employee, then?

A That is correct.

Q That is a contractor that BellSouth contracts with?

A That is correct.

Q So, it is a construction company, usually?

A A general contractor, basically.

Q Is that the same person or entity that is going to be responsible for every one of the steps on this page, basically?

A They handle the entire process. That's correct.

Q What oversight does BellSouth provide to that activity?

A As I mentioned earlier, Parsons calls them weekly to ask them the status.

Q Parsons calls weekly and asks for status.

What if the status is no change? What happens then?

A They call them, again, next week.

Q Is that the extent of the oversight that is provided?

A That's correct.

These people need to schedule the work, too, so they're interested in getting it out. They have dealt with this for years. They want the work done, too. So, there is no intentional thing to try to hold things up. We want to get the job finished.

Q I understand that. I am just asking what kinds of rights are exercised.

Is there any monetary penalty or incentive of any sort applied to the permitting process in terms of the amount of time involved?

A Since no one has control, it would be wrong for us to try to penalize somebody.

Q Let me ask you a question. If the plans go to the Department of Natural Resources Protection and somebody there, a staff person, realizes that the plans have a problem, any kind of a problem, they can't read it, or they don't understand it, or they think that there is something quirky about it, and they call up the general contractor's office and they tell them that, and, presumably, at some point

someone there responds, isn't it possible that Parsons is not going to have any idea how long it takes that response to get back to the Department of Natural Resources?

Is that correct?

A Typically, the word gets around pretty quick if there is a turn-down. The contractor calls the architect, who calls Parsons. It is a pretty quick process.

Q When you say pretty quick, what do you mean?

A Usually, within a few hours you know that you have got a problem somewhere with the plans.

Q What do you base that answer on?

A The conversations that I have had where they have asked for guidance. They will send me faxes of somebody wanting surveys. Even though it is inside building work, they might say they want a survey of the lot. I mean, just different things that have come up, I, usually, hear about them pretty quick.

Q And you know that that happens within a few hours?

A It has happened in a few hours. It may have taken longer in other instances.

Q But is the truth of the matter that you

don't necessarily know how long it has taken for that to happen?

MS. WHITE: Now, wait a minute. This is not cross-examination. This is a deposition. He has answered the question. Now, if you want to re-ask him the question, fine, but he's answered the question.

MS. SUMMERLIN: I will re-ask the question.

BY MS. SUMMERLIN:

Q Do you have any direct knowledge of how long it takes in any application for these various steps to take?

A They vary.

Q Yes or no, please?

MS. WHITE: Excuse me. But allow him to answer the question.

MS. SUMMERLIN: I asked him, and he didn't say yes or no, and I'm asking him to answer.

MS. WHITE: This is not a trial. He can answer the question. If you don't like the way he answers, you can ask the question, again.

Answer the question.

THE WITNESS: These different things,

they vary by municipality, by even plan reviewer.

I mean, one guy may look at one thing, and he really doesn't like certain things. And another guy, even within the whole group, may disagree that he's asking about that.

So, if you have got different plan reviewers looking at different things, it goes by their workload. If one guy is covered up, he is going to take a little longer.

It is really hard for to us say that it takes a certain amount of time, especially when you have got a range of between 35 and 90 days. I mean, how can you get an average out of that, that has taken so long?

BY MS. SUMMERLIN:

Q Mr. Mayes, what I was asking, and I'm only going to ask this one more time and I'm not trying to be a pain in the neck --

A I know you are not.

Q -- isn't it true that there really is no way in this scenario for BellSouth to know how long it takes for any of these steps on an individual application?

A On individual applications, we can make

calls, like they do, to check on it. The contractors do check on it.

As far as BellSouth, no, I do not call on every application, every stage of every application.

Q You have Exhibit TWM-2, intervals for obtaining permits in Florida. And, apparently, this is a status, I guess. I don't know.

Tell me what this is, exactly, please.

A This is a working history of the different facilities where Supra has asked for space. And it is a working history of how long it has taken to get permits at those locations.

Q On this Ft. Lauderdale Cypress, the fourth one on the list here, it says: "Permit interval as of September 9, 1998." It says: "Have been waiting for permit 98 days."

What does that mean?

A If you look at the top of the header, it gives the date, a status date, as of 9-9. So, as of that date, we had not received a permit. We have been waiting 98 days since the day it was filed.

Q Has BellSouth done anything beyond the normal practice in that particular situation?

A That being?

Q Beyond having Parsons call every week?

A No.

I have talked to the architect on several. I'm not, exactly, sure on that one, but I haven't talked to the code officials.

MS. SUMMERLIN: Nancy, if you will just give me a couple of minutes so I can read that letter, I will decide whether I have any questions and I may be pretty much through.

(Brief recess.)

MS. SUMMERLIN: Let's go back on the record.

BY MS. SUMMERLIN:

Q Mr. Mayes, I only have a couple of questions left.

Are you familiar with any situation in South Florida where BellSouth has provided physical collocation for equipment of a BellSouth subsidiary?

A No, I'm not. That wouldn't come through me.

Q If you are over collocation, wouldn't any request for physical collocation for a BellSouth subsidiary come to you, or be under your purview?

A Once again, since I have taken over, there hasn't been any. I know you all have raised the issue, but I'm really not familiar with it.

Q So, you are not familiar with whether there is any collocation by any BellSouth subsidiary?

A I'm not familiar. That's correct.

Q So, you don't know if there is any. That's what you are saying?

A That's not my area. That's correct.

Q Why would it not be your area?

A well, I have not built out anything. I'll rephrase it. I have not built out anything for a subsidiary. And as such, that's all. I have no knowledge of it.

Q If there were a request for physical collocation from a BellSouth subsidiary, would you not be the person over that?

MS. WHITE: I am just going to object, from the standpoint that it is totally irrelevant to the issues in this proceeding.

But I'll allow him to go ahead and answer.

BY MS. SUMMERLIN:

Q I guess what I'm asking is, you said that you are over collocation --

A Correct.

Q -- for the nine states?

A For physical collocation.

Q If a BellSouth subsidiary wants physical collocation, would you not have purview over that, just as for CLECs and ALECs?

A If they come in and ask for space, they're treated like anyone else. But during my term, they have not asked for space as far as a collocator. So, that's why I have no knowledge, because one has not been brought to my attention.

Q You are saying that there just has not been an application since you took over this job in April?

A That's correct? For collocation by a BellSouth subsidiary.

Q If a BellSouth subsidiary wanted to physically collocate, would it be under your purview?

A It would be. And they would be treated just like anyone else. The times would be the same and everything else.

Q So, you don't know what the circumstances are of any of these situations, if they exist?

A I don't know if they exist.

Q You said Karen Hill had your job prior to this, prior to you having it?

A That's correct.

Q Did you work with her at all?

A Oh, yes.

Q Were you involved in any of the work that she did regarding physical collocation applications?

A She gave me training on procedures. And that was pretty much just to be able to handle it while she was gone.

Q She didn't talk to you about BellSouth subsidiaries?

A Other than to just say that they're treated like anyone else, which is pretty much the statement that our company has said.

Q If a BellSouth subsidiary wanted to physically collocate, would they be held to the same code strictures for the fire rated wall enclosure?

A If they wanted to collocate, we would put them in the common area, which has a separation.

Q So, that's "yes"?

A If they wanted to be a collocator, they would be put in a separated area.

Q The same way any ALEC or CLEC would be?

A I assume, yes.

Q Yes?

MS. BROWN: He said "yes."

MS. SUMMERLIN: That's what I'm trying to find out.

BY MS. SUMMERLIN:

Q Let me just make sure that I understood what you said earlier.

That you all just received this response from the SBCCI, the Southern Building Code Congress International. And you intend to take it forth, and go and speak with local government entities on this?

A Correct.

Q But from what you said earlier, you don't intend to do anything until a particular application comes along?

A That's correct.

I feel it would have the most meaning if you had, actually, plans in hand and said: "Look, here is the plans. This is why we developed them this way, and this is our backing for it."

Q Is there anything that you are aware of that would keep BellSouth from taking a more aggressive approach on this issue?

A What do you mean by a more aggressive approach?

Q I mean, taking this documentation, and going to these local government entities and presenting the problem that BellSouth describes in the letter that it sent to the Southern Building Code

Congress International, and asking for some treatment to correct this problem?

A I, personally, feel that it would be more effective to take it in with the permit, because that's the time frame that we're trying to effect.

Q The time frame that you are trying to effect?

A Right.

And a design. Both, I would say.

An example of time frame is, if you treat it as a multi-tenancy, we have had some of the code officials say: "Well, you need to stick a second means of egress in there." So, you are not just talking about walls. You are talking about several things.

So, we have, actually, had to come back and add a second hallway exit out of a building, because they considered them tenants.

So, yes, you are talking time frame and you are talking several things on this. It is not just a fire wall that you are talking about.

Q Well, I guess that is what I'm confused about, because it does appear to be a very big problem for BellSouth, according to you.

A That's why we requested the letter.

Q What I'm just curious about is, why is BellSouth going to wait until yet another application comes in to take some action to address this problem?

A If we try to change the applications that are in now, you have got to start the process all over, again. And we really don't know if they will act on our behalf.

So, if I was to try to change it in all of the plans that we have now, the dates that I have given the collocators would be out the door.

Q Are you familiar with the fact that your witnesses in this case have said that there is not adequate space for Supra to collocate, to physically collocate, in these two offices?

A I'm familiar with that.

Q Are you familiar with the fact that one of the reasons that has been given is that because you have to do all of this fire wall construction, you need more space than you would, otherwise, need?

A Fire wall construction, it would be, actually, getting them into the building, which would be hallways and such. So, yes, they would have to be able to get into their space.

Q So, you would agree that part of the reason that the two applications that Supra has filed

in this case are being denied by BellSouth is that the problems that are raised by this multi-tenant interpretation make the space that would be needed greater than it, otherwise, would be?

A Actually, I disagree with that.

Even if they wanted to go in our space, there has to be a way created to get them in the space. I mean, we can't just leave our office open for any employee or anybody to walk into and not know who it is.

So, we have to create a corridor for them to get to their space. Even without the walls, there would have to be a way to get there. And that's the problem. There is no space to put that in there.

Q So, what you are saying is, it doesn't have to do with the multi-tenant issue?

A No.

I'm just saying that that is just another reason.

Q Is that another aspect of the multi-tenant issue, in your view?

A Yes.

I would say that that's an aspect of it, but that's not the only reason. There are numerous reasons.

Q What I had asked you before was were you familiar with the fact that one of the reasons that was being given for Supra's application being denied is the building code problem.

Would you agree with that?

A The space is my understanding, the amount of space that is available. Or not available, as the case is.

Q Are you familiar with the practice of escorting people that come into Central Offices that are not BellSouth employees?

A Yes, I am.

Q Isn't it possible that the problem of ingress and egress could be dealt with by people being escorted?

A I don't believe that the escort charges allow for -- they allow us to get you to the space and from the space, but they don't have somebody standing there the whole time when a workman is there. That's not the intent.

We don't have employees, to my knowledge, that can do that. So, what you are talking about is two different things. Are they escorting them to the space, or are they staying with them the whole time?

Q Regarding this issue that is represented

in this letter here, are you the person that will have responsibility for this at BellSouth?

A Could you define that? What do you mean by me having responsibility for it?

Q At BellSouth, are you the person that will be, primarily, responsible for making sure that this issue gets addressed?

A I will probably handle it, in association with some of the architects. It won't be just me. There are too many offices to go to.

Q BellSouth architects?

A Not BellSouth employees. Architects under the contract.

Q But as far as BellSouth itself is concerned, you will be the person that will be responsible for it?

A I will be one.

Q Who else would be?

A It could possibly be Karen Hill.

Q Your position, basically, would be responsible?

A Yes.

MS. SUMMERLIN: No further questions. Thank you.

MS. BROWN: Let me ask you a question,

Suzanne. Do you want this marked as a deposition exhibit?

MS. SUMMERLIN: Yes. I would like it marked as Exhibit 1.

THE COURT REPORTER: It is already marked.

MS. BROWN: Okay.

Let's take five minutes. I need to talk to my people.

MS. WHITE: Okay.

MS. BROWN: We have very few questions.

(Brief recess.)

MS. BROWN: Let's go back on the record.

CROSS EXAMINATION

BY MS. BROWN:

Q Good morning.

A Good morning.

Q I have just a very few questions for you. Do you have your testimony with you, don't you?

A Yes, I do.

Q Could you turn to page 5 real quickly? On lines 12 through 15, you list the major functions for collocations projects.

Can you tell me what determinations are

made in the infrastructure engineering phase of the project that are not made in the design phase?

A On design phase for this, I am referring to building design.

Q Billing design?

A Building design.

Q Building design, okay.

A And, unfortunately, the infrastructure is not part of the property management, so I'm not sure, exactly, what goes on in theirs.

But in a design phase, we look at heat load to the equipment, electrical requirements and things like that. And then, of course, walls and so forth. But the infrastructure is out of my area, I guess, or out of my knowledge.

That would be the folks that come in after we build the walls, and they install the equipment. So, when they are talking about that, they're talking about the route from the power room to there, or possibly the cabling routes and things like that, which we don't install.

Q Well, who would be able to tell me, exactly, what goes into the infrastructure engineering phase in the infrastructure?

A That would be Guy Ream and Jerry Rubin.

That would be their area of responsibility.

MS. BROWN: And they're not witnesses in this case?

MS. WHITE: Yes.

THE WITNESS: They were here yesterday.

MS. WHITE: Yes.

MS. BROWN: They were here yesterday?

MS. WHITE: Yes.

BY MS. BROWN:

Q On page 3 of your testimony, you describe a specific example of some of the problems that BellSouth runs into dealing with local officials.

Where did you get this information?

A I talked to the contractors.

Q And this was the Pembroke Pines Central Office in the Ft. Lauderdale main Central Office?

A Yes.

I talked to both contractors and architects about these problems as they occurred. I, personally, talked to one or the other, and they told me about them.

Q Let me ask you, generally. We have this exhibit that you brought with you to describe some of the actions that BellSouth is taking to try to deal with some of the complications that are arising in

South Florida.

Are you aware of any instance where BellSouth has stated to the local officials that they have a time frame within which they are required to work, or at least criteria that they try to fulfill as the Public Service Commission has directed?

I am talking about the three-month.

A I know that the contractors are told that we have these short intervals, and that they should meet them. But whether or not they have told the local officials, I, honestly, couldn't tell you. But we pushed them pretty hard.

Q Do you think it might be helpful if the local officials knew that you were operating under some pretty short timeframes, that another governmental entity had directed you to do?

A I am not really sure. I will be willing to try. I am not sure. Sometimes they get mad at you, I know, for pushing them.

Q In answer to a question that Ms. Summerlin asked you, you said that you were aware of sporadic instances of problems in other areas in BellSouth's region?

A Yes, ma'am.

Q Some problems in Georgia, around

Atlanta?

A Yes, ma'am.

There are some locations where the permits took a little longer out in Atlanta. It was an area that had a lot of construction going on. It was a small municipality. But for the most part, Georgia has not been a problem.

Q When you say took a little longer, what amount of time?

A I think we're talking about three to four weeks longer than normal for there.

Q What is normal for there?

A Typically, one to two weeks.

Q One to two weeks is normal for Georgia?

MS. WHITE: For the permit.

THE WITNESS: For permit, to the best of my knowledge, yes.

BY MS. BROWN:

Q What about for other BellSouth states?

A We had a problem, I was just thinking the other week, in Tennessee, where it took a while. Actually, it is Franklin, which is just below Nashville. I talked to the contractors just last week in Kentucky, and they said easily a week.

Q Get the permit done in a week?

A Yes.

There are some places where you can walk them through. You can walk it in that day and get it that day.

Q Your TWM2 exhibit --

A Yes.

Q -- did you prepare this exhibit?

A Yes, ma'am.

Q And what documents did you use to prepare it?

A For the most part, it was calls to Parsons and ask how we're doing it. And they have done some statuses for us in the past. Mostly phone calls.

Q Do you have any other documentation to support the length of time that you have said that it has been taking?

A Yes.

We started a tracking document.

Q A tracking document?

A Right.

Q Can you describe that for me a little bit?

A It gives you when it went permit and when it came out of permit for each collocation job.

Q And you reminded me that I wanted to ask you if that's what this list is. These are the collocation projects?

A These are all collocation projects for locations where Supra has asked for space. There are a bunch more besides that, but these are, specifically, locations where they have asked for space.

Q Now, describe the tracking document for me.

A It is, basically, when it goes permit and when the permit is received on each collocation. Not just location, but each individual collocator at that site.

MS. BROWN: I would like a late filed exhibit on that.

MS. WHITE: Let me ask you a question.

MS. BROWN: Sure.

MS. WHITE: Remove the names of the ALECs and put company A, B, C, D, like we did on this. Because, otherwise, it is customer-specific information.

MS. BROWN: That's fine.

MS. WHITE: And for Florida, right?

MS. BROWN: Yes. These are all for

Florida, aren't they?

MS. WHITE: Right.

(Deposition Exhibit 2 to be marked for identification at a later date.)

BY MS. BROWN:

Q Well, I am glad your counsel asked that question. It spurred a question of mine.

So, as I understand it, company A here, these symbols represent collocators' requests?

A I'm not sure what you mean. A specific collocator at that site, you know, like, at Ft. Lauderdale main, a couple of them have asked for that site, so it is different collocators.

Q I see.

MS. WHITE: And then some of them may be the same one.

THE WITNESS: Yes.

Like, the A may be the same person on down through the line.

MS. BROWN: Right.

BY MS. BROWN:

Q Well, now I have another question.

What explains the difference in the time interval between the permitting process for Company B in the Ft. Lauderdale main office and Company C?

A There could be numerous reasons for it, just by the individual. There have been some instances where we had plans about ready, like, we may be a couple of days into the plans, and then we had a second collocation request at the same site, so we add them both together to try to get them in at the same time.

One may be 10 days earlier than the other one. I don't remember this specific one. Instances have come up like that. It is just according to workload. Typically, it is according to workload. It may be so many days one time and so many days another.

You will have plan reviewers looking at specific things in the plans. They may have a question and ask you to resubmit something. So, just particular things that the individual reviewers have found.

MS. BROWN: So, this tracking document, you're going to provide as late filed Exhibit 2.

MS. WHITE: It would be late filed one, but Exhibit 2.

MS. SUMMERLIN: That's right. Because he already produced the other one.

MS. BROWN: Exhibit 2 late filed. Is

that better?

MS. WHITE: Yes.

MS. BROWN: Exhibit 2 will be Permit Interval Tracking Document?

MS. WHITE: For Florida?

MS. BROWN: For Florida.

If you have one, say, for Georgia, similarly, so that we could compare the time frames.

MS. WHITE: Can we go off the record?

MS. BROWN: Yes. Let's go off the record.

(Discussion off the record.)

MS. BROWN: Let's go back on the record.

BY MS. BROWN:

Q We have been off the record discussing the late filed exhibit that we're going to call tracking documents.

And in the process of that conversation, I asked you what sort of process you go through and what kinds of documents you have to verify the beginning of the process.

So, could you describe for me, exactly, the process? What sorts of documents that you get along the way to show how long it has taken, that sort

of thing.

A I will get a tracking document update from Parsons. But as far as, actually, receiving copies of the stamps when it goes permit, I don't receive that and neither does Parsons. We could start asking for that if the Commission directs.

Q Describe for me the process. You get a collocation request in. You apply for a permit. What do you do when you apply for a permit? What does BellSouth do, or the contractor do?

A The contractor goes to the first one on the list, like, say, Boca Raton. The first thing they do is take the plans to the DNRP for review. It takes a couple of days.

Q Let me stop you just for a second.

When they go to DNRP, do they write them a check? Do they have to pay an application fee?

A I'm not sure if the fee is paid then, or once it gets to the Building Department.

Q But When they go to DNRP, and they submit the plans --

A They should be able to get something stamped.

Q Yes.

A Yes.

MS. WHITE: So, what you are, essentially, asking is for the entities and the jobs on the tracking document, whether we can get from the contractors the --

MS. BROWN: The documents that verify the beginning of the permitting process.

THE WITNESS: I could ask for that. Of course, it is a public record, so I'm not sure if there is a way that we could pull public record information stuff in addition to that to verify it. I can ask the contractors for that.

MS. WHITE: Then you would want the same thing for the -- well, when the permit comes out, the permit has a date.

Can I ask a question?

MS. BROWN: Let's go off the record.

(Discussion off the record.)

MS. BROWN: We're back on the record.

BY MS. BROWN:

Q What we would like, along with this tracking document, are whatever verification documentation you have to support the dates that you are claiming that it has taken from the date that the permit is applied for to the date it is received.

A Okay.

Q That will give us a means to verify your testimony. Not that I'm suggesting that there would be anything wrong with it. It simply is the way we like to operate.

A Okay.

MS. WHITE: I would assume that the tracking documents we could definitely have them by Friday?

THE WITNESS: Yes.

MS. WHITE: The supporting documents.

THE WITNESS: That will have to be from the contractors.

(Deposition Exhibit 3 to be marked at a later date.)

MS. WHITE: Off the record for a minute.

(Discussion off the record.)

MS. BROWN: Let's go back on the record.

BY MS. BROWN:

Q The tracking document?

A The tracking document will have offices not on there.

Q It will update the current status of permitting for these collocations in these offices?

A Those.

Q And perhaps some new ones?

A What I'm saying is, I may need to mark those for you in some way, shape or form, because it goes by different -- like, I call these Ft. Lauderdale main. They may have a different code that we use for offices, so I will try to in some way denote which ones are which for you so you will know.

Q All right. That would be helpful.

MS. BROWN: What I want, in terms of the documentation that is backing up the tracking document, is whatever you can provide. When does the hearing start? Wednesday. So, by next Monday.

MS. WHITE: Okay.

MS. BROWN: I understand that the time frames are short.

MS. WHITE: We will have the tracking document to both of you all by Friday, and we'll work for Wednesday on the supporting documents. I'm sorry, Monday on the supporting documentation.

MS. BROWN: Okay.

I have no further questions. Thank you.

MS. WHITE: I just have a couple, Mr. Mayes.

CROSS EXAMINATION

BY MS. WHITE:

Q When Ms. Brown was asking you about the difference between the two permit intervals, Ft. Lauderdale main and TWM-2, the 55 days for receiving the permit for Company B, and the fact that we have been waiting for a permit 65 days for Company C, you said that one of the factors in the difference could be the workload.

But whose workload were you talking about?

A I was talking about the code officials, the different departments within that that are listed on this form. I talked to somebody just about a week or so, saying that they had a stack of things. And it is kind of like you have your number on the stack. So, it is a pretty big load.

Q That was the code official that you were talking to?

A Yes.

The code official.

Q What has been your experience when an entity tries to hurry code officials?

A Like I said earlier, I talked to the South Florida property management folks on that, and

they say that it is their feeling over the years that they dislike it.

And I guess that it was kind of backed up when we were really pushing one of the contractors on a Jacksonville job, and Parsons was calling every couple of days. And he was calling the permit officials, and they, finally, just said: "Don't call us any more."

And I guess if you are real busy, you could understand that. You have got a big job, you have got a big stack ahead of you and you probably might lose your patience with somebody calling every day when you are trying your hardest

But they did, specifically, tell him not to call any more, but that's a danger that you run into.

Q What are the local codes of Florida based on?

A Well, they have got the South Florida code. But the letter that we started there, with the Standard Building Code, is kind of like where a lot of them started and then they adapted their own.

That's why we started from that direction, is to get those folks on our side and supporting what we feel is the way it should be

treated as far as multi-tenant. And we'll go after the other folks after that.

Q The Standard Building Code in Florida is the Southern Building Code?

A South Florida has their own building code.

Q The basis for the South Florida Building Code?

A Would be the standard. That's my understanding.

MS. WHITE: That's it. Thank you.

MS. BROWN: May I please ask one follow-up?

THE WITNESS: Sure.

CROSS EXAMINATION (Continued)

BY MS. BROWN:

Q Even if the officials that deal with the Southern Building Code were to expedite the process, how would that affect the local building code?

A I still would have to get their approval. Because like I say, it comes off of, but it is, ultimately, up to the local officials whether or not they want to recognize it or not.

And, of course, the different municipalities have their own fix on what they're

looking at. We're hoping for the best. It will be a whole lot easier for us, but there are no guarantees.

MS. BROWN: Thank you.

(Deposition concluded at 10:08 a.m.)

CERTIFICATE OF REPORTER

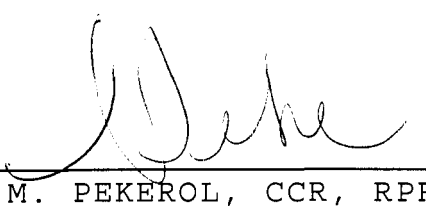
STATE OF FLORIDA:

COUNTY OF LEON:

I, ANITA M. PEKEROL, do hereby certify that the foregoing proceedings were taken before me at the time and place therein designated; that my shorthand notes were thereafter translated under my supervision; and the foregoing pages numbered 1 through 59 are a true and correct record of the aforesaid proceedings.

I FURTHER CERTIFY that I am not a relative, employee, attorney or counsel of any of the parties, nor relative or employee of such attorney or counsel, or financially interested in the foregoing action.

DATED THIS 15th day of October, A.D., 1998.



ANITA M. PEKEROL, CCR, RPR, CP, CM
100 Salem Court
Tallahassee, Florida 32301
850-878-2221

CERTIFICATE OF ADMINISTERING OATH

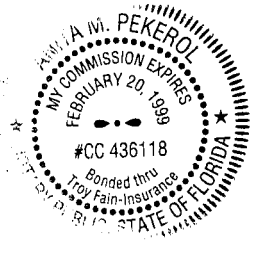
STATE OF FLORIDA:

COUNTY OF LEON:

I, ANITA M. PEKEROL, Registered Professional Reporter and Notary Public in and for the State of Florida at Large:

DO HEREBY CERTIFY that on the date and place indicated on the title page of this transcript, an oath was duly administered by me to the designated witness(s) before testimony was taken.

DATED THIS 15th day of October, 1998.



ANITA M. PEKEROL, CCR, RPR, CP, CM
100 Salem Court
Tallahassee, Florida 32301
850-878-2221

My Commission Expires: February 20, 1999.

(AP) 10-1-98 ERRATA SHEET

I have read the transcript of my deposition, pages 1 through 60, and hereby subscribe to same, including any corrections and/or amendments listed below.

10-20-98 Wayne Mayes

DATE: (Wayne Mayes)

(Petition for Emergency Relief of Supra Telecommunications and Information Systems.)

Page/Line	
p10/24	"I have a written letter" should read

BELLSOUTH TELECOMMUNICATIONS

FACSIMILE TRANSMITTAL SHEET

TO:	FROM:
Wayne Mayes	Stephen S. Johnson
COMPANY:	DATE:
P&SM	10/12/98
FAX NUMBER:	TOTAL NO. OF PAGES INCLUDING COVER:
850-222-8640	5
PHONE NUMBER:	SENDER'S REFERENCE NUMBER:
NA	(205) 321-3854
RE:	YOUR REFERENCE NUMBER:
Tenant Separations	(205) 321-2362

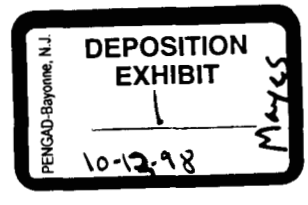
☐ AS DISCUSSED ☐ FOR REVIEW ☐ PLEASE COMMENT ☐ PLEASE REPLY X AS REQUESTED

NOTES/COMMENTS:

Letter to, and letter from, Mark Chubb regarding tenant separations as it relates to Standard Code .

P&SM
PROPERTY & SERVICES MANAGEMENT

21C3, 600 NORTH 19TH STREET
BIRMINGHAM, AL 35203



Bellcore
Bell Communications Research

Ronald Marts, AIA, CFM
Building Standards and Codes, Firesafety

8 Corporate Place, 3C104
Piscataway, NJ 08854

rmarts@notes.cc.bellcore.com
Phone 732-699-3752
fax 732-336-2230

Date: July 6, 1998

Subject: Standard Building Code
Request for Formal Interpretation
704.3 - Tenant fire separation

File: 3860/98-266

To: Mark Chubb
SBCCI
900 Montclair Road
Birmingham, AL 35213

Dear Mark,

I appreciate the time you took several weeks ago when I called for assistance in requesting an interpretation from SBCCI on code requirements for *tenant fire separations* as delineated in Section 704.3 of the 1997 Standard Building Code. Please consider this letter as a request for a Formal Interpretation of Section 704.3 as it applies to colocation of telecommunications equipment in telecommunications facilities.

In order for you to better understand some uncommon telecommunications industry terminology, I have provided definitions of a few terms:

- *Colocation* is defined as the action of a Competitive Local Exchange Carrier (CLEC, or start-up telecommunications service providers as they are referred), locating their equipment in the building of an Incumbent Local Exchange Carrier (ILEC) such as BellSouth, GTE, Southwestern Bell, etc. Colocation is an FCC tariffed practice, and has become routine and widespread across the country in all ILEC companies. The CLEC leases space and building services in the ILEC's building, and installs either their own switch, or transmission equipment that is connected to the incumbent's switch and cabling through separate lease arrangements. Generically, the CLEC's equipment is the same as the ILEC's equipment. Virtually all incumbents require that the CLEC's equipment be NEBS compliant.

- *NEBS* (Network Equipment Building Systems) are publicly available generic requirements published and maintained by Bellcore (AT&T has their own version). NEBS sets forth minimal requirements for grounding, ESD, RFI, earthquake, fire protection, and a host of other stringent requirements to assure safe and dependable telecommunications service. NEBS can be likened to a building code or standard for the telecommunications industry. Regarding fire protection requirements, equipment manufacturers such as Lucent or Nortel submit equipment (either separate line cards, full shelves, or complete cabinets) to Bellcore's testing facility in Chester NJ for technical auditing. NEBS has three levels of compliancy, and the fire protection requirements are the same for all three levels.

As interpreted by some local code officials, Section 704.3 of the Standard Code requires my client, BellSouth, to erect 1-hour walls, not only between their equipment and the CLEC's equipment, but between each of the CLECs' spaces. The cost of these partitions and the resulting costs of associated electrical and HVAC alterations are very high in many cases, due to the amount of overhead cabling that must be properly firestopped. These costs are passed on to the competitors who complain that they don't have these restrictions in the other ILEC's facilities. (BellSouth is exclusively under the Standard Code, while all other Regional Bells are predominantly BOCA or ICBO, neither of which has this requirement). In BOCA and ICBO jurisdictions, companies install heavy gauge wire partitions for security.

I understand that the provisions of 704.3 have historically addressed separation issues as they are interpreted, for example, in malls, strip shopping, storage facilities, and several multi-family residential applications.

It is my objective opinion that the requirements of 704.3 would not apply to telecommunications facilities where competitive companies install their equipment in incumbent's buildings, for the following reasons:

- The use and occupancy are identical and there is no fire threat between the equipment
- The CLEC equipment is virtually identical to the ILEC equipment
- The CLEC equipment, like the ILEC equipment, is NEBS compliant
- In BellSouth's case, CLEC personnel are escorted into and out of their space by BellSouth personnel and are not allowed to wander through the building
- Lease agreements and tariffs protect both companies from contingent liability issues
- There has been no fire insult (at least in the Regional Bell Operating Companies) between CLEC and ILEC spaces
- Wire partitions provide full vision between spaces which provides a higher level of safety from a fire protection standpoint

The telecommunications industry enjoys an exemplary fire safety record due primarily to their aggressive and pro-active stance on very early warning fire detection, selective compartmentation, assiduous firestopping practices, and remarkably safe equipment that is NEBS compliant.

Mark, I would appreciate your sharing this request with the staff and providing me with a full interpretation and intent of Section 704.3, as it applies to colocation of telecommunications equipment. Thanks again for your time and interest.

Very truly yours,

Ron Marts

cc Steve Johnson BellSouth
Larry Langham BellSouth
Glen Neuburger Bellcore

Setting the Standard for America's Model Codes

Southern Building Code Congress International Inc.

President and Chairman of the Board
Larry Ball
Building Director
Starkville, Mississippi

Vice President
Nick D'Andrea, Jr., CBO
Manager, Commercial Development Services
Tampa, Florida

Board of Directors
William L. Duck, Jr., CBO
Chief of Inspections and Code Enforcement Division
Columbus, Georgia

Frank P. Hodge, Jr., CBO, CEAP
Director of Inspection
Hilton Head Island, South Carolina

Donny Phipps, CBO
Director of Inspection
Columbia, South Carolina

Dominic Sims, CBO
Executive Director
Palm Beach County, Florida

Tim Ward
Code Enforcement Administrator
Oak Ridge, Tennessee

Immediate Past President
Jimmy T. Pollard, CBO
Building Official
Opelika, Alabama

Chief Executive Officer
William J. Tangye, PE

Headquarters Office
900 Montclair Road
Birmingham, Alabama
35213-1206
205-591-1853
Fax: 205-592-7001
TDD: 205-599-9742

Southwest Regional Office
9420 Research Boulevard
Echelon III, Suite 150
Austin, Texas 78759
512-346-4150
Fax: 512-346-4227

Southeast Regional Office
4303 Vineland Road, Suite F-7
Orlando, Florida 32811
407-648-9632
Fax: 407-648-9702

Eastern Regional Office
1200 Woodruff Road, Suite G-26
Greenville, South Carolina
29607-9443
864-281-1008
Fax: 864-281-1030

September 25, 1998

Mr. Ron Marts, AIA, CFM
Building Standards and Codes, Firesafety
Bellcore
3C104
8 Corporate Place
Piscataway, NJ 08854

Dear Ron:

This is in response to your request for an interpretation of the tenant separation requirements of the 1997 *Standard Building Code* as they apply to co-location of competitive local exchange carriers (CLEC) in the network equipment buildings of incumbent local exchange carriers (ILEC) such as BellSouth. The tenant separation requirements are found in 704.3 of the code.

As you correctly note in your request, tenant separation requirements do not appear in the provisions of any of the other nationally-recognized model building codes. The *Standard Building Code* provisions for tenant separation date back to the first edition in 1946, and are intended to protect the property of one occupant from harms arising from the use or occupancy of another portion of the same building occupied by another tenant. Chief among these harms is the threat of fire. The requirement for 1-hour fire resistance rated separation seems to follow from the assumption that tenants will usually be separated by partitions, floor/ceiling assemblies, or by some equivalent construction as a matter of security or privacy or simply to control the amount of usable space let to a tenant under the terms of a given contract. Since these separations may obscure evidence of a hazardous situation and limit the degree of control which may be exercised over such hazards by other occupants or tenants, the code requires these separations to provide a minimum degree of fire resistance.

Of course, many contemporary co-location or cohabitation situations challenge the traditional notion that tenants will already be separated from one another. Many occupancies now let space within their buildings to other companies for purposes similar to or at least complementary to their own use of the premises. Examples abound: cosmetic counters, opticians offices, photo processors, and fast food franchise counters in retail stores are probably the most common examples. The situation you describe with regard to network equipment buildings does not seem altogether different from these new arrangements: The tenants share a common occupancy classification, perform complementary activities, and provide common access to their respective portions of the premises. Perhaps most importantly though, the arrangements you describe, particularly common equipment requirements, escorted access, largely open plan, and a high degree of visibility among adjacent tenants, suggest that continuous surveillance of the equipment and premises is provided. This seems to ensure that no tenant is unwittingly exposed to a threat introduced by another.

In small network equipment buildings (those less than 3,000 sq ft), the exception to 704.3 would require no separation between adjacent tenants. In larger buildings (those over

3,000 sq ft), separation could only be required to subdivide the building into areas less than 3,000 sq ft. However, this does not appear necessary, since the arrangements you describe seem to fulfill the intent of the tenant separation provisions.

This information is provided to assist you in complying with the provisions of the Standard Building Code. This opinion has not been reviewed by the Interpretation Committee, and does not represent the official position of SBCCI or the Southeastern Association of Fire Chiefs, Inc. in this matter. Please remember, the code official remains the final authority for all decisions concerning the application and interpretation of these provisions.

Sincerely,

Mark Chubb, CBO, AIFireE
SBCCI Fire Code Coordinator
Executive Director, Southeastern Association of Fire Chiefs

/mdc

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition for Emergency Relief of Supra Telecommunications and Information Systems, Inc., Against BellSouth Telecommunications, Inc.	)	Docket No. 980800-TP
	)	Filed: 10-2-98

DEPOSITION OF: DAVID THIERRY

TAKEN AT THE INSTANCE OF: Supra Telecommunications

DATE: Tuesday, October 13, 1998

TIME: Commenced at 10:15 a.m.
Concluded at 11:30 a.m.

LOCATION: 2540 Shumard Oak Blvd.
Tallahassee, Florida

REPORTED BY: ANITA M. PEKEROL, RPR, CP, CM. Notary Public in and for the State of Florida at Large.

FLORIDA PUBLIC SERVICE COMMISSION
DOCKET NO. 980800-TP EXHIBIT NO 10
COMPANY/ WITNESS: Thierry / Staff
DATE: 10-21-98

ACCURATE STENOTYPE REPORTERS, INC.
100 Salem Court
Tallahassee, Florida 32301
(850) 878-2221

APPEARANCES:

REPRESENTING SUPRA TELECOMMUNICATIONS AND INFORMATION SYSTEMS, INC.:

SUZANNE FANNON SUMMERLIN, ESQUIRE
1311-B Paul Russell Road
Suite 201
Tallahassee, Florida 32301

REPRESENTING BELLSOUTH TELECOMMUNICATIONS, INC:

NANCY B. WHITE, ESQUIRE
Assistant General Counsel
BellSouth Telecommunications, Inc.
Museum Tower Building
150 West Flagler Street
Suite 1910
Miami, Florida 33130

REPRESENTING FLORIDA PUBLIC SERVICE COMMISSION:

MARTHA CARTER BROWN, ESQUIRE
Senior Attorney
Division of Legal Services

WAYNE STAVANJA
CALVIN FAVORS
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0863

ALSO PRESENT:

STAN GREER, BELLSOUTH
DAVE NILSON, SUPRA
ANGEL LEIRO, PARALEGAL, SUPRA
MARK E. BUECHELE, ESQUIRE, SUPRA
W. KEITH MILNER, BELLSOUTH
MARK GRAHAM, SUPRA

I N D E X

WITNESS	PAGE
DAVID THIERRY	
Direct Examination by Ms. Summerlin	4
CERTIFICATE OF REPORTER	48
CERTIFICATE OF ADMINISTERING OATH	49
ERRATA SHEET	50

P R O C E E D I N G S

- - -

The following deposition of DAVID THIERRY was taken on oral examination, pursuant to notice, for purposes of discovery, for use as evidence, and for such other uses and purposes as may be permitted by the applicable and governing rules. Reading and signing is not waived.

- - -

Thereupon,

DAVID THIERRY

was called as a witness, having been first duly sworn, was examined and testified as follows:

MS. SUMMERLIN: Suzanne Summerlin, representing Supra Telecommunications and Information Systems.

MS. WHITE: Nancy White, representing BellSouth Telecommunications.

MS. SUMMERLIN: I guess we can get Martha Brown's appearance when she comes back.

Nancy, the usual stipulations will apply?

MS. WHITE: Yes.

DIRECT EXAMINATION

BY MS. SUMMERLIN:

Q Would you please give your name and

address, for the record?

A Yes.

My name is David Thierry.

My business address is 675 West Peachtree Stret, in Atlanta, Georgia.

Q Can you tell us what your title is?

A I'm a Manager in the Interconnection Services Pricing Division.

Q Interconnection Services?

A Yes.

Pricing.

Q Now, who is your direct boss in that job?

A Jerry Hendrix.

Q I haven't heard that name. That's the first time that I have heard it.

Do you have anybody that you supervise?

A Yes.

I supervise one person.

Q Who is that?

A Michelle Culver.

Q And what does she do?

A She negotiates, on a full-time basis, collocation contracts.

Q When did you start with BellSouth?

A I started back in 1988.

Q And what position did you start in?

A I was a Cost Analyst in the pricing and economics division.

Q Cost Analyst?

A Cost Analyst, yes.

Q So, in the same general subject matter area, pricing; is that right?

A It is all under the regulatory umbrella, yes.

Q When did you get into the position that you are in right now?

A I started with Interconnection Services two years ago, October two years ago. If you do the math, that is 1996.

Q October 1996?

A Yes.

Q You have been a Manager in that section for that long?

A Right.

Q Have you ever visited these two Central Offices?

A No, I have not.

Q So, you filed direct and rebuttal?

A Yes.

Q Looking at your direct testimony --

A Yes.

Q -- can you just tell me, in, like, a very few sentences, what the purpose of your testimony is? What the gist of it is?

A Well, there were several issues raised in a joint meeting with BellSouth and Supra, and my testimony is to address several of the issues that were brought up in that meeting.

Q What joint meeting are you talking about? Are you talking about the issue ID?

A Yes.

Q So, you are just talking about the issues in this case?

A Exactly.

Q On page 3 --

A Yes.

Q -- of your direct testimony --

A Yes.

Q -- you have an answer to your question on page 2, which is that BellSouth is required to provide collocation in these two Central Offices to Supra pursuant to the agreement.

And what is your position on that?

A Well, my position is that in the introductory provisions of the agreement, we state

that we offer physical collocation space in Central Offices where such space is available.

And in the case of these two Central Offices, there is no space available, so we are not required to offer physical collocation space to Supra or any potential collocator in those COs.

Q So, your position is that the language in the collocation agreement, basically, has the inherent presumption that there would be space available.

Is that the idea?

A Yes.

Q Do you know which individual denied Supra's applications for these two Central Offices?

A No, I do not.

Q On line 18 through 22, you have a statement, but let me just focus on line 20.

You say that on May 6th, BellSouth responded to Supra, via electronic mail, stating that BellSouth did not have space available for physical collocation in two of the 17 Central Offices; specifically, the two in this case.

Do you have any other awareness of what entity or person would have responsibility for responding to those applications?

A Would you restate the question?

Q Yes.

I have asked every person who has been a witness for us in the last day or so who denied Supra's applications and nobody yet seems to know. So, I was just curious as to whether you would know who would have that responsibility.

A That function is downstream from me. I am not involved with the processing of applications.

Q Should I take it from your testimony that you are relying on this e-mail communication as the denial?

A Yes.

Q Is that what you are relying on that?

A Yes.

Q And that e-mail, do you know who that was from?

A Let me check. I believe it was from Nancy Nelson. Yes. And that e-mail was sent pursuant to the agreement, where in the application response one of the bits of information that we provide back to potential collocators is whether or not there is space available in the Central Offices that they have applied for.

Q So, it is your understanding that that is the denial; is that right? Is that your

understanding?

A Yes.

Q Does the collocation agreement define how you determine whether space is available?

A No, it does not.

Q Does it talk about how you define occupied space?

A No, it does not.

Q Does it define what available space means?

A No, it does not.

Q Does it define what space is appropriate to be reserved for future use?

A No, it does not.

Q On page 4, you have a question on line 16 through line 19: "Under the collocation agreement, does BellSouth have an obligation to renovate or add to the Central Office to make space available to permit physical collocation by Supra?"

On line 21, you answer: "No. BellSouth is not obligated under the agreement to renovate or add to the Central Office to accommodate Supra's request."

What is your support for that?

A I base that on the agreement, the

introductory provisions, where we establish that we do offer physical collocation where there is space available.

And in the FCC order, paragraphs 575 and 585, it states that we're obligated to offer physical collocation space where it is available. And the FCC Code of Federal Regulations states that we're not required to lease or construct additional space in instances where there is not space available for physical collocation.

Q Are you aware of an FCC provision or a Telecommunications Act provision that talks about the obligation on ILECs or incumbent LECS to consider collocation demand when determining if they need to expand a particular Central Office?

A No.

I'm not familiar with that.

Q On page 6 of your direct testimony, you talk about what the requirements are on BellSouth for the timeframes to provide for occupancy of the collocation space.

What is your basic response to that?

A Our basic response is that we negotiate on a case-by-case basis each collocation space. And we feel that we're acting in accord with the Florida

Public Service Commission's recommendation that we do negotiate on a case-by-case basis.

And I went on to state that where possible, we try to meet their agreement guideline.

Q If an entity, a CLEC or ALEC, that wants to physically collocate is granted the right to do that in one of BellSouth's Central Offices, what are their requirements in terms of getting their equipment in and operational once BellSouth hands over the space to them?

A Give me a moment here. There is a provision in the use of space section of the agreement to simply place operational equipment within 180 days of notification that it is available.

Q Would that be Section 2, paragraph C, of the agreement?

A Yes.

Q Is that what you are talking about?

A Yes.

Q That's on the back of your testimony here?

A Page 3 of the exhibit.

Q All right.

MS. SUMMERLIN: The copy that I have here attached to the testimony does not have

everything.

It is page 3 of the agreement. And I don't know how you all have it identified as far as your exhibits go.

MS. WHITE: DT-1.

MS. SUMMERLIN: This one that I'm looking at is not the exact same one.

BY MS. SUMMERLIN:

Q Paragraph 2C says, and I am just going to read this to be able to ask you a couple of questions about it: "Occupancy: BellSouth will notify interconnector that the collocation space is ready for occupancy. Interconnector must place operational telecommunications equipment in the collocation space and connect with BellSouth's network within 180 days after receipt of such notice. BellSouth may consent to an extension beyond 180 days upon a demonstration by interconnector that circumstances beyond its reasonable control prevented interconnector from completing installation by the prescribed date. If interconnector fails to place operational telecommunications equipment in the collocation space within 180 days and such failure continues for a period of 30 days after receipt of written notice from BellSouth, then and in that event interconnector's

right to occupy the collocation space terminates and BellSouth shall have no further obligations to interconnector with respect to said collocation space."

In your mind, does that, basically, put a requirement on the CLEC to get their equipment in and operational within 180 days, possibly plus 30?

MS. WHITE: Of what?

BY MS. SUMMERLIN:

Q Of the space being made available to the CLEC.

A Yes.

Q What happens at the end of that time frame if the CLEC has not complied with that?

A I don't know the specifics. That's not my role, to contact the CLEC and discuss the provision and placement of that equipment on what may or may not have happened.

In reading the contract, I think it is clear that we will contact the CLEC, and try to discover what the circumstances are and try to work with the CLEC.

Q Where do you get that from?

A BellSouth may consent to an extension beyond 180 days upon a demonstration by interconnector

the circumstances beyond its reasonable control that prevented interconnector from completing installation by the prescribed date.

We wouldn't establish whether circumstances were within its control without make a contact with the customer.

Q That word "may" means that BellSouth could possibly choose to do that; is that right?

A True.

Q Does it, also, mean that it could possibly choose not to do that?

A Yes.

Q So, if BellSouth chose not to do that at the end of that time frame, there would be an absolute result, wouldn't there?

A I don't understand your question.

Q What I'm saying is, if the interconnector failed to do it within the prescribed time frame, and BellSouth chooses not to grant an extension, which would be within its discretion according to this language, the interconnector would lose out, basically, wouldn't it?

A They would lose the right to the use of that space, yes.

Q Now, let's talk about what BellSouth is

supposed to do at the beginning end of this deal.

If you look at your testimony on page 6, line 13, I'll read the sentence instead of forcing you to read it. I have always found that very offensive.

Just the first couple of lines.

"BellSouth is bound only by the requirement of the agreement Section 4-F of Exhibit DT-1 to 'make reasonable efforts to provide for occupancy of the collocation space on the negotiated date and will advise interconnector of delays.'"

So, does that give a time certain that the CLEC can expect to have performance from BellSouth?

A Let me reread that.

The date is negotiated. There is a date specified. And, yes, there is a time certain that we have established when we're going to make the space available, subject to any delays that may come up.

Q What is this negotiation process that you are talking about?

A It is a pretty straightforward process. The potential collocator sends a letter to us requesting that we establish, kick off or initiate physical collocation negotiations.

We send them a draft agreement, just as a starting point, and the collocator reviews the language. We establish language that we both agree to, we sign the agreement and we're done.

Q Let's say that you have one of these get-togethers about a particular Central Office, and a particular request by a particular CLEC.

The CLEC says I would like to have my equipment or my space from you ready to go in 90 days. And BellSouth says we don't think we can do that. What rights does the CLEC have in that situation?

A We have language in there that states that we will work to meet any negotiated time frame. We're not obligated or limited to providing collocation space in 90 days. We could, in some instances, provide it sooner.

But the contract establishes the guidelines. The specific collocation construction is handled by the account team, and the folks who, actually, put the collocation construction and implementation in place.

Q In this negotiation, what does the CLEC get to do once BellSouth says that it can't do that in 90 days?

A Negotiate time frames on a case-by-case

basis.

Q Well, I guess what I'm asking you is, let's talk about one negotiation, one time. I am not even talking about what particular problem it may be in any particular instance. I recognize that there are some situations that may have valid problems. I'm not saying that any of them are invalid. I'm just saying there may be a situation that BellSouth thinks is a problem.

What power does the CLEC have to alter what BellSouth says it can do?

A Given that the sticking point is the 90-day time frame?

Q Yes.

A We will not agree to a time frame less than 90 days.

Q Will you agree to a 90-day time frame?

A As a guideline, yes, we will.

Q Will you agree --

A In the State of Florida.

Q Will you agree that you are committed to do a 90-day time frame so that there will be some recourse for the CLEC?

A Not in every case, no.

Q So, the basic idea is that the CLEC takes

whatever BellSouth is willing to provide in this situation?

A We provide collocation space as quickly as we can. And we do so in compliance with the Public Service Commission's guidelines.

Q Am I correct that your interpretation of this order that you refer to in your testimony, let's see, it is order, you have quoted -- let me just put it this way: Is it true that what the position of the company is, is that only in extraordinary circumstances that the 90-day time frame wouldn't be met? Is that true? Is that the company's position?

A I lost you in that question.

Q I didn't do that very well.

What is the company's position on this? When you say you're going to try to commit to meet the 90-day time frame, what does that mean, exactly?

A Well, as I stated before, we use the 90 days as a guideline. It is our target date. And, as I said before, we negotiate each collocation arrangement for placement on a case-by-case basis.

Q Would it be only in extraordinary circumstances that BellSouth would not be meeting the 90-day time frame?

A No.

Q What kinds of circumstances? Just any kinds of circumstances?

A I really can't speak to specific circumstances, as I am upstream in the process from the implementation of collocation spaces. So, I'm afraid I can't answer that question.

Q Who would know about this kind of negotiation?

A I would imagine the space planners and the folks who arrange for the construction of the space.

Q But you are not sure?

A True.

Q On page 8 of your direct testimony, on the top of that page, at lines 1 through 3, you have a question: "Pursuant to the collocation agreement, what types of equipment is Supra authorized to place in its physical collocation arrangements?"

And then in your answer, you refer to Section 3-A of the agreement. And from lines 6 to 11, you say: "BellSouth shall permit interconnector to place, maintain and operate in the collocation space any equipment that interconnector is authorized by BellSouth and by Federal or State regulators to place, maintain and operate in collocation space, and that is

used by interconnector to provide services which interconnector has the legal authority to provide."

Is that a fair reading of your quote there?

A Yes, it is.

Q What, exactly, does that mean? What is that idea there?

A The interconnector, in this case Supra, is permitted to place equipment that is authorized by BellSouth, and authorized by Federal or State regulatory bodies.

Q So, any equipment that a CLEC wants to physically collocate has to be authorized by Federal or State regulators, Federal and State regulators, and approved by BellSouth?

A Yes.

Q Now, what authority does BellSouth believe that it has in this situation, if you assume that Federal and State regulators are okay on something?

A I would refer that question to our policy witness, Mr. Milner, who will discuss broader policy issues.

Q Well, I guess I'm just looking at your testimony here that cites this and makes the statement

that I just read, basically, I guess. But you are not comfortable responding?

MS. WHITE: I object, to the extent that the statement that you read is in the collocation agreement. It is signed by BellSouth and Supra.

MS. SUMMERLIN: So, I'm asking the witness what he means when he cites that.

MS. WHITE: If Supra didn't think BellSouth had the authority to put that in the agreement, then, you know, it is a whole other question.

MS. SUMMERLIN: Nancy --

MS. BROWN: Are we going to do this on the record?

MS. WHITE: No. Go forward.

MS. SUMMERLIN: I am just asking a question. I am responding because of what she said.

MS. BROWN: Okay.

BY MS. SUMMERLIN:

Q You have responded that it would be better for me to ask Mr. Milner, so I will ask Mr. Milner about this. I won't ask you anything else. I am just trying to look at your testimony and find out

what you mean.

Mr. Thierry, we were talking about the requirement of the CLEC to meet the 180 days, plus any possible extension that might be granted by BellSouth, in its discretion under the agreement, to do that.

Are you familiar with the kinds of extensions that have been granted?

A No, I'm not.

Q So, you don't know what the practical application has been?

A No.

As I said, that is downstream from me, and the folks who implement the construction and the occupancy of the collocation space can handle that.

Q Are you familiar with how long it takes BellSouth to get its equipment up and operational?

A No, I'm not.

Q On pages nine and 10 of your rebuttal testimony, you talk about the collocation agreement in connection with the equipment issue, the appropriate equipment that BellSouth would permit into the Central Office.

Am I correct that if I wanted to ask any questions on that, I need to direct that to Mr.

Milner? I don't want to ask you stuff about that if --

A I address the contract language, and Mr. Milner addresses policy. So, if you are headed towards policy questions, Mr. Milner would probably be a better person to address this to.

Q Describe for me in your pricing job what, exactly, you work on. What is it that you do on a daily basis?

A The pricing aspect of my job involves tariff revisions, for the most part, and the access tariffs.

Q Do you have any practical experience with the issues that have been presented in this case?

A Could you restate that? How do you mean?

Q I guess you said before that you have an employee that negotiates contracts.

A Yes.

Q Is that part of what you do, also?

A Yes.

And I started out negotiating physical collocation contracts myself. I took on more pricing type functions, and came back and, basically, supervised my old position.

MS. SUMMERLIN: If you will give me a

couple of seconds.

(Brief pause.)

MS. SUMMERLIN: Let's go back on the record.

BY MS. SUMMERLIN:

Q Mr. Thierry, I just have a couple of more questions, maybe five more questions.

On page 4, line 2, of your testimony -- I think it is your direct, but I'm not sure, so let me make sure that I'm in the right place here. Page 4, line 2, of the rebuttal I guess is what we're looking for. You have a statement on here, basically, that -- I'm sorry, I'm not getting good assistance here. It is line 20.

Page 4, line 20, you have a question on your testimony, and I guess I'll start with it on line 16. It says: "Supra witnesses, Mr. Ramos and Mr. Nilson, state that BellSouth should make space available for physical collocation in North Dade and West Palm Beach Gardens Central Offices even though BellSouth has demonstrated that no such space exists. How do you respond?"

What is your support for or how do you know whether or not space exists in these two Central Offices?

A Simply from what the witnesses that have been named in this case have provided to both you and internally to BellSouth.

Q Your position has been that BellSouth has said that there is no space available for Supra; is that right?

A Would you restate that, please.

Q Is it BellSouth's position that there is no space available for Supra in these two Central Offices?

A From what I understand, yes.

Q Does space available mean that there has to be space that is currently not in use?

A I'm not the person to ask that question. You would have to talk to a facility planner.

Q So, you don't really know anything about whether there is space available; is that right, yourself?

A It is really not within my job description. No. It is handled by other people.

Q Did you have any involvement in the negotiation of the agreement here, the collocation agreement, between Supra and BellSouth?

A No, I did not.

Q Exactly, what is your testimony supposed

to be doing?

A As I stated earlier, I'm addressing the issues that were brought up in the joint issue identification meeting as they pertain to the contract.

Q On page 2, line 8, of your rebuttal testimony, you have a question: "On pages 2 and 3 of his testimony, Mr. Ramos states that Supra grudgingly signed the collocation agreement with BellSouth because BellSouth represented that no changes would be allowed to the agreement. How do you respond?"

And your statements are that: "Mr. Ramos' statements do not reflect BellSouth's policy toward negotiating physical collocation agreements. On July 16, 1997, BellSouth sent Mr. Ramos a copy of the standard physical collocation agreement as a starting point for our negotiations."

Are you referring to some negotiations that you had, personally?

A I am referring to BellSouth and Supra, as the "our" in the sentence.

Q Did you send anything to Mr. Ramos, yourself?

A No, I have not.

Q So, you don't really have any personal

knowledge about this situation at all; is that right?

A No, I do not.

Q Are you aware of any request by Supra to negotiate?

A Negotiate what?

Q The collocation agreement.

A Am I aware of any request by Supra?

Q Yes.

A No, I am not.

Q Let's look at page 6, Section F, of the collocation agreement.

A Okay.

Q On page 6, paragraph F, the paragraph is titled Space Preparation. I just want to read the first sentence, I believe is all I want.

"BellSouth shall prorate the costs of any renovation or upgrade to Central Office space or support mechanisms which is required to accommodate physical collocation."

What does that sentence mean?

A There are two steps in providing physical collocation space to any requester. We first build out a physical common collocation area, and then build out the specific space for each requester. And the space preparation identified here or referred to here

is the build-out of the common physical collocation area where space for such build-out is available in the Central Office.

Q Does this language contemplate the fact that BellSouth might need to renovate space to accommodate physical collocation?

A How do you mean?

Q Well, what I mean is possibly moving equipment around or reconfiguring space in the Central Office.

A To my knowledge, I really can't address that.

Q You don't know?

A I don't know.

Q You don't know what upgrade means in that sense?

A By upgrade in this sense, we're talking about building walls, building separations from the common area, to separate that common area from BellSouth's equipment area.

Q How do you find that in that language?

A I refer you to the second note in the rates attachment, Exhibit A.

Note 2 addresses the space preparation fee.

Q I'm not where you are at. Where are you, exactly?

A Way in the back, Exhibit A.

Q At the back of the agreement?

A The second from the last page of the agreement.

Q Page 18, at the bottom?

A Yes.

That ties back to page 6, where we just were, the space preparation section. "The space preparation fee is a one-time fee assessed per arrangement, per location. It recovers costs associated with the shared physical collocation area within a Central Office, which includes survey, engineering, design and building modification costs. BellSouth will prorate the total shared space preparation costs among the collocators at each location based on the amount of square footage occupied by each collocator. This charge may vary depending on the location and the type of arrangement requested."

So, it, clearly, lays out that the space preparation and the associated space preparation fee is in place and contemplates the build-out of the common area.

Q So, there is no space preparation fee for the space that would be occupied by the physical collocator alone?

A Would you restate your question?

Q What I am hearing from you is that the space preparation fee only deals with the shared physical collocation area; in other words, the common area?

A Exactly.

Q So, that has nothing to do whatsoever with the area that would be individually occupied by the collocator?

A That's not true. The collocation space occupied by the individual collocator would be within that shared area.

Q So, it would be everything that was involved in accommodating the physical collocation that would be included in that space preparation?

A I still don't follow you.

Q What I'm trying to do is very simple. Let's say this is a common area right there, and then you have little individual collocators. The space preparation fee, does it apply to all of this, or does it apply only to the common area?

A Can I borrow your pen?

Q Yes.

A Actually, let me back up.

BellSouth Central Office, common area for collocation, individual space for collocator --

Q Okay.

A -- the space preparation costs are prorated based on how much square footage is occupied by each collocator, so it is this scenario and not that scenario.

Q So, the space preparation fee applies to all of this?

A Yes.

Q So, then, you have in the language that you just pointed us to, Note Number 2, a statement there that says it recovers costs associated with the shared physical collocation area within a Central Office which includes survey, engineering, design and building modification costs.

So, what kind of building modifications are you talking about there?

A I can't speak, specifically. But, generally, there would be a demarcation, a wall, and that would be a building modification.

Q But you don't know if it would include other things, also?

A I can't speak to that.

Q Is there an obligation on a party to a contract, such as the BellSouth and Supra collocation agreement, to implement that agreement in good faith?

A Would you state that, again?

Q Well, you have in your testimony many references to the collocation agreement. And, actually, I think you refer to it as the interconnection agreement between Supra and BellSouth; is that right?

A Right.

Q Since you are testifying on this subject matter, I'm asking you, is there an obligation to interpret and implement this agreement in good faith on both sides?

A Of course.

Q So, you agree with that.

Do you think that if BellSouth implements and interprets this agreement in good faith, that it would be appropriate for BellSouth to deny a request for physical collocation without thoroughly investigating and trying to find space for physical collocation?

A I believe that is part of the process. And we enter the agreement with the understanding that

we're talking about Central Offices where there is space available.

Q But when we talk about space being available you don't really know what that means; is that right?

A Would you --

Q I asked you earlier what does space being available mean. What does that mean?

A As I said earlier, I can speak, generally, to what space available means.

Q Okay.

A And that would be space that is available for physical collocation.

Now, on an office-by-office basis, we leave that to the facility planners out in the field who are more familiar with the equipment, the Central Offices, et cetera.

Q So, you don't really know what that means in terms of what amount of space is appropriate to be reserved for future use; is that right?

A That is correct.

Q Or any of the other components?

A That is correct.

Q Okay.

A What we negotiate is a contract that is

either statewide or region wide, so we don't negotiate each individual Central Office or negotiate space for each individual Central Office.

Q Aren't there issues that are applicable across the board?

MS. WHITE: Like, what?

BY MS. SUMMERLIN:

Q When you interpret and implement these agreements that you have set up on a region wide basis, aren't there issues that are going to be encountered every time a particular Central Office receives an application for physical collocation, such as what is the appropriate way to measure whether there is available space?

A Yes, there are issues.

But in your question, you mentioned negotiate and implement. I negotiate the contract, but I don't implement the contract.

Q In negotiating it, you don't operate from the standpoint of those types of issues?

A Which types?

Q The issues about how you would measure whether space is available in a particular Central Office.

A We establish in the negotiation that we

are referring to Central Offices where there is space available, and then that is discovered in the application process.

MS. SUMMERLIN: No further questions.

Thank you.

CROSS EXAMINATION

BY MS. BROWN:

Q Hi, Mr. Thierry.

We have very few questions, although, I am a little concerned about some of the responses that you gave to Ms. Summerlin.

Let me just go back over what I think I heard, and maybe we can flesh out some of these questions that I have.

A Okay.

Q What I heard you testify to was that, in your opinion, the collocation agreement that you negotiate has a condition precedent to its operation. And that is, that there must be space available in order for it to kick in.

Do you agree with that?

A Yes, I do.

Q But you defined the term "space available" or "available space" by deferring to a particular new office manager's interpretation of

availability; is that correct?

A That's correct, Yes.

Q Are you aware of any standard operating procedure, or any criteria, or any measurement of what would be a reasonable space availability for collocation purposes in BellSouth's organization?

A No, I am not. That is not within my job.

Q Who would be available? I think it is important that we get a definition to some of these terms, available space, appropriate for future use, and I would like to find out who can answer those questions.

MS. WHITE: That would be Mr. Milner.

MS. BROWN: That's fine.

BY MS. BROWN:

Q You testified that, in your opinion, the collocation agreement, and BellSouth's procedures and the applicable law provide that you will offer collocation space to CLECs for equipment that they will use for telecommunications service and, also, enhanced services if they're providing telecommunications service through that equipment, correct?

A That's addressed by Mr. Milner.

Q Didn't you testify to it, though?

A In my testimony, I do mention that and I do refer on it to his testimony.

Q Yes.

That's what you answered Ms. Summerlin, too, and I will ask that. But I'm not really interested in the policy interpretations of Bell right now. What I'm interested in is the specific equipment that Supra asked to collocate, that I gather BellSouth has refused to collocate. And that's the Ascend TNT switches. Am I correct on that? You testified to that?

A I wouldn't know about that.

Q Did you prepare this testimony, Mr. Thierry?

A I prepared 90 percent of it, yes.

Q Who prepared the rest?

A I had help from the product team.

Q The product team?

A The product team.

Q What is the product team?

A Within BellSouth, any given offering has a product team. It has got representatives from marketing from regulatory, and that would be me, and from various network or implementation type organizations within BellSouth.

Q Let me find this particular part of your testimony that I'm interested in.

A Okay.

Q And perhaps if we can't reach an accommodation this morning, by the time the hearing comes around, you could be prepared to answer these questions. You may have to answer them from the Commission if you don't have to answer them from us.

A Okay.

My guess is, you are looking for rebuttal testimony.

MS. WHITE: It is on page 8 of the direct. In no place does he mention a specific piece of equipment.

BY MS. BROWN:

Q Well, then, I apologize to you. I thought your testimony dealt with the Ascend TNT switches. And if I am wrong, I do apologize.

MS. WHITE: And to clarify, Mr. Thierry states what the policy is. He received the policy from Mr. Milner, and he is stating what the contract says about the issue. I cannot guarantee whether Mr. Milner's testimony, specifically, includes the remote TNT, but I know that Mr. Thierry's does not.

MS. BROWN: I do apologize. I hope you will accept my apology.

MS. SUMMERLIN: Nancy, does he refer to this on page 8 of his direct? He doesn't mention a particular piece of equipment.

MS. WHITE: That's what I'm saying. He discusses the issue.

MS. BROWN: That's what I'm interested in. I will ask Mr. Milner.

MS. WHITE: He does not talk about the specific piece of equipment.

MS. BROWN: Okay.

BY MS. BROWN:

Q In your direct testimony, you talk, at line 21, about Bell is not obligated under the agreement to renovate or add to the Central Office.

Describe to me what you mean by the word "renovate." Do you include rearranging furniture in the Central Office or any other movable partitions in the word "renovate"?

A Once again, we defer the specifics to the planners for each Central Office. What we're addressing there is adding a wing or an additional floor for a Central Office. BellSouth is not required, under the agreement, to significantly

rearrange a Central Office to provide for physical collocation space.

Q In terms of major renovations like we would, usually, think, although, you are not required to, it is your testimony that you are not required to make major renovations? Would you agree that there ought to be some flexibility in rearranging the layouts of Central Offices?

And I'm thinking of an example. Let's take a hypothetical. If a desk is located in the middle of a space, and more space could be made available by moving the desk to the wall, should BellSouth have to move the desk to the wall?

A That's a good question, and I really wish I could answer it, but I don't know what the desk is used for. I don't know what may be on the wall that appears empty; whether there is an air conditioning intake. I really don't know the specifics of each Central Office, so I can't comment on that.

Q Would you agree that you interpreted that that circumstance would not be considered a renovation?

A Again, I really don't know what the specifics of that Central Office layout would be.

Q Well, in your mind, given those qualifications, and let's say that there was nothing else significant that would need to be done to move the desk to the wall, would you consider that, and excuse the negative, not to be covered by this interpretation that you have given of the law?

A The negative kind of lost me there. Would you repeat it?

Q What I'm trying to say is, if there were no other extenuating circumstances that would require major efforts to redesign or renovate the office, would you consider it Bell's obligation, under the collocation agreement and current law, to move a desk if just by doing that more space could be made available?

A You are asking me to make a judgment call on a facility that I'm not familiar with, and in these cases that I haven't even been to.

Q I'm not really asking you to do that. I'm asking you to tell me the scope of this provision as you're testifying to it in the collocation agreement. What are the extremes? What does renovation mean here?

Does it mean that you are not required to knock down a wall, but do you have to move a desk?

That's what I want from you. If you are telling me you can't make that determination under any circumstances, okay.

Do you see what I'm saying?

A Yes.

I see what you are saying, and it is a reasonable question. But I'm not asked to make that determination. I refer to people who are familiar with the desk, the use of that desk and the layout of the Central Office to make that determination.

Q And is it always their responsibility, or should I ask Mr. Milner if there are any standard operating procedures or guidelines, internal guidelines, to give guidance to the particular employees that would be making those decisions?

A That's not within my realm, so I know that I'm not the appropriate person to ask. Whether Mr. Milner is, I'm not sure. He may be.

Q On page 6 of your testimony, you say, and, once again, we're talking pretty much about the same kind of thing, that BellSouth is bound only to make reasonable efforts to provide for occupancy of the collocation space on the negotiated date.

MS. WHITE: The "only" is not in there.

BY MS. BROWN:

Q "BellSouth is bound only by the requirement of the agreement to make reasonable efforts."

MS. WHITE: I thought you said only reasonable office.

BY MS. BROWN:

Q Bell South is bound to make only reasonable efforts. I want interpretation of the words "reasonable efforts."

Does a reasonable effort mean moving a desk to a wall?

A Given that the floor space is open, that the wall does not have an air intake, then it does, in my lay opinion, as a guy who doesn't plan space, who has never been to the CO, that it would seem reasonable to move a desk, yes.

Q What about computer terminals?

A Again, I really can't.

Q Thank you.

On page 7 of your testimony, you address the three-month time interval described in the Commission's order, and you characterize it as a guideline that you attempt to follow --

A Yes.

Q -- in Florida. I think that was, also, your testimony earlier with Ms. Summerlin.

What sorts of guidelines do you agree to in other states when you negotiate these agreements?

A In other states, it is a 120, 180 time frame.

MS. WHITE: Days?

THE WITNESS: Days.

Again, negotiated on a case-by-case basis. And if there is something that has created a delay, we work that out with the collocator.

BY MS. BROWN:

Q So, in Georgia, what is the time frame that you use? Or is this over all of the other states, except Florida?

A Exactly.

Q One-twenty to 180?

A Yes.

MS. BROWN: That's all I have. Thank you.

MS. WHITE: I have a couple of follow-ups.

CROSS EXAMINATION

BY MS. WHITE:

Q On page 4, when Ms. Brown was asking you what you meant there under renovate or add, I believe you said earlier that you were speaking of adding a wing or building an addition to the building; is that correct?

A That's correct.

Q So, what you are talking about there is a major renovation or an addition?

A Exactly.

Q Ms. Summerlin asked you about the 180-day language in the contract for an ALEC to place equipment. Why is the 180-day language in the contract?

A It is to ensure that the collocation space is used for the purposes that are outlined in the contract, and not simply tied up by the collocator.

Q Can you think of any reason why an ALEC would delay putting equipment into the collocation space once the space is ready?

A No, I cannot.

MS. WHITE: Thank you. That's all I have.

MS. SUMMERLIN: Thank you.

(Deposition concluded at 11:30 a.m.)

CERTIFICATE OF REPORTER

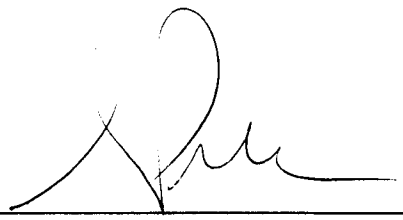
STATE OF FLORIDA:

COUNTY OF LEON:

I, ANITA M. PEKEROL, do hereby certify that the foregoing proceedings were taken before me at the time and place therein designated; that my shorthand notes were thereafter translated under my supervision; and the foregoing pages numbered 1 through 47 are a true and correct record of the aforesaid proceedings.

I FURTHER CERTIFY that I am not a relative, employee, attorney or counsel of any of the parties, nor relative or employee of such attorney or counsel, or financially interested in the foregoing action.

DATED THIS 15th day of October, A.D., 1998.



ANITA M. PEKEROL, CCR, RPR, CP, CM
100 Salem Court
Tallahassee, Florida 32301
850-878-2221

CERTIFICATE OF ADMINISTERING OATH

STATE OF FLORIDA:

COUNTY OF LEON:

I, ANITA M. PEKEROL, Registered Professional Reporter and Notary Public in and for the State of Florida at Large:

DO HEREBY CERTIFY that on the date and place indicated on the title page of this transcript, an oath was duly administered by me to the designated witness(s) before testimony was taken.

DATED THIS 15th day of October, 1998.

ANITA M. PEKEROL, CCR, RPR, CP, CM
100 Salem Court
Tallahassee, Florida 32301
850-878-2221

My Commission Expires: February 20, 1999.

(AP) 10-1-98 ERRATA SHEET

I have read the transcript of my deposition, pages 1 through 59, and hereby subscribe to same, including any corrections and/or amendments listed below.

_____ _____

DATE: (David Thierry)

(Petition for Emergency Relief of Supra Telecommunications and Information Systems.)
Page/Line

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition for Emergency Relief of Supra Telecommunications and Information Systems, Inc., Against BellSouth Telecommunications, Inc.	)	Docket No. 980800-TP
	)	Filed: 10-2-98

DEPOSITION OF: W. KEITH MILNER

TAKEN AT THE INSTANCE OF: Supra Telecommunications

DATE: Tuesday, October 13, 1998

TIME: Commenced at 12:20 p.m.
Concluded at 3:30 p.m.

LOCATION: 2540 Shumard Oak Blvd.
Tallahassee, Florida

REPORTED BY: ANITA M. PEKEROL, RPR, CP, CM. Notary Public in and for the State of Florida at Large.

FLORIDA PUBLIC SERVICE COMMISSION
DOCKET NO. 980800-TP EXHIBIT NO 11
COMPANY/ WITNESS: W Milner / Staff
DATE: 10-21-98

ACCURATE STENOTYPE REPORTERS, INC.
100 Salem Court
Tallahassee, Florida 32301
(850) 878-2221

APPEARANCES:

REPRESENTING SUPRA TELECOMMUNICATIONS AND INFORMATION SYSTEMS, INC.:

SUZANNE FANNON SUMMERLIN, ESQUIRE
1311-B Paul Russell Road
Suite 201
Tallahassee, Florida 32301

REPRESENTING BELLSOUTH TELECOMMUNICATIONS, INC:

NANCY B. WHITE, ESQUIRE
Assistant General Counsel
BellSouth Telecommunications, Inc.
Museum Tower Building
150 West Flagler Street
Suite 1910
Miami, Florida 33130

REPRESENTING FLORIDA PUBLIC SERVICE COMMISSION:

MARTHA CARTER BROWN, ESQUIRE
Senior Attorney
Division of Legal Services

WAYNE STAVANJA
CALVIN FAVORS
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0863

ALSO PRESENT:

STAN GREER, BELLSOUTH
DAVE NILSON, SUPRA
ANGEL LEIRO, PARALEGAL, SUPRA
MARK E. BUECHELE, ESQUIRE, SUPRA
DAVID THIERRY, BELLSOUTH
MARK GRAHAM, SUPRA

I N D E X

WITNESS	PAGE
W. KEITH MILNER	
Direct Examination by Ms. Summerlin	5
CERTIFICATE OF REPORTER	115
CERTIFICATE OF ADMINISTERING OATH	116
ERRATA SHEET	117

E X H I B I T S

DEPOSITION EXHIBITS:

NUMBER	DESCRIPTION	PAGE
1	Expanded Interconnection Inquiry Tracking Form	32

LATE-FILED DEPOSITION EXHIBITS:

NUMBER	DESCRIPTION	PAGE
2	Late filed forecasts (To be filed later)	111

P R O C E E D I N G S

- - -

The following deposition of W. KEITH MILNER was taken on oral examination, pursuant to notice, for purposes of discovery, for use as evidence, and for such other uses and purposes as may be permitted by the applicable and governing rules. Reading and signing is not waived.

- - -

Thereupon,

W. KEITH MILNER

was called as a witness, having been first duly sworn was examined and testified as follows:

MS. SUMMERLIN: Suzanne Summerlin, representing Supra Telecommunications and Information Systems.

MS. WHITE: Nancy White, representing BellSouth Telecommunications.

MS. BROWN: Martha Carter Brown, representing the Florida Public Service Commission staff.

MS. SUMMERLIN: The usual stipulations?

MS. WHITE: Yes.

MS. BROWN: Yes.

DIRECT EXAMINATION

BY MS. SUMMERLIN:

Q Mr. Milner, seeing as how I already know your name, would you please give your name and address, for the record?

A Yes.

My name is W. Keith Milner.

My business address is 675 West Peachtree Street, Atlanta, Georgia.

Q Mr. Milner, what is your job title?

A I am Senior Director, Interconnection Services, for BellSouth Telecommunications, Incorporated.

Q Are you, basically, the top person in this arena for collocation services?

A In terms of policy, yes.

Q And how long have you been in that position?

A I have been in my current position since early 1996.

Q A timely point to get this kind of position.

A It would seem so.

Q And how long have you been at BellSouth?

A Over 28 years. Now, let me say, 28 years

including time with AT&T and with Bell Communications.

Q Earlier iterations?

A Yes.

Q And what is your educational background?

A I have an undergraduate degree from Fayetteville Technical Institute in Business Administration. That was in '70.

And a Master of Business Administration from Georgia State University, in 1992.

Q And who is your direct supervisor?

A I report to Mr. William Stacy, S-T-A-C-Y.

Q I have heard that name somewhere.

And what is Mr. Stacy's title?

A Mr. Stacy is Operations Vice President, Interconnection Services.

Q And do you have people that you supervise?

A Yes, several.

I have one permanent employee, Mr. Ronald M. Pate, who is a Director of Interconnection Services. And I have several contractors who work for me who are non-BellSouth employees.

Q What kinds of contractors?

A They're business consultants, who help with researching issues for testimony, things of that

nature.

Q And, in this case, you have had personal visits to the two Central Officesthat are involved?

A I have, indeed.

Q I've got lots of things to ask you, and I'm just going to jump right in. They probably won't be in any logical order whatsoever.

On page 3 of your direct testimony --

A Yes.

Q -- on lines 7 and 8, you talk about because the overall purpose of the '96 Act is to open telecommunications markets to competition, facilities such as collocation are available as a result of the obligations imposed upon BellSouth under Sections 251 and 252, and as a result of this Commission's orders in the arbitration proceedings between BellSouth and certain ALECs.

Let me ask you, in connection with that, what is your view of the purpose of the Telecommunications Act?

A It is to open all telecommunications markets to all service providers. That is, broadly, that existing long distance companies could compete in the local market, and existing local service providers could compete in the long distance market. So, it was

a general opening of all markets, local and long distance.

Q How do you see the provision of physical collocation as it relates to the opening of these telecommunications markets?

A Collocation, both physical and virtual, is an important asset that ALECs will use to interconnect their networks with BellSouth's, as well as to acquire unbundled network elements from BellSouth to use, either in total or in part, with assets that they own to provide telecommunication services to those companies that we use to compete with BellSouth.

Q So, you see physical collocation as an important part of the Telecommunications Act?

A Yes, certainly.

Q Based on that view, do you believe that it is a very serious obligation on BellSouth's part to try to implement collocation agreements to permit physical collocation as often as possible?

A Certainly, I would.

The law requires it. The interconnection agreements are legally binding documents. BellSouth comports with Federal and State and local law, as well as the interconnection agreements it signs. Those are

important commitments.

Q In connection with that statement that you just made, would you believe that it is appropriate for BellSouth to do, within reason, whatever it takes to make space available in a Central Office?

A Well, I'm not sure that I can answer your question the way you posed it. You said within reason, and then you said whatever it takes. Those are sort of two different notions in my mind.

Q Well, let me reword it, then, more appropriately.

Do you think it is appropriate for BellSouth to look at the space within a Central Office in such a way that all possible avenues that are reasonable are explored?

A Consistent with the requirements of the Act, with requirements of the State Commission, yes, I think BellSouth has an obligation to make reasonable accommodations.

I think the point that will get the greatest amount of discussion is some definition of what is reasonable and what is not. I have reviewed the requirements of the Act of other FCC orders, as well as the orders of this Commission, and I believe

that BellSouth's policies are consistent with those legal obligations.

Q Let me ask you something. When we visited these two Central Offices, we ran across many differ locations throughout the Central office where there were sections that were work areas or workstations. I'm not sure if that's, exactly, the term that was used, but do you remember seeing those types of workstations?

A Yes. As I understand your phrase, yes.

Q We've got various maps that have been produced by various of your witnesses, BellSouth witnesses. Are you familiar with these particular maps that I believe were produced by Mr. Bloomer?

A Generally so, yes.

Q And did you listen to his testimony yesterday?

A No, I did not. I have read his prefiled testimony.

Q I forgot that you weren't here.

Are you familiar with these enough to know that there are some areas that he designated as MTCE?

A Yes.

Q Do you know what that stands for?

A It would stand for maintenance, meaning, places where activities are staged to effect maintenance and repair activities of the equipment housed in that central office.

Q Is it your understanding that at least a portion, if not most, of those workstations are designated maintenance areas?

A Yes.

And I would expect that to be the case. In a Central Office, the people that are assigned there routinely are engaged in one of two general activities.

They're either involved in the provisions of new service, that is, making cross-connections, running wires, whatever, that is required to put new service in place for a customer, or they're there to respond to trouble reports from customers or alarm conditions that indicate that something is broken and needs to be fixed.

So, no, I would not be at all surprised that areas in the Central Offices are designated as maintenance activities. That's what the people who work there are paid to do.

Q I am just simply trying to confirm that you knew that there were areas designated like that.

A Yes.

Q And that they are, supposedly, the areas that have those desks. Most of them, anyway.

A And I'll be careful to say desk when I mean a simple piece of furniture that is not attached by wires or something else to a computer system, or to the switch, or whatever.

And I'll try to use a definite term, maintenance position or something of that nature, to connote that it is something other than a simple desk that you could buy at an office supply store.

Q Sure.

Aren't a lot of those workstations equipped with a computer terminal?

A A good many of them are, yes.

Q If not the majority of them?

A Most probably.

Q Let me just ask you, is it possible to monitor the activity of the equipment in a Central Office from a remote location outside of the Central Office?

A Yes.

And that is done in addition to the surveillance that is done within the Central Office. Actually, BellSouth has a multi-level surveillance

plan for its network.

At the lowest level, it is the surveillance that goes on within the Central Office.

There are, also, what we call network management centers, who surveil a larger part of the network.

And then at the highest level, I guess you would say, there are the so-called network reliability centers. There is one in Charlotte, North Carolina, and one in Nashville, Tennessee, that, also, surveil the network.

So, can it all be done remotely? No. Can it all be done within the Central Office? Again, the answer is, no.

Q Let me just ask you, is there a network operations center that is located in Ft. Lauderdale?

A There are several throughout the State, yes.

Q So, for both of these Central Offices, there is a network operations center that is performing monitoring activity for the Central Office; is that true?

A Some level of monitoring, yes.

Q Is it true that the monitoring activity that goes on at these Central Offices on a regular

workday is done on a shift that is, basically, from eight to five, roughly, or something in that time frame?

A No.

I'm not sure. I have been away from that end of the business for a while. But when I was in that part of the business, those centers operate a wider time than that.

When I had one of the work centers in South Florida, we ran from about seven in the morning until about eight or 9:00 at night.

Q Is there somebody there monitoring for 24 hours a day?

A Not necessarily at the network operations center, but the network is monitored from some location 24 hours a day.

Q What I mean is, at the Central Office, is there somebody there 24 hours a day monitoring?

A Ordinarily, no.

Q How does that monitoring take place from the network operations center?

A In a good number of cases, the equipment itself monitors its own status. It can detect when it is in trouble, through a pretty complex arrangement of computers, signals, alarm conditions that tell the

humans that something has gone wrong.

Now, that doesn't mean that customers are out of service because a lot of the network is redundant. That is, they're mated back-up arrangements, and when one fails, it, typically, would call in an alarm that says that this piece of equipment has failed, and the network is operating in simplex mode; that is, there is no more redundancy.

If there were a second failure, then customers would start to be affected. So, that's one means of monitoring the network, is through self-detection of error conditions by the equipment itself.

The second form of monitoring is looking for traffic patterns and levels of blockage of calls not being completed; that is, from another location.

So, in that case there is not an equipment failure, necessarily, but calls are not getting through. And in some cases traffic can be rerouted and other actions taken to facilitate completion of more calls.

Q Kind of a bottleneck problem? A blockage?

A Well, that's one possibility. For

some reason, all the trunks in a given trunk group are overloaded. In the distant past, radio call-in shows would stimulate a lot of call-ins at the same moment and would cause congestion within the network.

There are other mechanisms now that take care of that. But, yes, focus load that was not anticipated would cause blockage.

And the third way that monitoring goes on is through either test mechanisms that go in and look at the equipment, looking for giving the equipment a test, if you will, with a known answer and seeing if that answer was produced.

And then, of course, by trouble reports from customers or other local carriers who say to BellSouth I've got a customer complaint, or we have noticed this sort of congestion in our part of the network.

All of those would fall, I believe, under the general category of monitoring the network.

Q When you talk about the equipment monitoring itself, like, you were talking about a few minutes ago, is that, basically, another way of saying it is a computer hookup to the Central Office?

A The switch itself is a high-speed computer. And it corresponds with other computers for

a number of different reasons. Not only for informing us humans of problems in the switch or in the Central Office, but for routine service order activity. So, yes, it is a lot of computer-to-computer transactions.

And then the meaningful part of all of that is that information is displayed to humans, either on a computer screen or on a printer, that says here is the problem and you need to take action against it.

Q The monitoring of the traffic patterns, is that, also, a computer activity that would come up on a screen or a printer?

A Yes.

There, again, if we're talking about traffic monitoring, some of that information is displayed there at the Central Office.

Most of the information, however, is sent on to other places, since that is not an equipment failure, necessarily. Other groups, such as the circuit capacity management group and the network management group, would look at that information and see if it warrants taking action or not.

Q So, you have gone through four different types of monitoring.

The trouble reports, is that something that is, actually, done at the Central Office?

A Well, it is a combination of things. In some cases, the equipment can be reconfigured remotely, while in other cases equipment has to be physically removed from the switch and replacement apparatus put in its place.

You may recall that when we walked through, there was a good amount of storage of what we call plug-in cards there on-site. These are high volume.

Let me say it a different way.

These are those types of circuit boards that fail most often, and the most strategy for quickly effecting repairs is to have some of those on-site locally.

Q And you stick them in?

A Yes.

You take out the bad card, you power off the equipment, or that part of the equipment. You take the bad card out and put the new card in.

So, when we talk about plug-in equipment, that is equipment that is on-site, generally, that is used to physically replace hardware in the switch.

Q Basically, you have a computer monitoring

type of activity. And then you may have some physical activity where somebody has to, actually, walk up to the equipment, and is there some kind of mechanical testing that is done, actually, by plugging it in?

A Not so much mechanical testing. More function testing.

Q Electronic testing?

A Yes.

In other words, the bad equipment is replaced, and then tests are run against it to see if it is carrying traffic or not.

Q So, at these network operating centers, there is some computer-based or switch-based connection between all of the equipment in the Central Office and that center for the purpose of monitoring?

A Yes.

Information is sent to those network operation centers.

Q Is it possible, technically, to monitor all of the switch activity in an office from one computer terminal? I mean, theoretically. I'm not saying that is necessarily a good plan, but is that, theoretically, something that would possible?

A Well, let me say, first of all, that with

enough time and money, anything that we could conceive of is theoretically possible, including that. There is no one single terminal that exists today that would monitor all of the various types of equipment in one single Central Office.

For example, BellSouth buys a good amount of equipment from Lucent Technologies. It, also, buys Nortel Equipment and transmission equipment from a third vendor. So, in one Central Office, it is not at all uncommon to see a number of different manufacturers of equipment in service.

Now, there is progress being made towards sort of unified monitoring of equipment manufactured by different vendors, but that's still a ways off.

So, is it possible to have one single monitor that surveils every single piece of equipment in the office? Not that I have ever seen.

Q So, what is the problem? Is it because the various types of equipment cannot operate with the same computer language? What is the actual technical problem?

A There are, actually, several. That's a good one.

The vintage of the equipment. The computer language that the software was written in.

The level of sophistication of interfacing with that equipment.

So, yes, a lot of different factors, including the one that you named.

Q Do you remember, when we went on these walk-throughs of the Central Offices, that there were several different locations where there was more than one computer terminal dedicated to the same switch?

A I recall that in one of the two Central Offices that we were in. Some equipment we call the maintenance and administrative positions, or MAPS, as we call them. I'm not sure when those were installed. Quite a while ago, given the vintage that I observed there, but, yes.

Q Let me ask you this: If you talk about the problems with having one computer terminal that could monitor all of the equipment, is there some technical requirement that you have a computer terminal located on one surface area, and then a certain distance away have another computer terminal? Is there some requirement of that sort, that you are aware of?

A That's close. Let me say it a different way.

Certain terminals must be within X number of feet of the central processor; what is called bust lengths. And I'm, certainly, not a computer engineer, but there are physical differences between where the terminal is located and the switch that it surveils. Those are maximum lengths.

So, yes, that is a criteria in some cases.

Q Now, I need to understand that. Because my understanding, from what you said earlier, is that you have computers that are able to monitor the switches from many miles away.

A I thought we were talking about terminals, in particular the maintenance administration position terminals.

Q What, exactly, is the technical requirement for that? Can you restate what you said just a couple of minutes ago, where you said there was a certain number of feet? What was that statement?

A There are, in some cases, limits of physical feet that can separate, for example, the high-speed processors and some terminals that interact with that processor.

Now, before, we talked about computer-to

computer-access, and in those cases there is, generally, not distance limits.

Q Now, these high-speed processors, what, exactly, are we talking about? A terminal that tests the equipment, or that monitors it, or what?

A We're talking about the central processing unit of the switch itself that, actually, looks for indicators, calls that are coming in, or people have picked up the phone and requested a dial tone and, actually, set up connections between lines and trunks, or lines and lines.

So, that is the high-speed processor that I'm talking about.

Q Okay.

A The heart of the switch that does all of the switching functions is controlled by the high-speed computer.

Q What you are saying is, there are certain instances. Can you tell me any particular switch or example of that scenario?

A Yes.

The Northern Telecom switch, for example.

Q Northern Telecom?

A Nortel, as they're called now.

I believe there is a fixed distance

between where the MAP positions are, the MAPs, and where the central processor is.

Q So, when you talk about that limitation, this is a technical limitation that you are talking about?

A This is a specification created by the manufacturer of that switch; in this case, Nortel. It is not BellSouth's interpretation of that requirement. It is what the vendor has said in terms of when you locate the CPU here, then there are certain peripheral terminals that must be located within X number of feet from that location.

Q Is there any requirement there that says that that terminal cannot be placed right there in the bay next to the central processing unit?

A Well, generally, shorter is better than longer. But, yes, there may be some cases where there is radio interference between the processors and some terminals. But I would say, generally, not.

Again, shorter is better than longer.

Q So, as far as you know, if that is a problem, when we talk about the MAP position, am I correct that what you are really talking about is that terminal? Is that what we're talking about?

A The terminal, the desk, the cabling

between the equipment and that terminal. All of that.

Q We're talking about the cable and the terminal?

A Yes.

Q That's what we're really talking about?

A Yes.

Q We're not talking about the furniture and all of that stuff. Just normally, people like to sit at a desk and do that?

A Well, it does include the desk, and the chair and all of that, because there are reference materials that need to be close by.

The messages that come out on those terminals are in some cases rather cryptic, and it doesn't say go to this bay, and this shelf and pull out this card. It will give a trouble indicator number. It might say trouble 10542, and you would refer to the book. You pull out the right book, and you would read what that means and what a corrective action might be.

All of that documentation, generally, is housed very close by that terminal so that work can be done expeditiously.

Q Technically, as far as the one technical thing that you have stated in terms of the number of

feet that the terminal can be away from the central processing unit, that problem can be addressed, theoretically, by putting that terminal in a bay if that's something that there is a place available for it?

A Yes. You could get one with that requirement.

Again, keeping in mind that that position is there to respond to important indicators that the switch is in trouble. I think, practically, you would want all of the information that was needed to diagnose that message at hand.

And I don't think that you could do that by placing that one terminal in a lineup, you know, that is, in a bay next to the central processor, unless physically you could, also, accommodate all of the reference material that is simultaneously required.

Q There is no way to hook up that terminal that is in that particular MAP position with another terminal across the central office where all of the resource materials could be aggregated?

A Generally, that's what is done.

Q That is what is done?

A Yes.

In other words, the MAP is located in a place such that there is room for not only the terminal, but any other documentation that is required.

Q Now, what I'm saying is, if you have a terminal set up in a bay for this monitoring activity, because you are concerned about the distance, isn't it possible to then take that terminal and hook that up to another location within the Central Office, where you could, also, have resource information aggregated for all of the various switch equipment in the office?

A That's possible, yes. In some cases, yes.

Q Let me ask you, just in case no one else brings this up.

You were here earlier when we were talking to Mr. Thierry?

A Yes.

Q I don't want to forget to ask this, and I don't want to get into Ms. Brown's question, but is there some kind of centralized policy or hymn book that is being followed throughout the entire company on these issues that we're dealing with in terms of collocation?

A Yes.

What we call the BellSouth Collocation Handbook sets forth BellSouth's policies and procedures for a CLEC requesting and BellSouth responding to a request for either physical or virtual collocation.

Q Does that handbook provide definitions for occupied space, administrative space, all of those different elements?

A Yes, it does.

And Attachment BSTEI, I believe it is 1, I don't have a copy of that -- actually, there are two sets of worksheets, BSTEI-1 and BSTEI-2, and I think that the part that you are referring to is contained in the second form, BSTEI-2.

Q And is that attached to your stuff, or where are you looking?

A I don't believe it is attached to my testimony.

MS. WHITE: I believe the Collocation Handbook and the attachments thereto are being provided in response to a production of document request.

THE WITNESS: I think that's it. They're not attached to my testimony.

MS. BROWN: Is that to us?

MS. WHITE: In answer to theirs.

MS. SUMMERLIN: So, there is a Collocation Handbook. And I don't have my POD request with me right now, but just in case we don't have it on our POD list, by some hook or crook, I want to make sure that we are asking officially to get a copy of those two forms.

MS. WHITE: It is there. I have seen the box it is sitting in.

THE WITNESS: I'm pretty sure that it is there.

MS. WHITE: It was not a POD request that says give me the Collocation Handbook. I believe it was the POD request that says documents about policies and procedures of collocation, and that's one of the things. That, with its attachments, is about a foot of paper and that's in a box that is to go to you.

MS. SUMMERLIN: Okay. Great.

THE WITNESS: That one handbook is about 30 pages long, so it is fairly detailed.

BY MS. SUMMERLIN:

Q Are you intimately familiar with that handbook? I mean, are you familiar with that

handbook?

A I am familiar with it, yes.

Q Did you write it?

A No. I did not write it. But I oversaw the production of that to ensure that it conformed with BellSouth's policies.

Q Is this it?

A Actually, that looks like it. It may be just a difference in the way it was printed. It is available on BellSouth's Web site.

Q This is February of '98?

A Yes.

Q Does this look like the same thing?

A Yes.

This is an older issue than the version that I have. And then the version that we will provide under the POD. This looks like something that may have been pulled off the Web site at one point.

Q You just said that this was an older version?

A The most current version, that was released very recently, is effective October 21, and is Version 7.1.1. Now, whether this is on the Web site yet or not, I'm not sure.

Q This is September 30th, and this was

downloaded four days ago, is my understanding.

A This is a later draft, then.

Q So, what you are saying is that there were definitions in here. Can you point me to where those definitions would be, generally?

A Of which part?

Q The terms like occupied, you know, what will be considered to be occupied space, what would be the appropriate space to be reserved for future use, administrative space, all of the different little labels that are put on these.

A Well, let me, again, refer to the document that is used, the worksheets themselves, which I've got it in a different place here.

Q The Space Assessment Worksheet, is that what you are looking for?

A Actually, it is called the Expanded Interconnection Inquiry Tracking Form. This is BSTEI-2, that I mentioned earlier. And this form, which is 23 pages long, shows how you get to a conclusion of whether or not there is space available or not.

So, for example, the first part deals with the adequacy of the inquiry that was received from the CLEC, and then from all of the BellSouth

subject matter experts, assessments of what was requested from the CLEC, whether the request was for enclosed or unenclosed space, the amount of floor space requested, on, and on and on in pretty great detail as to how the work is determined to, finally, decide whether there is available space or not.

MS. WHITE: Let's go off the record for a minute.

(Discussion off the record.)

(Deposition Exhibit 1 marked for identification.)

MS. SUMMERLIN: Let's go back on the record.

BY MS. SUMMERLIN:

Q Mr. Milner, you now have some copies made of your BSTEI-2-P. And this is called Expanded Interconnection Inquiry Tracking Form. It has a real ring to it.

What is the purpose of this document, just in one sentence? I mean, I'm not talking about every last little thing.

A Yes.

The bottom line to this document is to determine whether or not there is space available, as the CLEC requested, in a given BellSouth Central

Office.

Q So, the network collocation coordinator, the INAC person, is that person the one who fills this out or what? Who does this?

A The key word in that sentence is coordinator. And the INAC, as we call them, serves as the central point for monitoring the progress of this inquiry's completion by the various work groups at BellSouth.

So, the INAC receives the request. And then, as you see, sort of about halfway down gets information. The part that says data information received from area team, let me see if I can explain some of those terms.

P&SM, if you can read my scribble above that on the copy that you are looking at, that's property and service management.

CCM stands for circuit capacity manager.

Outside plant engineering is OSPE.

CSCM is common systems capacity manager.

I'm not sure, but I think PCM is power capacity manager.

So, basically, the INAC is expecting information back from each of those work groups that says that the inquiry itself was sufficient to

process, or there is additional information or errors that need to be handled.

And then what you see, the remainder of this really is the processing through each of those groups a CLEC request, ultimately, leading to the conclusion that there is enough space to accommodate the request or there is not.

Q That's great.

Now, the first two pages, are there parts to this that are disseminated of this form?

A Yes.

In other words, this request, or the CLECs' request, will be sent on to these five work groups that I just outlined.

Q Okay.

A They will do their piece, and then they send it back to the INAC for consolidation.

Q What pages are sent? That's what I'm trying to get clear. The property and services management would get -- I mean, is there some way to figure that out on here?

A Yes.

If you look, for example, on page 4, about five or six lines down from the top, you see where it says P&SM. This is the part that they would

handle.

Then further, on page 9, common systems capacity manager, and so on and so forth.

Q So, you all just decided that there was a point, about an inch or two down the page, that was where you should put that, okay.

It would have been hard to locate that without getting more familiar with it, I guess.

Now, where would the Space Assessment Worksheet analysis be done in this, or would it be done in this?

A Well, it is referenced in here. Let me see if I can find the right page.

MS. WHITE: Page 4.

THE WITNESS: Page 4?

MS. WHITE: And page 9.

THE WITNESS: For example, about 3/4 of the way down on page 4, it says if there is no space for physical collocation, the Space Assessment Worksheet must be completed as soon as possible and submitted.

So, what this is saying is, if you get to that point, then this space assessment worksheet kicks in and it is about a one, two, three, four, five, six-step verification of

whether or not there is space available.

BY MS. SUMMERLIN:

Q All right.

I guess in a very basic way, let's say a CLEC files a request for physical collocation. They submit that to Nancy Nelson; is that correct, or what is the entity that we're talking about there?

A I believe it goes to the account team, first, and the account team sends it on to Nancy Nelson, I think is the mechanics, but I'm not positive of that. Generally, I think that's the case.

Q Please tell me you know.

The application goes to --

A Ultimately, it gets to Nancy Nelson, who is the regional collocation manager.

Q Regional collocation manager, okay. And then does she then send this over to Pat Solin, who is the INAC person?

A Exactly, yes.

Q She sends this to Pat Solin in this situation, which, of course, would mean whoever the State's coordinator was?

A Yes.

The area team.

Q So, it would be different individuals for

each of the states, but it would be the same process? It would go from the regional collocation manager to the INAC person?

A Yes.

It is, exactly, the same process in all instances.

Q The INAC person, in other words, Pat Solin in this case, has this form. Is she then, ultimately, responsible for this whole package being done?

A Yes.

Q And what she does is, she looks at the application that has come in, she fills out portions of this and she then disseminates each of these subparts?

A Right.

Q With an expected return date, I guess?

A Yes.

Q To those people?

A Yes.

Q They do their thing, and then they send it back to her?

A That's right.

Q And then she aggregates it?

A Yes.

Q And then what does she do with it?

A Then the general conclusion is made as to whether space is available or not, and then that message is conveyed back to the requester.

Q Who makes that decision?

A I think Nancy Nelson, actually, handles the paperwork, but based on the work that is done by the area team.

Q Let me just throw this out as an idea here.

How about if one of these groups, and you have got five of them on here, the power guys, have a problem, and they say there just is no way in the world that we can have any other piece of anything in this office? Who makes the decision to deny the application at that point?

A You have raised a great point. Any of these groups could say, for these areas of responsibility, that the equipment request to be collocated cannot be accommodated. If there is not power, and the power plant can't be expanded, or if there is not floor space, there are a number of different reasons why a request may not be able to be accommodated.

Q They're going to send their report back,

and they are going to say what does it mean check one? Does this mean it was sent back? What is the A and B business in the middle of the page here?

A That's talking about the inquiry itself.

Q That it was sent out to the office?

A That is the inquiry from the CLEC to BellSouth. And, basically, it says look at the inquiry and answer. This is the CLEC's inquiry. Look at that inquiry and answer, A, I've got all of the information I need, or B, the information that I got from the CLEC is deficient.

Q That's what that means?

A Right. That's what that is talking about.

Q I see it right above there. Okay.

Now, if one of those groups, one of those five groups, says that there is a serious problem and that they do not believe this is an okay idea, do they have the authority, on their own, to make that decision?

A No.

That decision would be, ultimately, made by Nancy Nelson.

Q By Nancy Nelson?

A Yes.

Q So, she evaluates these subject matter areas and makes a decision herself?

A Yes.

She would be checking the request from all CLECs in all nine states to be sure that they're treated uniformly. If there is something that she knows that may have been overlooked by one of these groups, then she would correspond back to them.

Q You were not here to hear her testimony yesterday?

A No, I was not.

Q So, you are, basically, saying that she makes that decision?

A Well, she doesn't make it in a vacuum. She has a lot of input from these subject matter experts who provide her guidance.

Q I guess I am trying to pin down, exactly, who makes the decision. And that is what I'm asking.

MS. WHITE: I am going to object, from the standpoint that everybody yesterday said, and I think what Mr. Milner is saying, is that it is a team. There is not one person at BellSouth called the person who makes the decision. It is a team effort.

MS. SUMMERLIN: Well, Mr. Milner is quite capable of conveying whatever the situation is, and I am just trying to find out.

BY MS. SUMMERLIN:

Q And I would expect that you will be the won't that knows this.

Are we talking about an evaluation that is made by Nancy Nelson, or are we simply talking about a conveying a decision that was made by one of these five groups?

A Again, it is some of both. She is, actually, going to convey the answer, but she's going to check the answers that she got for uniformity of similar situations in other states, applying the information she has that these groups may or may not have access to.

Q Does she have the subject matter expertise to make that kind of evaluation?

A She has a great deal of subject matter expertise. Not to the level that each of these do, but she sits in a vantage point that they don't. She sees the applications and responses from all nine states.

Q So, is it your testimony that there is no one superior to Nancy Nelson in this decision-making

process?

A Nancy Nelson has a boss, just like I do and everyone else.

Q I'm asking for the regular procedure in denying.

A The answer would be conveyed back from Nancy Nelson.

Q That's not the answer to the question.

MS. WHITE: Excuse me. That may not be the answer you want, but it is the answer that he's giving. If you want to ask the question in a different way or again, you are welcome to.

MS. SUMMERLIN: Nancy, whatever.

BY MS. SUMMERLIN:

Q What I'm asking is not whether Nancy Nelson is conveying the answer. I'm asking if Nancy Nelson is making the decision?

A Nancy Nelson concurs in the decisions that were made by these five work groups. And says based on my experience in all nine states, this appears to be a reasonable conclusion reached by these people, and conveys that answer back to the requestor.

Q If she didn't agree with one of those five subject matter groups, would she have the

authority to overturn their input?

A I don't know if it is a question of authority. I think it is a question of calling that person and exploring the issue further to see why one of these five groups may have answered in the fashion that they did.

Q If she didn't agree with whatever they said, would she have the authority to overturn whatever their decision was at the various five groups?

A No, she would not.

Ultimately, she would explain to these people her concerns. They would either satisfy those concerns, and she would withdraw any objection that she might have had, or they would agree with her objection, and go back and reassess their answer.

Q When the application was received from Supra, was this process carried out?

A This process, yes. This process has been in place for quite some time. You can see that the form that we are looking at is dated May 4 of 1998. This process has been in place for some time.

Q So, when Supra's application came in for these two Central Offices that we're talking about, this process was handled this way? In other words, it

was sent to all of these five groups?

A Yes.

Q In the process of doing this activity here, is it a normal part of that to consult with the person who is in charge of the equipment arrangement in the Central Office, such as Guy Ream? I think he's a CO manager, it is? Common capacity manager?

A Guy Ream and Jerry Rubin are common systems capacity managers.

Q Would it be a normal part of this process to confer with those individuals?

A Ordinarily, yes. And there are parts of this process that are responded to by the common systems capacity manager.

Q Okay.

A So, their input would be made.

Q So, why in this situation did neither Guy Ream nor Jerry Rubin get Supra's application?

A In the 17 that were applied, or only the two?

Q No.

The two that we're talking about in this case.

A The situation in these two was that there was a pre-existing waiver that had been submitted to

the Federal Communications Commission.

Q So, who decided that it was not necessary to follow this process?

A I am not sure who reached that conclusion first. I would imagine that someone early on in the process recognized that there was already a waiver in place for these two Central Offices, and would deny the request on that basis.

Q So, that would have been Nancy Nelson, theoretically, or Pat Solin?

A I would think one of the two of them, yes.

Q So, one of those two people, basically, denied Supra's application?

A Yes.

Q So, basically, this whole form, the rest of this whole form, is simply the reports of these individual groups?

A That's right.

Q This is BSTEI-2, and it is called the tracking form.

BSTEI-1, is that the handbook, or what is that? Is that the application form?

A That's the application, yes.

Q So, we have a separate item that is the

handbook?

A Yes.

Q And the latest version of that you said was 7.7 or 7.1?

A 7.1.1.

Q And that was done October 21?

A That will be put on the Web on that date, yes.

Q And in the handbook, am I correct that you were saying that there are definitions for these terms? I may be forgetting what you responded. We were trying to locate in the handbook the definitions for occupied space, administrative space.

A No.

I don't think there is a list of those definitions. The worksheets that we just talked about lead you to the conclusion as to how those things are arrived at. For example, we have been talking about available space.

If you boil all of the information down in that worksheet and use the Space Assessment Worksheet, you will find that there is about six steps. One is determining the gross square footage in the Central Office.

And, by the way, the Space Assessment

Worksheet is confirmed by field visit. That is all of the square footage in the building.

Then an assessment is made of the unavailable space. That includes things like air handlers, janitor rooms, cable vaults, things of that nature.

So, you take gross space, you take out unavailable space for those things that I just named, then you subtract out space that is already occupied. That is space that has equipment, or terminals, or something of that nature already located there; switches, frames, those kinds of things. Then you, also, subtract out reserved space, both the space reserved both by BellSouth, as well as by collocators.

Then you subtract out unusable vacant space which might be space that is unavailable due to things like flooding, or space that has been or will be demolished, things of that nature.

And then you add back in future available space, if there is a known building addition. So, you start out with gross space, you take out some things, you add in any future plans to augment the space and the answer to all of that is available space for collocation.

Q All right.

I had asked you for definitions of the terms, and you had thought that there were some in the handbook, but what you are now saying is that you think they're in these worksheets?

A Yes. They're in the worksheets. And I don't think you will find a list of definitions that says what available space is. But you get at those answers through the worksheets, is my point.

Q Which worksheets would we get this from? Is it the one by the common systems capacity people, or the one from the property and services management people?

A The steps that I just outlined are included in a form called the Space Assessment Worksheet.

Q Is that part of this?

A I don't think so.

MS. WHITE: It is attached to Mr. Bloomer's testimony.

THE WITNESS: It is in Mr. Bloomer's testimony. Those are the same five or six steps that he lays out.

BY MS. SUMMERLIN:

Q There is not a definition or anything

else in this BSTEI-2 about those terms?

A About what terms?

Q What is occupied space? The only definitions that you have are on the Space Assessment Worksheet for those things?

A No.

Well, there are lots of definitions in the worksheets that we have looked at about ordinary and extraordinary circumstances. There are dozens of definitions.

Q I guess what I'm trying to get at is the idea of occupied space. On the Space Assessment Worksheet, it talks about Central Office switches.

A Yes.

Q And if you look at these various drawings of the Central Office space, there are areas where, you know, just looking at this one, without any specific office in mind, you have large areas of space that is occupied.

A Yes.

Q Delineated as occupied.

A Yes.

Q When we talked to Mr. Bloomer yesterday, he pointed out that there are desks in various little places throughout that space, but it is all being

designated as occupied.

I'm trying to find a definition somewhere that tells me what the normal way of treating space is at BellSouth, and how Mr. Bloomer knew, or how anybody else would know, how to consider a particular workstation as part of the occupied switch area or some other place, like maintenance or some other thing.

A Let me see if I can help with that.

Occupied space is a space that is physically occupied by one of five types of things; switching equipment, transmission equipment, frames, power. And the fifth category, the one you named, administrative space.

Q And where is that spelled out? I mean, is there a place where that is spelled out? Some kind of document that reflects that?

A I don't have that in front of me.

THE WITNESS: Do you have the Space Assessment Worksheet?

MS. WHITE: Yes.

BY MS. SUMMERLIN:

Q Is this what you are talking about, just those items right there?

A Yes.

Q So, this is the guideline, then, the Space Assessment Worksheet?

A That's it, yes.

MS. WHITE: Here.

THE WITNESS: Can I see that?

MS. WHITE: Yes.

THE WITNESS: As I said before, you take total gross square feet, take out unavailable space, take out occupied space for those reasons, take out reserved space, that's item D, take out vacant space that is not usable, flooding, access to fire exits and the net of that is available space.

BY MS. SUMMERLIN:

Q Where is the space that would be considered maintenance?

A That would come under the category of administrative.

Q Where on this form does it tell you that? Or does it display that?

A It says space reserved for administrative use, service centers. That's a direct reference to the maintenance activities that are going on there, or known wire center function.

Q Where are you looking at?

A On the second page.

Q Under reserve space?

A I am looking at about the center of the page, where it says administrative. There is a parenthetical behind that.

Q Isn't that under the topic reserve space, up at the top there?

A Yes.

It is shown that way, yes. Again, that is included in one of those five categories of occupied space.

Q And you know that, but the form does not necessarily show that?

A It gets you to the right answer. Whether that line is moved up or moved back, it gets to the right conclusion.

Q What line is moved up or back?

A Well, whether you put administrative space there or if you put it somewhere else, that is space that is taken out of the gross.

Q So, what you are saying is that administrative means maintenance, also?

A That's one of the categories of administrative space. Recall that I said that there are at least two functions in the Central Office.

One is the provisions activities of providing new service, so there are records and space used by those people that turn on new service. There is, also, that space used by the people that repair and maintain that equipment. So, when it refers to service centers, all of that is down in there.

And, also, you will note back on the previous page, again, under occupied space it says, specifically, in the next to the bottom line, other occupied space to include frame, power and administrative.

Q So, basically, if we're trying to figure out how BellSouth is going to characterize the space in the office, it is going to be something that is spelled out on this Space Assessment Worksheet?

A It would be an execution of that worksheet, yes.

Q And as far as you know, that's all there is that goes into that analysis in terms of defining the terms?

A Yes.

Q So, the person who would, normally, be filling out the Space Assessment Worksheet would be whom?

A It would be the Jim Bloomers of the world.

Q So, is it, basically, left to Mr. Bloomer's discretion to figure out where to put maintenance space?

A No.

Again, Mr. Bloomer gets input from a number of different groups as to what the requirements are.

Again, most of those same individuals, common systems capacity managers, switch planners, frame planners, power planners, all who do their work to respond to forecasts of BellSouth's requirements, plus any collocator's requirements for all of that equipment and making plans to accommodate that.

Q Would you consider that part of the office that is like a desk or a workstation that is in the middle of a bunch of switch equipment would be considered occupied switch space?

A You threw in the word "switch." Is that desk or terminal used in either provisions activities or maintenance activities of the switch? If the answer to that is, yes, then, yes, I would include that as occupied space used in conjunction with the switch.

Q Is Jim Bloomer going to be involved in any assessment in the State of Florida for a Central Office?

A Certainly, he will, yes.

Q So, is he the person that fills these out every time there is an application?

A Every time there is a Space Assessment Worksheet required, yes.

Q For the entire State of Florida.

MS. WHITE: Mr. Bloomer was here yesterday, and I believe he answered these questions and these worksheets are attached to his testimony. I'm not quite sure what we're doing here.

MS. SUMMERLIN: I am asking if Mr. Bloomer has someplace to go to figure out, exactly, which way he's supposed to categorize space or not, or whether it is his judgment that it is universally applied in these applications.

THE WITNESS: Let me answer in two ways.

First of all, Mr. Bloomer does not operate in a vacuum. Mr. Bloomer is not a switch planner, he's not a frame planner, he's not a power planner.

He receives forecasts from all of those people, aggregates them together, lays that equipment out on the floor plan and does so in accordance with technical requirements.

Again, things that have to be physically located next to each other or close to each other. So, those people, those planners, use forecasts that they develop themselves, get from other people within BellSouth and from input from collocators to develop power plans, frame plans, switch plans, transmission plans.

BY MS. SUMMERLIN:

Q One of the things that the space assessment worksheet shows is the reserved space.

How does Mr. Bloomer know what that space amount is going to be?

A Based on forecasts that he would receive from those same planners.

Q From planners?

A From common systems planners, from switch planners, from frame planners.

Q Are you familiar with the projections that were made for growth in these two Central Offices that are involved in this case?

A Generally, but not specifically.

Q Do you know what the assumptions were that were used to come up with the projections that have been come up with?

A Yes.

Q What are the assumptions?

A Well, there is quite a list of them. Let's take one example.

Let's use the growth projections for switching equipment. The planner for that switch would take into account forecasts of access line growth, of trunk growth, of traffic demand, of special features. Would use tools that are, generally, supplied by the vendor of the equipment, and would plan growth jobs to accommodate all of that demand, all of that forecasted demand.

Q Do you have any personal knowledge of what those elements are for these two Central Offices?

A I was a switch planner and I was a switch engineer before, so I'm very familiar with the process, yes.

Q I'm not talking about the process, now.

I'm asking do you know what the specific figures were for excess line growth, and trunk growth and traffic demand for these offices?

A No.

Q Who would be the people that do know those things?

A Those people would be the switch planners in Florida who are most knowledgeable of the trends and forecasts used to project future demand on the switch.

Q Do you know the names of those people for these two offices?

A No, I don't. I know the Director is a lady named Barbara Cruit, C-R-U-I-T.

Q Would Ms. Cruit know the answers to these questions for both of these offices?

A The people that work for her would, yes.

Q You may not be aware that our Notice of Deposition asked for the people who knew about those projections, and we were told that we were having those people produced and the people that have been produced.

MS. WHITE: Wait a minute here. If you want to argue about this, I called you up and I left a voice mail, as well as I tried to call you, again, but I didn't receive a call back. But I left you a voice mail that said Mr. Ream and Mr. Rubin are the common systems capacity

managers, and that they would be produced.

Your notice said network common systems planners. Well, I got the common systems capacity managers. I don't know what that means. But I told you that there were switch planners, circuit planners, transmission planners, power planners and one for each of those things for each office, and that would be eight more people.

MS. SUMMERLIN: What it says is --

MS. WHITE: And I didn't feel like I needed to produce eight more people.

MS. SUMMERLIN: And what I had on here, also, that you didn't mention just now, were other individuals knowledgeable regarding growth projections for each of these Central Offices.

MS. WHITE: And that's why I said that there would be at least six. I told you on the voice mail that it would be six to eight more people.

MS. SUMMERLIN: We'll we can argue about this later. I am just explaining right now why I'm asking Mr. Milner these questions.

MS. WHITE: You don't have to be

argumentative with Mr. Milner about why or why not Nancy White and/or BellSouth produced people. That was not Mr. Milner's decision.

MS. SUMMERLIN: Well, I'm just asking the questions.

MS. BROWN: Didn't you all say that you were going to argue about this later? Let's not hold Mr. Milner up any further.

MS. SUMMERLIN: I'm not arguing. I am just explaining.

MS. BROWN: Are we going to move forward?

MS. SUMMERLIN: Yes, in just one second.

BY MS. SUMMERLIN:

Q Mr. Milner, moving on to another topic, what is BellSouth's policy regarding the kinds of equipment that can be virtually collocated by a CLEC?

A The kind of equipment that may be virtually collocated, generally, is transmission equipment. It is easier to talk about the things that are not allowed in virtual collocation arrangements, notably switching equipment.

Q So, is it BellSouth's policy that switches are not to be allowed in virtual arrangements?

A That is our policy.

Q Are you familiar with the INAC collocation conference calls?

A No.

Q Conference calls between the various INACs for the nine states?

A No.

Q This is a document that was produced by your people. I think it is proprietary, the minutes. I think that's the position that you all have taken.

This is a December 11, 1996, INAC's collocation conference call. It lists various participants, including, and I won't list every one of them, Nancy Nelson, and Amanda Grant, and Pat Solin and various other people here that you may know. That I'm sure you would be more likely to know than any of the rest of us.

Let me just let you look at that. I'm not going to make it an exhibit now.

MS. WHITE: Do you have a particular paragraph?

MS. SUMMERLIN: I just want him to be familiar with this. And I think it is the first paragraph.

THE WITNESS: I have read that paragraph.

BY MS. SUMMERLIN:

Q Let me get it back, then.

This paragraph includes a sentence that, as far as I can tell, would not be, in and of itself, confidential.

MS. SUMMERLIN: Nancy, look at this one.

MS. WHITE: Which one?

MS. SUMMERLIN: The first paragraph.

MS. WHITE: The first sentence?

MS. SUMMERLIN: The first paragraph.

MS. WHITE: The last sentence would be, yes.

MS. SUMMERLIN: The last sentence you would be concerned about?

MS. WHITE: Yes.

MS. SUMMERLIN: If I read it without the last sentence?

MS. WHITE: That will be fine. I don't think the last sentence adds anything.

MS. SUMMERLIN: Substantively, no.

BY MS. SUMMERLIN:

Q The paragraph 1 says: "Collocation status: The Bill Smith/Alan Price letter to the Core Harmonized Team was discussed briefly. Of concern is the statement that we will allow switches in virtual

collocation when physical collocation is not available. A customer cannot apply to install a switch in virtual collocation without first being denied physical, as the virtual tariff specifies transmission equipment only. The virtual tariff will have to be changed to allow for virtual switch collocation if we do have to deny physical and install a switch in a virtual arrangement."

Is this something that you are familiar with, this issue?

A I'm not familiar with the conference call, but I'm very familiar with the issues that they're discussing in the first paragraph.

Q What was the upshot of that discussion there, that issue? Do you know?

A Well, apparently, two or three things.

First, they're expressing some concern that BellSouth might change its policy to allow switching equipment to be installed in virtual collocation arrangements. And an expression that our tariff, which is FCC tariff Number 1 for virtual collocation, would have to be amended to accommodate that.

Q Do you know if you currently allow switches in virtual collocation arrangements?

A We do not.

Q You know that you do not?

A I know that we do not.

Q So, it has not ever been allowed by BellSouth?

A No.

And I might, also, add that we're not required by Federal rules to provide collocation of switching equipment in physical collocation, either. That's something that BellSouth has volunteered to do.

Now, I might, also, comment, while we're talking about the first paragraph, that there is an inaccurate statement in there, in that it says or implies that virtual collocation is available only after it has been determined that physical collocation cannot be accommodated. And that's not correct.

Q Somebody could ask for virtual right up front?

A Many CLECs ask for virtual collocation as their first preference, and they're entitled to do that.

Q The sentence that refers to what we were just talking about says a customer cannot apply to

install a switch in virtual collocation without first being denied physical.

Does the interpretation of that, from your experience, have to do with not just simply asking for virtual collocation, but asking for installation of a switch in a physical collocation situation?

A I'm not sure if I follow your question.

Q That was not said very well.

A I will restate our policy, if you would like.

Q Okay.

A We allow collocator to install switching equipment in physical collocations, but not virtual.

Q That's your current policy?

A That's our policy.

Q Okay.

A And, second, a CLEC can request virtual collocation as its first choice, whether or not space is available for a physical collocation.

MS. WHITE: What was the date of those minutes?

MS. SUMMERLIN: 12-11-96.

BY MS. SUMMERLIN:

Q On page 11 of your direct testimony --

A Yes.

Q -- at line 17, you have a question that says: "What types of equipment has Supra requested be placed in collocation space occupied by Supra and why has BellSouth not approved such placement?"

And your answer on lines 21 through 23 says: "Mr. David Thierry, in his testimony, discusses the requirements of the collocation agreement with regard to the specific types of equipment that may be placed in the collocation space."

Then you go on to list, you say: "Supra's physical collocation applications to BellSouth, as referenced in Exhibit WKM-4, specifically requested that Supra be allowed to place," and then you go on and list all of the different pieces of equipment?

A Yes.

Q Is it BellSouth's position that Mr. Thierry is the witness to talk about the collocation agreement on this issue, or are you the witness for that?

A Well, my reference to Mr. Thierry's testimony is to point out that he talks about the interconnection agreement. I talk about our policies on what is allowed and what is not allowed in

collocation arrangements.

So, if it is a question of what type of equipment can be accommodated, that's a question for me. If it is a question about the interconnection agreement itself, that's a question for Mr. Thierry.

Q What is your understanding of the equipment that BellSouth has stated to Supra is not appropriate for physical collocation that Supra wants?

A The equipment that we will not be allowed to be installed is that equipment which can only be used for handling enhanced services or information services.

There are really three categories, if you will, of equipment, and so let me lay out a policy here.

If equipment only serves to handle switching functions, that equipment is allowed in a physical collocation.

If it serves both telecommunications and enhanced services or information services, and the CLEC is using it for both purposes, it may, also, be.

If the equipment can only handle enhanced services or information services, then that equipment is not allowed.

Q What equipment has BellSouth,

specifically, said that Supra may not physically collocate?

A We have talked about equipment called remote access concentrators. Now, there may, also, be other types of equipment, routers or things of that nature, that would, also, fall under that same category. But the equipment that Supra wanted to place were these remote access concentrators.

Q And what is the basis of your analysis in terms of the remote access concentrators, or BellSouth's analysis?

A My basis is Federal law that does not require us to collocate equipment for ESPs or ISPs. That is, enhanced service providers or information service providers. There is no requirement, either at the Federal level or at the State level, and BellSouth has chosen not to allow collocation of that equipment.

Q Let me make sure that I understand what you just said. I didn't hear it. I was not focused on it as clear as I should have been.

What you are saying is that BellSouth does not have to permit physical collocation of equipment that will be used only to provide enhanced services. Is that what you said?

A The two FCC dockets that I referred to talk simply about equipment used for ESP and ISP. To my knowledge, it did not address the case where the same piece of equipment could accommodate telecommunications, as well as ESP or ISP functions.

Q Is it your view that remote access concentrators can only provide enhanced services?

A Well, first of all, I can't answer the question the way you have asked it. Remote access concentrators, there are a number of pieces of equipment that have been called that in the past.

What we're talking about are specific pieces of equipment that we have applied that generic label to, which, apparently, Supra intends to use to handle ESP or ISP traffic.

Q Specifically, what pieces of equipment are you talking about?

A In the list of equipment that was provided on page 12 of my testimony, it is that last piece of equipment, the Cisco systems Model Number AS5248-56K-CH.

Q Is it your position that that is a remote access concentrator?

A I understand it to be, yes.

Q And am I correct that your position is

that that particular piece of equipment can only provide information services or enhanced services?

A Yes.

Q What is a modem?

A A modem is a made-up word that is composed of modulate and demodulate, the two separate words. Generally, what that piece of equipment does is convert a signal from one form to another. That is, from analog to digital, or from digital to analog.

Q What is a remote access concentrator, in that same kind of language?

A In this case, a remote access concentrator is used to aggregate traffic together of two very different types. In this case, data traffic, that, ultimately, would be handed off to an Internet service provider, for example. Concentration could be the statistical multiplexing of various data signals with routing information, such that it could be handed off to an Internet service provider, and then that Internet service provider could route it across the Internet appropriately.

Q Does BellSouth utilize remote access concentrators in its Central Offices?

A BellSouth Telecommunications does not use the type of remote access concentrator that we're

talking about here. There are older forms of equipment, called remote access concentrators, that provide an entirely different function. Let me give you one example.

There is a piece of equipment that gives our maintenance people access to test points on a private line special service circuits. That is, they can make tests from a remote location over these access concentrators, as they're called, without having to physically send somebody out in a truck to various points.

So, those are other forms of access concentrators. The acronym is S-A-R-T-S. We call it SARTS. Other people call that SMAS points, S-M-A-S.

Again, those are just other forms of remote access.

What we're talking about, specifically, here are remote access concentrators used in conveying either ESP or ISP traffic.

Q Is the problem here that it is, basically, the same piece of equipment, but it is just that you don't want anyone to use it for Internet traffic? Is that the bottom line?

A No.

It is founded on the basis that we're not

required and have not been required to collocate equipment to ISPs or ESPs.

Q So, you have not been required to do it. Why do you not want to voluntarily allow it?

A For two or three reasons. Again, we're not required to under the Federal rules, and they're quite explicit under the so-called open network architecture rules.

We have made a business decision not to volunteer that, primarily, so that we keep the limited space that there is available in our Central Offices available to telecommunication services providers.

Q Is Supra a telecommunications service provider?

A It is certificated that way in the State, yes.

Q Is Supra an enhanced services provider?

A I don't know if it is or not.

Q So, why do you assume that this particular piece of equipment is going to be used to operate as an enhanced service provider?

A Because the nature of the equipment can only be used in that fashion.

Q How do you determine that?

A Based on the specifications that the

vendor provides, and the descriptors that they make of the equipment.

Q Tell me, exactly, what those things are that you are aware of. What specifications and what descriptors?

A Their product announcements and things of that nature.

Q The manufacturers?

A The manufacturers, yes.

Q If that equipment that Supra wants to physically collocate were able to provide voice services, would that change your analysis?

A If it were able to provide that, and if Supra used it in that fashion, yes.

Q That would change your analysis?

A Yes.

Q And you believe that it is appropriate for BellSouth to dictate what a CLEC can use equipment for? I'm asking the question.

MS. WHITE: Go for it.

THE WITNESS: BellSouth is not in the business of dictating to other companies what they may or may not do with their networks.

We're talking about space in BellSouth's Central Office. Space that neither Federal

law, nor State law, nor municipal law says must be used in the manner that Supra has proposed.

We are not required to do it. We have made a business decision not to do it. Supra has other alternatives. Just as there are many ESPs and ISPs in business today who do not collocate in BellSouth Central Offices, Supra has, exactly, that same right.

We don't dictate to Supra what its business plans are. We do control the space in our Central Offices to the best use of telecommunication service providers, of which we're one.

BY MS. SUMMERLIN:

Q If Supra provides telecommunication services through the same arrangement that that equipment is connected, is it BellSouth's position that that equipment is appropriate?

A No.

Because you have changed the nature of the question. Now, you have said the arrangement. Let's talk about specific equipment. If that piece of equipment is used only for ESP or ISP purposes, then we don't allow that to be collocated.

Q Are you not familiar with the letter written by an attorney for your company that speaks about arrangement?

A I know the letter that you refer to.

Q What is your definition of the term "arrangement."

A Well, we are using it in a number of different ways.

My belief is that that term could be applied to the entire collocation arrangement in some places. But in every case where the word "arrangement" appears in the letter that you referenced, it is followed very closely by a reference that says "that equipment."

Q What is the business decision that has been made here?

A The business decision, which predates the Telecommunications Act, is to not allow collocation of equipment used for ESP and ISP purposes.

Q If a company is an alternative local exchange company and wants to provide telecommunication services, why does BellSouth view that company as an enhanced services provider?

A BellSouth does not view a company as one category or another. We're talking about the

equipment and to what purpose the equipment may be put.

Again, let me refresh the three categories. If it only serves telecommunications, then that equipment may be collocated in physical arrangements.

If it serves both purposes, and the collocator uses it for both, we then allow it, which we're not required to do, but we do allow that.

If it serves only ESP or ISP purposes, we're not required to do that and we don't allow it.

Q Does BellSouth provide enhanced services from its Central Office?

A Under open network architecture rules set forth by the FCC, yes, we do.

Q Does BellSouth provide information services from the Central Office?

A Probably so. As we're allowed to by Federal law.

Q What is an alternative local exchange company supposed to be allowed to do under the Telecommunications Act in relation to an incumbent local exchange company?

A That's a very broad question. Could you narrow it for me?

Q Isn't it true that the Telecommunications Act has created this entire situation so that an ALEC can compete with an ILEC?

A Broadly, the Act was written for that purpose. But that Act did not set aside other Federal laws and regulations. And one of those is open network architecture rules, comparably efficient interconnection rules, which BellSouth abides by, which were not set aside or put asunder by the Telecommunications Act.

I think if they wanted that, if Congress wanted the outcome that you seek here, they, specifically, would have done away with those other rules. They did not.

MS. SUMMERLIN: Just one second, please.

(Brief pause.)

MS. SUMMERLIN: If you all just let me walk outside with my people, maybe I can get through pretty quick. I have about two or three more questions.

Is that okay?

MS. BROWN: Yes. Or we could take a break now, because I'll need some time, too?

MS. SUMMERLIN: If you want to, that's fine.

THE WITNESS: That's fine.

(Brief recess.)

MS. SUMMERLIN: Let's go back on the record.

BY MS. SUMMERLIN:

Q I think I have got one little simple question, and then that's it.

I just want to ask you something from a technical standpoint, I guess. How would you respond to a statement that a remote access concentrator is a box, is a modem?

A No.

I wouldn't agree with that characterization.

Q Why?

A Generally, modems are devices that handle one conversation at a time. And as the name access concentrator connotes, it is taking a number of different calls and interleaving all of those together.

Q Would it be fair to say that a remote access concentrator is a box full of modems, a whole bunch of modems?

A Again, not to split hairs, but to the extent that a given modem just handles one

conversation at a time, and then those conversations are not multiplexed together, I still would not agree with that characterization.

The concentration function is to take a number of different calls and interleave those together on a fewer number of circuits or facilities; which is a function the modem does not do.

MS. SUMMERLIN: Okay. Thank you.

CROSS EXAMINATION

BY MS. BROWN:

Q Good afternoon.

A Good afternoon.

Q For the 15 offices that BellSouth has approved for collocation by Supra, is the process moving forward to complete those arrangements?

A Yes.

Q Do you have any information on the status of those?

A Not with me. Not to the level of detail that you would like.

Q That's fine.

A I do have some information that just shows some of the dates when the applications were responded to. But in terms of progress into the provisioning part, I don't have details about that.

We could provide that later, if you would like.

Q We're getting really close to the hearing, and I don't want to load everybody up with a bunch of late filed. How about if we ask the question at the hearing, would you be prepared to answer it?

A Yes.

MS. WHITE: Could we go off the record for a minute?

(Discussion off the record.)

MS. BROWN: Let's go back on the record.

BY MS. BROWN:

Q We went off the record and decided that you would be prepared with an update at the hearing next week?

A Yes.

Q I think the question of the equipment that BellSouth has refused to collocate has been analyzed thoroughly, but I have just one more question, just for my own edification.

If Supra cannot collocate its remote access concentrators, would it still be able to provide enhanced services with the other equipment that it plans to collocate?

A Yes.

Again, consistent with our request that that single piece of equipment be providing both functions. So, if we're not required to provide these other things, they could still use the remaining equipment for the dual purposes.

Q Okay.

A I might, also, add that we had spoken a little bit earlier or, actually, during Mr. Thierry's deposition, about the Ascend equipment.

Q Yes.

A My understanding is that, functionally, it is the same as what we talked about, the same kind of equipment as manufactured by Cisco. So, there again, I think we're talking about remote access concentrators. Sort of generic, just different manufacturers.

Q Well, what specific equipment that Supra has asked for have you refused to collocate?

A The remote access concentrators.

Q Whatever the manufacturer?

A Regardless of the manufacturer, yes.

Q Well, now that I have said I'm not going to ask any more questions about that, there is one thing that I have been thinking about.

You testified earlier that BellSouth is

not required to collocate switching equipment under the Act or the FCC's orders?

A That's correct.

Q But BellSouth has decided to do that?

A Yes.

We have volunteered to allow collocation in physical arrangements.

Q In physical arrangements?

A Yes.

Q Why have you made that decision?

A Based, primarily, on our belief that that would be a good place for a CLEC to provide its own switching, and perhaps take other unbundled network elements from BellSouth, such as unbundled loops, combine those within the collocation space and, effectively, compete with us.

So, this was our volunteering of a method that we think would jump start the process, if you will, to allow competition with BellSouth by our allowing switching equipment to be in those collocation arrangements.

Q Okay.

A Let me explore that just a little bit further.

I'll say, first of all, that I am not

privy to a CLEC's business plan, but my years of experience as a switch engineer and a network planner tells me that it is relatively simple to build the switching components that a CLEC might need to compete.

It is very difficult to build the fiber network or the transmission network to reach every business or every house, so, we said, consistent with that, why don't we make it easier for CLEC to do those parts that it can do, relatively quickly, that is, build switching capacity, and allow them to collocate that, such that they can combine that with our loops, which are not so easy to build, because you have got to dig up streets and to pick strictly which streets to place facilities in.

So, that was the basis for our decision.

Q And the distinction between providing collocation space for equipment that services purely enhanced services and ISP services was what?

A It was really an effort to conserve floor space in our Central Offices for telecommunications service providers.

For a number of years, we've had enhanced service providers who wanted to place their equipment in our Central Offices. There are a lot of them.

And, first of all, we were not required to do that, and we chose not to do that.

The situation that we're in now is that there is a new category of service providers that would like to place equipment in our Central Offices. And we think our primary obligation is to those companies who are interested in providing telecommunications services to compete against us with.

So, that's really the basis for our position.

Q How would you describe that new category of service providers?

A Well, being ALECs, that is, new local services providers that compete directly with BellSouth.

Q In his testimony, Mr. Ramos refers to the FCC first report in an order that states that ILECs may reserve a limited amount of space for defined future use.

Are you familiar with that?

A Yes.

Q And in these two offices, our calculations indicate that BellSouth is reserving, roughly, 18 percent of the space in the offices for

itself for future use.

Would you agree with that?

A Would I agree with the conclusion?

No, I would not.

Q Why not?

A Mr. Bloomer's testimony gives the best response to that. But I think what was left out of Mr. Ramos' discussion were areas that are unavailable to us or to anybody else. Some administrative space and some other things that were, I think, very clearly articulated in Mr. Bloomer's, I believe, rebuttal testimony.

Q Well, let's go to that category of space, administrative space. I have just a couple of questions about that.

I think you have given us a road map, through your reference to the Collocation Handbook and some of the attachments, that will help us determine how you define some of these categories of space.

A Right.

Q But I think it still is a little fuzzy when you are talking about administrative space.

Earlier, and I don't remember the context of the question, you were describing a

subcategory of things to be done in administrative space that you called non-wire center functions, for instance.

Do you remember that?

A Yes.

Q Can you define that for me? What is a non-wire center function?

A That is a reference to some functions that are not necessarily required to be done in that particular wire center or Central Office, if we will, but must be performed in some Central Office.

For example, maintaining a space for emergency preparedness, what some people call a war room, might fall into that category.

Q Now, there is one of those in one of these Central Offices?

A I believe in West Palm Beach Gardens. You are right, one or the other.

Q And why was that room determined to be the one to be used as the war room, rather than one in another Central Office where there was more space?

A That's a good question.

Primarily, for the reason that that building has the greatest concentration of vital switching elements.

You will recall that in those buildings were access tandems, local tandems, operator services tandems, in some cases E199 tandems, I believe in Golden Glades. So, just the aggregation of all of that equipment, plus signal transfer points, you know, which are the signaling network, the databases, all of those things were already there. And in an emergency situation, tandems are at or near the top of the list of things that you want to ensure survival for.

End office is, obviously, very critical, but in the global scheme of things you want to keep the big tandems operational. So, often the war rooms are located in buildings where those sorts of assets are housed.

Q Where else do you have war rooms in BellSouth territory in Florida?

A Well, I don't know. Let me tell you, generally, that those things would be spread, roughly geographically, across the State. Again, in those places where there would be a significant concentration of critical assets.

Q So, would you have one in Jacksonville?

A I wouldn't be surprised if there was not some room in the Clay Street building, for example, in Jacksonville, that serves as a war room.

Q What other activities are done in administrative space that are non-wire center functions? Can you think of any others?

A Training, for example, might be a good example. You may recall seeing a room that was marked Computer Based Training, or CBT. This allows us to make more efficient use of our technicians who are on-site in those buildings.

It means that they don't have to travel great distances to get training that maybe only lasts an hour, or half an hour, or two hours. By using that facility, they may be able to do the training there, rather than drive hours to some other location. Those kinds of things.

Q Would you have a training schedule? Are you talking about fairly formal training that you would plan for and schedule in advance?

A Yes, we would. Obviously, it is fairly formal, because it is computerized. It comes either on a disk or a CD ROM.

The nature of the training itself may be very technical, or it may be administrative procedures, or a refresher on attendance policy, or affirmative action, or other things that we have routine and periodic training for.

Q Is this in-house training done by BellSouth employees as trainers?

A Do you mean the development of the training, of the training material, or the administration of the training itself?

Q The administration of the training itself.

A The administration is, generally, done by the supervisor, and over some period of time would cover those employees in his or her charge.

Q So, you wouldn't bring in outside people to do training in that room?

A Generally, not.

Q What other types of activities are conducted in the administrative space, that you can think of?

A Well, we've sort of loosely termed that use as administrative. But, for example, as we mentioned earlier, activities around provisioning of service. It might be storage of new line cards pending that are going into service. All of the inventorying of records that have to be kept on-site.

You may recall seeing large, flat trays of cards that contain details of circuits that passed through that Central Office. All of that would be

considered administrative.

The terminals that we talked about that are scattered throughout the floor would be categorized that way.

The spare plug-in cards that you saw on metal shelves, usually, in little cardboard sleeves, and the space to pack and unpack those cards.

Some are kept locally, as I said, sort of the high runners, the high volume ones. Others are shipped in on demand, and there is a place for those to be brought in. They're, generally, bar coded, they're read and they're shown as being received to keep track of the inventory and the investment; as well as have a clear picture of what kinds of spare equipment is on hand in case of an equipment failure.

So, there again, generally, activities involved with provisioning of new service, and maintenance and repair of existing in-service equipment.

Q Anything else?

A If I might, let me clear up part of a discussion that you and Mr. Thierry were having regarding desks. And I tried to be very careful when I talked to Ms. Summerlin. When I use the term "desk," it would be something that you can buy at an

office supply store.

And your question was, if you could move that desk out of a space and make that available, is it BellSouth's policy to do that? And in that case, the answer is, yes, we'll make reasonable accommodations to clear space.

But let me, also, point out a couple of things.

One is that you probably noticed in a lot of places that those desks were in a space that was not suitable for any other purpose.

For example, the columns come out from the wall, let's say, by two feet. The space between those columns along the wall is not suitable for equipment because of aisle restrictions. You know, the amount of space that is required by the code in front of that equipment so people are not shocked or electrocuted.

So, there might be some confusion as to whether desks could be moved around to accommodate space. And, generally, the answer is yes.

Now, if they're already in a space not good for anything else, then moving that around does not help.

So, that is at one extreme of the

spectrum.

The other extreme, obviously, is stuff that has got to be in a certain place, it can't be more than X feet from the equipment it serves, or even for practical reasons of having with it the ancillary stuff, like reference material, practices and so forth, tools maybe that are required to, effectively, perform that person's task.

Anyway, our policy is to make reasonable accommodation to free up space. If we can do that by moving furniture around, then we will do that.

If we're talking about hard wired terminals, that gets us further towards the other end of that spectrum. And it, also, introduces the question as to who is going to pay for the expense of reconfiguring terminals to free that space up.

Q And is it your view that it is not possible for BellSouth to rearrange any desks, or any book shelves, or furniture that is in those two offices to create usable space for collocators?

A That's not our policy. I mean, categorically, it is not our policy to say that if a desk is there, we're not going to move it under any circumstance. So, if we can make reasonable accommodations by moving desks and not disrupting work

function, we will.

Again, obviously, the person that checks in and out those plug-in cards needs to be at or near the place that they come into the building. And those cards need to be stored in a place that has easy access to the people that need them.

So, balancing all of those things, if we can make reasonable accommodations, we do.

Q You were there on the walk-throughs through those two offices?

A Yes.

Q And there were a lot of desks and a lot of book shelves in many areas in those offices. Do you think that any of them could be moved in order to accommodate Supra's collocation request?

A Let me answer in two parts. I am not trying to be evasive, if it comes across that way.

Q I'll just keep asking.

A I believe you will.

Moving one desk probably will not create a space that has 200 square feet in it.

If we can, to the extent that we can do that we will. But we have already looked and concluded that that is not possible.

Q That was going to be my next question.

Have you really looked at it?

A We have. We have.

Now, we talked at length about the Space Assessment Worksheet. Basically, after you work the math, you come to an answer that says that there are Y square feet available. That is a little deceptive, because, intuitively, you would say that there is a space somewhere in that building that has that number of square feet in it.

But if that number is 500, then that 500 is probably spread, in a lot of cases, on more than one floor and in a lot of different places on each floor. It is 20 feet here and another 15 square feet over here, which in aggregate comes to that level. But it would be pretty tough to mine all of that space out, move a lot of equipment, and desks and things around, and terminals, to aggregate that into one spot.

Q That leads me to another couple of questions that we have regarding BellSouth's policy to designate one central collocation space for whatever physical collocation by CLECs is going to happen.

A Right.

Q Why is that necessary?

A It is not necessary for technical

reasons. But we believe that in an ideal state, that is what CLECs would prefer; in that we build the so-called common space, and then the cost of equipping that space with things like lighting, heating and air conditioning, power, all of that can be shared among all collocators, rather than having to do that same work in five or six places around the building.

For example, extending power leads is about the same if you put a wire, you know, an inch in diameter, or if you put a wire two inches in diameter. If you do that once, and it serves a number of collocators, that cost is allocated to each collocator. It is prorated, so that the net out-of-pocket to the collocator is less than if we say here is a space, there is a space, let's make five or six of these available.

So, we prefer that. We think the CLECs would, also, prefer it. Where that is not possible, we don't turn down requests simply because we can't build this common arrangement.

Where there is space to accommodate a CLEC, that is, if they request 200 square feet and there is 200 square feet in one place, if that's what they want, we'll give it to them, even though it may mean more out-of-pocket because of the way the costs

are allocated. That's not a requirement of ours, but, again, we think that that's what the CLEC would prefer, as well.

Q But in this specific case, that's really not the question here, because, in your view, there is not 200 square feet anywhere to accommodate Supra's request?

A That's right. That's really not the issue in these two offices.

Q I hate to go back to remote access concentrators, but I missed one of my questions.

Ms. Summerlin was asking you about the decision-making process to deny a collocator's request, and who made it, and how was it developed and who was the ultimate one to say no.

MS. WHITE: Request for Space?

MS. BROWN: Yes, Request for Space.

BY MS. BROWN:

Q I got the impression that the process was sort of a team process. Everybody had their part that they looked at, and they said yes or no, we can do this, we can't do that. And then that was funneled up to a person who reviewed all of that, and the people in the know say no on this, so I'm going to say no to the CLEC; is that correct?

A Yes.

Q What process like that is used to determine what equipment BellSouth will permit to be collated or not?

A First of all, you have rightly determined that the process of determining whether there is space or not is an independent process of determining what types of equipment.

So, earlier, when we talked about the role that Ms. Nelson played in her team, that we call the area team, they would not be making decisions that this equipment is okay, this equipment is not. That is not their role.

Instead, the policy decision would be made by people like me and others within our business that would be affected by that decision.

Q So, how would that work in real life? A CLEC makes a request, and that request is fairly elaborate, as I understand it.

A It is.

Q You know, what kind of equipment do you want to put in, how many square feet, how much power, the requirements, all of that. So, that request comes in and goes to who? Who does that request go to?

MS. WHITE: The application?

MS. BROWN: Yes.

BY MS. BROWN:

Q The application to the --

A To the regional collocation manager.

Q Does it go directly to them?

A Yes.

Q Is that the person, then, who says that's the wrong kind of equipment?

A Well, if he or she knew that, then they would make that determination there. Often, though, it is a very collaborative process. So, during the process, these team members would be looking at that list, and would say: "This list looks fine. Wait a minute, here is a new piece of equipment. I have never seen this manufacturer. You know, I don't know what a widget 2000 is."

They would be put in contact with others within our business that do understand product offerings from vendors, and then those people would say that this equipment is okay or it is not okay, based on the capabilities of the equipment.

Q They would say it is okay or not okay, or they would say this equipment only does this?

A Well, that's a better way of phrasing it.

Q And then who would say it is okay or not

okay?

A Well, ultimately, that would come, again back through Nancy Nelson. In other words, if I'm on the area team and I say here is a new piece of gear, I don't really know what it is capable of, there is a whole group at BellSouth that does product selection for our own switches, transmission gear. And they would be asked the question, what is this equipment capable of doing? And that group would say it can do this, it can do that or it can do both.

And then that information would go back to the area team, and then on that input would say this equipment fits with the policy or does not. And the answer would be sent back to Nancy and back to the requester.

Q Is there a piece of paper where that is written down anywhere, like this BSTEI-2?

A I rather doubt it. In that form, what they're looking at are some fairly -- let me see if I can get you to the right page.

I don't see that, specifically, but that would be one of the things that would be examined. If it is a piece of equipment that had not been seen before, then it would be exposed to that process. I rather doubt that it is written down in a form,

though.

Q To your knowledge, has BellSouth ever permitted a physical collocation of a piece of equipment that just provides enhanced service provision or Internet service provision, information services?

A Not to my knowledge, except pursuant to open architecture rules of BellSouth providing that type of equipment for its own use, as allowed by the ordinary rules. In other words, I don't believe that we have ever allowed that for a non-affiliate of BellSouth. And the only way that we have allowed it for an affiliate is pursuant to open network architecture rules.

Q And do you see a parity problem there?

A No.

Q Why not?

A Because, first of all, those rules pre-existed the 1996 Act. Not only open network architecture, but computer inquiry three rules that have been around for quite some time.

There is not a parity issue, because those rules require that BellSouth, at least in the prices that it charges for that and some other rules, and I'm not an accountant, treat that investment in a

way that puts it on the same footing as an enhanced service provider or an information service provider that is not collocated within the Central Office.

For example --

Q You lost me on that one.

A It is very convoluted. Let's use voice mail.

BellSouth telecommunications is allowed, under those rules that we mentioned, to put that equipment in our Central Office. However, for all accounting purposes, it looks as if that equipment is located either two or three miles, I forget, exactly, from the BellSouth Central Office.

Q So --

A We input expenses against that as if the equipment were not in our office, but housed remotely. And it is on that basis that we're on an equal basis, an equal footing, with other providers of voice mail services, in that they're located outside of our central offices. But for all intents and purposes, at least from an accounting structure, so are we.

So, back to your original question, is that a parity, yes, it is, because of the rules inherent in the way that that investment has been treated.

Q Let me translate that.

You do not permit equipment, the provision of information services or enhanced services by ALECs to be conducted within your Central Offices. And you treat the provision of information services and enhanced services by your affiliates, that is conducted within your central offices, as if it weren't conducted within your Central Offices and, therefore, you reach parity?

A Yes.

Q It is our understanding that additional space construction is planned for these Central Offices; is that correct?

A It is being looked at. There are not dollars committed to physical expansion of either building, I don't believe. Or at least that was the case several weeks ago when I talked to those people.

For example, in West Palm Beach Gardens, we're looking at a proposal to add another floor or a part of a floor. That's a very expensive undertaking, and at this moment, I don't believe capital is committed, capital dollars are committed, to do that, but we're assessing it.

Q Why would you be looking at it? What would be the uses to put that new space to?

A Let me back up just a pace and say, again, that the floor space is a function of the equipment required to be put there. And that's a function of forecast; access line forecast, trunk forecast, feature forecast, a lot of things that are produced monthly in some cases. Annually, in other cases.

So, as we constantly assess the impact of those forecasts, we look at whether the building, as it sits, is sufficient for us to even accommodate our own growth. And so, it is on the basis of those forecasts that we're revisiting whether we will make floor additions to those buildings or not.

Q Who is the witness who is addressing, specifically, those forecasts, or who is sponsoring the forecasts in this case? I mean, if we have additional questions with respect to that, who can we ask?

A Well, the user of those forecasts, in the context that we're discussing here, is the common systems capacity manager. That would be Mr. Rubin and Mr. Ream.

Q All right.

MS. BROWN: They're not witnesses this case, are they?

MS. WHITE: Yes, they are.

MS. BROWN: Okay.

THE WITNESS: Now, they don't develop those forecasts. The forecasts are used, as we talked about earlier, by the switch planners, the transmission equipment planners, the frame planners, the power planners, on and on.

So, those people say to the common system planners here is my forecast for floor space for the next two years. Some of the equipment has to be adjacent to other kinds of equipment. And all of that is taken into account, as well, in the overall layout of the floor plan.

MS. BROWN: Excuse me for just a minute.

THE WITNESS: Sure.

(Brief pause.)

BY MS. BROWN:

Q Who prepares the forecasts that are used by the planners that you have just been describing?

MS. WHITE: By Mr. Ream or Mr. Rubin?

THE WITNESS: Let me answer in two ways.

BY MS. BROWN:

Q All right.

A Let's talk about two different forecasts. One, I'll call the trunk forecast or the

access line forecast. The trunk forecast is produced by a group called the circuit capacity managers, our CCMs, as we call them. And what they do is gather data weekly, review it, trend it and decide from switch A to switch B how many circuits are in place, how many are needed and they forecast that year over year.

Q All right.

A The access line forecast is done by another group, that we just simply call the forecasters. I forget the exact term that they go by now.

But, anyway, there is another group that would look at building permits for big tracts of land. They would decide that they're going to build 500 houses, or an apartment complex, or whatever. I mean, they drive the streets a lot of times just to see what use is being made of raw land. And they develop a forecast, again, a multi-year forecast, of access line growth.

Now, in today's environment, they --

Q Let me stop you real quick. How often do they develop that forecast?

A At least annually.

Q And it is for what, a five-year period,

or what?

A Actually, I haven't looked at one lately, but the ones that I recall, actually, are about 10 years. In the outlying years, the accuracy of the forecast is somewhat suspect. But in the near term, the next several years, they're pretty accurate.

Now, in today's environment, some assessment has to be made about how much of that access line growth will be served by BellSouth compared to some other service provider. So, that factors in, as well.

Then those forecasts are used by the switch planners. So, they say I'll have this number of lines, this number of trunks. I need a switch this big, I have got one this big, which is a smaller amount, for the court reporter's purposes, and I'll have to add this amount of equipment. That equipment takes this amount of square footage that right now is unoccupied.

So, two levels of forecasting.

At the most granular, we talk about inputs of trunks, access lines, maybe features and things of that nature, and then that is transformed into a forecast that says all of that demand is going to be expressed by our placing equipment, and frames

and power, and that each is going to take this amount of floor space.

Now, that forecast is the one that I said would be used by the common systems capacity managers, and with a great deal of input from the property and service managers, the Jim Bloomers of the world.

Q Does that forecast have a name, or is it a document?

A Usually, the forecast itself is in the form of a marked-up floor plan, that says over here is the Golden Glades access tandem, I need 12 more bays of equipment and it will go in these places.

So, most often, the forecasts that I have seen are not necessarily forecasts that say I need 200 square feet, but, rather, I'm going to put this sort of equipment in these lineups.

Q Well, let me follow through with some of these questions, and then I may need to discuss with you sort of the gap that we see in the evidence that we have here that we may need to try and fill for the forecasts.

A Okay.

Q The space that BellSouth has reserved for itself for future use is, as we understand it, forecasted to exhaust by the year 2000 or shortly

thereafter.

Would you agree with that?

A In general, yes. Roughly, a two-year horizon.

Q Now, the planned additions to the two Central Offices that we were just discussing, they appear to be pretty squishy at this point. Excuse the word "squishy."

Do they have a timeline associated with them at this point? From what you said earlier, it doesn't sound like they do. No money has been committed to improve the capacity of those central offices yet, so you probably don't have a time frame.

A Not for the building addition. The capital requirements for the switch growth, for example, would be fairly well articulated.

Q Now, if you know that you're going to have to grow your switches, where are you going to put them?

A Then you step up a level in terms of network planning, and you see what alternatives there might be to deploy new switches in a new location. That is, carve out a new wire center, which is still done from time to time.

Or take part of an existing wire center,

serve it by remote switch, which removes all of the equipment requirements, say, at Golden Glades, and moves it out more to that Central Office.

So, there are lots of other alternatives like that.

You can use digital loop concentration equipment to cut down in some cases on the physical square footage consumed in the Central Office. But I will hasten to add that all of those are economic trade-offs. You are saying that I can spend money to do it this way, versus having to add a floor to the building.

So, that's the balancing act that takes place.

Q And I gather that the decisions have not been made about where the balance comes down on these needs with respect to these Central Offices?

A To date, those decisions have not been made.

So, I guess the notion that I wanted to leave you with was that while there may not be room in those two Central offices to accommodate more switching equipment, we will find other alternatives such that we can accommodate demand.

MS. BROWN: Excuse me for a second.

(Brief pause.)

BY MS. BROWN:

Q This may be a question that we will have to ask Mr. Reams at the hearing, apparently.

And I was not here yesterday, but my staff tells me that Mr. Reams said that Bell was planning to go ahead with physical additions of some kind to the Central Offices even though there was no funding at the time.

MS. WHITE: No.

I want to dispute that. He said there was a plan. If you want to go off the record.

MS. BROWN: Off the record.

(Discussion off the record.)

MS. BROWN: Let's go back on the record.

MS. BROWN: We would like to ask for a late filed exhibit, if the time is going to work out. If not, if you can bring it to the hearing, but it would be better it for everyone to have it sooner.

MS. WHITE: We will get it out as soon as possible.

THE WITNESS: We'll endeavor to do that.

MS. BROWN: If you can provide us the forecasts on which the testimony that discusses

BellSouth's future use is based, that would be very helpful. And that would be Exhibit 2, late filed forecasts.

(Deposition Exhibit 2 to be marked at a later date.)

THE WITNESS: I understand.

If I might, let me add something to that discussion. And that is, while BellSouth is not required to make building additions solely to accommodate ALECs, where we decide to make an addition, we consider their demand, as well.

MS. BROWN: And that is the answer to my last question. Thank you very much.

THE WITNESS: You are quite welcome.

MS. WHITE: I do have a couple of follow-up questions.

CROSS EXAMINATION

BY MS. WHITE:

Q One is that I'm sorry, but I'm totally confused about when you were talking about the provision of information services with Ms. Brown.

Do you recall that discussion?

A Yes.

Q All right.

Under what rule, what Federal or State

rule is BellSouth Telecommunications allowed to provide information services?

A I don't know the number. Maybe I have it here. Let me look. I was looking to see if I pointed to the ACC network that laid out open architecture rules and computer inquiry three rules, and especially that part that talks about comparably efficient interconnection.

Q Is that the FCC comparably efficient interconnection order? When was that issued? Was that in the early '90s, late '80s.

A It was in the early '90s. Let me see if I can backtrack. They were in place at least by 1989 or 1990, so they have been there some time.

Q And so, the rule that you were explaining, I think, if I understood it correctly, was that BellSouth Telecommunications imputes to itself the amount that an ISP would have to pay because the ISP is not in BellSouth's Central Office?

A That's right.

MS. WHITE: Does that make sense?

BY MS. WHITE:

Q If you had to aggregate all of the available space in a particular Central Office, such as Glades or Gardens, in order to make the room

available for collocation, would you have to move switch and transmission equipment?

A You very likely would. And the reason for that is, as I pointed out earlier, there is some equipment that has to be located next to another piece of equipment because of technical requirements.

If you decide to undo that, and try to aggregate every square foot that was vacant, that would mean moving working equipment, serving live customers, as well as things like desks and chairs, so that would be a serious disruption of the normal work flow in that office.

And I might add, a significantly risky proposition in terms of possible service interruption.

Q And I think you said, in answer to a question from Ms. Summerlin at the beginning of your deposition, that the purpose of the Telecommunications Act was for competition for telecommunication service?

A Yes, I did.

Q Does the Telecommunications Act of 1996 speak of competition for enhanced service or information service providers?

A It draws a clear demarcation between telecommunications services and other types of services.

MS. WHITE: That's all I have.

MS. BROWN: Okay.

(Deposition concluded at 3:30 p.m.)

CERTIFICATE OF REPORTER

STATE OF FLORIDA:

COUNTY OF LEON:

I, ANITA M. PEKEROL, do hereby certify that the foregoing proceedings were taken before me at the time and place therein designated; that my shorthand notes were thereafter translated under my supervision; and the foregoing pages numbered 1 through 115 are a true and correct record of the aforesaid proceedings.

I FURTHER CERTIFY that I am not a relative, employee, attorney or counsel of any of the parties, nor relative or employee of such attorney or counsel, or financially interested in the foregoing action.

DATED THIS 15th day of October, A.D., 1998.

ANITA M. PEKEROL, CCR, RPR, CP, CM
100 Salem Court
Tallahassee, Florida 32301
850-878-2221

CERTIFICATE OF ADMINISTERING OATH

STATE OF FLORIDA:

COUNTY OF LEON:

I, ANITA M. PEKEROL, Registered Professional Reporter and Notary Public in and for the State of Florida at Large:

DO HEREBY CERTIFY that on the date and place indicated on the title page of this transcript, an oath was duly administered by me to the designated witness(s) before testimony was taken.

DATED THIS 15th day of October, 1998.

ANITA M. PEKEROL, CCR, RPR, CP, CM
100 Salem Court
Tallahassee, Florida 32301
850-878-2221

My Commission Expires: February 20, 1999.

(AP) 10-13-98 ERRATA SHEET

I have read the transcript of my deposition, pages 1 through 116, and hereby subscribe to same, including any corrections and/or amendments listed below.

_____ _____

DATE: (W. Keith Milner)

(Petition for Emergency Relief of Supra Telecommunications and Information Systems.)

Page/Line

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

(AP) 10-13-98 ERRATA SHEET

I have read the transcript of my deposition, pages 1 through 116, and hereby subscribe to same, including any corrections and/or amendments listed below.

OCTOBER 21, 1998 W. Keith Milner

DATE: (W. Keith Milner)

(Petition for Emergency Relief of Supra Telecommunications and Information Systems.)

Page/Line	
8/12	CHANGE "WE" TO "THEY WILL"
16/6	CHANGE "FOCUS" TO "FOCUSED"
18/14	CHANGE "MOST" TO "BEST"
22/2	CHANGE "BUST" TO "BUS"
22/4	CHANGE "DIFFERENCES" TO "DISTANCES"
101/23	CHANGE "THAT A PARITY" TO "THAT AT PARITY"

ATTACHMENT FOR ITEM 102

Reference Number _____

BELLSOUTH

EXPANDED INTERCONNECTION INQUIRY TRACKING FORM
Draft

Customer Name _____ Inquiry Date _____
BST Assigned CLLI is assigned at firm order. Issue Number _____

NETWORK COLLOCATION COORDINATOR - INAC

Date INAC receives: 1) inquiry _____ 2) inquiry revision, if applicable _____

Account Team Coordinator _____ Phone _____ Fax _____

Response Due Date (20 business days from application date.) _____

Estimated additional INAC engineering time to process an inquiry revision _____ Hours

Time required to respond to this application is recovered through the application fee and should not be included as additional engineering. However, if the collocator submits an inquiry revision, the cost of the time spent processing the inquiry revision can be recovered via additional engineering.

Inquiry Review

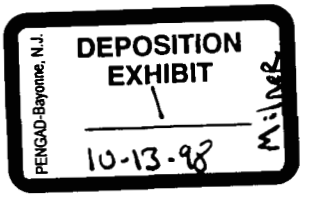
Each work group must review the inquiry and advise the INAC: A) all information needed from the customer to proceed with the project evaluation is included on the BSTEI-1-P or B) information is incomplete and evaluation cannot proceed without additional information or clarification.

Date information received from Area team
P&SM & SIC MCR — COMM SYS

P&SM _____ Check one: A) ____ B) ____ CSCM _____ Check one: A) ____ B) ____
CCM _____ Check one: A) ____ B) ____ PCM _____ Check one: A) ____ B) ____
OSPE _____ Check one: A) ____ B) ____ POWER

Insufficient information was provided in the following area(s) indicated by a check mark (☑):

- ❑ Floor space / enclosure requirements
- ❑ Equipment to be installed
  - o Vendor/Manufacturer
  - o Quantity
  - o Heat dissipation
  - o Power requirement
  - o Meets NEBS criteria
- ❑ Rack/Bay requirements
- ❑ Power and grounding requirements
  - o Isolated / integrated ground plane requirement
  - o Power Feeder requirements
  - o BDFB requirements
- ❑ Fiber entrance cable information
- ❑ Equipment wiring requirements



Summary of deficiency (BSTEI-1-P item #, work group and reason) _____

_____

Note: Evaluate the attached BSTEI-1-P and **provide a response to the INAC** (see cover fax for INAC name and fax number) with the information shown in your section of this tracking document. Evaluate and respond within 15 days of receipt!

Private/Proprietary: Not for use or disclosure outside BellSouth except by written agreement.
Copyright 1997 BELLSOUTH. All rights reserved.

ATTACHMENT FOR ITEM 102

Reference Number _____

BELLSOUTH

EXPANDED INTERCONNECTION INQUIRY TRACKING FORM
Draft

Customer Name _____ Inquiry Date _____
BST Assigned CLLI is assigned at firm order. Issue Number _____

continued from page 1. **NETWORK COLLOCATION COORDINATOR - INAC**

If applicable: Date(s) of internal coordination meetings _____

Ordinary/Extraordinary Conditions

BellSouth defines ordinary conditions as those where space is available and only minor changes are required to the network or building infrastructure.

BellSouth defines extraordinary conditions as those involving the following non-exclusive situations: power plant addition or upgrade; building addition; major mechanical addition or upgrade; major upgrade for ADA compliance; mainframe addition; extensive environmental abatement; or multiple applications (more than 4) from one customer for the same state.

INAC should review the input from P&SM, CSCM, CCM and PCM to determine:

Conditions that apply for this collocation arrangement are _____ Ordinary _____ Extraordinary

If extraordinary, state conditions that make it extraordinary _____

_____

Note: Evaluate the attached BSTEI-1-P and **provide a response to the INAC** (see cover fax for INAC name and fax number) with the information shown in your section of this tracking document. Evaluate and respond within 15 days of receipt!

Private/Proprietary: Not for use or disclosure outside BellSouth except by written agreement.
Copyright 1997 BELLSOUTH. All rights reserved.

Reference Number _____

BELLSOUTH

EXPANDED INTERCONNECTION INQUIRY TRACKING FORM
Draft

Customer Name _____ Inquiry Date _____
BST Assigned CLLI is assigned at firm order. Issue Number _____

continued from page 2. **NETWORK COLLOCATION COORDINATOR - INAC**

Estimated Project Interval in calendar days (Excluding Permit Interval)

BellSouth's building and network infrastructure must be complete for space acceptance. The INAC should review the intervals provided by each work group (summarized below) to determine the overall project interval. Some work may be done concurrently. Intervals begin at receipt of Bona Fide Firm order.

Interval from Bona Fide Firm order
(excluding permits) to building construction complete (P&SM) _____

Estimated interval to secure permits (P&SM) _____

Frame/DSX/LGX/POT, cable, cable support structure interval (CCM) _____

Estimated interval from work start until all power projects complete (PCM) _____

-48 V DC power plant (PCM) _____
Standby power (PCM) _____

Conduit, manhole knockouts, innerduct interval (OSPE) _____

Cable installation interval (OSPE) _____

Estimated interval from Bona Fide Firm Order to Space and Infrastructure Complete _____
(excluding permitting interval)

Expiration date for firm order (provided by the Account Team) _____
(This is the date by which a customer must submit the firm order. If not met, the inquiry expires.)

BSTEI-3-P transmittal date _____

Remarks _____

Note: Evaluate the attached BSTEI-1-P and **provide a response to the INAC** (see cover fax for INAC name and fax number) with the information shown in your section of this tracking document. Evaluate and respond within 15 days of receipt!

Private/Proprietary: Not for use or disclosure outside BellSouth except by written agreement.
Copyright 1997 BELLSOUTH. All rights reserved.

Reference Number _____

BELLSOUTH

EXPANDED INTERCONNECTION INQUIRY TRACKING FORM
Draft

Customer Name _____ Inquiry Date _____
BST Assigned CLLI is assigned at firm order. Issue Number _____

P&SM

Date Inquiry received by P&SM _____ Date response forwarded to INAC _____

Date inquiry revision received, if applicable _____ Date response forwarded to INAC _____

Inquiry Review

Each work group must review the inquiry and advise the INAC: A) all information needed from the customer to proceed with the project evaluation is included on the BSTEI-1-P or B) information is incomplete and evaluation cannot proceed without additional information or clarification. If B, provide the INAC with an explanation of the additional information required.

Estimated additional P&SM engineering time to process an inquiry revision _____ Hours

Time required to respond to this application is recovered through the application fee and should not be included as additional engineering. However, if the collocator submits an inquiry revision, the cost of the time spent processing the inquiry revision can be recovered via additional engineering.

P&SM name and contact number **Karen Hill - 615-646-7449 or Bill Rice (Parsons) 919-844-4889**

General Information

Geographic Location Code (GLC) _____ and building name _____ for this location.

Enclosed Floor space requirements requested for this arrangement? _____ Sq ft
(See item 4 on BSTEI-1-P.)

Non-enclosed Floor space requirements requested for this arrangement? _____ Sq ft
(See item 4 on BSTEI-1-P.)

Is requested amount of physical collocation space available? Yes _____ No _____
If no, Amount Available _____ Square feet

If there is no space for physical collocation, the Space Assessment Worksheet must be completed ASAP (with CSCM assistance) and submitted to the INAC and Regulatory. An exemption must be filed with the state commission to deny physical collocation. If a "No" is answered to one or both of the above, provide documentation in "Remarks".

Proposed location in building (floor, room #) _____

*** Provide a collocation arrangement floor plan (sketch) to INAC with your response. ***

P&SM should confer with CSCM, CCM and Network CO Operations to determine optimum location for placement of collocator equipment and obtain concurrence that BST physical collocation security requirements are met.

Note: Evaluate the attached BSTEI-1-P and **provide a response to the INAC** (see cover fax for INAC name and fax number) with the information shown in your section of this tracking document. Evaluate and respond within 15 days of receipt!

Private/Proprietary: Not for use or disclosure outside BellSouth except by written agreement.
Copyright 1997 BELLSOUTH. All rights reserved.

ATTACHMENT FOR ITEM 102

Reference Number _____

BELLSOUTH

EXPANDED INTERCONNECTION INQUIRY TRACKING FORM
Draft

Customer Name _____ Inquiry Date _____
BST Assigned CLLI is assigned at firm order. Issue Number _____

_____Continued from Page 4.

P&SM

Will location require a security escort? Yes _____ No _____

Will access to rest rooms be available? Unescorted _____ Via escort _____

Is parking available on site? Yes _____ No _____

If no, describe parking arrangements _____

Interval in calendar days

Estimated interval from Bona Fide Firm Order to building construction complete _____ calendar days excluding Permit Interval.

Estimated interval to secure permits _____

Collocation Common Area - Space Preparation

The collocation common area is the space that must be constructed for the use of multiple collocators. This may include, but is not limited to, new entrances, vestibules, corridors, and large spaces in which individual collocation lineups/enclosures will be housed.

Reminder: Space preparation costs include both P&SM and Network construction costs. The collocator should pay their pro-rated share of the total costs to prepare the central office for physical collocation. Some costs will be shared by all collocators and some costs will be directly attributable to the applicant, depending on the central office configuration, support systems, power capacity, etc.

Is construction required to separate BST equipment from collocation equipment? Yes _____ No _____

If no, has a collocation common area been constructed on a previous physical collocation application?

Yes _____ No _____

Cost estimate data - new construction

Indicate the total collocation common area square footage **(A)** _____ Sq feet

Collocation arrangement requirement for this application **(B)** _____ Sq feet

Material and labor **TOTAL COST** for common collocation area **(C)** $_____

Note: Evaluate the attached BSTEI-1-P and **provide a response to the INAC** (see cover fax for INAC name and fax number) with the information shown in your section of this tracking document. Evaluate and respond within 15 days of receipt!

Private/Proprietary: Not for use or disclosure outside BellSouth except by written agreement.
Copyright 1997 BELLSOUTH. All rights reserved.

Reference Number _____

BELLSOUTH

EXPANDED INTERCONNECTION INQUIRY TRACKING FORM

Draft

Customer Name _____ Inquiry Date _____

BST Assigned CLLI is assigned at firm order. Issue Number _____

Continued from Page 5.

P&SM

Space Preparation Fee: Cost estimate data - Proration from new construction

Total cost for common space / Total common area square footage = cost per square foot

$_____ / _____ sq. ft. = $_____/sq. ft.
(C) **(A)** **(D)**

(Individual arrangement X factor to recover circulation) X cost per square foot = space preparation fee

(_____ sq. ft. X 1.30) X $_____ /sq. ft. = **$**_____
(B) **(D)** **Space Preparation fee New Construction**

Supporting data Breakdown of TOTAL COST (from P&SM spreadsheet)

ASBESTOS

General construction $ _____ Abatement $ _____
HVAC _____ A&E fees _____
Electrical _____ Other _____

MEP & E&C

Describe other _____

Please provide a brief description of construction work

_____

_____

_____

_____

Local code compliance (if known) _____

_____

Note: Evaluate the attached BSTEI-1-P and **provide a response to the INAC** (see cover fax for INAC name and fax number) with the information shown in your section of this tracking document. Evaluate and respond within 15 days of receipt!

Private/Proprietary: Not for use or disclosure outside BellSouth except by written agreement.
Copyright 1997 BELLSOUTH. All rights reserved.

Reference Number _____

BELLSOUTH

EXPANDED INTERCONNECTION INQUIRY TRACKING FORM
Draft

Customer Name _____ Inquiry Date _____
BST Assigned CLLI is assigned at firm order. Issue Number _____

Continued from page 6.

P&SM

Space Preparation Fee: Cost estimate data - Proration from previous construction

Indicate the total collocation common area square footage **(A)** _____ Sq feet

Collocation arrangement requirement for this application **(B)** _____ Sq feet

Material and labor **TOTAL COST** for common collocation area **(C)** $_____

Total cost for common space / Total common area square footage = cost per square foot

$_____ / _____ sq. ft. = $_____/sq. ft.
(C) **(A)** **(D)**

(Individual arrangement X factor to recover circulation) X cost per square foot = space preparation fee

(_____ sq. ft. X 1.30) X $_____ /sq. ft. = $_____
(B) **(D)** **Space Preparation fee Previous Construction**

Collocator's enclosure

Has collocator requested enclosure construction by BellSouth? Yes _____ No _____
See Item 4 on BSTEI-1-P.

Does the local building code specify requirements other than BST standard enclosure (i.e., fire-rated walls)?

Yes _____ No _____ Can not be determined at this time _____

If Yes, what are the estimated **incremental construction costs to meet codes** $ _____
If No, BST standard enclosure is a set fee and cost data is not required.

Collocator **special requests - Additional costs** to be billed to the collocator $ _____
(i.e., additional lighting in the enclosure, additional doors, etc.)

Property Management contact must attach the appropriate guidelines and specifications to the inquiry response to the INAC when collocator requests to contract construction of their own enclosure. See Property Management Guidelines for Physical Collocation.

Cost data prepared by: Name _____ Phone _____

Note: Evaluate the attached BSTEI-1-P and **provide a response to the INAC** (see cover fax for INAC name and fax number) with the information shown in your section of this tracking document. Evaluate and respond within 15 days of receipt!

Private/Proprietary: Not for use or disclosure outside BellSouth except by written agreement.
Copyright 1997 BELLSOUTH. All rights reserved.

Reference Number _____

BELLSOUTH

EXPANDED INTERCONNECTION INQUIRY TRACKING FORM
Draft

Customer Name _____ Inquiry Date _____
BST Assigned CLLI is assigned at firm order. Issue Number _____

Continued from page 7.

P&SM

P&SM Cost Estimate summary

Space Preparation fee, proration from new construction $_____

Space Preparation fee, proration from previous construction +_____

Incremental costs to meet codes for enclosure construction (if applicable) + _____

Special requests - Additional costs (if applicable) + _____

Total Space Preparation fee = $_____

Ordinary/Extraordinary

BellSouth defines ordinary conditions as those where space is available and only minor changes are required to the network or building infrastructure.

BellSouth defines extraordinary conditions as those involving the following non-exclusive situations: power plant addition or upgrade; building addition; major mechanical addition or upgrade; major upgrade for ADA compliance; mainframe addition; extensive environmental abatement; or multiple applications (more than 4) from one customer for the same state..

P&SM conditions that apply for this collocation arrangement are _____ Ordinary _____ Extraordinary

If extraordinary, state conditions that make it extraordinary _____

_____

BellSouth approved contractor for enclosure construction (If the enclosure is to be contracted by the collocator for construction, P&SM must provide a list of BellSouth approved contractors.)

Approved Contractor	Address	Contact Name	Phone

Remarks _____

Note: Evaluate the attached BSTEI-1-P and **provide a response to the INAC** (see cover fax for INAC name and fax number) with the information shown in your section of this tracking document. Evaluate and respond within 15 days of receipt!

Private/Proprietary: Not for use or disclosure outside BellSouth except by written agreement.
Copyright 1997 BELLSOUTH. All rights reserved.

Reference Number _____

BELLSOUTH

EXPANDED INTERCONNECTION INQUIRY TRACKING FORM
Draft

Customer Name _____ Inquiry Date _____
BST Assigned CLLI is assigned at firm order. Issue Number _____

COMMON SYSTEMS CAPACITY MANAGEMENT - CSCM

Date Inquiry received by CSCM _____ Date response forwarded to INAC _____

Date inquiry revision received, if applicable_____ Date response forwarded to INAC _____

Inquiry Review

Each work group must review the inquiry and advise the INAC: A) all information needed from the customer to proceed with the project evaluation is included on the BSTEI-1-P or B) information is incomplete and evaluation cannot proceed without additional information or clarification. If B, provide the INAC with an explanation of the additional information required.

Estimated additional CSCM engineering time for installation _____ Hours

Estimated additional CSCM engineering time to process an inquiry revision _____ Hours

(See CSCM Collocation M&P for details on estimating of additional engineering hours.)

CSCM name and contact number _____

Requested collocation enclosure space: _____ Sq feet

Physical collocation enclosure space available? Yes _____ No _____ _____ Sq feet

General description of proposed location in building:_____

_____

CSCM should confer with P&SM, CCM and Network CO Operations to determine optimum location for placement of collocator equipment and obtain concurrence that BST physical collocation security requirements are met.

Inform the Lucent Power Planner [Ken Seabolt at 404-573-7391 (phone), 404-573-7117 (fax)] ASAP of the selected location for the collocated equipment.

If there is no space for physical collocation, the Space Assessment Worksheet must be completed ASAP (with P&SM assistance) and submitted to the INAC and Regulatory. An exemption must be filed with the state commission to deny physical collocation. If a "No" is answered to one or both of the above, provide documentation in "Remarks".

Note: Evaluate the attached BSTEI-1-P and **provide a response to the INAC** (see cover fax for INAC name and fax number) with the information shown in your section of this tracking document. Evaluate and respond within 15 days of receipt!

Private/Proprietary: Not for use or disclosure outside BellSouth except by written agreement.
Copyright 1997 BELLSOUTH. All rights reserved.

Reference Number _____

BELLSOUTH

EXPANDED INTERCONNECTION INQUIRY TRACKING FORM

Draft

Customer Name _____ Inquiry Date _____

BST Assigned CLLI is assigned at firm order. Issue Number _____

Continued from page 9. **CSCM**

If requested, is expansion of existing enclosure feasible? Yes _____ No _____

If physical space is unavailable, is space available for virtual collocation?

Yes _____ No _____ _____ Sq feet

For a non-enclosed physical collocation arrangement:

Non-enclosed physical collocation space available? Yes _____ No _____ _____ Sq feet

Number of racks to be installed _____ racks

Rack dimensions _____

Total footprint area (width x depth) of all racks installed on this application _____ Sq ft

(adjustment factor to recover aisle space) X 3.5

Total rack floor space _____ Sq ft

If available space is less than requested, is space available for virtual collocation?

Yes _____ No _____ _____ Sq feet

Location identification of racks(s) (aisle and rack numbering from T-base floor plan drawing)

_____

Is BST cable rack or fiber duct construction required for this application? Yes_____ No_____

Will the cable rack or fiber duct serve future collocation space? Yes_____ No_____

If yes, total constructed collocation space served by rack or duct installation: _____Sq. ft.

Note: Evaluate the attached BSTEI-1-P and **provide a response to the INAC** (see cover fax for INAC name and fax number) with the information shown in your section of this tracking document. Evaluate and respond within 15 days of receipt!

Private/Proprietary: Not for use or disclosure outside BellSouth except by written agreement.
Copyright 1997 BELLSOUTH. All rights reserved.

Reference Number _____

BELLSOUTH

EXPANDED INTERCONNECTION INQUIRY TRACKING FORM
Draft

Customer Name _____ Inquiry Date _____
BST Assigned CLLI is assigned at firm order. Issue Number _____

Continued from page 10.

CSCM

Billable BST Provided Cable Support Construction Requirements

In general, the cost of new cable support structure dedicated to collocation use is billable as a space preparation charge to the collocators. See CM Collocation Guidelines for more information.

- Connection of Existing BST cable support structure to POT bay(s)
  - Cable rack Yes___ No___
  - Fiber rack Yes___ No___
  - Fiber duct Yes___ No___
- Connection of POT bay(s) to non-enclosed collocated eqpt or collocation enclosure
  - Cable rack Yes___ No___
  - Fiber rack Yes___ No___
  - Fiber duct Yes___ No___
- Power cable rack from BST BDFB and/or Power Board to non-enclosed collocated equipment or collocation enclosure (May be a PCM responsibility in some states.). **(Note 1)** Yes___ No___
- Cable rack or other support for collocated equipment framework ground to collocation area ground bar Yes___ No___
- Fiber rack or conduit for collocator riser cable Yes___ No___
- Collocator to collocator direct interconnection **(Note 2)**
  - Cable rack Yes___ No___
  - Fiber rack Yes___ No___
  - Fiber duct Yes___ No___

Non-Billable BST Provided Cable Support Construction Requirements

- Cable or fiber rack, or fiber duct construction within BST equipment space required to support this application Yes___ No___

Note 1: First choice is to run power cable on a dedicated ladder type rack. Where a dedicated rack is not feasible power cable may be run on the same rack with switchboard cable if physical segregation is maintained (TR73503 Sec. 6).

Note 2: If requested BST must provide cable support structure for direct collocator to collocator copper and/or fiber interconnection facilities if existing support structure does not exist. Support structure for interconnection facilities between two contiguous collocators will be the responsibility of the collocators.

Billable Extraordinary Requirements

- BST equipment to be relocated from proposed collocation area Yes___ No___

Note: CSCM staff should be consulted before including any other costs in this category.

Note: Evaluate the attached BSTEI-1-P and **provide a response to the INAC** (see cover fax for INAC name and fax number) with the information shown in your section of this tracking document. Evaluate and respond within 15 days of receipt!

Private/Proprietary: Not for use or disclosure outside BellSouth except by written agreement.
Copyright 1997 BELLSOUTH. All rights reserved.

Reference Number _____

BELLSOUTH

EXPANDED INTERCONNECTION INQUIRY TRACKING FORM
Draft

Customer Name _____ Inquiry Date _____
BST Assigned CLLI is assigned at firm order. Issue Number _____

Continued from Page 11. **CSCM**

Estimated Cable Lengths - Tie Cables between Collocator and BST Network Elements

These estimates are not to be considered engineered lengths to be ordered for equipment installation. Detailed engineered lengths are the responsibility of the BellSouth and Collocator's E&I vendor.

BST Termination	Length - POT to BST	Length - POT to EIS *	Total Length
DS0 DF **			
DSX - 1			
DSX - 3			
LGX (fibers)			

* Estimate length to reach most distant equipment rack position within enclosure.
** If POT will be cabled to TMDF include the approximate average length of TMDF to MDF tie cables.

Recommended DF for termination of DS0 tie cables from POT _____

Will collocator access to POT test ports require escort? Yes _____ No _____

Riser Cables

Number of riser cables _____

1. Estimated riser cable length _____ feet
2. Estimated riser cable length _____ feet

(If the office is equipped with an Outside Cable Entrance Facility (OCEF), OSP should be contacted to determine if the collocator riser cable to entrance cable splice should be in vault or the OCEF)

Cable distance for direct interconnection of two collocation arrangements

Interconnection arrangement no._____ distance_____ feet
Interconnection arrangement no._____ distance_____ feet

BellSouth defines ordinary conditions as those where space is available and only minor changes are required to the network or building infrastructure.

BellSouth defines extraordinary conditions as those involving the following non-exclusive situations: power plant addition or upgrade; building addition; major mechanical addition or upgrade; major upgrade for ADA compliance; mainframe addition; extensive environmental abatement; or multiple applications (more than 4) from one customer for the same state..

Conditions that apply for this collocation arrangement are _____ Ordinary _____ Extraordinary

If extraordinary, state conditions that make it extraordinary _____

Note: Evaluate the attached BSTEI-1-P and **provide a response to the INAC** (see cover fax for INAC name and fax number) with the information shown in your section of this tracking document. Evaluate and respond within 15 days of receipt!

Private/Proprietary: Not for use or disclosure outside BellSouth except by written agreement.
Copyright 1997 BELLSOUTH. All rights reserved.

Reference Number _____

BELLSOUTH

EXPANDED INTERCONNECTION INQUIRY TRACKING FORM
Draft

Customer Name _____ Inquiry Date _____
BST Assigned CLLI is assigned at firm order. Issue Number _____

CIRCUIT CAPACITY MANAGEMENT - CCM

Date Inquiry received by CCM _____ Date response forwarded to INAC _____

Date inquiry revision received, if applicable _____ Date response forwarded to INAC _____

Inquiry Review

Each work group must review the inquiry and advise the INAC: A) all information needed from the customer to proceed with the project evaluation is included on the BSTEI-1-P or B) information is incomplete and evaluation cannot proceed without additional information or clarification. If B, provide the INAC with an explanation of the additional information required.

Estimated CCM additional engineering time _____ Hours

Estimated CCM additional engineering time to process an inquiry revision _____ Hours

(See CCM Collocation M&P for details on estimating of additional engineering hours.)

CCM name and contact number _____

Does this request require additional Dist. Frame/DSX/LGX/POT capacity be added via an eqp't job?
Yes _____ No _____

Does this request require additional cable rack and/or fiber duct to be added via an eqp't job?
Yes_____ No_____

Planned use of new cable support structure: (see following discussion on space prep costs)

Interconnect this collocator only_____ Interconnect this and future collocators_____

Is this arrangement subject to prorated costs of previously installed cable support structure?

Yes_____ No_____

Estimated Project Intervals Intervals expressed in calendar days from receipt of firm order

Distribution Frame/DSX/LGX/POT _____

(A separate TEO may be placed for the billable cable support structure work to facilitate cost tracking and reporting.)

Cable rack and/or fiber duct _____
Identify dependencies, such as enclosure construction, which must be completed before cable rack, POT, etc. can begin. _____

Note: Evaluate the attached BSTEI-1-P and **provide a response to the INAC** (see cover fax for INAC name and fax number) with the information shown in your section of this tracking document. Evaluate and respond within 15 days of receipt!

Private/Proprietary: Not for use or disclosure outside BellSouth except by written agreement.
Copyright 1997 BELLSOUTH. All rights reserved.

Reference Number _____

BELLSOUTH

EXPANDED INTERCONNECTION
INQUIRY TRACKING FORM
Draft

Customer Name _____ Inquiry Date _____
BST Assigned CLLI is assigned at firm order. Issue Number _____

Continued from page 13. **CIRCUIT CAPACITY MANAGEMENT - CCM**

Estimated Cable Support Structure Space Preparation Cost

If space is constructed to serve multiple collocators, the cost of the cable support structure installed to serve the total area should be prorated to the initial and future collocators. 100% of the cost of cable support structure extensions required to serve subsequent collocators moving into multi-collocator space should be borne by the collocator triggering the extension.

If space is constructed to serve a single collocator 100% of the cost of the cable support structure installed to interconnect the collocation space should be borne by the collocator.

Note: any modification or rearrangement expense incurred to construct the cable support structure should be included in the cable support structure charges.

The following formula is recommended for use in computing the cable support structure costs per sq. ft. of collocation space serving multiple collocators. This cost should then be adjusted by a factor of 0.3 (see formula below) and multiplied by the amount of space occupied by the individual collocators to compute the prorated charge. This formula should be used to recover costs from future collocators **until** 100% of the cable support construction costs are recovered. Floor space information should be obtained from CSCM.

PRORATED COST = (TOT COST/COM AREA) X 1.3 X COL SPACE
Where:

TOT COST	=	Total actual in-place cost of cable support structure construction
COM AREA	=	Total collocation area (sq. ft.) including collocation space, common POT area, access hallways, etc.
COL SPACE	=	Total area (sq. ft.) occupied by a collocation enclosure or non-enclosed collocation equipment.
1.3	=	Adjustment factor to offset space lost to hallways, POT area and other space unassignable to a collocator

Estimated Cable Support Structure Charges for this Arrangement:

New construction

Dedicated: TOT COST _____ X 100% = $_____

or **or**

Prorated: TOT COST _____ / COM AREA _____ X 1.3 X COL SPACE _____ = $_____

Note: Evaluate the attached BSTEI-1-P and **provide a response to the INAC** (see cover fax for INAC name and fax number) with the information shown in your section of this tracking document. Evaluate and respond within 15 days of receipt!

Private/Proprietary: Not for use or disclosure outside BellSouth except by written agreement.
Copyright 1997 BELLSOUTH. All rights reserved.

Reference Number _____

BELLSOUTH

EXPANDED INTERCONNECTION INQUIRY TRACKING FORM
Draft

Customer Name _____ Inquiry Date _____
BST Assigned CLLI is assigned at firm order. Issue Number _____

Continued from page 14. **CIRCUIT CAPACITY MANAGEMENT - CCM**

Previous construction

TOT COST _____
---------- X 1.3 X COL SPACE _____ = $_____
COM AREA _____

Space Preparation Fee: Total Estimated Cable Support Structure Charges $_____

Billable Extraordinary Requirements (BST equipment relocation)

New

Dedicated: TOT COST _____ X 100% = $_____

or **or**

Prorated: TOT COST _____
---------- X 1.3 X COL SPACE _____ = $_____
COM AREA _____

Previous

TOT COST _____
---------- X 1.3 X COL SPACE _____ = $_____
COM AREA _____

Space Preparation Fee: Total Estimated Extraordinary Charges $_____

CCM Cost Estimate Summary

Cable Support Structure, new construction $ _____

Cable Support Structure, proration from previous construction + _____

Total Cable Support Structure: Space Preparation fee = _____

Extraordinary Charges, new construction $ _____

Extraordinary Charges, previous construction + _____

Total extraordinary charges: Space Preparation fee = _____

Cable Support Structure + Extraordinary = Total Space Preparation Fee $ _____

Note: Evaluate the attached BSTEI-1-P and **provide a response to the INAC** (see cover fax for INAC name and fax number) with the information shown in your section of this tracking document. Evaluate and respond within 15 days of receipt!

Private/Proprietary: Not for use or disclosure outside BellSouth except by written agreement.
Copyright 1997 BELLSOUTH. All rights reserved.

Reference Number _____

BELLSOUTH

EXPANDED INTERCONNECTION
INQUIRY TRACKING FORM
Draft

Customer Name _____ Inquiry Date _____
BST Assigned CLLI is assigned at firm order. Issue Number _____

Continued from page 15. **CIRCUIT CAPACITY MANAGEMENT - CCM**

CCM contact for cost data: Name _____ Phone _____

Identify dependencies, such as enclosure construction, which may affect the construction schedule for

CCM work: _____

_____

BellSouth defines ordinary conditions as those where space is available and only minor changes are required to the network or building infrastructure.

BellSouth defines extraordinary conditions as those involving the following non-exclusive situations: power plant addition or upgrade; building addition; major mechanical addition or upgrade; major upgrade for ADA compliance; mainframe addition; extensive environmental abatement; or multiple applications (more than 4) from one customer for the same state..

Conditions that apply for this collocation arrangement are _____ Ordinary _____ Extraordinary

If extraordinary, state conditions that make it extraordinary _____

_____

Remarks: _____

_____

Note: Evaluate the attached BSTEI-1-P and **provide a response to the INAC** (see cover fax for INAC name and fax number) with the information shown in your section of this tracking document. Evaluate and respond within 15 days of receipt!

Private/Proprietary: Not for use or disclosure outside BellSouth except by written agreement.
Copyright 1997 BELLSOUTH. All rights reserved.

Reference Number _____

BELLSOUTH

EXPANDED INTERCONNECTION INQUIRY TRACKING FORM
Draft

Customer Name _____ Inquiry Date _____
BST Assigned CLLI is assigned at firm order. Issue Number _____

LUCENT POWER PLANNER

Date Inquiry received by Lucent _____ Date response forwarded to BST PCM _____

Date inquiry revision received, if applicable _____ Date response forwarded to BST PCM _____

Lucent name and contact number _____

Does this request require additional -48V batteries and/or rectifier(s)? Yes _____ No _____
(If yes, please notify the BST PCM of this requirement as soon as possible)

Power capacity to be provided by:

Addition to existing power plant (batteries, rectifiers, pwr board): Yes_____ No_____

New Power Plant: Yes_____ No_____

A & B feeder pairs to collocator provided BDFB: Yes_____ Qty_____ No_____

New BDFB or new BDFB Fuse Positions: Yes_____ No_____

New power cable rack Yes_____ No_____

BDFB fuse positions provided/available for collocator use:
(Qty reflects redundant A & B fuse positions):

Existing_____ New_____ Requested Fuse Size_____ Qty_____
Existing_____ New_____ Requested Fuse Size_____ Qty_____
Existing_____ New_____ Requested Fuse Size_____ Qty_____

Brief description of recommended power plant construction to serve collocation request:_____

_____

_____

_____

_____

Estimated EF&I interval to complete power plant construction requirements: _____
(calendar days from receipt of BST order to project completion)

Estimated installation (construction) interval _____

Estimated EF&I cost: $ _____

Note: Evaluate the attached BSTEI-1-P and **provide a response to the INAC** (see cover fax for INAC name and fax number) with the information shown in your section of this tracking document. Evaluate and respond within 15 days of receipt!

Private/Proprietary: Not for use or disclosure outside BellSouth except by written agreement.
Copyright 1997 BELLSOUTH. All rights reserved.

Reference Number _____

BELLSOUTH

EXPANDED INTERCONNECTION INQUIRY TRACKING FORM
Draft

Customer Name _____ Inquiry Date _____
BST Assigned CLLI is assigned at firm order. Issue Number _____

POWER CAPACITY MANAGER - PCM

Date inquiry received by PCM _____ Date feedback received from Lucent Planner _____

Date inquiry revision received, if applicable _____ Date feedback received from Lucent Planner _____

Date response forwarded to INAC_____ PCM name and contact number _____

Inquiry Review

Each work group must review the inquiry and advise the INAC: A) all information needed from the customer to proceed with the project evaluation is included on the BSTEI-1-P or B) information is incomplete and evaluation cannot proceed without additional information or clarification. If B, provide the INAC with an explanation of the additional information required.

Estimated PCM additional engineering time _____ Hours

Estimated PCM additional engineering time to process an inquiry revision _____ Hours

(Additional engineering time may include time spent in meetings with the collocator and/or collocator's vendor addressing power issues related to the collocator's equipment. Application review time is recovered through an application fee and should not be included here. However, if the collocator submits an inquiry revision, the cost of the time spent processing the inquiry revision can be recovered via additional engineering. All time directly associated with the installation of new BST power plant construction should be charged to the power project and not included here.)

Does this request require additional AC standby generator capacity? Yes_____ No_____

Estimated total in-place cost of standby generator construction: $_____

Proration of estimated standby generator construction costs billable to collocator: $_____

Does this request require additional -48V batteries and/or rectifier(s)? Yes_____ No_____
(If yes, please notify the INAC of this requirement as soon as possible)

Note: Evaluate the attached BSTEI-1-P and **provide a response to the INAC** (see cover fax for INAC name and fax number) with the information shown in your section of this tracking document. Evaluate and respond within 15 days of receipt!

Private/Proprietary: Not for use or disclosure outside BellSouth except by written agreement.
Copyright 1997 BELLSOUTH. All rights reserved.

Reference Number _____

BELLSOUTH

EXPANDED INTERCONNECTION INQUIRY TRACKING FORM
Draft

Customer Name _____ Inquiry Date _____
BST Assigned CLLI is assigned at firm order. Issue Number _____

continued from page 18. **POWER CAPACITY MANAGER - PCM**

Power capacity to be provided by:

Existing Capacity		Yes_____	No_____
Addition to existing power plant		Yes_____	No_____
New Power Plant		Yes_____	No_____
A & B feeder pairs to collocator provided BDFB:	Yes_____	Qty_____	No_____
New BDFB or BDFB Fuse Positions:		Yes_____	No_____
New power cable rack		Yes_____	No_____

BDFB fuse positions for collocator use:
(Qty reflects redundant A & B fuse positions):

Existing_____ New_____ Requested Fuse Size_____ Qty_____
Existing_____ New_____ Requested Fuse Size_____ Qty_____
Existing_____ New_____ Requested Fuse Size_____ Qty_____

Brief description of power plant construction to serve collocation request:_____

_____

_____

_____

Estimated BST interval (calendar days) to complete -48V DC power plant const. reqmts: _____

Estimated BST interval (calendar days) to complete standby power construction: _____
(interval should be from receipt of collocation firm order to project completion)

Estimated interval from work start until all power projects complete _____ calendar days

Identify dependencies, such as collocation enclosure construction, AC breaker additions, power room construction, etc. which may affect the project schedule for required power work:

_____

_____

_____

Note: Evaluate the attached BSTEI-1-P and **provide a response to the INAC** (see cover fax for INAC name and fax number) with the information shown in your section of this tracking document. Evaluate and respond within 15 days of receipt!

Private/Proprietary: Not for use or disclosure outside BellSouth except by written agreement.
Copyright 1997 BELLSOUTH. All rights reserved.

Reference Number _____

BELLSOUTH

EXPANDED INTERCONNECTION INQUIRY TRACKING FORM
Draft

Customer Name _____ Inquiry Date _____
BST Assigned CLLI is assigned at firm order. Issue Number _____

continued from page 19. **POWER CAPACITY MANAGER - PCM**

Estimated power plant construction charges:

Proration of standby generator construction (from page 13):			$_____
A & B feeder pairs from power board to collocator provided BDFB:		Qty____	$_____
BST provided BDFB fuse positions:	Fuse Size_____	Qty____	$_____
	Fuse Size_____	Qty____	$_____
	Fuse Size_____	Qty____	$_____
Other (describe)_____			$_____

Total estimated standby engine and power plant construction charges: $_____

PCM contact for cost data: Name _____ Phone _____

BellSouth defines ordinary conditions as those where space is available and only minor changes are required to the network or building infrastructure.

BellSouth defines extraordinary conditions as those involving the following non-exclusive situations: power plant addition or upgrade; building addition; major mechanical addition or upgrade; major upgrade for ADA compliance; mainframe addition; extensive environmental abatement; or multiple applications (more than 4) from one customer for the same state..

Conditions that apply for this collocation arrangement are _____ Ordinary _____ Extraordinary

If extraordinary, state conditions that make it extraordinary _____

_____

Other Remarks _____

_____

_____

_____

Note: Evaluate the attached BSTEI-1-P and **provide a response to the INAC** (see cover fax for INAC name and fax number) with the information shown in your section of this tracking document. Evaluate and respond within 15 days of receipt!

Private/Proprietary: Not for use or disclosure outside BellSouth except by written agreement.
Copyright 1997 BELLSOUTH. All rights reserved.

Reference Number _____

BELLSOUTH

EXPANDED INTERCONNECTION INQUIRY TRACKING FORM
Draft

Customer Name _____ Inquiry Date _____
BST Assigned CLLI is assigned at firm order. Issue Number _____

OUTSIDE PLANT ENGINEERING

Note: Service Interconnection will not require the addition of customer provided fiber.

Date inquiry received by OSPE _____ Date response forwarded to INAC _____

Date inquiry revision received, if applicable _____ Date response forwarded to INAC _____

Inquiry Review

Each work group must review the inquiry and advise the INAC: A) all information needed from the customer to proceed with the project evaluation is included on the BSTEI-1-P or B) information is incomplete and evaluation cannot proceed without additional information or clarification. If B, provide the INAC with an explanation of the additional information required.

Estimated additional OSPE engineering time to process an inquiry revision _____ Hours

Time required to respond to this application is recovered through the application fee and should not be included as additional engineering. However, if the collocator submits an inquiry revision, the cost of the time spent processing the inquiry revision can be recovered via additional engineering.

OSPE name and contact number _____

Fiber entrance facility

Are multiple entrances available at this location? Yes _____ No _____

Manhole Number	Address	Distance from Manhole to Vault Splice in feet

OSPE contact for customer to contact to gain access to the manhole

Name_____ Phone_____

Note: Evaluate the attached BSTEI-1-P and **provide a response to the INAC** (see cover fax for INAC name and fax number) with the information shown in your section of this tracking document. Evaluate and respond within 15 days of receipt!

Private/Proprietary: Not for use or disclosure outside BellSouth except by written agreement.
Copyright 1997 BELLSOUTH. All rights reserved.

Reference Number _____

BELLSOUTH

EXPANDED INTERCONNECTION INQUIRY TRACKING FORM

Draft

Customer Name _____ Inquiry Date _____

BST Assigned CLLI is assigned at firm order. Issue Number _____

continued from page 21. **OUTSIDE PLANT ENGINEERING**

Are entrance facilities (i. e., conduit, manhole knockouts, innerduct) available? Yes _____ No _____

If facilities are not available, est. construction interval to provide facilities _____ work days

Estimated interval to complete cable installation _____ work days

Master Contractor information Name _____

Address & Phone # _____

Designated PCS (Plant Construction Supervisor) assigned for Master Contractor

Name _____

Address & Phone # _____

Remarks _____

_____

_____

Note: Evaluate the attached BSTEI-1-P and **provide a response to the INAC** (see cover fax for INAC name and fax number) with the information shown in your section of this tracking document. Evaluate and respond within 15 days of receipt!

Private/Proprietary: Not for use or disclosure outside BellSouth except by written agreement.
Copyright 1997 BELLSOUTH. All rights reserved.

Reference Number _____

BELLSOUTH

EXPANDED INTERCONNECTION INQUIRY TRACKING FORM
Draft

Customer Name _____ Inquiry Date _____
BST Assigned CLLI is assigned at firm order. Issue Number _____

CENTRAL OFFICE OPERATIONS

Date inquiry received by Central Office Operations _____

Date response forwarded to INAC _____

Date inquiry revision received, if applicable _____ Date response forwarded to INAC _____

Estimated additional engineering time _____ Hours

(CO Operations should estimate the numbers of hours that they will be working with the collocator and the certified vendor for the installation of the collocator's equipment.)

Estimated additional engineering time to process an inquiry revision _____ Hours

Time required to respond to this application is recovered through the application fee and should not be included as additional engineering. However, if the collocator submits an inquiry revision, the cost of the time spent processing the inquiry revision can be recovered via additional engineering.

Central office manager or representative (Provide name and number of Network Operations contact at this EIS location.)

Name _____ Number _____

Central office manager or representative (Provide name and number of Network Operations contact that will handle space acceptance meeting and collocator keys and/or access cards.)

Name _____ Number _____

Remarks _____

_____

_____

Note: Evaluate the attached BSTEI-1-P and **provide a response to the INAC** (see cover fax for INAC name and fax number) with the information shown in your section of this tracking document. Evaluate and respond within 15 days of receipt!

Private/Proprietary: Not for use or disclosure outside BellSouth except by written agreement.
Copyright 1997 BELLSOUTH. All rights reserved.

CONFIDENTIAL

FLORIDA PUBLIC SERVICE COMMISSION
DOCKET NO. 980800-TI EXHIBIT NO. 12
COMPANY/ WITNESS: Staff
DATE: 10-21-98

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition for Emergency Relief of Supra Telecommunications and Information Systems, Inc., against BellSouth Telecommunications, Inc.	DOCKET NO. 980800-TP

DEPOSITION OF:	OLUKAYODE A. RAMOS
TAKEN AT THE INSTANCE OF:	BELLSOUTH TELECOMMUNICATIONS
PLACE:	GERALD L. GUNTER BUILDING ROOM 362 2540 SHUMARD OAK BOULEVARD TALLAHASSEE, FLORIDA
TIME:	COMMENCED AT 3:50 P.M. CONCLUDED AT 5:40 P.M.
DATE	TUESDAY, OCTOBER 13, 1998
REPORTED BY:	CATHY H. WEBSTER, RPR Registered Professional Reporter C & N REPORTERS POST OFFICE BOX 3093 TALLAHASSEE, FLORIDA

C & N REPORTERS
REGISTERED PROFESSIONAL REPORTERS
POST OFFICE BOX 3093
TALLAHASSEE, FLORIDA 32315-3093
850-926-2020

FLORIDA PUBLIC SERVICE COMMISSION
DOCKET NO. 980800-TP EXHIBIT NO 13
COMPANY/
WITNESS: Ramos/Staff
DATE: 10-21-98

APPEARANCES:

NANCY B. WHITE, appearing on behalf of BELLSOUTH TELECOMMUNICATIONS, INC., 150 South Monroe Street, Suite 400, Tallahassee, Florida 32301.

BETH KEATING, appearing on behalf of COMMISSION STAFF, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.

SUZANNE FANNON SUMMERLIN, appearing on behalf of SUPRA TELECOM & INFORMATION SYSTEMS, INC., 1311 Paul Russell Road, Suite 201, Tallahassee, Florida 32301; and

MARK E. BUECHELE, appearing on behalf of SUPRA TELECOM & INFORMATION SYSTEMS, INC., Post Office Box 398555, Miami Beach, Florida 33239-8555.

ALSO PRESENT:

Calvin Favors, FPSC Staff

Wayne Stavanja, FPSC Staff

Stan Greer, BellSouth

A.W. "Wayne" Tubaugh, BellSouth

Mark Graham, Supra

David Nilson, Supra

Angel Leiro, Supra

* * * *

I N D E X

	PAGE NO.
STIPULATIONS	4
ERRATA SHEET	81
CERTIFICATE OF OATH	80
CERTIFICATE OF DEPONENT	79
CERTIFICATE OF REPORTER	82

WITNESS

OLYKAYODE A. RAMOS

Examination by Ms. White	5
Examination by Ms. Keating	74
Examination by Ms. Summerlin	76

EXHIBITS

NUMBER	IDENTIFIED

No exhibits marked or identified

STIPULATION

IT IS STIPULATED that this deposition was taken pursuant to notice in accordance with the applicable Florida Rules of Civil Procedure; that objections, except as to the form of the question, are reserved until hearing in this cause; and that reading and signing was not waived.

IT IS ALSO STIPULATED that any off-the-record conversations are with the consent of the deponent.

D E P O S I T I O N

THEREUPON,

OLUKAYODE A. RAMOS

having been sworn, was examined and testified as follows:

MS. WHITE: Take appearances.

MS. SUMMERLIN: Suzanne Summerlin representing Supra Telecommunications and Information Systems.

MS. WHITE: Nancy White for BellSouth Telecommunications.

MS. KEATING: Beth Keating, Commission Staff.

(All counsel agreed to usual stipulations in this deposition.)

EXAMINATION

BY MS. WHITE:

Q Mr. Ramos, would you please state your full name and address for the record?

A My full name and address is Olukayode A. Ramos. My business address is 2620 Southwest 27th Avenue, Supra Telecommunications.

Q And that's in Miami?

A That's Miami, Florida, 33133.

Q And you are Chairman and CEO of Supra?

A That's correct, ma'am.

Q How many employees work for Supra?

A Total overall?

Q Total overall.

A About 76 employees.

Q Seventy-six. How many managers are under your direct supervision?

A It depends on at what point. As of the last two weeks, maybe about between twelve and fourteen managers under my direct supervision.

Q What about -- I mean, has it changed to this week?

A Yes, it has changed this week because we have a President and COO appointed yesterday or Monday.

Q Okay. President and Chief Operating Officer?

A Yes.

Q And who was that?

A Mr. Lou Bender.

Q Can you spell that for me?

A Lou, L-o-u-i-s, Bender, B-e-n-d-e-r.

Q Okay. And has he started work yet for Supra?

A He started yesterday, Monday the 12th.

Q Okay. And can you tell me where did he come from? What was his background?

A President -- Former president of the Americas Racal Datacom (phonetic).

Q And so would he be second in command at Supra to you?

A That's correct.

Q And the -- Of the 12 to 14 managers, how many of those are responsible or have collocation as their responsibility?

A As their direct function?

Q Yes.

A Three of those.

Q And what about as their indirect function?

A As indirect function, maybe another three people, three individuals.

Q And that's of the managers; right?

A That's correct.

Q And who are the three that have a direct function with collocation?

A Dave Nilson, Mike Graham, and John Reinke.

Q What is Mr. Nilson's function with regard to collocation?

A He's the one that, you know, completed all the information forms, you know, the data license with Nancy Nelson, all this kind of things, you know, the day-to-day management of the collocation.

Q What's his title?

A He's Vice President, Systems Designs and Interconnection.

Q And what is Mr. Graham's direct function with

regard to collocation?

A He has a dual role in that arena. One is in the equipment, because he's Vice President, Voice Mail Engineering. So our voice mail equipment also are going into the collocation space. That's why, you know, he is also directly involved. And then also he does some liaison on collocation.

Q He does some "what" on collocation?

A Liaison.

Q Oh, liaison?

A Liaison.

Q I'm sorry. Different pronunciation.

A I know, I know.

THE REPORTER: Help me.

BY MS. WHITE (Continuing):

Q And his title is Vice President of Voice Mail Engineering?

A That's correct.

Q And then what is Mr. Reinke's direct function with regard to collocation?

A Also it has to do with equipment, you know, because Mr. Reinke is also responsible for our switching equipment. And he coordinates also with Mr. Nilson about the liaison of the collocation space because this equipment is going there as well.

Q And what is Mr. Reinke's title?

A Mr. Reinke's title is Vice President of Engineering.

Q Who are the three managers that have an indirect function with collocation?

A Mr. Bob Harris, who is the Vice President of Training and Customer Operations.

Q And what are his duties with regard to collocation?

A Well, his only direct function has to do, you know, with various discussions we have in the office about the strategy for collocation and things like that.

Q And who are the other two managers that have indirect function?

A Mr. Dakore Miriki, Dakore Miriki; he's also; responsible. And as well as Mr. Martin Bonacia, who is in charge of our MIS.

Q Okay. Mr. Miriki, what's his title?

A He's Billing and Ordering Manager.

Q Okay. And, I'm sorry, the last gentleman you mentioned?

A Martin Bonacia, Bonacia; he's EVP in charge of MIS.

Q MIS?

A MIS, Management Information Systems.

Q Out of the 76 employees that work for Supra, how many of those employees have direct responsibility for collocation-related matters?

A I will say probably about ten.

Q And what do those people do with respect to collocation?

A Various things, you know, doing research work on, you know, on collocation rules of the FCC, the Public Service Commission pertaining to what we're supposed to be doing in the collocation arena; also, you know, getting our situation together about how we're going to collocate our equipment.

Q And there are about ten employees that do that?

A Yeah. And I also actively participate in that as well.

Q And those ten employees, can you tell me who do they report to? Who is their supervisor?

A I am partly responsible for some of that, like I said before, but now since Mr. Lou Bender has come in, he's going to be directly responsible for all of them. Mr. Nilson has, you know, direct responsibility for some of them as well as Mr. Bonacia.

Q So some of them reported to you until Mr. Bender began?

A That's correct. That's correct.

Q I would like you to turn to the Exhibit OSR-8 to your direct testimony.

A Then also maybe, ma'am, I should just make a few corrections there, one or two corrections. One, on that OAR-8, you have "Flotida," whatever, you know. I think the spelling is wrong. It's supposed to be "Florida," up there.

And then under "Notes:" you have No. 2; you know, please insert an "e" after the "s," you know, to make it "Reserved."

Q Okay. Are those all the changes you have to that?

A That's correct.

Q All right. What is the purpose of Exhibit OAR-8?

A Well, the purpose, as I stated in my testimony -- Where is it? Where did I refer to it in my direct testimony?

Q Page 7 of your direct.

A Okay.

Q Top of the page.

A Now the purpose of that is to show, you know, clearly what kind of percentages have been utilized in those offices and, you know, what percentages have been kept by BellSouth for its future use. Because the numbers that are pinked, you know, are basically from BellSouth's,

you know, figures that were given to us.

If you look at OAR-4, OAR-4 specifically details -- It's a direct response, you know, from BellSouth of the total square footage or footage in those central office -- offices, rather.

And then OAR-5 is also another direct response from BellSouth on the amount of space that BellSouth has occupied in those offices.

So the balance, which is, you know, the 3,197 for West Palm Beach Gardens and the 4,035 for the North Dade Golden Glades represent, you know, what BellSouth has, you know, kept for its own future use in these offices.

Q And what point are you trying to make with this exhibit?

A The point I'm trying to make here is if you add the OAR-5, plus OAR-6, which is the total number of square footage reserved for future use by BellSouth, that will give you the total space, you know, used by BellSouth in those offices, you know.

And one is just trying to point out here specifically in a very concise manner, taking all the documents together, because it's important to do that, taking all the documents together so that anybody can be able to have a clear view of those three piece of information all on one paper.

Q Well, what does the fact that BellSouth is, according to your OAR-8, the last column on the right, what does the fact that BellSouth is using 18,000 square feet in the West Palm Beach Gardens say to you? What are you trying to use this to show?

A Because basically what it tells me is just the question of put in, like I say, put in a very clear and concise manner, everything, all the piece of information contained in four different pieces of paper on one sheet of paper.

Q So that's the only point you're trying to make with this?

A That's not the only point. At least for anybody to be able to look at it and see it clearly, you know, the trend of things, you know, what sort of space available in those offices occupied by BellSouth, the total figure reserved for future use and total space used by BellSouth.

Q So you're just trying to show that fact?

A That's correct.

Q Now on page 7 of your direct testimony, lines 6 and 7, I got a little confused when I read your testimony and Mr. Graham's and Mr. Nilson's because you say on this page at that line that all Supra is requesting is a mere 200 square feet in each of these two central offices; do you see that?

A That's correct, ma'am.

Q But I see -- And I can't remember at this time whether it's Mr. Graham or Mr. Nilson's testimony -- that one of them said you're not just asking for 200 square feet in each central office, you're also asking to reserve an additional 200 square feet in each office.

A That's not true.

Q That's not true?

A That's correct, ma'am. Because in all the -- I believe strongly that all our testimonies are very consistent about the square footage, you know, that we require.

Q Okay.

A Yes, ma'am.

Q So if I told you that that statement was in Mr. Graham's or Mr. Nilson's testimony, you would say that's not true?

A That's correct, ma'am.

Q All right. Well, then on page 10 of Mr. Nilson's direct testimony.

A Yes, ma'am.

Q Lines 6 through 8.

A Okay.

Q He specifically states "Supra needs the Commission to grant an additional 200 square feet on top of

the initial request for the proper implementation of our business plan."

A Okay.

Q So is he wrong? You're just looking for 200 square feet in each office?

A That's correct. But let -- Can we read it before --

Q Sure.

A Can we read the preceding, you know --

Q Sure.

A I think -- Let's start from here. Let's start from page 9, please. Let's go to page 9. You have a better voice -- I mean, you have a better way of reading this than me. Can you please read starting on line 21, please?

Q Well, I mean, the question is what obligation does BellSouth have in collocation agreement to make space available in these two central offices to permit physical collocation by Supra.

And Mr. Nilson says that there is sufficient space and that the other issue the Commission needs to deliberate upon is sharing the space reserved for BellSouth's future use between BellSouth and Supra, that Supra will have far more growth, and then he ends with saying Supra wants the Commission to grant an additional

200 square feet.

So my question to you is does Supra want 200 square feet at each one of these offices or does it want 400 square feet at each one of these offices?

A Okay. And I'll answer that question now, since, you know, we've gotten, you know, exactly where, because I remember very well discussion on this strategy.

The point is that, first, we need 200 square feet. That's what we need, but what he wanted us to state here -- He also is going to maybe give further clarification on that. But what he wanted us to say here is that if the Commission is going to allow BellSouth to reserve space for its own future use in those offices, that Supra also wants a right to reserve space in those offices.

Q Okay. So are you asking the Commission -- Is Supra asking the Commission in this case for 200 square feet in each central office or 400 square feet in each central office?

A Two hundred square feet in each central office. And then if the Commission is going to allow BellSouth to reserve space for its own future use, after giving us 200 square feet, which Supra would also like the Commission to give us additional 200 square feet for our own future use.

Q So if I wanted to ask about, some questions about that paragraph concerning the growth that Supra is

forecasting, should I ask Mr. Nilson about that?

A That's correct, ma'am.

Q Now I'm also confused in here because on page 8 of your direct testimony, lines 11, 12, 13, 14, 15, it appears that you're contesting the prices that you have to pay for collocation -- for collocation. And my question is are you?

A Whether -- Can you come again, please?

Q Yes. Are you contesting in this proceeding the prices that Supra has to pay for collocation?

A In this -- If you're asking whether, you know, we're directly contesting in this proceeding whether the prices or some of the prices, whether we are directly contesting that, the answer will be no because it is not part of the issues, you know, that have been identified in this proceeding at this point in time.

Q Okay. And so where you say on line 17 through 19 of that page that ALECs must pay a fee of $3,800 to find out how much BellSouth will charge them to collocate, you're not contesting that fee of $3,800 at this time?

A Yeah.

Q Now you also state on that page, lines 22 through 24, that quite a number of ALECs have decided to stay away from any type of collocation arrangement because the process is so daunting.

Can you tell me what the basis for that statement is?

A Well, I have spoken to quite a number of ALECs in this industry and also my meetings with BellSouth officials in Birmingham, both with Mr. Marcus Cathey -- not both -- spoke to several BellSouth officials, you know, including Mr. Marcus Cathey, Nancy Nelson, and the rest of them.

And part of the issues that have always been brought up is, you know, why is Supra, you know, pursuing this collocation in this manner because most of the other ALECs are not even really worried about collocation this much.

And I have always explained to them that we believe that the economies of scale that the Bell operating companies have at this point in time according to the Act must be shared by the new entrants as well. And that's why we're pursuing this matter this way.

And they informed me that, you know, quite a number of companies, you know, have been told that, you know, they cannot collocate in those offices and they've gone away, that why are you still pursuing this issue.

And we speak to them that we just can't simply -- We cannot go away. We want to compete with BellSouth if given the opportunity to compete with BellSouth.

Q Now by these offices that you made in your

statement, you mean the Golden Glades and Palm Beach Gardens?

A Yes, ma'am.

Q Now which ALECs have you talked to that say they have decided to stay away from collocation because the process is daunting?

A There are quite a number of them.

Q Can you list them for me, please?

A I cannot do that because, you know, some of the discussions are private, but I've spoken to quite a number of people in this industry.

MS. WHITE: Can I ask for those as a late-filed exhibit?

MS. SUMMERLIN: I think that I would question the relevance of that. Mr. Ramos has said that he has spoken to a number of ALECs, but him having to identify names of individual companies based on his private conversations is -- I can't imagine why that would be something that's relevant to this proceeding.

MS. WHITE: Well, then maybe this sentence needs to come out of the testimony.

MS. SUMMERLIN: Well, I don't -- I think that there is really no requirement or need for him to disclose that information.

MS. WHITE: Okay. Let me try it this way.

BY MS. WHITE (Continuing):

Q Mr. Ramos, part of the basis for your statement that a number of ALECs have decided to stay away from any type of collocation arrangement because the process is daunting is based on the fact that you have spoken personally with different ALECs; is that correct?

A That's correct.

Q And you refuse to give me the names of those people you spoke with and the names of their companies; correct?

A That's correct, because of the fact that some of the -- not just -- Some of the discussions are private and then, also, if you look at Docket, CC Docket No. 98-147, wire line, Deployment of Wire Line Services, Advanced Wire Line Services, that is current agreement of the FCC, the point there is that in that docket ALTS filed their comments or ALTS filed their comments and part of ALTS' comment, Focul, it's all -- It's all public record now, Focul filed their own comments as well. And part of ALTS' comments that they filed is the fact that they're going through a lot to collocate.

It's all there. It's all public record. And Supra also have filed its own comments, you know, in that docket. And this is a copy of our comments in that docket, 98-147.

Q Thank you. Is this a copy for me?

A Yes, ma'am.

MS. WHITE: Thank you. I'd also like to note for the record that I asked for a late-filed of the names of the people and the name of the ALECs, and that I have been refused that late-filed exhibit, even though I have offered to sign a protective agreement.

BY MS. WHITE (Continuing):

Q You also said that you had meetings with BellSouth officials in Birmingham. Was that about these offices or just collocation in general or what was that about?

A About those offices and collocation in general.

Q And that included Mr. Cathey?

A That's correct, ma'am.

Q Now on page 9 of your direct testimony, lines 2 through 4, you state that an ALEC seeking physical collocation is not permitted to participate in the issues BellSouth has set forth as required to be dealt with prior to granting physical collocation.

A Yes, ma'am.

Q What's the basis for that statement?

A Which line are you referring to, ma'am?

Q Lines 2 through 4.

A Okay. Let me see. Okay. Can I have the POD,

the file on the POD?

THE REPORTER: The file on what?

A The file on production of documents.

Thank you.

BY MS. WHITE (Continuing):

Q And I guess is the basis for your statement contained in a --

A Yes, ma'am.

Q Okay. -- contained in a production of document?

A Yes.

Q Let me try it this way, Mr. Ramos: Did you personally ask anybody at BellSouth if you could participate in any of the issues?

A That's correct.

Q And who told you you could not?

A Okay. Okay. I will answer that question. First of all, some times in November, October last year -- Thank you. Some times in October, November last year we had the meeting with BellSouth. I was there; John Reinke was there. And at that meeting Mr. Marcus Cathey was there with Nancy Nelson and quite a few other people. Gretchen Temple was there.

And at the meeting we discussed this issue of we doing the network infrastructure design ourselves, getting a contractor to do it, you know, how, you know, do we

reduce the time of collocation, you know, by actually having our own certified contractor to do the job. And were told pointblank by both Mr. Marcus Cathey and Ms. Nancy Nelson that you cannot do that; Supra does not have the right to do that, that BellSouth appoints the contractor that will do the job. It's not Supra.

And I asked them at that meeting do you have any specific areas of the law to cover this argument.

They said, yes, that's our policy; no CLEC or ALEC is allowed to construct his own network infrastructure, to do his own network infrastructure work.

Several times we've also asked them.

Now the interesting thing that is our point now, since this testimony has been filed, is that in Mr. Milner's rebuttal testimony there was a statement there which states that if Supra wants to go ahead, you know, and file for the certification of its own contractor, that BellSouth will allow that. That's a U-turn completely from what we've known in the past.

And since then we've approached BellSouth for certification of own contractor. They have given us the form, you know, that we're going to go through. So we just got the forms I think last week. Mr. Nilson got the forms, I think, and documentation of that last week. And we're just about in the process now getting our own contractor

certificated.

And you know that it is a contractor that applies for the building permits. It is also the contractor that did the collocation work.

So since we know that it is the contractor that applies for the building permits and does the collocation work, that is going to greatly reduce the time that is being spent on collocation and that means it becomes our own responsibility. This issue of we coordinate -- You know, we're asking BellSouth, sometimes it's three months or six months or nine months and so on. It's not going to be BellSouth's problem any more. It's going to be our own problem at that time if we get certificated. And then the contractor is then under our own control and supervision.

Q Well, that brings up an interesting question. It's your testimony that BellSouth is required to finish collocation jobs in three months; correct?

A That's correct, per the Public Service Commission in Florida.

Q All right. If BellSouth is required to finish collocation jobs in three months and Supra is hiring the contractor and getting the permit, then how can BellSouth be responsible for whether the job gets done in three months or not?

A That's what I'm saying Ms. White. What I've just

said nicely, if BellSouth allows Supra to appoint the contractor that will do this job, that will get the permits that will do this job, instead of Supra now coming to BellSouth to ask BellSouth, BellSouth, please give us collocation within three months; that entire process is no longer BellSouth's problem. It now becomes Supra's problem because the contractor would now be under the supervision of Supra. We will provide the contractor. We will determine what time frame the contractor is going to get the collocation job done, as opposed to what is the present situation now. That's what I've said.

Q All right. Then let me make sure I understand. In every collocation situation where Supra hires its own contractor, Supra will not hold BellSouth to the three-month requirement of the Florida Public Service Commission? Is that what you're saying?

A If Supra hires its own contractor?

Q Right.

A Oh, yeah.

Q Okay. So you're waiving the three-month requirement when you hire your own contractor?

A If you give us -- If you allow us the freehand for the contractor to operate.

Q Which office -- How many offices have you hired your own contractor for?

A None.

Q None?

A None. Because, you know, like I said, this issue of we being allowed to certify our own contractor was brought up in Mr. Milner's rebuttal testimony. And this is the first time that, you know, the issue has been addressed.

Before, when we asked for that consideration, we were told no, that you cannot do that.

Q Well, so is Supra going to go forward and try to hire its own contractor?

A First of all, even before we get to the state of hiring a contractor, the contractor has got to be certified by BellSouth. So right now we've just been given the forms last week. So we have to get the contractor certified by BellSouth first of all before we move to that stage.

Q Has Supra contacted BellSouth about assisting in the permitting process?

A Yes.

Q And what is BellSouth's reaction; do you know?

A BellSouth's reaction to that is that, yes, we will allow you to do that, but that is at the point that we file, that BellSouth files the permitting codes for the various municipalities.

That message was communicated to us by Mr. Mayes.

Up to the point I'm speaking here right now, none of the permitting codes or application numbers or whatever have been provided to Supra.

Q On page 9, line 9, you say that no competitive bidding is permitted and the ALEC cannot assume the responsibility of preparing the space. And is that what you're talking about that has changed?

A That's what I'm talking about, that it's about to change.

Q Preparing the space, what do you mean by preparing the space?

A The space, prepare -- It's the network infrastructure work.

Q Okay. What is the network infrastructure? Can you give me some examples of what makes up the network infrastructure?

A First of all, like I said, the first thing first is to get the permits by the contractor. Then the second level of the network infrastructure is to design the space the way it will be utilized by the collocator, by the ALEC.

Q Doesn't the contractor have to submit the plans to get the permit?

A Yeah, they do.

Q So the design has to come before you apply for the permit; right?

A The design of the space?

Q Right.

A Yes.

Q So the designs are done first, then you go get a permit; correct?

A That's correct.

Q Okay. And what space are you talking about designing? The space in which your equipment is going to be located?

A That's correct.

Q So I guess I'm confused because I thought you wanted cageless collocation.

A Yeah, we wanted cageless collocation, yes. And, you know, BellSouth has, you know, come up with various fees to us on the cageless collocation.

Q And we'll get to that, but my question is if you want cageless collocation, what space are you talking about having designed to build?

A Well, to build itself is not just a question -- According to the way BellSouth has described the network infrastructure work for us, that's why it's not being called a buildout or something like that. The way it's been described or from other documents I've read so far, it's a question of based on the ALEC's plan, the way you want to structure your equipment, you give it to

BellSouth, to Nancy Nelson. And based on that to get a contractor who is going to come in and, you know, fill out the racks or whatever necessary they have to do.

Q You were present at some of the depositions. Have you ever heard the phrase common area in connection with collocation?

A I was not present until Mr. Mayes, you know, this afternoon.

Q Well, will you accept -- subject to check, and, of course, you can check the depositions as they've been, and your attorney can keep me straight -- that the common area is the area where collocators are put that is separate from BellSouth's equipment? Is that a fair characterization? Would you accept that characterization subject to check?

A Yeah, sure.

Q Now when you're talking about preparing the -- And then the collocator, and I can draw you a little picture. I think this was drawn earlier. Okay. Say this is the central office, the big rectangle; one quarter of it is like this is the common area where all the collocators are, and then this would be like Supra's space in the one-quarter of the one-quarter (indicating).

A Okay.

Q When you talk about hiring a contractor to do the

network infrastructure, are you talking about the common area or Supra's space?

A Just Supra's space.

Q Within the common area?

A That's correct.

Q All right. You state still on page 9 that our approach is in violation of 47 Code of Federal Regulations, and you cite it there. And the last sentence says that approval by an incumbent LEC should be based on the same criteria it uses in approving contractors for its own purposes.

And I know you said that the policy has changed, but has BellSouth told Supra that they can pick their own contractor but it has to be based on the same criteria that BellSouth uses to pick its own contractors?

A It depends on what you mean by picking its own contractor. Let me explain what BellSouth has told us and based on what we've read in Mr. Milner's rebuttal testimony and what, you know, we have so far discussed with BellSouth.

Q Let me interrupt before you get going. Who have you discussed this issue with at BellSouth?

A What's the name?

Q I don't know. You have to -- Should I ask that question of Mr. Nilson?

A Yes.

Q Okay. I'll try to remember.

Okay. So you've discussed with somebody at BellSouth. And I apologize for interrupting. You can go ahead.

A Okay. Now the point is that what BellSouth has allowed us to do or is in the process of allowing us to do is to allow us to get a contractor certified by BellSouth. And that contractor will now be responsible, will be responsible for doing our own work, you know, after it's been certified by BellSouth.

Q Do you understand that BellSouth certifies its own contractors?

A Yes, I've read so many documents like that.

Q Do you have any reason to believe that the criteria that BellSouth uses to certify its own contractors will be any different than the criteria they use to certify a contractor you want?

A I have not seen the documents that BellSouth use internally for its own contractors. Maybe if you give them to me, I can be able to compare it to what we have been provided.

Q Mr. Ramos, do you have any experience with building codes in Florida?

A Not extensively but, you know, I do have some

experience and I have spoken to quite a number of people also in this industry.

Q Can you explain to me what your experience is?

A For building codes?

Q Uh-huh.

A Like, you know, if you want to do something in the office, you know, you go to the municipality, the county, to obtain permission based on your plan to do whatever work you want to do.

Q And your experience would have been your offices in City of Coral Gables, I think?

A No, City of Miami.

Q It is City of Miami?

A It is City of Miami.

Q City of Miami. So it would be the City of Miami building code people?

A That's correct.

Q And then Miami-Dade County?

A That's correct.

Q So your experience has been in dealing with the building that you own in Miami?

A That's correct.

Q What experience do you have in the construction industry?

A The construction industry? I have quite a bit

but not here in the U.S., but I've built a couple of houses in my life.

Q In Nigeria?

A In Nigeria, yes.

Q In the building code experience that you've had, did you have to get -- Would that have been with regard to your building in Miami, Supra's building in Miami?

A Yeah.

Q On Southwest 27th?

A Yes.

Q Okay. Did you have to get any permits for that building?

A Yeah, we got the permits for the building.

Q Did you get the permits? Did you do that work or who did that work?

A No, I didn't do the work. Somebody else in the office did the work.

Q Can you tell me who that was?

A Abdul did the work.

Q And who is Abdul?

A Abdul Olasawere; he's our Executive Vice President of Operations.

Q Okay. And what did you have to get a permit to do; do you remember?

A They have to get a permit to improve on the

alterations to the AC.

Q Now starting on page 12 of your testimony, your direct testimony, you go into a lot of detail. And I'm not going to read it all, but you go on for several pages from the --

A 96-325?

Q Yes. Let me make sure; is that it? Yes. And I got a little confused. Is the -- Okay. That was the order, the First Report and Order released on 1996; right?

A Local Competition Order.

Q On page 15 of your testimony, direct testimony, lines 16 and 17, you state that the issue of insufficient power was simply another delay tactic used by BellSouth. What's the basis for that statement.

A On July 24th, if my memory is going to serve me well here -- Was it July 24th? Yeah, July 24th; yes -- we had a walk-through of Golden Glades and West Palm Beach Gardens. And you will recall, ma'am, your response.

Q Go ahead. Let me try it this way. You said that obviously the issue of insufficient power was simply another delay tactic used by BellSouth. Will you accept that it was simply a mistake by its attorney?

A Okay.

Q Okay.

A I will accept that.

Q Thank you. On page 16, lines 11 and 12, you state that you were asked why Supra is insisting that BellSouth provide 200 square feet in each of the central offices. And it was at a meeting held on June 8th, 1998. Can you tell me who was present at that meeting besides yourself?

A From Supra?

Q You can start with that, yeah.

A From Supra, just me, because, you know, at that time there was this show in Atlanta.

Q It starts with an I.

MS. SUMMERLIN: SuperCom.

A SuperCom. Thank you. SuperCom. And quite a lot of people were out. While people were there, you know, they had to take care of some other important issues.

But from the side of BellSouth you had Marcus Cathey, you had Nancy Nelson, and I think about eight or nine other people present at that meeting.

Also from BellSouth side you have Bob McCraney, you have Kevin Davis, you have Wayne Carnes; quite a few others.

Q Can you tell me who was there for Supra?

A I was there. I was the only one.

Q You were the only person there from Supra?

A Yeah.

Q On pages 17 through, well, 17, and I think you also cite it in other places, but that's where you cited the -- starts on page 16, actually -- the recent Memorandum Opinion and Order and Notice of Proposed Rulemaking issued August 7, 1998. And you cite paragraph 146.

Can you tell me whether that paragraph was in the final order piece of the document or the Notice of Proposed Rulemaking piece of the document?

A The document is part of 146. Whether it's in the final order or the --

Q Noticed of Proposed Rulemaking.

A Notice of Proposed Rulemaking is not clear.

Q So that's not a final -- That piece of the order isn't a final order yet?

A Well, that's correct, but, you know, I printed it out, and I did say there, but it's Memorandum Opinion and Order and Notice of Proposed Rulemaking.

That's exactly the document I told you that ALTS, you know, none of them are filed. So we have comments there.

Q That was in that docket?

A Yeah, that's in that docket.

Q Page 18, lines 14 and 15, you say BellSouth has cleverly duplicated the administrative work area so as to crowd the central office.

A Lines what? Eighteen?

Q Page 18, lines 14 and 15.

A Fourteen and fifteen, yes.

Q Can you tell me how BellSouth did that?

A Okay. I like that question; very good question.

Q I'm glad.

A Let's put this whole issue in perspective about administrative space or not. You recall, Ms. White, that when we had this walk-through of these offices, one of the issues that came up at that time is how many hours had those offices been manned physically by people, by bodies. The two managers in charge of those offices gave an estimate of eight to ten hours and six people, six to eight people max in each of those offices.

And apart from that fact, in each of those offices there were multiple desks, you know, for virtually the same -- not virtually -- for the same functions, you know, about three situations is on video.

And the point is that for the rest of the 14 hours, 24 hours -- There are 24 hours in a day -- if we want to just say, you know, that the offices are manned between 8 to 10 hours, that means for the rest of the 14 hours, which they also confirmed, the offices are manned from a remote location, which in this industry is called a NOC. NOC means network operational center.

Now that means that for most part of the manning, even at night, when you think something, you know, things will happen to equipment, the physical monitoring of the equipment are done from another location entirely, which is a NOC. And I know that BellSouth has, you know, one somewhere around, you know, to monitor the equipment from.

Now the point is that if it is possible to monitor equipment for 14 hours out of 24 hours in a day outside a central office, what justification do we have or does BellSouth have for having this multiple desk stations, work stations, in those offices. That's one.

And then, number two, is the fact that Supra is going to be collocating its own equipment in those offices, including classified switches and the rest of them, you know, virtually all the kind of equipment that BellSouth has in those offices, maybe not the kind of extent, not of volume, but at least, you know, a piece of each of this equipment to be able to have a complete network. Is Supra going to have the right to have administrative spaces, you know, desks, in those offices?

Operationally we consider that unnecessary because of the fact that we know that it is viable, it is possible to monitor the equipment outside those offices.

Q Okay. So let me break that down into a couple of pieces. Is it your position that BellSouth should monitor

all the equipment in the Golden Glades and Palm Beach Gardens central offices from a remote location?

A It depends.

Q What does it depend on?

A Okay. It depends on how BellSouth chooses to conduct its own business. So it's not in my -- It's not in my -- It's not in my capacity to advise BellSouth on that issue, but I know fully well that BellSouth manages the equipment. It's confirmed. Your people have said it. They manage the equipment 14 hours outside the central office. The rest, 8 to 10 hours, are monitored within the central office. And it does not -- It will still mean that this equipment, during the 8 to 10 hours that they claim that people are there, the bodies are there and the central office is monitored, that they would not actually being monitored remotely at that point in time during those hours.

Q Maybe you misunderstood my question, but what I'm saying is it your position that this Commission should tell BellSouth to take out every one of those desks, every one of those terminals and do all your monitoring of the Golden Glades and Palm Beach Gardens central offices from a remote location? Is that what you want this Commission to do?

A It is my position that those desks are unnecessary in the central office.

Q That's not what I asked. Is it your position that this Commission should tell BellSouth to take out all the desks, all the monitoring stations, all the work stations, all the maintenance stations, out of the Golden Glades and West Palm Beach Gardens central offices and do all the monitoring for those offices from a remote location?

Is that what you're asking this Commission to do? Yes or no, and then you can explain.

A Ma'am, I have answered, you know, what I know. What I said is this: It is my position that this monitoring of this equipment can be done outside the central office.

Q That's not what I asked you. Do you want the Florida Public Service Commission to tell BellSouth to take all of the maintenance, work positions, administrative, whatever you want to call it, out of the Golden Glades and West Palm Beach Gardens offices so that you can collocate and do all the monitoring for those offices from a remote location? Yes or no?

A I've answered the question, ma'am.

Q You have not.

A I have answered the question.

MS. WHITE: Would you please instruct your witness to answer the question, yes or no, and then he

can explain all he wants.

MS. SUMMERLIN: I think that Mr. Ramos's testimony does not indicate that he's taking that extreme position.

MS. WHITE: I'm asking the question. Do you --

MS. SUMMERLIN: Mr. Ramos --

MS. WHITE: If he won't answer the question, then I want to go to the Prehearing Officer.

MS. SUMMERLIN: -- give us a yes or no.

A What --

BY MS. WHITE (Continuing):

Q The question is --

A I've answered the question.

Q -- what do you want this Commission to do? Do you want this Commission, with regard to the desks and the work stations and the maintenance stations, whatever you want to call them, the little flat pieces of furniture with terminals on top?

A Yeah.

Q Remember, that we saw in both those offices, is it your position that this Commission should tell BellSouth take all that stuff out of these two offices, do your monitoring from a remote location so that Supra can have collocation space; yes or no?

A Ma'am --

Q Yes or no?

A Ma'am --

Q Yes or no?

A Ma'am, you see, the question you're asking me -- I have to --

MS. SUMMERLIN: Can we go off the record just for a second?

MS. WHITE: Sure.

(Off-the-record discussion.)

A My answer will be yes and no.

BY MS. WHITE (Continuing):

Q Okay. Please explain then. Explain the yes part first.

A Now as identified in those two offices, both -- it's on videotape -- both Golden Glades and West Palm Beach -- there are work stations and desks that are there that perform the same function over and over again three to four times.

Okay. Now such unnecessary duplication of the same function that's for the monitoring being performed on different desk top three to four times, I am of the opinion that those are not necessary. That's one.

Then the other part to that is the fact that between the 24 hours that is in a day, 14 of those hours those central offices are being manned monitored remotely.

So that's why I say my answer is in two part, yes and no.

Q Well, what's the no part? You say the yes part is that there is duplication and that should be gotten rid of.

A Yes.

Q What is the no part about? No, they shouldn't make BellSouth take out these administrative spaces?

A The no part? Okay.

Q You said your answer was a yes and a no, and I think you've explained the yes part. And I want you to explain the no part.

A Okay. The no part is the fact that, like I said, there is a network operation center, which is called a NOC. NOC monitors the switches.

Q You say on page 18, lines 14 and 15, that BellSouth has cleverly duplicated the administrative work areas so as to crowd the central office. Is your position that BellSouth deliberately duplicated the administrative work areas so that Supra wouldn't have space to collocate?

A That's my position.

Q That's your position. What's your basis for that position?

A From what I've seen to date in those central offices.

Q Okay. You've seen a lot of desks in there?

A Yes.

Q What information do you have to say that BellSouth deliberately put them in there like that so that Supra couldn't collocate?

A Well, there are two -- Like I said, there are two issues right here on these offices. One is the fact that even if you're talking about a backup in any system, we're talking about backup; you know, if one system fails, the next system, you know, backs it up and things like that. You have your network operation center, which is the main system that monitors all the switches and the equipment.

Then in some of the racks, in the racks for this equipment, they have the monitors in there, which is the standard way of monitoring also in this environment right now because you can put the monitors and those things inside those racks.

MS. WHITE: Suzanne, I'll put this on the record. We're going to be here an awful long time.

MS. SUMMERLIN: I think Mr. Ramos answered your question. That's the answer to your question.

BY MS. WHITE (Continuing):

Q My question is are you saying that BellSouth deliberately put desks, duplication of desks in there, so that Supra wouldn't have collocation space at these two offices?

A I've answered that question, ma'am.
Q Yes or no?
A Yes.
Q What information do you have to show that BellSouth deliberately did that so that Supra couldn't have collocation space?
A That is the information I've given to you right now.
Q So your basis for saying BellSouth deliberately did this so Supra wouldn't get space is because the desks are in there?
A That's correct, ma'am.
Q And that's the only basis?
A And the desks are being duplicated in such a way -- The desks have been duplicated in such a way that it doesn't make for, you know, reasonable judgment.
Q Do you know how long those desks have been there in those two offices?
A When?
Q No, I'm asking: Do you know how long those desks have been there in those two offices?
A I don't know.
Q But you're saying they were brought in and put there by BellSouth just to keep Supra from having collocation in those offices?

A That is what it seems to me.

Q But you've got nothing to base that on?

A Exactly -- What do I have to base it on? I think I've explained that to you.

Q Okay. You state on page 20, lines 13 and 14, that you need to be physically collocated because of network efficiency. What's the basis for you're saying that you need to be collocated for network efficiency?

A You know, collocation is not just a matter of, you know, you being able to place your equipment in the collocation environment, but as well as the fact that it's a matter of you being able to effectively compete, you know, with the incumbent local exchange carrier. And that has been recognized in the Local Constraint Order itself and as well as the Telecommunications Act, because even access to unbundled network elements is based on collocation efficiently done. So that's why I said that.

Q Let's go back a minute to the -- Let's go back to the contractor issue.

Even if Supra -- Okay. Even if Supra hires their own contractor to do the network infrastructure work -- Even with the contractor doing the network infrastructure work for Supra, BellSouth still has to extend the power to Supra's collocation space; isn't that correct?

A That's correct.

Q The power source. And BellSouth still has to extend the interconnection point to Supra's space?

A That's correct.

Q And BellSouth still has to extend the air conditioning, if necessary?

A That's correct.

Q And does BellSouth have to extend the ground plane, if necessary?

A That's correct.

But that, also, you know, I forgot to mention that element as well, you know. I'm glad you brought it up right now. But that also can be taken care by, you know, our certified contractor, all those issues.

Q To extend all those things from where they end now to the space that BellSouth --

A Yes, according to the documents I've read.

Q Why is virtual collocation not acceptable to Supra at the Golden Glades and West Palm Beach offices, West Palm Beach Gardens offices?

A Because the onus is on BellSouth to demonstrate to Supra why physical collocation is not possible.

Q Okay. But that's not what I asked you. Why does Supra want physical collocation versus virtual collocation?

A Okay.

Q At these two specific offices?

A Okay. Because those offices are very, very important to our network design, you know. They are tandem offices. And, you know, there has been a lot of proceedings in this Commission about, you know, about tandem offices. Your -- BellSouth last 271 order issued by this Commission, as well as even the recent MICmetro, MICmetro complaint against BellSouth, it's also -- tandem offices is also part of the complaint of MCI.

Q But weren't those concerned with local tandem interconnection, not physical collocation at tandem offices?

A The interconnection and, you know, the efficiency of which you have access to unbundled network elements and the interconnection of, you know, all go around the physical collocation.

Q What advantage does physical collocation have over virtual collocation?

A Very interesting question as well. From what I have been made to believe by officials at BellSouth, you know, over the past few months is that in the physical collocation environment you are allowed to place any type of equipment that you wish to place in that environment and that, you know, you're responsible for the maintenance of the equipment and the rest of that.

And one of the issues that has been pertinent to

Supra is being able to collocate its switching equipment in BellSouth's central offices. And I remember clearly that first when BellSouth refused us collocation at these offices, were told that, you know, BellSouth asked exemptions from the Florida Public Service Commission, by Nancy Nelson. And that was the first thing she told us. And when we asked from the Public Service Commission here, we were told that BellSouth does not have any waivers of that nature.

And that apart from that fact, we were also informed by the Commission that even in the virtual collocation environment, that BellSouth should allow us to collocate our switching equipment in the virtual collocation environment.

Q Who advised you of this?

A Ms. Sally Simons. I spoke to Ms. Sally Simons about that.

And after that I contacted BellSouth directly, you know, on that issue. And this is exactly what, you know, I was told by the Public Service Commission.

What BellSouth told me or told us that you are not allowed to collocate in any class 5 switching equipment in the physical collocation -- in the virtual collocation environment. But something, you know, as our point, you know, which, of course, when I was there it was discussed.

At one of the INAC meetings in December, last, since December, I think the 12/11/96 meeting, the issue of collocating switching equipment in the virtual collocation environment was discussed and that there is a letter from Price or something like that is in the minutes of that meeting. Shall I bring it up for you to look at it again?

Q No, I believe Mr. Milner's already discussed that this afternoon.

A Yes. So, you know, that also and it kind of like contradicts, you know, the whole thing, that, you know, even in the virtual collocation environment we should be allowed to place the switching equipment that we want to place.

Q So am I hearing you correctly that the advantage to Supra of physical collocation over virtual collocation is the fact that Supra can place switches in physical collocation?

A That's correct, ma'am.

Q And why is that important to Supra?

A Because for our network efficiency, like I said, to be efficient in terms of, you know, network utilization and to be able to serve our customers, you know, well.

Q What services do you provide to your customers or what do you intend to provide to your customers?

A We intend to provide, you know, them with POTS,

you know, POTS, you know, POTS lines, provision of telephone service, voice and data, for business customers, especially the small business, a small business.

Q Do you plan to provide any information services or enhanced services?

A Yes, ma'am.

Q Such as what?

A Services like ADSL services; we do intend to perform all that. And, again, also, you know, that primarily Supra is a telecommunications services provider. That is the overriding thing about all of this. That is the primary business of Supra.

Q Does Supra intend to provide internet service?

A Yes.

Q Through these physical collocations?

A Yes.

Q Now BellSouth has not -- Supra filed 17 applications at one time, isn't that correct, for physical collocation?

A Yeah.

Q And BellSouth said there was not space available in two of the offices that were covered by those seventeen applications; correct?

A Correct.

Q So there is space available in the other 15

offices; correct?

A Correct.

Q Who is your vendor for the manufacturing of your equipment and the installation of your equipment for physical collocation?

A Who is the --

Q Who is your vendor?

A For?

Q Your physical collocation, the equipment that you're going to physically collocate.

A It depends on the equipment.

Q Okay. I guess what I'm asking is I know during the first walk-through we had, there was a Lucent employee at the first walk-through there on behalf of Supra and at the second walk-through there was an employee, or three employees, from Nortel. Only one went through the walk-through.

Are you buying any Lucent equipment?

A At this point in time for those offices, for the 15 offices, we're using Nortel equipment.

Q Nortel equipment?

A Yes, Nortel equipment. That's what our Firm Order Confirmation has stated; we're using Nortel.

THE REPORTER: What stated?

A The Firm Order Confirmation, the forms that we

submitted for Firm Order Confirmation, FOC.
BY MS. WHITE (Continuing):
Q The Firm Order Application?
A Yes, Firm Order Application.
Q Have you placed an order with Nortel for this equipment that you're going to put in the physical collocation? Have you placed a firm order?
A We have almost done that.
Q So you haven't given them any money yet?
A We have not given them any money yet, but we have all the equipment that are ready right now that, you know, that are supposed to go into this collocation spaces.
Q In the 15?
A Yes.
Q What kind of equipment is that?
A The Cisco ATM equipment. You know, like I said at the last hearing in April, on April last, the last hearing, we'll see how this equipment, you know, that is supposed to go into those offices.
Q And if I wanted to question somebody that was very knowledgeable about that equipment, who would I talk to?
A Dave Nilson.
Q You state that on page 24 of your direct, lines 11 and 12, that Supra cannot continue with its network

deployment until this issue is resolved. And I assume by that that you mean the issue of these two particular offices?

A Page 24 you said, ma'am?

Q Yes, page 24, lines 11 and 12.

A Okay.

Q Is that what you mean by "this issue"?

A Yes.

Q The two central offices?

A Yes.

Q So does that mean you're not moving forward with your other 15 physical collocation projects?

A Well, some of that 15 we've submitted the Firm Order Applications, you know. Like, you know, on some of that, we haven't paid the money, but the point is that -- The point I'm trying to make here is the fact that the addition of these two offices is going to greatly affect us.

Q So you're not moving forward on the other 15?

A I don't know what you mean by that.

Q It says that Supra has secured 15 collocation approvals from BellSouth but Supra cannot continue with its network deployment until this issue is resolved. And I guess I'm asking you does that mean that you're saying stop for now on the other 15 while we deal with these 2?

A No, I'm not saying that because I also said, on line 12, I said, "Without collocating at both the West Palm Beach Gardens and the North Dade Golden Glades central offices, the other 15 offices would not be efficient."

Q So but you're still going forward with your other 15?

A Yes, we're still going forward with the other 15.

Q So even if -- If this Commission says there is no space for Supra in these two offices, you're going to move on with the 15; right?

A I don't know how we're going to do that.

Q Why are these two necessary to make the other fifteen worthwhile?

A Like I said, they're tandem offices, you know. These --

Q Are any -- Oh, I'm sorry.

A These two offices are tandem offices and they're very, very important, very, very crucial to us. Maybe, you know, to get more on that issue, Mr. Nilson should be able to elaborate more on that.

Q Did -- Are any of the other 15 offices tandem offices?

A Maybe one of them, Orlando Magnolia.

Q And as far as you know, is that -- There is space there; right?

A Yeah, in Orlando Magnolia.

Q So that's one tandem offices where BellSouth has not said there is no space; correct?

A Correct, Ms. White.

Q All right. On page 31 of your direct testimony, you talk about the Ascend TNT switches.

A Yes, ma'am.

Q Now I'm going to ask you a couple of questions. I know that you just said that Mr. Nilson is --

A Whatever I cannot answer, I will tell you.

Q Is Ascend the brand name? Is that the manufacturer's name?

A Yes; that's the name of the manufacturer, Ascend.

Q Is the manufacturer?

A Yes.

Q And I'm not -- I don't know all the manufacturers.

A I know. I know. But also let me just make one quick clarification here, you know, when we're talking about the Ascend TNT boxes and the remote access concentrators. Now basically this equipment is electronic modems. It is a modem bank.

Q Okay. And what is it -- What are you going to use it for?

A The modem banks? For various things, you know. You will recall, Ms. White, that during the walk-through of both Golden Glades and West Palm Beach, we saw quite a lot of modem banks in BellSouth's central offices.

And, you know, we asked, you know, the supervisor who was responsible for those offices what they are using this equipment for, these modem banks for. There are various reasons for them, you know, for using for -- for the presence of this equipment in the central office. So physically this is why Supra wants those modem banks in the central office as well.

Q And what are you going to use them for?

A Well, to allow customers to call in to our switch, you know, just the way they are, BellSouth customers call into a BellSouth switch.

Q So the Ascend is the brand name; right?

A Yes.

Q That's the name of the manufacturer?

A That's correct.

Q What is TNT? Is that kind of like the model number?

A Something like that.

Q And it's a switch?

A It's a switch.

Q It's not a remote access concentrator?

A It is not. It's a part of modem banks. It's basically -- It's just modem banks.

Q It's modem banks. So does that mean it's really not a switch?

A Well -

Q Do I need to talk to Mr. Nilson? And I am not Ms. Technical, believe me.

A Okay. I think I should leave that. I can try. I can try. I can do it; I can do some justice to the whole issue, but, guess, you know.

Q What you say is the -- On page 31, line 5, when you say the Ascend TNT switch, you're talking about the remote access concentrator? You're using those interchangeably?

A Well, because, you see, the equipment itself is multifaceted, you know, in the sense that you can do both things. And that's why I said that maybe Mr. Nilson should go into that on his own.

Q Now on page 32, lines 10 and 11 of your direct, you say -- you talk about BellSouth's professed lack of available trunk connections?

A Yes.

Q And I just don't understand where that came from. Did somebody at BellSouth tell you this?

A Yes.

Q And who told you that?

A We have quite -- We've done quite a number of meetings, teleconference with the collocation steering committee. And one of the issues or problems that they informed us about is the issue of trunking, that BellSouth does not have sufficient trunks to go around, you know, to be given to us.

Q And where? In what office?

A Virtually in all the offices, especially the tandem offices.

Q In Florida?

A Yes, especially tandem offices in Florida.

Q And what are they going to do to fix this?

A They said that, you know, they're in the process of, you know, placing some order to order more, you know, equipment, hardware that will fix that problem and things like that, but they said it's going to take a long while before they can do that.

Q Who said that? Who was the person that you talked to about this?

A Wanda Godfrey.

Q I'm sorry.

A Wanda Godfrey.

Q Wanda Godfrey?

A Yeah.

Q G-o-d-f-r-e-y?
A Yes, ma'am.
Q And was this in Birmingham or Atlanta?
A She's in Birmingham
Q Birmingham.
A And then Mr. --
Q Do you know what her title is?
A She's responsible for BellSouth's interconnection, you know, where -- She's part of the team that is responsible for interconnection of ALECs network with BellSouth's network, but also, you know, Mr. Nilson will be able to give you additional names of some more individuals.
Q When were you told -- Were you told this personally or was Mr. Nilson?
A We were told in the teleconference; I was there.
Q Can you tell me when this was?
A March, April, this year.
Q Of 1998?
A Yeah; March, April, May, June, '98.
Q All right. On page 3 of your rebuttal, you state that -- it's lines 9 through 11 -- BellSouth has refused to provide collocation to Supra in parity to what it provides to itself and its affiliates.
A Nine through to --

Q Nine through --

A Page 3?

Q Page 3, lines 9 through 11.

A Oh, my rebuttal. Okay.

Q I'm sorry. Yeah, your rebuttal.

A Yes.

Q Where does BellSouth provide physical collocation to itself?

A To itself?

Q Uh-huh.

A In your central offices.

Q So you're saying that BellSouth's equipment in these central offices is a form of physical collocation; is that what you're saying here?

A Well, no, no, no. You said -- Here it says BellSouth, 9 to 11, you say, "BellSouth has also" --

THE REPORTER: Now wait a minute.

MS. SUMMERLIN: Go slowly.

BY MS. WHITE (Continuing):

Q It says, "BellSouth has also refused to provide collocation to Supra in parity to what it provides to itself and its affiliates."

And my question is where does BellSouth provide collocation to itself?

A Your central offices, BellSouth central offices,

and to its affiliates as well.

Q Okay. So you're saying the equipment that BellSouth has in its central offices is a form of collocation?

A Well, I'm not trying to, you know, define it, you know, that rigidly or, you know, but the point there is that, I mean, if Supra has been denied access, you know, to provide, to collocate its bank of modems in the central office, I mean that's -- You see what I'm saying?

Q What is your basis for saying that BellSouth doesn't provide collocation to Supra in parity to what BellSouth provides to its affiliates?

A One is your 271 proceeding last year. It's there in a document, the Order, Florida Public Service Commission. There's an Order there that BellSouth, you know, should provide collocation on the same times and things like that to ALECs as it provides to its own affiliates.

Q So that's where that came from?

A And apart from that. And apart from that, the other issue as stipulated to by Mr. Milner, that, you know, in the open network architecture BellSouth allows, you know, it's BellSouth that let you collocate its equipment in the central office to provide enhanced services, to provide internet service, but in the same breath Mr. Milner

said that, you know, that should not apply to Supra.

Q Well, let me ask you: Do you know whether any arrangement that Mr. Milner was talking about is permitted by the FCC?

A Well, the point is that even if it's permitted by the FCC, right, like you said in the open network architecture, if it's permitted by the FCC, it's also permitted for Supra.

Q And what's your basis for that?

A The CFR.

Q What number; do you know?

A 51.100(b).

Q What is the basis -- On page 6 of your rebuttal testimony, lines 1 through 4.

A Page what? Page 6?

Q Six.

A Okay.

Q Lines 1 through 4. You state that Supra is the only company seriously interested in the tandem office, in these tandem offices. And I'm curious about what's the -- I mean, I know you said that you got that from documents received, but can you tell me the basis for that statement?

A Yeah, because, first of all, in Mr. Milner's direct testimony, he said that only one company has applied before Supra, which is BellSouth Long Distance that has

applied before Supra. I think he said that.

Q For this office? For one of these offices?

A For this office, yeah. And BellSouth Long Distance is an affiliate of BellSouth.

Direct testimony, please.

Q No, it's rebuttal, page 6. Close. Mr. Milner's rebuttal testimony, page 6.

A First of all, I would like to refer to his direct testimony.

MR. NILSON: Page 10.

A Page 10 of his direct?

MR. NILSON: Yes.

A Okay.

BY MS. WHITE (Continuing):

Q Page 10 of his rebuttal -- Excuse me. Page 10 of his direct, lines 4 through 9, didn't Mr. Milner say that aside from Supra, BellSouth Long Distance and one other carrier had requested physical collocation arrangement in the Golden Glades central office and that both of those had been denied?

A Yeah. Okay.

Q And that aside from Supra, one carrier had requested physical collocation in West Palm Beach Gardens and that request was denied?

A That's correct.

Q So Supra was not the only carrier interested in these two offices; were they?

A Well, I qualified it, yes, and seriously addressed.

THE REPORTER: Repeat that; I'm sorry.

A I said I qualified it in my testimony and I seriously addressed collocation in these tandem offices.

BY MS. WHITE (Continuing):

Q I asked you about the equipment and your vendor and you said the current vendor is Nortel. So is the Ascend equipment equipment that you just already have at hand? How does that work?

A Okay. You know I told you that, you know, it depends, you know; it varies. As you know, to provide telecommunication services there is no one-stop shop that can give you everything that you require. We have various vendors. We're going to use Nortel. We're going to use Cisco. We're going to use Ascend. We're going to use Tadiran. Probably, Tellabs; we're going to use Tellabs.

So we're going to have a mixture of dealers and certified installers, vendors of good equipment.

Q What kind of equipment are you going to order from Nortel?

A Switching equipment, class 5s and class 4s.

Q But you have not placed a firm order yet or given

any money to Nortel?

A Yes, you're right, but I will explain why to you.

Q Okay.

A Because of the fact that we have not received -- Nortel has advised us that it is better for us to receive the Firm Order Confirmation from BellSouth first before we place the other with them for them to go ahead with the manufacture of the equipment because this is very big equipment, class 5s. If they are manufactured and there is no place for us to put it, we can't put it in our office.

Q So you don't have a ship date or a date that the equipment will actually ship to you?

A We have -- Right now we don't have a confirmation of that, but the point is that it's in our agreement, once we reach -- once we have a Firm Order Confirmation from BellSouth on those 15 offices or any one of those offices, we're going to release the other two because we don't want the mistake that has happened with the Cisco equipment. The Cisco equipment is lying down in our office.

Q Okay. Let's talk about -- Cisco, again, it's a manufacturer's name?

A Yes, it's a manufacturer's name as well.

Q And what kind of equipment do you have from Cisco?

A ATMs, ATM equipment.

Q What is ATM equipment? I hear ATM and I think of money. So what is ATM equipment, just very broadly?

A ATM stands for asynchronized transfer mode.

Q Okay.

A And physically what the equipment does is to be able to assist you with your network efficiency. That's what it does, both voice and data?

Q And that equipment you said you already have?

A Yes, ma'am.

Q Are you going to put that equipment in like each of the 15 offices?

A Yes, ma'am.

Q I assume that if the Commission said there is space in these two, you'd put that equipment in here, too?

A That's correct.

Q What other equipment -- Have you paid for that equipment?

A Yes.

Q What other equipment do you have from Cisco?

A Modem banks as well. We have modem banks from Cisco as well.

Q When you say modem banks, is that the same thing as these remote access concentrators?

A Yes.

Q And do you have those already?

A Yes.
Q And you've paid for those?
A Yes, we've paid for them.
Q And you're going to put those in all 15 offices?
A Yes.
Q Seventeen, if you win?
A That's correct.
Q And then you said Ascend; have you ordered the Ascend equipment yet?
A We have tentative time table for the equipment. We stayed away from placing firm order, you know, for them, but we have tentative dates, you know. We have agreements, you know, as well.
Q So do you have a signed contract with them?
A Yes, we have a signed contract with both, with all of them, even Nortel, even with Lucent; we have signed contracts with all of them.
Q What is Lucent going to provide for you?
A For this phase one, no; Lucent is not going to, but, you know, we have signed contracts with Lucent as well.
Q All right. And I don't want to get into -- I'm trying not to get into business plan. Cisco, you've got a signed agreement; have you had to give them any money yet?
A Cisco? Yes, we've paid Cisco. We've paid Cisco

for the Cisco equipment.

Q No, I'm sorry. Ascend. I apologize.

A No, no.

Q And then Tellabs, that was another --

A Yeah, Tellabs.

Q What kind of equipment will you get from them?

A They're -- I think, you know, David should be able to answer that question, but STPs.

Q Okay. And have you got that equipment already or have you ordered it?

A No, we have not ordered that yet.

Q Do you have a signed contract with them?

A Almost. We're finalizing the contract.

Q Are you familiar with that section of the collocation agreement, I think it's Section 2, paragraph b, about the 180 days that Supra has to put equipment in the central office?

A Uh-huh.

Q From the day BellSouth puts theirs --

A Six months; yeah.

Q That the space is available?

A Uh-huh.

Q And your attorney asked -- I can't remember who she asked, but she asked somebody a lot of questions about that. And I'm just curious. Does Supra anticipate a

problem that they won't be able to meet that 180 days of getting their equipment in?

A No, we don't anticipate a problem, but, you see, but to extend that, you know, in some testimonies that have been filed in these proceeding, particularly Mr. Milner's, you know, rebuttal testimony, he stated that, you know, it is BellSouth's stated policy that collocators, you know, are allowed to reserve space for two years. I guess -- Yeah, it says in his rebuttal.

Q But I'm not sure -- I don't understand how that relates to 180 days to place equipment.

A Okay. Now in Mr. Milner's rebuttal testimony, he stated there that, you know, collocators are allowed two years to place equipment to utilize collocation space.

All right. Whereas the collocation agreement, it is clearly stated there that you are only allowed to keep the space or utilize the space within 180 days, 180 days.

Q So you're saying --

A So I guess, you know, what Ms. Summerlin was trying to do was trying to clarify that particular issue.

Q So you're saying Mr. Milner says --

A Two years.

Q That it's two years and the agreement says it's 180 days?

A That's correct.

Q Two years to place the equipment?

A That's what Mr. Milner said.

Q All right. And wouldn't you agree that once the space is ready, you would want to get your equipment in as soon as possible?

A Oh, my God, we're waiting.

Q Yeah, that's what I would think.

A We're waiting.

Q All right. Who are the technical support people? Does Supra employ any technical support people that will work on this collocation?

A Yeah.

Q And who?

A The vendors.

Q The vendors will do that for Supra? Supra doesn't have any employees of its own?

A That will do the technical support -- Is this the installation you're talking about?

Q Well, the installation, the maintaining the equipment.

A For the maintenance of the NOC, as a matter of fact, you know, for our NOC, we've bought a building that's going to be responsible for the network operations center.

Q Okay. And then you'll hire people to do the

monitoring and all that?

A Yes. We're going to hire people, yes. We bought the building. We've paid a deposit on the building and things like that.

Q And is it in Miami?

A It's directly opposite your network operations center.

Q I don't know where that is.

A In Sunrise, Fort Lauderdale. It's just directly opposite yours.

Q Okay. Thank you. Do you have any installation schedules from your vendors or like, for instance, in the Cisco equipment that you already have, have you got an installation schedule for when they're going to put it in?

A Ma'am, ma'am, it's difficult for Supra to plan. Because, look, even right now, the firm order confirmations, Mr. Wayne Mayes said that we're going to be able to apply for the codes, and it gives the numbers, it gives the application numbers of forms, he's going to give it to Supra. Up to today I'm speaking like this. They have not given us one single one.

So how does Supra right now be able to plan and say this is the time we're going to these offices. It's so difficult for us, ma'am.

Q Do you have a switch in your building on 27th?

A A switch? Classified switch?

Q Any kind of switch.

A Oh, well, the ATM.

Q Do you have a switch installed in your building on 27th avenue in Miami?

A No.

Q Do you have any signed contracts with internet service providers in Florida?

A No. As a matter of fact, I think was it in June or July I was in FISPA, you know, we don't know when we are going to finally turn up service. So that's why, you know, we cannot do any of those things.

Q How long do you -- You're saying that you want 200 square feet now in each office?

A Two hundred.

Q Two hundred square feet, how long will that space last you?

A Believe me, the space utilization plan that we give to Nancy, Nancy Nelson, has taken up everything. We won't even have the single space left. And, as a matter of fact, one of the letters she wrote as recent as today is that probably in one or two of the offices this space is not going to be enough for our equipment, the space allocated.

Q Because of the amount of equipment that you want

in there?

A That's correct.

Q But do you have a forecast that shows how much growth Supra is going to have and how much space it will need in the future?

A Well, we can do that.

Q No, do you have one now?

A Right now, no.

Hey, I don't know; if you ask Mr. Nilson, maybe he has.

MS. WHITE: That's all I have. Thanks.

EXAMINATION

BY MS. KEATING:

Q Good evening, Mr. Ramos.

A Good evening, ma'am.

Q I think from your discussions with Ms. White, most of the questions that I have I think I'll just save for Mr. Nilson. But I do have one question for you. And this is just to clarify my understanding of something in your rebuttal testimony.

This is on page 6, and this is your discussion about your interest in collocation in Daytona Beach, Port Orange and the Boca Teeca central offices.

A Yes, ma'am.

Q And then after this discussion, starting on line

13, you state that "Supra is the only telecommunications carrier that has filed a complaint with the Commission when its application for physical collocation was rejected by BellSouth. Supra deserved to be first in line to physically collocate in these central offices."

Which central offices are you talking about with regard to that statement?

A Well, if my memory is going to serve me well, I think, also, you know, we're talking about this Daytona Beach, Boca Teeca.

Q So you're talking about those offices, not the offices --

A No, including these two offices as well.

Q So all offices for which Supra has sought physical collocation, you're saying that Supra should be first in line?

A Yes, ma'am. Well, maybe I should just clarify this. In one of the INAC's, you know, minutes that BellSouth produced for us, you know, it's under confidential agreement, but if she clears it I can bring it out. It was discussed at that meeting that, you know, BellSouth should find a way of obtaining from us, from the ALECs, you know, physical collocation requirements and things like that.

So we had a call from Ms. Nancy Nelson, you know,

both Mr. David Nilson and John Reinke got a call and then, you know, they said that whatever offices that Supra has in mind apart from the 17, we should give them the list, which we did. And then afterwards we realized that BellSouth has filed with us for those offices.

And from this proceeding right now we now realized that, you know, that was the method of obtaining the information from us so that they could go ahead and file the waiver for those offices.

Q So now this is just to make sure that I understand what you're saying. You're saying that Supra should not only be first in line in North Dade Golden Glades and in West Palm Beach Gardens but also in the other central offices for which BellSouth has filed waivers?

A That's correct, ma'am.

Q And were those other central offices a part of your original complaint?

A They were not.

MS. KEATING: Okay. Thank you. I think those are all the questions that I have.

MS. SUMMERLIN: I've just got a couple of redirect questions.

EXAMINATION

BY MS. SUMMERLIN:

Q Mr. Ramos, was your point in this section that

Ms. Keating just asked you about, was your point that you believed that Supra should be given consideration for those offices, though it might be superior to the normal kind of situation because it appeared that BellSouth filed this petition for waiver in direct response to BellSouth finding out that Supra was interested in those offices?

A That's correct.

Q You're not asking for that relief in this case?

A No.

Q Okay. Ms. White asked you a question earlier on where she said to you do you -- is it your position or Supra's position that every last desk and work station in the central offices that are involved in this case should be removed.

Is it -- Just to clarify that answer, is your position that there is absolutely no work station or terminal that might need to still be there; is that the position that you're taking?

A That's not my entire position. I'm not saying that there is no need at all for any work station or terminal. I have said it, that there are a lot of duplications in those offices and that's exactly what I meant. You know, those two positions should be cleared up.

Q You were talking earlier in response to Ms. White's question about the idea of Supra using its own

contractors that would be certified by BellSouth. Okay. Is the purpose of that to give Supra as much control as possible over the time frame involved in the completing the installation?

A That's correct, ma'am. Not just the control issue; that's part of it. It's all part of it, as well as the cost.

Q Is the reason that you don't have delivery schedules at the point in time because you don't have firm information from BellSouth?

A That's correct.

MS. SUMMERLIN: That's all.

MS. WHITE: Thank you, Mr. Ramos.

(Deposition concluded at 5:40 P.M.).

CERTIFICATE OF DEPONENT

CASE NO. 980800-TP
SUPRA V BELLSOUTH
OCTOBER 13, 1998
DEPO OF OLUKAYODE RAMOS

This is to certify that I, OLUKAYODE RAMOS, have read a certified copy of the foregoing transcription of my testimony, Page 3 through 78 given on October 13, 1998; and find the same to be true and correct, with the exceptions, and/or corrections, if any, as shown on the errata sheet attached hereto.

_____

OLUKAYODE RAMOS

Sworn to and subscribed before me this

_____ day of _____, 19_____

NOTARY PUBLIC

State of _____

My Commission Expires:

ERRATA SHEET

CASE NO. 980800-TP
Supra v BellSouth
OCTOBER 13, 1998
DEPOSITION OLUKAYODE RAMOS

STATE OF FLORIDA)
: CERTIFICATE OF OATH
COUNTY OF LEON)

I, the undersigned authority, certify that OLUKAYODE RAMOS personally appeared before me and was duly sworn.

WITNESS my hand and official seal this October 13, 1998.

Cathy H. Webster
MY COMMISSION # CC505597 EXPIRES
February 13, 2000
BONDED THRU TROY FAIN INSURANCE, INC.

CATHY H. WEBSTER
Notary Public - State of Florida

REPORTER'S DEPOSITION CERTIFICATE

STATE OF FLORIDA)
COUNTY OF LEON)

I, CATHY H. WEBSTER, Registered Professional Reporter, certify that I was authorized to and did stenographically report the deposition of OLUKAYODE RAMOS; that a review of the transcript was requested; and that the transcript is a true and complete record of my stenographic notes.

I FURTHER CERTIFY that I am not a relative, employee, attorney or counsel of any of the parties, nor am I a relative or employee of any of the parties' attorney or counsel connected with the action, nor am I financially interested in the action.

DATED this 13th day of October, 1998.

Cathy H. Webster

CATHY H. WEBSTER, RPR

$

$3,800 [2] 17:18,20

1

1 [2] 63:14,18
10 [9] 14:19 37:22 39:11,13 58:19 64:10,11,15,15
11 [8] 17:4 35:1 53:25 54:5 58:19 60:22 61:3,16
12 [7] 7:2 17:4 34:2 35:1 53:25 54:5 55:2
12/11/96 [1] 50:2
12th [1] 6:19
13 [7] 17:4 46:5 75:1 79:3,8 80:5 81:12
13th [1] 82:19
14 [11] 7:2 17:4 36:23 37:2,19,22 38:8 39:10 42:24 43:15 46:5
146 [2] 36:5,9
15 [21] 17:4 34:11 36:23 37:2 43:15 51:25 52:20 53:13 54:12,13,19,21,25 55:4,6,7,10,21 66:16 67:11 68:4
16 [3] 34:12 35:1 36:3
17 [6] 17:17 34:12 36:1,1 51:17 76:3
18 [3] 36:23 37:2 43:15
18,000 [1] 13:3
180 [6] 69:16 70:1,12,18,18,25
19 [1] 17:17
1996 [1] 34:9
1998 [8] 35:4 36:5 60:19 79:3,8 80:5 81:12 82:19

2

2 [5] 11:8 21:16,24 54:25 69:15
20 [1] 46:5
200 [13] 13:24 14:4,6,25 15:4 16:1,2,8,16,21,23 35:3 73:14
201 [1] 2:9
21 [1] 15:14
22 [1] 17:22
24 [8] 17:23 37:20,20 38:8 42:24 53:24 54:4,5
24th [3] 34:15,16,16
2540 [1] 2:6
2620 [1] 5:18
271 [2] 48:5 62:13
27th [4] 5:18 33:9 72:25 73:5

3

3 [4] 60:21 61:2,3 79:8
3,197 [1] 12:9
3:50 [1] 1:12
3093 [1] 1:22
31 [2] 56:5 58:11
32 [1] 58:19
32301 [2] 2:4,9
33133 [1] 5:21
33239-8555 [1] 2:11
362 [1] 1:10

4

4 [6] 3:3 21:17,24 63:14,18 64:16
4,035 [1] 12:10
400 [3] 2:4 16:4,17
47 [1] 30:7
4s [1] 65:24

5

5 [3] 3:11 49:22 58:11
5:40 [1] 78:14
51.100(b [1] 63:12
5s [2] 65:24 66:9

6

6 [7] 13:20 14:22 63:13,15 64:6,7 74:21

7

7 [4] 11:18 13:20,21 36:5
74 [1] 3:12
76 [3] 3:13 6:2 10:1
78 [1] 79:8

8

8 [5] 14:22 17:3 37:22 39:11,13
850-926-2020 [1] 1:23
8th [1] 35:4

9

9 [10] 15:12,12 21:16 27:4,4 30:6 60:22 61:3,16 64:16
96-325 [1] 34:6
98 [1] 60:20
98-147 [2] 20:13,25
980800-tp [2] 79:2 80:4

A

abdul [3] 33:19,20,21
able [15] 12:24 13:14 31:21 38:18 46:10,12 49:1 50:22 55:19 60:12 67:6 69:8 70:1 72:18,22
absolutely [1] 77:16
ac [1] 34:1
accept [4] 29:9,14 34:21,25
acceptable [1] 47:17
access [7] 46:16 48:13 56:21 57:25 58:13 62:7 67:23
accordance [1] 4:6
according [4] 13:2 18:15 28:20 47:16
act [2] 18:15 46:15
action [2] 82:16,17
actively [1] 10:14
actually [4] 23:1 36:3 39:15 66:12
add [1] 12:15
addition [1] 54:17
additional [5] 14:6,25 15:25 16:23 60:12
address [3] 5:16,17,18
addressed [3] 26:7 65:4,7
administrative [7] 36:24 37:8 38:19 40:16 43:7,16,18
adsl [1] 51:8
advanced [1] 20:14
advantage [2] 48:16 50:14
advise [1] 39:7
advised [2] 49:15 66:5
affect [1] 54:17
affiliate [1] 64:4
affiliates [5] 60:24 61:22 62:1,12,18
afternoon [2] 29:8 50:8
afterwards [1] 76:4
agree [1] 71:4
agreed [1] 5:11
agreement [9] 15:17 20:15 21:7 66:14 68:24 69:15 70:16,24 75:20
agreements [1] 68:12
ahead [5] 23:16 31:5 34:19 66:7 76:8
air [1] 47:4
alec [4] 21:17 23:10 27:5,20
alec's [1] 28:24
alecs [12] 17:18,23 18:3,11 19:4,16 20:3,6 21:5 60:10 62:17 75:23
allocated [1] 73:24
allow [8] 16:12,20 23:18 25:22 26:22 31:8 49:12 57:13
allowed [9] 23:10 26:4 31:7 48:21 49:22 50:12 70:9,14,17
allowing [1] 31:7
allows [2] 25:1 62:22
almost [2] 53:8 69:13
already [6] 50:7 65:11 67:8,25 69:9 72:13
alterations [1] 34:1
alts [3] 20:16,17 36:18
alts' [2] 20:17,19
americas [1] 6:22
amount [2] 12:7 73:25
and/or [1] 79:10
another [6] 7:9 12:6 34:13,21 38:4 69:4
answer [12] 16:5 17:14 22:16 40:25 41:7 42:10 43:1,9 44:20 56:10 69:8 77:15
answered [6] 40:10,21,23 41:13 44:19 45:1
anticipate [2] 69:25 70:3
anybody [3] 12:23 13:13 22:12
apart [5] 37:15 49:10 62:20,20 76:3
apologize [2] 31:4 69:2
appearances [1] 5:5
appeared [2] 77:4 81:8
appearing [3] 2:3,8,10
appears [1] 17:5
applicable [1] 4:6
application [5] 27:2 53:3,4 72:19 75:3
applications [3] 51:18,23 54:14
applied [2] 63:24 64:1
applies [2] 24:2,6
apply [3] 27:24 63:1 72:18
appoint [1] 25:1
appointed [1] 6:11
appoints [1] 23:5
approach [1] 30:7
approached [1] 23:20
approval [1] 30:9
approvals [1] 54:22
approving [1] 30:10
april [4] 53:17,17 60:18,20
architecture [2] 62:22 63:7
area [7] 29:5,12,12,21 30:2,4 36:24
areas [3] 23:8 43:17,19
arena [2] 8:2 10:10
argument [1] 23:8
around [3] 38:6 48:14 59:6
arrangement [4] 17:24 20:4 63:3 64:18
ascend [11] 56:6,11,14,21 57:16 58:12 65:11,18 68:8,9 69:2
aside [2] 64:17,22
assist [1] 67:6
assisting [1] 26:17
assume [3] 27:5 54:1 67:13
asynchronized [1] 67:3
atlanta [2] 35:10 60:3
atm [7] 53:16 66:25 67:1,1,2,3 73:3
atms [1] 66:25
attached [1] 79:11
attorney [5] 29:11 34:22 69:23 82:14,15
august [1] 36:5
authority [1] 81:7
authorized [1] 82:7
available [6] 13:15 15:18 51:21,25 58:21 69:21
avenue [2] 5:18 73:5
away [6] 17:23 18:21,23 19:5 20:3 68:11
awful [1] 44:18

B

b-e-n-d-e-r [1] 6:17
back [2] 46:18,18
background [1] 6:21
backs [1] 44:9
backup [2] 44:7,8
balance [1] 12:9
bank [2] 56:23 62:8
banks [10] 57:1,4,7,10 58:1,2,3 67:20,20,22
base [2] 46:2,3
based [9] 19:17 20:5 28:24 29:1 30:9,14,18 32:8 46:16
basically [4] 11:25 13:6 56:22 58:2
basis [13] 18:1 20:2 21:22 22:6 34:14 43:21 45:9,13 46:7 62:10 63:9,13,22
beach [18] 2:11 12:10 13:4 19:1 34:17 39:1,22 40:5,18 42:16 47:18,19 55:3 57:3 64:23 74:22 75:10 76:13
becomes [2] 24:8 25:6
began [1] 10:24
behalf [4] 2:3,8,10 52:14
believe [7] 14:10 18:14 31:15 48:19 50:7 58:7 73:18
believed [1] 77:2
bell [1] 18:14
bellsouth [135] 2:3 5:8 11:24 12:3,7,7,11,17,18 13:1,3,16,17 15:17,23 16:12,20 17:19 18:4,6,23,24 21:10,19 22:12,19 23:5,18,20 24:10,16,20,22 25:1,4,4,4,14 26:14,16,17,23 28:14,20 29:1 30:13,15,17,20,22 31:4,6,8,11,12,16,19 34:13,21 35:3,16,19 36:23 37:4 38:5,10,15,25 39:5,7,8,20 40:2,15 41:21 43:7,16,18 44:3,22 45:5,9,24 46:23 47:1,4,7,15,20 48:5,7,19 49:3,4,8,12,18,21 51:17,21 54:22 56:2 57:14,15 58:24 59:5 60:22 61:7,16,16,20,23,25 62:3,10,12,15,22,23 63:25 64:3,4,17 66:6,16 69:19 75:4,19,22 76:4,14 77:4,5 78:1,10
bellsouth's [14] 11:25 15:23 24:12 25:6 26:20,21 29:13 49:2 57:4 58:20 60:8,11 61:12 70:7
bender [4] 6:15,17 10:19,23
besides [1] 35:5
beth [1] 5:10
better [3] 15:13,13 66:5
between [4] 6:6 15:23 37:22 42:24
bidding [1] 27:5
big [2] 29:20 66:8
billing [1] 9:19
birmingham [5] 18:5 21:10 60:3,4,5
bit [1] 32:25
bob [2] 9:6 35:19
boca [2] 74:23 75:10
bodies [2] 37:11 39:14
bonacia [4] 9:16,22,22 10:22
both [13] 18:5,5 23:3 41:20 42:14,15 55:2 57:3 58:16 64:19 67:7 68:15 76:1
bought [2] 71:23 72:2
box [1] 1:22
boxes [1] 56:21
brand [2] 56:11 57:16
break [1] 38:24
breath [1] 62:25
bring [2] 50:6 75:20
brings [1] 24:15
broadly [1] 67:2
brought [4] 18:9 26:5 45:23 47:11
buechele [1] 2:10

build [2] 28:18,19
building [16] 24:3,6 31:24 32:4,16, 21 33:5,7,7,12,13 71:23 72:3,3,25 73:4
buildout [1] 28:22
built [1] 33:1
business [8] 5:18 15:2 39:6 51:2, 3,3,12 68:23
buying [1] 52:18

C

cageless [4] 28:12,13,15,17
call [6] 40:17 41:17 57:13,15 75:25 76:1
called [3] 28:22 37:24 43:13
came [3] 37:10 58:23 62:19
cannot [10] 18:20,23 19:9 23:4 26: 9 27:5 53:25 54:22 56:10 73:12
capacity [1] 39:7
care [2] 35:15 47:12
carnes [1] 35:20
carrier [5] 46:13 64:18,22 65:1 75: 2
case [5] 16:16 77:8,13 79:2 80:4
cathey [6] 18:5,7 21:14 22:20 23:3 35:17
cathy [3] 81:18 82:6,23
cause [1] 4:9
cc [1] 20:13
center [5] 37:25 43:13 44:10 71:24 72:7
central [43] 12:4 13:24 14:5 15:18 16:17,18,19 29:20 35:3 36:25 38: 9 39:2,10,12,14,22,25 40:5,13 42: 25 43:17,23 49:2 54:9 55:3 57:4,9, 11 61:11,13,25,25 62:3,8,24 64:19 69:17 74:23 75:5,6 76:14,16 77: 13
ceo [1] 5:22
certificate [1] 82:2
certificated [2] 24:1,13
certification [2] 23:17,21
certified [9] 23:2 26:13,15 31:8,11 47:13 65:21 78:1 79:7
certifies [1] 31:12
certify [7] 26:4 31:16,17 79:6 81:7 82:7,13
cfr [1] 63:10
chairman [1] 5:22
change [1] 27:9
changed [4] 6:8,10 27:7 30:12
changes [1] 11:11
characterization [2] 29:14,14
charge [4] 9:17,22 17:19 37:12
check [3] 29:9,10,15
chief [1] 6:12
chooses [1] 39:5
cisco [14] 53:16 65:18 66:18,19,20, 24 67:19,21 68:23,25,25,25 69:1 72:13
cite [3] 30:8 36:2,5
cited [1] 36:2
city [6] 32:11,12,13,14,15,15
civil [1] 4:7
claim [1] 39:13
clarification [2] 16:11 56:20
clarify [4] 70:21 74:19 75:17 77:15
class [4] 49:22 65:24,24 66:9
classified [2] 38:14 73:1
clear [3] 12:24 13:7 36:12
cleared [1] 77:23
clearly [4] 11:22 13:14 49:2 70:17
clears [1] 75:20
clec [1] 23:9
cleverly [2] 36:24 43:16
close [1] 64:6
code [3] 30:7 32:16 33:5
codes [5] 26:23 27:2 31:24 32:4 72:18
collocate [14] 10:11 17:19 18:20 20:21 40:18 43:19 44:4 49:1,13, 22 52:10 62:8,23 75:5
collocated [2] 46:6,8
collocating [3] 38:13 50:3 55:2
collocation [98] 7:3,14,17,21 8:1, 5,7,8,20,24 9:5,9,12 10:6,8,10 15: 17,19 17:6,6,10,24 18:10,11 19:5 20:4 21:11,13,18,20 23:1 24:4,6,8, 17,21 25:5,10,13 28:12,13,15,17 29:6 41:24 44:24 45:6,25 46:9,11, 17,24 47:17,21,23,23 48:10,15,16, 17,21 49:3,12,14,23,23 50:3,11,15, 15,17 51:19 52:5,9 53:7,12 54:12, 21 59:3 60:23 61:7,13,21,24 62:4, 11,16 64:18,23 65:7 69:15 70:15, 16 71:12 74:22 75:3,15,23
collocation-related [1] 10:3
collocations [1] 51:15
collocator [2] 27:20 29:18
collocators [4] 29:12,21 70:7,14
column [1] 13:2
come [7] 6:20 10:19 17:8 19:21 27: 24 28:14 29:2
coming [1] 25:3
command [1] 6:24
commenced [1] 1:12
comment [1] 20:18
comments [7] 20:17,17,19,20,23, 24 36:19
commission [31] 2:6 5:10 10:9 14: 25 15:21,25 16:12,15,16,20,22 24: 18 25:15 39:19,23 40:2,8,15 41:14, 15,21 48:4,6 49:5,7,11,20 55:8 62: 15 67:13 75:2
committee [1] 59:4
common [5] 29:5,11,21 30:1,4
communicated [1] 26:25
companies [4] 18:15,19 19:17 20: 9
company [2] 63:19,24
compare [1] 31:21
compete [3] 18:23,24 46:12
competition [1] 34:10
competitive [1] 27:4
complaint [4] 48:7,8 75:2 76:17
complete [2] 38:18 82:10
completed [1] 7:18
completely [1] 23:18
completing [1] 78:3
concentrator [2] 57:25 58:13
concentrators [2] 56:22 67:23
concerned [1] 48:9
concerning [1] 16:25
concise [2] 12:21 13:8
concluded [1] 78:14
conditioning [1] 47:5
conduct [1] 39:6
confidential [1] 75:20
confirmation [6] 52:23,25 53:1 66: 6,13,15
confirmations [1] 72:17
confirmed [2] 37:23 39:9
confused [4] 13:21 17:3 28:11 34: 8
connected [1] 82:16
connection [1] 29:5
connections [1] 58:21
consent [1] 4:11
consider [1] 38:21
consideration [2] 26:8 77:2
consistent [1] 14:11
constraint [1] 46:14
construct [1] 23:10
construction [2] 32:23,25
contacted [2] 26:17 49:18
contained [3] 13:9 22:7,9
contesting [5] 17:5,9,12,14,20
continue [2] 53:25 54:22
continuing [11] 8:15 20:1 21:8 22: 5 41:11 42:11 44:21 53:2 61:19 64:14 65:8
contract [4] 68:14,15 69:12,13
contractor [38] 22:25 23:2,6,17,21, 25 24:2,3,5,14,22 25:2,7,8,9,14,17, 21,23,25 26:4,11,13,13,15 27:18, 21 29:2,25 30:14,17 31:8,9,18 46: 19,21,22 47:13
contractors [6] 30:10,15 31:13,16, 20 78:1
contracts [3] 68:17,20 73:7
contradicts [1] 50:10
control [3] 24:14 78:2,5
conversations [2] 4:11 19:18
coo [1] 6:11
coordinate [1] 24:9
coordinates [1] 8:23
copy [3] 20:24 21:1 79:7
coral [1] 32:11
correct [54] 5:23 7:1,12 8:18 10:25, 25 11:13 13:19 14:1,9,18 15:6 17: 2 20:6,7,10,11 21:15 22:14 24:17, 18 28:5,6,10 30:5 32:17,19,22 36: 15 45:12 46:24,25 47:3,6,9 50:18 51:18,23,24 52:1,2 56:3,4 57:19 64:25 67:15 68:7 71:1 74:2 76:15 77:7 78:5,11 79:9
corrections [3] 11:4,4 79:10
correctly [1] 50:14
cost [1] 78:7
couldn't [2] 44:4 45:5
counsel [3] 5:11 82:14,16
county [4] 32:8,18 81:3 82:4
couple [4] 33:1 38:24 56:8 76:21
course [2] 29:10 49:25
cover [1] 23:8
covered [1] 51:22
criteria [4] 30:10,14 31:16,17
crowd [2] 36:25 43:17
crucial [1] 55:18
curious [2] 63:20 69:25
current [2] 20:15 65:10
customer [1] 9:7
customers [6] 50:22,23,24 51:2 57:13,15

D

dade [3] 12:10 55:3 76:12
dakore [2] 9:15,15
data [3] 7:19 51:2 67:7
datacom [1] 6:23
date [3] 43:23 66:11,11
dated [1] 82:19
dates [1] 68:12
daunting [3] 17:25 19:6 20:5
dave [2] 7:15 53:23
david [2] 69:7 76:1
davis [1] 35:20
day [6] 37:20 38:8 42:24 69:19 79: 18 82:19
day-to-day [1] 7:20
days [6] 69:16 70:1,12,18,18,25
daytona [2] 74:22 75:9
deal [1] 54:25
dealers [1] 65:20
dealing [1] 32:20
dealt [1] 21:19
december [2] 50:1,2
decided [3] 17:23 19:5 20:3
define [1] 62:5
delay [2] 34:13,21
deliberate [1] 15:22
deliberately [5] 43:18 44:3,23 45: 5,9
delivery [1] 78:8
demonstrate [1] 47:20
denied [3] 62:7 64:20,24
depend [1] 39:4
depends [6] 6:5 30:16 39:3,5 52: 11 65:14
deployment [3] 20:14 54:1,23
deponent [1] 4:11
deposit [1] 72:3
deposition [6] 1:7 4:5 5:12 78:14 82:2,8
depositions [2] 29:4,10
described [2] 28:20,23
deserved [1] 75:4
design [5] 22:24 27:19,24 28:1 48: 2
designed [1] 28:18
designing [1] 28:8
designs [2] 7:23 28:4
desk [3] 38:10 42:21 77:12
desks [15] 37:16 38:20 39:20,24 40:3 41:15 42:16 43:25 44:23,23 45:10,14,15,17,20
detail [1] 34:3
details [1] 12:3
determine [1] 25:9
different [5] 8:12 13:9 20:6 31:17 42:21
difficult [2] 72:15,24
direct [29] 6:4,7 7:5,13,25 8:19 9: 10 10:2,21 11:2,17,18 12:3,6 13: 20 14:20 17:4 21:16 34:3,11 53: 24 56:5 58:19 63:24 64:5,8,11,16 77:5
directly [7] 8:6 10:20 17:12,13 49: 18 72:6,9
disclose [1] 19:24
discussed [8] 22:23 30:19,22 31: 3 49:25 50:4,7 75:21
discussion [4] 16:7 42:9 74:21,25
discussions [4] 9:11 19:10 20:12 74:16
distance [3] 63:25 64:4,17
docket [7] 20:13,13,16,24,24 36: 21,22
document [6] 22:9 36:7,8,9,18 62: 14
documentation [1] 23:24
documents [8] 12:22,23 22:3 28: 23 31:14,19 47:16 63:21
doing [5] 10:7,10 22:24 31:10 46: 22
done [8] 24:23 25:10 28:4 38:4 40: 12 46:17 53:8 59:2
down [2] 38:24 66:19
draw [1] 29:18
drawn [1] 29:19
dual [1] 8:2
duly [1] 81:9
duplicated [5] 36:24 43:16,18 45: 14,15
duplication [3] 42:19 43:3 44:23
duplications [1] 77:22
during [4] 39:13,16 52:12 57:2
duties [1] 9:8

E

each [15] 13:24 14:5,6 15:5 16:3,4, 17,17,19 35:3 37:14,15 38:17 67: 10 73:14

earlier [3] 29:19 77:10,24
economies [1] 18:14
effectively [1] 46:12
efficiency [5] 46:7,8 48:12 50:20 67:6
efficient [2] 50:21 55:4
efficiently [1] 46:17
eight [3] 35:17 37:13,13
eighteen [1] 37:1
elaborate [1] 55:20
electronic [1] 56:22
element [1] 47:11
elements [2] 46:16 48:13
emergency [1] 1:3
employ [1] 71:11
employee [4] 52:13,15 82:14,15
employees [8] 5:24 6:2 10:1,2,13,16 52:16 71:17
end [1] 47:14
ends [1] 15:24
engineering [3] 8:4,17 9:3
enhanced [2] 51:5 62:24
enough [1] 73:23
entire [2] 25:5 77:19
entirely [1] 38:4
entrants [1] 18:16
environment [9] 44:14 46:11 48:21,22 49:12,14,24 50:4,11
equipment [91] 8:3,4,21,23,24 10:12 28:8,25 29:13 38:3,4,6,8,13,15,18,23 39:1,9,10,13 40:12 44:11,13 46:10 48:22,24 49:1,13,22 50:3,12 52:4,4,9,11,18,20,21,22 53:6,11,15,16,18,21 56:22 57:7,9 58:15 59:16 61:12 62:2,23 65:9,11,11,21,22,24 66:8,9,12,18,19,23,25 67:1,2,5,8,10,14,16,17,19 68:9,10 69:1,6,9,16 70:2,12,15 71:2,5,21 72:13 73:23,25
errata [2] 79:11 80:2
especially [3] 51:3 59:9,12
estimate [1] 37:13
even [18] 18:11 21:6 26:12 38:2 44:7 46:15,20,20,22 48:6 49:11 50:11 55:8 63:5 68:16,16 72:16 73:20
evening [2] 74:14,15
everything [3] 13:8 65:16 73:19
evp [1] 9:22
exactly [5] 16:6 36:18 46:3 49:19 77:22
examination [6] 3:11,12,13 5:13 74:12 76:23
examined [1] 5:4
examples [1] 27:15
except [1] 4:7
exceptions [1] 79:10
exchange [1] 46:13
excuse [1] 64:15
executive [1] 33:21
exemptions [1] 49:5
exhibit [5] 11:1,14 12:14 19:13 21:6
exhibits [1] 3:15
experience [7] 31:23 32:1,3,10,20,23 33:5
explain [8] 30:17 32:3 40:9 41:1 42:12,12 43:11 66:2
explained [3] 18:13 43:10 46:4
extend [6] 46:23 47:2,4,7,14 70:4
extensively [1] 31:25
extent [1] 38:16
extreme [1] 41:4

F

fact [20] 13:1,3,18 20:5,11,20 37:15 38:12,22 42:23 43:12 44:6 46:11 49:10 50:16 54:16 66:4 71:23 73:9,21
fails [1] 44:8
fair [1] 29:13
familiar [1] 69:14
fannon [1] 2:8
far [4] 15:24 28:23 30:19 55:24
fcc [5] 10:8 20:15 63:4,6,7
federal [1] 30:7
fee [2] 17:18,20
fees [1] 28:15
feet [18] 13:3,24 14:4,6,25 15:5 16:1,3,4,9,17,17,19,22,23 35:3 73:14,16
few [4] 11:3 22:21 35:20 48:20
fifteen [2] 37:3 55:13
figure [1] 13:16
figures [1] 12:1
file [6] 22:1,2,3 23:17 26:23 76:9
filed [13] 20:16,17,19,20,23 23:14 36:19 51:17 70:5 75:2 76:5,14 77:4
files [1] 26:23
fill [1] 29:2
final [4] 36:7,10,13,14
finalizing [1] 69:13
finally [1] 73:11
financially [1] 82:16
find [3] 17:18 75:22 79:9
finding [1] 77:5
finish [2] 24:16,20
firm [13] 52:22,25 53:1,3,4,7 54:13 65:25 66:6,15 68:11 72:16 78:9
first [21] 16:8 22:16 26:6,12,16 27:17,17,17 28:4 34:9 42:13 49:3,6 52:13,14 63:23 64:8 66:6 75:4,16 76:12
fispa [1] 73:10
fix [2] 59:13,16
flat [1] 41:17
florida [19] 1:11,17 2:4,6,9,11 4:7 5:21 11:6 24:19 25:15 31:24 40:15 49:5 59:11,12 62:14 73:8 81:2
flotida [1] 11:5
foc [1] 53:1
focul [2] 20:18,19
follows [1] 5:4
footage [4] 12:4,4,17 14:11
forecast [1] 74:3
forecasting [1] 17:1
foregoing [1] 79:7
forgot [1] 47:10
form [4] 4:8 23:22 61:13 62:3
former [1] 6:22
forms [6] 7:19 23:23,23 26:14 52:25 72:19
fort [1] 72:9
forth [1] 21:19
forward [5] 26:10 54:11,19 55:5,7
four [3] 13:9 42:18,21
fourteen [2] 6:6 37:3
frame [2] 25:9 78:3
freehand [1] 25:22
full [2] 5:15,17
fully [1] 39:8
function [12] 7:5,8,9,13,16,25 8:19 9:5,10,14 42:17,20
functions [1] 37:17
furniture [1] 41:17
further [2] 16:10 82:13
future [9] 11:24 12:12,17 13:17 15:23 16:13,21,23 74:5

G

g-o-d-f-r-e-y [1] 60:1
gables [1] 32:11
gardens [12] 12:10 13:4 19:2 34:18 39:2,22 40:5,18 47:19 55:3 64:23 76:13
gave [1] 37:12
general [2] 21:11,13
gentleman [1] 9:20
gets [1] 24:23
getting [5] 10:10 22:24 23:25 24:22 70:2
give [17] 12:18 16:10,23 20:8 25:4,22 27:15 28:25 31:20 41:9 60:12 65:16 68:24 72:19 73:19 76:3 78:2
given [12] 12:1 18:24 23:21 26:14 45:7 53:9,10 59:7 65:25 72:21 77:2 79:8
gives [2] 72:18,19
giving [1] 16:21
glad [2] 37:6 47:11
glades [13] 12:11 19:1 34:17 39:1,22 40:5,17 42:15 47:18 55:3 57:3 64:19 76:13
god [1] 71:7
godfrey [3] 59:21,23,24
golden [13] 12:11 19:1 34:17 39:1,21 40:4,17 42:15 47:18 55:3 57:3 64:19 76:12
got [13] 13:21 23:23,23 26:13 33:13 34:8 46:2 63:21 68:23 69:9 72:13 76:1,21
gotten [2] 16:6 43:3
graham [2] 7:15 14:3
graham's [3] 7:25 13:22 14:16
grant [2] 14:25 15:25
granting [1] 21:20
greatly [2] 24:7 54:17
gretchen [1] 22:21
ground [1] 47:7
growth [3] 15:24 16:25 74:4
guess [7] 22:6 28:11 52:12 54:24 58:10 70:10,20

H

hand [2] 65:12 81:11
happen [1] 38:3
happened [1] 66:18
hardware [1] 59:16
harris [1] 9:6
hear [1] 67:1
heard [1] 29:5
hearing [4] 4:8 50:14 53:17,18
held [1] 35:4
help [1] 8:14
hereto [1] 79:11
hire [4] 25:21 26:11 71:25 72:2
hired [1] 25:24
hires [3] 25:13,17 46:20
hiring [3] 24:21 26:13 29:25
hold [1] 25:14
hours [15] 37:10,13,20,20,20,22,23 38:8,8 39:10,11,13,17 42:24,24
houses [1] 33:1
hundred [3] 16:19 73:15,16

I

idea [1] 77:25
identified [3] 3:16 17:15 42:14
identify [1] 19:17
imagine [1] 19:18
implementation [1] 15:1
important [5] 12:22 35:15 48:2 50:19 55:18
improve [1] 33:25
inac [1] 50:1
inac's [1] 75:18
inc [2] 1:4,5
included [1] 21:14
including [3] 18:6 38:14 75:13
incumbent [2] 30:9 46:13
indicate [1] 41:3
indicating [1] 29:23
indirect [4] 7:8,9 9:4,14
individual [1] 19:17
individuals [2] 7:10 60:13
industry [6] 18:4 19:11 32:2,24,25 37:24
information [13] 1:4 5:7 7:19 9:25 12:25 13:8 19:24 44:2 45:4,7 51:4 76:8 78:10
informed [3] 18:18 49:11 59:5
infrastructure [11] 22:24 23:11,11 27:13,14,16,19 28:21 30:1 46:21,22
initial [1] 15:1
insert [1] 11:9
inside [1] 44:16
insisting [1] 35:2
installation [6] 52:4 71:19,20 72:11,14 78:4
installed [1] 73:4
installers [1] 65:21
instance [1] 72:12
instead [1] 25:3
instruct [1] 40:24
insufficient [2] 34:12,20
intend [4] 50:24,25 51:8,13
interchangeably [1] 58:14
interconnection [7] 7:24 47:2 48:10,12,14 60:9,10
interest [1] 74:22
interested [4] 63:19 65:1 77:6 82:17
interesting [3] 23:13 24:15 48:18
internally [1] 31:20
internet [3] 51:13 62:25 73:7
interrupt [1] 30:21
interrupting [1] 31:4
involved [3] 8:6 77:13 78:3
isn't [3] 36:14 46:24 51:18
issue [24] 15:21 18:21 22:23 24:9 26:3,6 30:22 34:12,20 37:7 39:8 46:19 49:19 50:2 54:1,2,7,23 55:19 58:10 59:5 62:21 70:21 78:6
issued [2] 36:4 48:5
issues [10] 17:15 18:8 21:18 22:13 35:15 37:10 44:6 47:13 48:25 59:4
itself [8] 28:19 46:14 58:15 60:24 61:8,9,22,24

J

job [6] 23:2,6 24:23 25:2,3,10
jobs [2] 24:17,21
john [3] 7:15 22:19 76:1
judgment [1] 45:16
july [4] 34:15,16,16 73:10
june [3] 35:4 60:20 73:9
justice [1] 58:9
justification [1] 38:9

K

keating [6] 3:12 5:10,10 74:13 76:19 77:1
keep [3] 29:11 45:24 70:17
kept [2] 11:24 12:12
kevin [1] 35:20
kind [12] 7:20 11:22 38:15,16 50:9 53:15 57:20 65:22 66:23 69:6 73:2 77:3
knowledgeable [1] 53:21
known [1] 23:19

L

l-o-u-i-s [1] 6:17
lack [1] 58:20
last [17] 6:5 9:20 13:2 22:17,18 23:23,24 26:15 30:8 48:5 50:1 53:17,17,17 62:13 73:17 77:12
late-filed [3] 19:12 21:4,6
lauderdale [1] 72:9
law [1] 23:8
least [2] 13:13 38:17
leave [1] 58:8
lec [1] 30:9
left [1] 73:20
leon [2] 81:3 82:4
letter [1] 50:4
letters [1] 73:21
level [1] 27:19
liaison [5] 8:6,9,10,11,24
license [1] 7:19
life [1] 33:2
line [14] 13:23 15:14 17:17 20:14,14,15 21:23 27:4 55:2 58:11 74:25 75:4,16 76:12
lines [22] 13:20 14:22 17:4,22 21:16,24 34:12 35:1 36:23 37:1,2 43:15 46:5 51:1 53:24 54:5 58:19 60:22 61:3 63:14,18 64:16
list [2] 19:8 76:3
little [4] 13:21 29:18 34:8 41:17
local [4] 34:10 46:13,14 48:9
located [1] 28:9
location [7] 37:24 38:4 39:2,23 40:7,20 41:23
long [9] 44:18 45:17,20 59:17 63:25 64:3,17 73:13,16
longer [1] 25:6
look [5] 12:2 13:14 20:13 50:6 72:16
looking [1] 15:4
lot [8] 20:21 34:3 35:13 43:25 48:3 57:3 69:24 77:21
lou [3] 6:15,17 10:19
lucent [6] 52:13,18 68:16,18,19,20
lying [1] 66:19

M

ma'am [37] 5:23 11:3 14:1,9,14,18,21 17:2 19:3 21:2,15,21,23 22:8 34:18 40:10,21 41:25 42:2,4 45:1,12 50:18 51:6 54:4 56:7 60:2 67:9,12 72:15,15,24 74:15,24 75:17 76:15 78:5
made [2] 18:25 48:19
magnolia [2] 55:23 56:1
mail [3] 8:3,4,16
main [1] 44:10
maintaining [1] 71:20
maintenance [5] 40:4,16 41:16 48:23 71:22
manage [1] 39:10
management [2] 7:21 9:25
manager [1] 9:19
managers [7] 6:3,6 7:2,11 9:4,13 37:12
manages [1] 39:8
manned [4] 37:11,21,23 42:25
manner [3] 12:21 13:8 18:10
manning [1] 38:1
manufacture [1] 66:8
manufactured [1] 66:9
manufacturer [3] 56:13,15 57:18
manufacturer's [3] 56:12 66:21,22
manufacturers [1] 56:18
manufacturing [1] 52:3
many [7] 5:24 6:3 7:2 10:2 25:24 31:14 37:10
march [2] 60:18,20
marcus [5] 18:5,7 22:20 23:3 35:16
mark [1] 2:10
martin [2] 9:16,22
matter [6] 18:17 46:9,12 71:22 73:9,20
matters [1] 10:3
max [1] 37:14
mayes [3] 26:25 29:7 72:17
mccraney [1] 35:19
mci [1] 48:8
mean [16] 6:8 15:13,16 19:1 27:10 30:16 39:12 54:2,7,11,20,24 58:3 62:7,9 63:21
means [4] 24:8 37:22,25 38:1
meant [1] 77:23
meet [1] 70:1
meeting [10] 22:19,20,23 23:7 35:4,5,18 50:2,6 75:21
meetings [4] 18:4 21:9 50:1 59:3
memorandum [2] 36:3,16
memory [2] 34:15 75:8
mention [1] 47:10
mentioned [1] 9:21
mere [1] 13:23
message [1] 26:25
method [1] 76:7
miami [12] 5:20,21 32:12,13,14,15,15,21 33:7,7 72:5 73:5
miami-dade [1] 32:18
micmetro [2] 48:6,7
might [2] 77:3,17
mike [1] 7:15
milner [6] 62:21,25 63:3 64:16 70:22 71:3
milner's [8] 23:15 26:5 30:18 50:7 63:23 64:6 70:6,13
mind [1] 76:3
minute [2] 46:18 61:17
minutes [2] 50:5 75:18
miriki [3] 9:15,15,18
mis [4] 9:17,23,24,25
mistake [2] 34:22 66:18
misunderstood [1] 39:18
mixture [1] 65:20
mode [1] 67:3
model [1] 57:20
modem [11] 56:23 57:1,4,7,10 58:1,2,3 67:20,20,22
modems [2] 56:23 62:8
monday [2] 6:11,19
money [6] 53:9,10 54:15 66:1 67:2 68:24
monitor [4] 38:6,8,23,25
monitored [4] 39:11,15,16 42:25
monitoring [10] 38:3 39:21 40:3,6,12,19 41:23 42:20 44:14 72:1
monitors [4] 43:14 44:11,13,15
month [1] 25:15
months [9] 24:10,11,11,17,21,24 25:5 48:20 69:20
most [3] 18:10 38:1 74:17
move [2] 26:16 55:10
moving [2] 54:11,19
ms [58] 3:11,12,13 5:5,6,8,10,14 8:15 19:12,14,20,22,25 20:1 21:3,8 22:5 23:4 24:25 35:12 37:8 40:24 41:2,5,6,7,9,11 42:6,8,11 44:17,19,21 49:16,16 53:2 56:4 57:2 58:7 61:18,19 64:14 65:8 70:20 74:11,13,16 75:25 76:19,21,24 77:1,10,25 78:12,13
much [5] 17:19 18:12 74:3,4 78:2
multifaceted [1] 58:16
multiple [2] 37:16 38:10
municipalities [1] 26:24
municipality [1] 32:7
must [2] 17:18 18:16

N

name [11] 5:15,17 21:5 30:23 56:11,12,13 57:16,18 66:21,22
names [5] 19:17 20:8,9 21:4 60:12
nancy [12] 2:3 5:8 7:19 18:7 22:21 23:4 29:1 35:17 49:6 73:19,19 75:25
nature [1] 49:9
necessary [5] 29:3 42:22 47:5,8 55:12
need [9] 16:8,9 19:23 46:6,8 58:6 74:5 77:17,20
needs [3] 14:24 15:21 19:20
nelson [9] 7:20 18:7 22:21 23:4 29:1 35:17 49:6 73:19 75:25
network [31] 22:24 23:10,11 27:12,14,15,19 28:20 30:1 37:25 38:18 43:13 44:10 46:7,8,16,21,22 48:2,13 50:20,21 53:25 54:23 60:10,11 62:22 63:6 67:6 71:24 72:6
new [1] 18:16
next [1] 44:9
nicely [1] 25:1
nigeria [2] 33:3,4
night [1] 38:2
nilson [19] 7:15 8:23 10:21 15:20 17:1 23:23 30:25 53:23 55:19 56:9 58:6,17 60:11,15 64:10,12 74:9,18 76:1
nilson's [5] 7:16 13:22 14:3,16,19
nine [4] 24:11 35:18 60:25 61:1
noc [7] 37:25,25 38:5 43:13,14 71:22,23
none [5] 26:1,2,3 27:1 36:19
nor [2] 82:14,16
normal [1] 77:3
nortel [12] 52:16,20,21,22,23 53:5 65:10,17,23 66:1,5 68:16
north [3] 12:10 55:3 76:12
note [1] 21:3
notes [2] 11:8 82:11
nothing [1] 46:2
notice [5] 4:6 36:4,7,12,17
noticed [1] 36:11
november [2] 22:17,18
number [14] 3:16 12:16 17:23 18:3,19 19:7,10,16 20:3 32:1 38:12 57:21 59:2 63:11
numbers [4] 11:24 27:2 72:18,19

O

oak [1] 2:6
oar-4 [2] 12:2,2
oar-5 [2] 12:6,16
oar-6 [1] 12:16
oar-8 [3] 11:5,14 13:2
objections [1] 4:7
obligation [1] 15:16
obtain [1] 32:8
obtaining [2] 75:22 76:7
obviously [1] 34:20
occupied [2] 12:8 13:16
october [7] 22:17,18 79:3,8 80:5 81:11 82:19
off-the-record [2] 4:10 42:9
offered [1] 21:6
office [34] 1:22 9:11 12:5 14:5,6 15:5 16:17,18,19 25:24 29:20 32:7 33:17 36:25 38:9 39:11,12,15,25 40:13 43:17 57:9,11 59:8 62:9,24 63:19 64:2,3,19 66:10,19 69:17 73:14
officer [2] 6:12 41:8
offices [110] 11:23 12:5,8,12,19 13:16,24 15:18 16:3,4,13,14 18:20,25 21:11,13 25:24 32:10 35:4 37:9,11,12,14,16,21,23 38:11,13,16,20,23 39:2,22 40:5,6,18,19 41:20,22 42:14,25 43:24 44:6,25 45:18,21,25 47:18,19,25 48:1,3,5,8,11 49:2,4 51:22 52:1,19,20 53:19 54:3,9,17 55:4,4,9,14,17,17,21,22 56:2 57:4,6 59:9,10,12 61:11,13,25,25 62:3 63:20 64:2 65:2,7 66:16,16 67:11 68:4 72:23 73:22 74:23 75:5,6,11,12,13,14 76:2,5,9,14,16 77:3,6,13,22
official [1] 81:11
officials [4] 18:4,6 21:10 48:19
okay [65] 6:12,18,20 9:18,20 11:11,19 14:13,23 15:3 16:5,15 17:17 19:25 21:25,25 22:9,16,16 25:20 27:14 28:7 29:19,24 31:2,3,6 33:11,23 34:8,23,24 37:5 38:24 39:5 42:12,19 43:8,12,25 46:5,20 47:22,24 48:1 52:12 54:6 56:24 58:8 61:4 62:2 63:17 64:13,21 65:13 66:3,20 67:4 69:9 70:13 71:25 72:11 76:19 77:10 78:1
olasawere [1] 33:21
olukayode [7] 1:7 5:3,17 79:6,15 81:8 82:8
olykayode [1] 3:10
once [3] 66:14,15 71:4
one [42] 7:18 8:2 11:4,4 12:20,25 13:9 14:4 16:3,4 29:20 35:23 37:9 38:5,11 39:20,20 42:22 44:6,8 48:25 50:1 51:18 52:16 55:23 56:2,19 59:4 62:13 63:24 64:2,17,22 66:16 68:19 72:21,21 73:21,22 74:7,18 75:18
one-quarter [2] 29:23,23
one-stop [1] 65:15
only [13] 9:10 13:11,13 35:23,24 45:13 52:16 63:19,24 65:1 70:17 75:1 76:12
onus [1] 47:20
open [2] 62:22 63:6
operate [1] 25:23
operating [2] 6:12 18:14
operation [2] 43:13 44:10
operational [1] 37:25
operationally [1] 38:21
operations [4] 9:7 33:22 71:24 72:6
opinion [3] 36:4,16 42:21
opportunity [1] 18:24
opposed [1] 25:10
opposite [2] 72:6,10
orange [1] 74:23
order [29] 34:9,9,10 36:4,7,10,13,14,17 46:14 48:5 52:23,25 53:1,3,4,5,7 54:14 59:15,15 62:14,15 65:22,25 66:6,15 68:11 72:16
ordered [3] 68:8 69:10,11
ordering [1] 9:19
original [1] 76:17
orlando [2] 55:23 56:1
osr-8 [1] 11:1
other [26] 9:13 15:21 18:10 22:21 28:23 35:15,18 36:2 42:23 51:25 54:12,19,25 55:4,5,7,12,21 62:21 64:17 66:7,17 67:16,19 76:13,16
others [1] 35:21

ourselves [1] 22:24
out [16] 10:1 12:20 17:19 19:21 29:2 35:14 36:16 38:8 39:20 40:2,4,17 41:22 43:7 75:21 77:6
outside [4] 38:9,23 39:10 40:12
over [6] 42:17,17 48:17,20 50:15 78:3
overall [2] 5:25 6:1
overriding [1] 51:11
own [37] 12:12 16:13,21,23 20:19,23 23:2,10,11,17,21,25 24:9,12,14 25:13,17,21,25 26:4,11 30:10,13,15,16 31:10,13,16,20 32:21 38:13 39:6 46:21 58:18 62:17 71:17 77:25

P

p.m [2] 1:12 78:14
page [42] 3:2 11:18,20 13:20,23 14:19 15:12,12 17:3,18,22 21:16 27:4 30:6 34:2,11 35:1 36:3,23 37:2 43:15 46:5 53:24 54:4,5 56:5 58:11,19 60:21 61:2,3 63:13,15,15 64:6,7,10,11,15,15 74:21 79:8
pages [2] 34:4 36:1
paid [7] 54:15 67:16 68:2,3,25,25 72:3
palm [15] 12:10 13:4 19:1 34:17 39:1,22 40:5,18 42:15 47:18,19 55:2 57:3 64:23 76:13
paper [3] 12:25 13:9,10
paragraph [4] 16:25 36:5,6 69:15
parity [3] 60:23 61:21 62:11
part [23] 17:15 18:8 20:2,17,19 36:9 38:1 42:12,23 43:1,2,2,6,8,10,11,12 48:8 58:1 60:9 76:16 78:6,6
participate [3] 10:14 21:18 22:13
particular [2] 54:2 70:21
particularly [1] 70:5
parties [1] 82:14
parties' [1] 82:15
partly [1] 10:18
past [2] 23:19 48:20
pay [3] 17:6,10,18
people [20] 7:9 10:5 19:11 20:9 21:5 22:21 32:1,16 35:14,14,18 37:11,13,14 39:9,14 71:11,11,25 72:2
per [1] 24:18
percentages [2] 11:22,23
perform [2] 42:17 51:9
performed [1] 42:20
permission [1] 32:8
permit [7] 15:18 24:22 27:22,25 28:5 33:23,25
permits [7] 24:3,6 25:2 27:18 33:11,13,14
permitted [6] 21:18 27:5 63:3,5,7,8
permitting [3] 26:18,23 27:2
person [2] 35:24 59:19
personally [4] 20:6 22:12 60:15 81:8
perspective [1] 37:7
pertaining [1] 10:9
pertinent [1] 48:25
petition [2] 1:3 77:5
phase [1] 68:19
phonetic [1] 6:23
phrase [1] 29:5
physical [26] 15:18 21:17,20 38:3 47:21,23 48:10,15,16,20 49:23 50:15,16 51:15,18 52:5,9 53:6 54:12 61:7,13 64:18,23 75:3,15,23
physically [6] 37:11 46:6 52:10 57:10 67:5 75:5
pick [2] 30:13,15
picking [1] 30:16
picture [1] 29:19
piece [6] 12:24 13:8 36:7,8,13 38:17
pieces [3] 13:9 38:25 41:17
pinked [1] 11:25
place [11] 46:10 48:21,22 50:12,13,16 66:7,10 70:12,15 71:2
placed [3] 53:5,7 65:25
places [1] 36:2
placing [2] 59:15 68:11
plan [8] 15:2 28:24 32:8 51:4 68:23 72:15,22 73:18
plane [1] 47:8
plans [1] 27:21
please [11] 5:15 11:9 15:12,14,15 17:8 19:8 25:4 40:24 42:12 64:5
plus [1] 12:16
pod [2] 21:25 22:1
point [28] 6:5 12:13,15,20 13:11,13 16:8 17:16 18:15 20:16 23:13 26:22 27:1 31:6 37:19 38:7 39:16 47:2 49:24 52:19 54:15,16 62:6 63:5 66:14 76:25 77:1 78:9
pointblank [1] 23:3
policy [3] 23:9 30:12 70:7
port [1] 74:22
position [16] 38:25 39:19,24 40:1,11 41:4,21 43:17,20,21,22 77:11,12,16,18,19
positions [2] 40:16 77:23
possible [5] 38:7,23 47:21 71:6 78:3
post [1] 1:22
pots [3] 50:25 51:1,1
power [4] 34:13,20 46:23 47:1
preceding [1] 15:9
prehearing [1] 41:8
prepare [1] 27:12
preparing [4] 27:6,10,11 29:17
presence [1] 57:9
present [5] 25:10 29:4,7 35:5,18
president [10] 6:11,12,22,22 7:23 8:3,16 9:2,6 33:22
price [1] 50:5
prices [4] 17:5,10,13,13
primarily [1] 51:10
primary [1] 51:12
printed [1] 36:15
prior [1] 21:19
private [3] 19:10,18 20:12
probably [3] 10:4 65:19 73:22
problem [7] 24:12,13 25:6,6 59:16 70:1,3
problems [1] 59:4
procedure [1] 4:7
proceeding [7] 17:9,12,16 19:19 62:13 70:5 76:6
proceedings [1] 48:4
process [8] 17:25 19:6 20:4 23:25 25:5 26:18 31:7 59:14
produced [1] 75:19
production [2] 22:3,9
professed [1] 58:20
professional [2] 1:15 82:6
projects [1] 54:12
pronunciation [1] 8:12
proper [1] 15:1
proposed [5] 36:4,7,11,12,17
protective [1] 21:7
provide [18] 25:8 35:3 50:23,24,25 51:4,13 60:23 61:7,20,23 62:8,11,16,24,25 65:14 68:18
provided [2] 27:3 31:22
provider [1] 51:10
providers [1] 73:8
provides [4] 60:23 61:21 62:12,17
provision [1] 51:1
public [11] 2:6 10:8 20:18,22 24:18 25:15 40:15 49:5,7,20 62:14
purpose [4] 11:14,15,21 78:2
purposes [1] 30:11
pursuant [1] 4:6
pursuing [3] 18:9,17,21
put [17] 13:7,7 29:12 37:7 44:3,15,17,23 45:23 53:6 66:10,10 67:10,14 68:4 69:16 72:14
puts [1] 69:19

Q

qualified [2] 65:3,6
quarter [1] 29:20
question [35] 4:8 13:7 15:16 16:2,5 17:6 19:14 22:16 24:15 28:16,19,24 30:25 37:5,5 39:18 40:21,23,25 41:5,7,12,13 42:4 44:20,20,22 45:1 48:18 53:20 61:23 69:8 74:18 77:10,25
questions [6] 16:24 56:8 69:24 74:17 76:20,22
quick [1] 56:20
quite [13] 17:23 18:3,18 19:7,10 22:21 32:1,25 35:13,20 57:3 59:2,2

R

racal [1] 6:23
racks [4] 29:3 44:12,12,16
ramos [18] 1:7 3:10 5:3,15,17 19:15 20:2 22:11 31:23 41:6 44:19 74:14 76:25 78:13 79:6,15 81:8 82:8
ramos's [1] 41:2
rather [1] 12:5
re [1] 1:3
reach [1] 66:15
reaction [2] 26:20,21
read [10] 13:21 15:6,9,14 28:23 30:18 31:14 34:4 47:16 79:7
reading [2] 4:9 15:13
ready [2] 53:11 71:5
realized [2] 76:4,7
really [3] 18:11 19:23 58:3
reason [2] 31:15 78:8
reasonable [1] 45:16
reasons [1] 57:8
rebuttal [14] 23:15 26:5 30:18 60:21 61:4,5 63:13 64:6,7,15 70:6,10,13 74:20
recall [3] 34:18 37:8 57:2
receive [1] 66:5
received [2] 63:22 66:4
recent [3] 36:3 48:6 73:21
recognized [1] 46:14
record [7] 5:16 20:18,22 21:4 42:6 44:17 82:10
rectangle [1] 29:20
redirect [1] 76:22
reduce [2] 23:1 24:7
refer [2] 11:16 64:8
referring [1] 21:23
refuse [1] 20:8
refused [4] 21:6 49:3 60:22 61:20
regard [7] 7:16 8:1,20 9:8 33:6 41:15 75:7
registered [2] 1:15 82:6
regulations [1] 30:7
reinke [4] 7:15 8:22 22:19 76:1
reinke's [3] 8:19 9:1,2
rejected [1] 75:3
relates [1] 70:12
relative [2] 82:13,15
release [1] 66:17
released [1] 34:9
relevance [1] 19:15
relevant [1] 19:19
relief [1] 77:8
remember [7] 14:2 16:7 31:2 33:24 41:20 49:2 69:23
remote [10] 37:24 39:2,22 40:6,19 41:23 56:21 57:25 58:13 67:23
remotely [2] 39:16 42:25
removed [1] 77:14
repeat [1] 65:5
report [3] 10:17 34:9 82:8
reported [1] 10:23
reporter [6] 8:14 22:2 52:24 61:17 65:5 82:7
reporter's [1] 82:2
reporters [2] 1:16,21
represent [1] 12:11
representing [1] 5:6
request [2] 15:1 64:24
requested [3] 64:18,23 82:9
requesting [1] 13:23
require [2] 14:12 65:16
required [3] 21:19 24:16,20
requirement [3] 19:23 25:15,21
requirements [1] 75:23
research [1] 10:7
reserve [5] 14:5 16:13,14,21 70:9
reserved [5] 4:8 11:10 12:17 13:17 15:22
resolved [2] 54:1,23
respect [1] 10:5
response [5] 12:3,6 34:18 77:5,24
responsibility [5] 7:4 10:2,21 24:9 27:6
responsible [13] 7:3 8:22 9:16 10:18,20 24:23 31:9,10 48:23 57:6 60:8,10 71:24
rest [6] 18:7 37:19,22 38:14 39:11 48:24
review [1] 82:9
rid [1] 43:3
rigidly [1] 62:6
road [1] 2:9
role [1] 8:2
room [1] 1:10
rpr [1] 82:23
rulemaking [5] 36:4,8,11,12,17
rules [2] 4:7 10:8

S

sally [2] 49:16,16
same [10] 30:9,14 37:17,17 42:17,20 62:16,25 67:22 79:9
save [1] 74:17
saw [2] 41:20 57:3
saying [22] 15:25 24:25 25:16 39:19 44:22 45:9,23 46:7 54:24 55:1 61:12,14 62:2,9,10 70:19,22 73:13 75:15 76:11,11 77:19
says [9] 15:20 30:8 54:21 55:8 61:15,20 70:10,22,24
scale [1] 18:14
schedule [1] 72:14
schedules [2] 72:12 78:9
seal [1] 81:11
second [4] 6:24 27:18 42:7 52:15
section [3] 69:14,15 76:25
secured [1] 54:21
see [9] 13:14,25 14:2 21:25 42:4 53:18 58:15 62:9 70:3
seeking [1] 21:17
seems [1] 46:1
seen [3] 31:19 43:23,25
sense [1] 58:16

sentence [2] 19:20 30:8
separate [1] 29:12
seriously [3] 63:19 65:3,7
serve [3] 34:15 50:22 75:8
service [14] 2:6 10:9 24:18 25:15 40:15 49:5,7,20 51:2,13 62:14,25 73:8,11
services [10] 20:14,15 50:23 51:4, 5,8,8,10 62:24 65:15
set [1] 21:19
seventeen [2] 51:22 68:6
seventy-six [1] 6:3
several [3] 18:6 23:12 34:4
shall [1] 50:6
shared [1] 18:16
sharing [1] 15:22
she's [3] 60:4,8,9
sheet [3] 13:9 79:11 80:2
ship [2] 66:11,12
shop [1] 65:15
shouldn't [1] 43:6
show [5] 11:21 13:5,18 35:10 45:4
shown [1] 79:10
shows [1] 74:3
shumard [1] 2:6
side [2] 35:16,19
sign [1] 21:7
signed [7] 68:14,15,16,20,24 69: 12 73:7
signing [1] 4:9
simons [2] 49:16,16
simply [4] 18:22 34:13,20,22
since [6] 10:19 16:5 23:14,20 24:5 50:2
single [2] 72:21 73:20
situation [4] 10:11 25:11,13 77:4
situations [1] 37:18
six [5] 24:11 37:13,13 63:16 69:20
slowly [1] 61:18
small [2] 51:3,3
somebody [5] 31:3 33:16 53:20 58:24 69:24
sometimes [1] 24:10
somewhere [1] 38:6
soon [1] 71:6
sorry [7] 8:12 9:20 55:16 59:22 61: 5 65:5 69:2
sort [1] 13:15
sought [1] 75:14
source [1] 47:1
southwest [2] 5:18 33:9
space [51] 8:5,24 12:7,18 13:15,17 15:17,21,22 16:13,14,21 27:6,10, 11,12,19 28:1,7,8,17 29:22 30:2,3 37:8 41:24 43:19 44:24 45:6,10 46:24 47:2,15 51:21,25 55:9,24 56:3 67:14 69:21 70:9,15,18,18 71:5 73:16,18,20,22,23 74:4
spaces [3] 38:19 43:7 53:12
speaking [2] 27:1 72:20
specific [2] 23:8 47:25
specifically [3] 12:2,21 14:24
spell [1] 6:16
spelling [1] 11:6
spent [1] 24:8
spoke [3] 18:6 20:9 49:16
spoken [5] 18:3 19:10,16 20:5 32: 1
square [21] 12:4,16 13:3,24 14:4,6, 11,25 15:5 16:1,3,4,8,16,17,19,22, 23 35:3 73:14,16
staff [1] 5:10
stage [1] 26:16
standard [1] 44:14
stands [1] 67:3
start [3] 15:11,11 35:8
started [2] 6:18,19
starting [3] 15:14 34:2 74:25
starts [2] 35:11 36:3
state [14] 5:15 16:9 17:22 21:17 26: 12 30:6 34:12 35:2 46:5 53:24 60: 21 63:18 75:1 81:2
stated [7] 11:15 52:23,24 70:6,7, 14,17
statement [10] 14:15 18:1 19:1 20: 2 21:22 22:6 23:15 34:14 63:22 75:7
states [2] 14:24 23:16
station [3] 77:12,16,20
stations [8] 38:10,11 40:3,4,4 41: 16,16 42:16
stay [3] 17:23 19:5 20:3
stayed [1] 68:11
steering [1] 59:3
stenographic [1] 82:10
stenographically [1] 82:8
still [9] 18:21 30:6 39:12 46:23 47: 1,4 55:5,7 77:17
stipulated [3] 4:5,10 62:21
stipulations [2] 3:3 5:11
stop [1] 54:24
stps [1] 69:8
straight [1] 29:11
strategy [2] 9:12 16:7
strongly [1] 14:10
structure [1] 28:25
stuff [1] 41:22
subject [2] 29:9,15
submit [1] 27:21
submitted [2] 53:1 54:13
subscribed [1] 79:17
sufficient [2] 15:20 59:6
suite [1] 2:9
summerlin [17] 2:8 3:13 5:6,6 19: 14,22 35:12 41:2,6,9 42:6 44:19 61:18 70:20 76:21,24 78:12
sunrise [1] 72:9
supercom [3] 35:12,13,13
superior [1] 77:3
supervision [4] 6:4,7 24:14 25:7
supervisor [2] 10:17 57:5
support [3] 71:10,11,18
supposed [4] 10:9 11:6 53:12,19
supra [102] 2:8,10 5:7,18,22,24 6: 18,24 10:1 13:23 14:24 15:19,23, 24,25 16:2,14,16,22,25 17:10 18:9 20:23 23:4,6,16 24:21 25:1,3,8,13, 14,17 26:10,17 27:3 30:13 35:2,7, 9,22,24 38:12,18 41:23 43:19 44:4, 24 45:5,10,24 46:20,20,23 47:18, 21,23 49:1 50:15,16,19 51:10,12, 13,17 52:14 53:25 54:21,22 55:9 57:10 60:23 61:21 62:7,11 63:1,8, 18,25 64:1,17,22 65:1 69:16,25 71: 11,16,16 72:15,20,22 74:4 75:1,4, 14,15 76:2,11 77:2,6,25 78:2
supra's [8] 25:6 29:22 30:2,3 33:7 46:24 47:2 77:12
suzanne [3] 2:8 5:6 44:17
switch [11] 57:14,15,23,24 58:4,12 72:25 73:1,1,2,4
switches [5] 38:14 43:14 44:11 50: 16 56:6
switching [7] 8:22 49:1,13,22 50: 3,12 65:24
sworn [3] 5:4 79:17 81:9
system [4] 44:7,8,9,11
systems [4] 1:4 5:7 7:23 9:25

T

table [1] 68:10
tactic [2] 34:13,21
tadiran [1] 65:19
talked [2] 19:4 59:20
tallahassee [4] 1:11,17 2:4,9
tandem [14] 48:2,5,7,9,10 55:14, 17,21 56:2 59:10,12 63:19,20 65:7
team [1] 60:9
technical [4] 58:7 71:10,11,18
teeca [2] 74:23 75:10
telecom [1] 2:10
telecommunication [1] 65:15
telecommunications [6] 5:7,9, 19 46:15 51:10 75:1
teleconference [2] 59:3 60:16
telephone [1] 51:2
tellabs [4] 65:19,19 69:4,5
tells [1] 13:6
temple [1] 22:22
ten [4] 10:4,13,16 37:13
tentative [2] 68:10,12
terminal [2] 77:17,21
terminals [2] 39:21 41:18
terms [1] 50:21
testified [1] 5:4
testimonies [2] 14:10 70:4
testimony [32] 11:2,16,17 13:20, 21 14:3,16,20 17:4 19:21 21:16 23:14,15 24:16 26:5 30:18 34:2,3, 11,11 41:3 56:5 63:14,24 64:5,7,9 65:6 70:6,13 74:20 79:8
thanks [1] 74:11
theirs [1] 69:19
there's [1] 62:15
thereupon [1] 5:2
they've [2] 18:20 29:10
though [2] 21:6 77:3
three [16] 7:7,9,10,13 9:4 12:24 24: 10,17,21,23 25:5,14 37:18 42:17, 21 52:15
three-month [1] 25:20
title [6] 7:22 8:16 9:1,2,18 60:7
tnt [4] 56:6,21 57:20 58:12
today [2] 72:20 73:21
together [3] 10:11 12:22,23
top [4] 11:20 14:25 41:18 42:21
total [7] 5:25 6:1 12:4,16,18 13:16, 17
training [1] 9:7
transcript [2] 82:9,10
transcription [1] 79:7
transfer [1] 67:3
trend [1] 13:15
true [5] 14:7,8,17 79:9 82:10
trunk [1] 58:21
trunking [1] 59:5
trunks [1] 59:6
try [7] 19:25 22:11 26:10 31:2 34: 19 58:8,9
trying [11] 12:13,15,20 13:5,11,18 54:16 62:5 68:23 70:21,21
turn [2] 11:1 73:11
twelve [1] 6:6
two [37] 6:5 9:13 11:4 13:24 15:18 16:19 37:12 38:12 41:22 42:14 43: 1 44:5,5,24 45:18,21 47:25 51:22 54:2,9,17 55:9,12,17 65:2 66:17 67:14 70:9,14,23,24 71:2 73:15,16, 22 75:13 77:23
type [3] 17:24 20:4 48:21

U

u-turn [1] 23:18
u.s [1] 33:1
unbundled [2] 46:16 48:13
under [6] 6:3,7 11:8 24:14 25:7 75: 19
undersigned [1] 81:7
understand [5] 25:12 31:12 58:23 70:11 76:11
understanding [1] 74:19
unnecessary [3] 38:21 39:25 42: 19
until [5] 4:8 10:23 29:7 54:1,23
up [15] 11:6 18:9 24:15 26:5 27:1, 15 28:14 37:10 44:9 47:11 50:6 72:20 73:11,19 77:23
uses [3] 30:10,15 31:16
using [7] 13:3 52:20,23 57:6,8 58: 13 77:25
usual [1] 5:11
utilization [2] 50:21 73:18
utilize [2] 70:15,18
utilized [2] 11:22 27:20

V

varies [1] 65:14
various [7] 9:11 10:7 26:24 28:14 57:1,8 65:16
vendor [4] 52:3,7 65:9,10
vendors [5] 65:17,21 71:15,16 72: 12
versus [1] 47:23
viable [1] 38:22
vice [6] 7:23 8:3,16 9:2,6 33:21
video [1] 37:18
videotape [1] 42:15
view [1] 12:24
violation [1] 30:7
virtual [9] 47:17,23 48:17 49:11,13, 23 50:3,11,15
virtually [4] 37:16,17 38:15 59:9
voice [6] 8:3,4,16 15:13 51:2 67:7
volume [1] 38:17

W

wait [1] 61:17
waiting [2] 71:7,9
waived [1] 4:9
waiver [2] 76:9 77:5
waivers [2] 49:8 76:14
waiving [1] 25:20
walk-through [7] 34:17 37:9 52: 13,14,15,17 57:2
wanda [3] 59:21,23,24
wanted [6] 16:9,11,24 28:12,13 53: 20
wants [5] 15:25 16:14 23:16 41:1 57:10
way [14] 15:13 18:17 19:25 22:11 27:20 28:20,22,24 34:19 44:14 45: 15,15 57:14 75:22
wayne [2] 35:20 72:17
webster [3] 81:18 82:6,23
week [5] 6:9,10 23:23,24 26:15
weeks [1] 6:6
west [12] 12:10 13:4 34:17 40:5,18 42:15 47:18,19 55:2 57:3 64:23 76:13
whatever [8] 11:5 27:2 29:3 32:9 40:17 41:16 56:10 76:2
whereas [1] 70:16
whether [9] 14:3 17:8,11,12,13 24: 23 36:6,9 63:2
white [34] 2:3 3:11 5:5,8,8,14 8:15 19:12,20,25 20:1 21:3,8 22:5 24: 25 37:8 40:24 41:5,7,11 42:8,11 44:17,21 53:2 56:4 57:2 61:19 64: 14 65:8 74:11,16 77:10 78:13
white's [1] 77:25
whole [3] 37:7 50:10 58:9
will [38] 10:4 12:17 15:24 17:14,19 22:16 23:6,18 25:2,2,3,8,8,14 26:

22 **27**:20 **29**:9 **31**:9,9,17 **34**:18,21, 25 **38**:3 **39**:12 **42**:10 **56**:10 **57**:2 **59**:16 **60**:12 **66**:2,12 **69**:6 **71**:12, 16,18 **73**:16 **74**:4
vin [1] **68**:6
wire [3] **20**:14,14,14
wish [1] **48**:22
within [4] **25**:5 **30**:4 **39**:11 **70**:18
without [1] **55**:2
witness [3] **3**:9 **40**:25 **81**:11
work [31] **5**:24 **6**:18 **10**:1,7 **23**:11 **24**:4,7 **27**:13 **28**:21 **31**:10 **32**:9 **33**: 14,15,16,17,19 **36**:24 **38**:11 **40**:3, 16 **41**:16 **42**:16 **43**:16,19 **46**:21,23 **65**:12 **71**:12 **77**:12,16,20
worried [1] **18**:11
worthwhile [1] **55**:13
wrote [1] **73**:21

Y

year [4] **22**:17,18 **60**:18 **62**:13
years [5] **70**:9,15,23,24 **71**:2
yesterday [2] **6**:11,19
yourself [1] **35**:6

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition for Emergency Relief of Supra Telecommunications and Information Systems, Inc., against BellSouth Telecommunications, Inc.	DOCKET NO. 980800-TP

DEPOSITION OF: DAVID NILSON

TAKEN AT THE INSTANCE OF: BELLSOUTH TELECOMMUNICATIONS

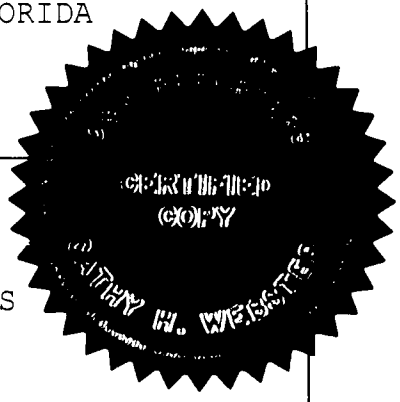
PLACE: GERALD L. GUNTER BUILDING
ROOM 362
2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA

TIME: COMMENCED AT 5:50 P.M.
CONCLUDED AT 6:40 P.M.

DATE: TUESDAY, OCTOBER 13, 1998

REPORTED BY: CATHY H. WEBSTER, RPR
Registered Professional Reporter
C & N REPORTERS
POST OFFICE BOX 3093
TALLAHASSEE, FLORIDA

FLORIDA PUBLIC SERVICE COMMISSION
DOCKET NO. 980800-TP EXHIBIT NO. 14
COMPANY/ WITNESS: Nilson / Staff
DATE: 10-21-98



C & N REPORTERS
REGISTERED PROFESSIONAL REPORTERS
POST OFFICE BOX 3093
TALLAHASSEE, FLORIDA 32315-3093
850-926-2020

APPEARANCES:

NANCY B. WHITE, appearing on behalf of BELLSOUTH TELECOMMUNIATIONS, INC., 150 South Monroe Street, Suite 400, Tallahassee, Florida 32301.

BETH KEATING, appearing on behalf of COMMISSION STAFF, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.

SUZANNE FANNON SUMMERLIN, appearing on behalf of SUPRA TELECOM & INFORMATION SYSTEMS, INC., 1311 Paul Russell Road, Suite 201, Tallahassee, Florida 32301; and

MARK E. BUECHELE, appearing on behalf of SUPRA TELECOM & INFORMATION SYSTEMS, INC., Post Office Box 398555, Miami Beach, Florida 33239-8555.

ALSO PRESENT:

Calvin Favors, FPSC Staff

Wayne Stavanja, FPSC Staff

Stan Greer, BellSouth

A.W. "Wayne" Tubaugh, BellSouth

Mark Graham, Supra

Kay Ramos, Supra

Angel Leiro, Supra

* * * *

I N D E X

	PAGE NO.
STIPULATIONS	4
ERRATA SHEET	35
CERTIFICATE OF OATH	36
CERTIFICATE OF DEPONENT	34
CERTIFICATE OF REPORTER	37

WITNESS

DAVID NILSON

Examination by Ms. White	5
Examination by Ms. Keating	24
Examination by Ms. Summerlin	32

EXHIBITS

NUMBER		IDENTIFIED
1	Nilson Deposition, pg 15, rebuttal	22
2	(Late-Filed 1), Supra proposed diagram	29
3	(Late-Filed 2), forecasts for reserve 200 square feet	30

STIPULATION

IT IS STIPULATED that this deposition was taken pursuant to notice in accordance with the applicable Florida Rules of Civill Porcedure; that objections, except as to the form of the question, are reserved until hearing in this cause; and that reading and signing was not waived.

IT IS ALSO STIPULATED that any off-the-record conversations are with the consent of the deponent.

D E P O S I T I O N

THEREUPON,

DAVID NILSON

having been sworn, was examined and testified as follows:

MS. WHITE: Nancy White for BellSouth Telecommunications.

MS. SUMMERLIN: Suzanne Summerlin for Supra Telecommunications and Information Systems.

MS. KEATING: And Beth Keating, Commission Staff.

MS. WHITE: And the usual stipulations will apply?

MS. SUMMERLIN: Yes, ma'am.

EXAMINATION

BY MS. WHITE:

Q Mr. Nilson, could you please state your name and address for the record?

A David A. Nilson. My business address is 2620 Southwest 27th Avenue, Miami, Florida, 33133.

Q And your has name is spelled N-i-l-s-o-n?

A Correct, in spite of other testimony.

Q I've seen it with two s's.

A No, ma'am.

Q What is your title? You're employed by Supra?

A Yes, ma'am.

Q What's your title?

A I'm the Vice President of Systems Design and Interconnection.

Q And what does that mean? What are your duties?

A My responsibilities lie in, first of all, our collocation activities, the design of our network backbone and our central office arrangements.

Q Do you have any -- Who do you report to?

A I report to Lou Bender.

Q And is that as of yesterday?

A I was informed of that this morning; yes.

Q Before this morning you reported to Mr. Ramos?

A That's correct.

Q When did you begin working for Supra?

A Last September.

Q 1997?

A Yes, ma'am.

Q And were you -- Did you start with them as the Vice President of Systems Design and Interconnection?

A No, ma'am.

Q What was your first job when you were hired by Supra?

A I was a programmer, designing the billing system that we're currently using.

Q And then when did you -- What did you do after that or how long did that last?

A That lasted approximately two months, at which time I became an engineering employee.

Q And was that your title, Engineer?

A Systems Engineer, yes.

Q And what were your duties as that, in that position?

A The same as they are now.

Q So your title changed but your duties didn't change?

A I think the duties became more numerous, yes, but they were in the same area.

Q When did you receive the title of Vice President of Systems Design and Interconnection?

A I couldn't tell you that off the top of my head.

Q Was it in '98 or was it back in '97, if you remember?

A It would have been in '98.

Q Can you give me a little bit of your educational background?

A Yes; Lowell Technological Institute, electrical engineering.

Q I'm sorry; what was the name of the school?

A Lowell Technological Institute.

Q Lowell, L-o-w-e-l-l?

A Correct. Electrical engineering and minor

studies in chemical engineering and industrial engineering.

And in the 1980's I went back and took courses in computer engineering and refresher courses in electrical engineering at Nova University.

Q N-o-v-a?

A Correct.

Q In Miami or Fort Lauderdale?

A Broward County.

Q Where is Lowell located?

A It's twenty miles outside of Boston.

Q And did you get a BS degree with that?

A No, ma'am.

Q Did you graduate from Lowell?

A No, ma'am.

Q You went -- What? Two years?

A I went three years.

Q What -- You stated that in your testimony -- This is on page 1 of your direct -- that you have been an electrical engineer for 25 years, the last 21 spent in management-level positions in engineering and quality control. And, again, I don't want to try to tax your memory and ask you every job you've held over the last 25 years, but can you give me just a little summary of your work experience?

A As I said, I've been an electrical engineer

designing circuits. I started out in the microwave industry. I came to Florida. I worked a number of years, probably about three or four years, in implantable heart pacemaker industry, and then that was followed by 14 years in the aviation industry where I did various things involving communication systems on aircraft.

Q So your 14 years in the aviation industry was mainly focused on communications?

A Yes, ma'am.

Q Would that have been like communications between the plane and the controller or the ground or plane to plane?

A Yes, but that also includes the in-flight telephone systems as well.

Q Who did you work for in the aviation industry?

A Gables Engineering.

Q How many employees report to you at Supra?

A Right now two.

Q Okay. And can you give me their names?

A Joe Gonzales and Rick Gideon.

Q And what are their titles?

A They're engineers.

Q And what are their responsibilities?

A Rick is largely involved in equipment and vendor evaluations with me. Joe is involved in networking.

Q You state on page 2 of your direct testimony, lines 11 and 12, that you're the principal architect of Supra's ATM backbone network and the central office design. What is Supra's ATM backbone network -- I mean; excuse me -- ATM backbone network?

A We use an ATM transmission equipment as opposed to traditional narrow band transmission equipment to increase the efficiency of our backbone, to be able to have a more flexible use of our interswitch trunking and -- well, interswitch trunking, yes.

Q Is that what would be considered a broad band --

A Yes, ma'am.

Q -- architecture?

A Yes.

Q And you say Supra central office design; how many central offices does Supra have?

A Well, we're currently issued firm order confirmation for 15; we're here talking about two others. And there's an additional six under application.

Q I'm sorry; I misunderstood. When you talk central office design, you're talking about physically collocating in BellSouth's central offices?

A That's correct.

Q You were present when I was questioning Mr. Ramos about the Ascend TNT switch, and I'm sure not doing it very

well. But it was his testimony that the Ascend TNT is essentially a modem bank.

A It's a multi-function box and that's one of its purposes.

Q Okay. What is the purpose of a modem bank? What functionality does the modem bank have?

A Modem bank is a space-efficient way of locating a number of modems more space efficient than if each individual modem had to be encased in a plastic case and provided with its own separate power supply. It's more of a systems approach to mounting modems.

Q Does the Ascend TNT have this -- perform the same functionality as a local or toll switch?

A Not a local switch, no. As of I believe it was September 1st we've been released from our nondisclosure on this particular item, so I can go into additional details.

But Ascend has gone even further with the design of the switch, adding an NSS7 gateway to the product, which then allows it to be able to directly provision PRI trunks off of the box without the additional support of a class 4 or class 5 switch in order to do so.

Q And I'm sorry; what is a PRI?

A PRI is primary rate ISDN. And it's probably the fundamental, the predominant method of trunking to PBXs given new generation PBXs over the older approach, which

used T1 circuits.

Q So is an Ascend TNT a switch?

A Yes, ma'am; I'm told that it is.

Q What about the other piece of equipment that I think is the center of some controversy, is the Cisco remote access concentrator; are you familiar with that?

A Yes, ma'am.

Q Is that a modem bank as well?

A Yes, it is.

Q Is that all it is or is it more like the Ascend TNT?

A No. No, it's not like the Ascend. It's predominantly a modem bank.

Q So does the Cisco remote access concentrator perform the same functionality as the local or toll switch?

A The similarity between the Cisco box and the local switch would have to be limited to the fact that the Cisco box can terminate ISDN basic rate interface connections. And that's about the extent of its capabilities in that regard.

Q Prior to this case -- And I know you were present in at least one of the walk-throughs; I think both of them; weren't you?

A Yes, ma'am.

Q -- Had you had experience with central offices of

local exchange companies?

A I had never physically been inside one. I have studied and read, but I had not been inside them, no.

Q Do you know whether a central office environment remains stable or does it change as circumstances change?

A Well, certainly it changes.

Q You stated in your testimony -- This is page 9 of your direct on line 6, that Supra has requested 200 square feet in each of the two offices, the Golden Glades and the West Palm Beach Gardens?

A Which line is that?

Q Page 9 of the direct, line 6.

A Uh-huh.

Q Does Supra base the 200 square feet request on what it would need to put the equipment in that it wanted to put in?

A Yes, ma'am.

Q So was the 200 feet configured or the 200 feet was determined by discussion with the vendors about how big the equipment was or how was that?

A Well, we received the specifications from the vendors, but I did detailed floor layout blueprints and used the information from that and the formulas that we were provided with the BSTE-1 instructions for that application form to calculate the actual required space for

the equipment.

Q So you have blueprints of how you want your collocation space to appear or how the equipment will go in there?

A Yes; Nancy Nelson has those.

Q And the Ascend TNT and the Cisco remote access concentrator that we discussed earlier, is that what Supra wants to put in the 15 offices other than Glades and Gardens?

A I'd make a correction on that. I know that was testified to earlier. We had identified -- And I'd have to check my notes -- I believe five or seven offices for that equipment, not all 15 or 17.

MS. WHITE: Okay. Can I be provided a late-filed exhibit that would just tell me which of those offices you want that equipment in?

A It is on our application as well.

MS. WHITE: Oh, okay. All right.

BY MS. WHITE (Continuing):

Q If the Commission said there was space at Golden Glades and Gardens, would those be two offices where you would want the Ascend TNT and/or the Cisco remote access concentrator equipment placed?

A I would, but we would factor into consideration how much space was made available to us and give priority

to our switching needs.

Q Now on page 10 of your direct testimony -- And this is lines 2 through -- well, really, 2 through 8.

A I'm sorry; what page?

Q On page 10 of your direct.

A Okay.

Q Do you have that?

A Mine is different; so let me look at yours.

Q This is what's known as printers, different printers print differently.

A I understand that.

Q I come across it all the time.

It's a discussion that talks about Supra's expected growth in the next couple of years.

A That's correct.

Q What do you base your statement on that Supra will have far more growth in the next two years or so than BellSouth and that by the end of '99 Supra expects to double its capacity?

A Well, we're all aware of the fact that there is published information that indicates that BellSouth's growth is approximately 5% a year, and that represents your potential; after all, your customer base is already there.

Supra's customer base, however, is potentially BellSouth's entire customer base, plus the same 5% a year

growth that you're sustaining. So we see the potential for much larger growth percentage wise over that time period than with a company of your large size could expect because you've already captured a large percent of your customer base.

I'm not an expert on that, but this has come from our marketing department; that's where I learned this from.

Q Did they provide you with some kind of forecast or was this just in discussions?

A This was in discussion. I know they're working on forecasts.

Q And they're the ones that said that by '99 Supra could expect to double its capacity? That's line 3 and 4.

A Yes.

Q And by capacity, do they mean number of customers or do they mean amount of equipment?

A They're proportional to one another.

Q Okay. Like -- I guess I was confused. Are you saying would expect to double the amount of space needed in the central office; is that what you're getting at?

A Yes.

Q Do you have any experience with building codes in Florida or national?

A I am one that lived in Homestead through Hurricane Andrew. So, yes. My family lost seven homes in

the hurricane. And we've rebuilt five of them. So I have a good deal of experience with building codes and permits.

Q Would you agree that after Andrew there were some changes, big changes, made in the way codes are interpreted and the way they're enforced as a result of Andrew?

A I don't know if there were changes in the way they were interpreted. I know there were changes made in the codes themselves. And we certainly heard that, you know, the enforcement was going to be stepped up.

Q And so I assume because you had seven homes lost, then you probably built one or more of them back, that you have plenty of experience with construction?

A Yes, ma'am.

Q Back at the bottom of that page 10, you talk about the Ascend TNT being a remote switch. Will Supra, once its network is deployed, switch a local call from one of its customers to another using the Ascend TNT or the Cisco modem banks?

A Not or, but with the Ascend, yes.

Q Okay. So they will use the Ascend to switch a local call from one of your customers to another customer?

A (Witness nods head affirmatively).

Q What will you use the Cisco modem banks for?

A Cisco modem banks are capable of accepting ISDN basic rate dial up or analog modem dial-up calls.

I might point out that's the method we have chosen to do our network management of all of our equipment based on the fact that we didn't see the potential for sending out terminals and having people physically reside within the collocation space. Our network management will be done remotely.

Q And that is why you picked the type of equipment you did; is that what you're saying?

A We need some method of dial-in to the equipment for the purposes of provisioning, monitoring. And, as well, some of our large customers have told us they want the ability to do certain reconfigurations on their system in the same fashion they've gotten those agreements from BellSouth as a BellSouth customer.

So we look for a way to effectively put a number of these units in the central office without higher density than just one at a time stacking them up.

Q I'm not sure I understand. Stacking what up? What equipment? I'm sorry.

A Modems, individual modems.

Q Where will you monitor these from? The Miami building?

A No, we're establishing a network operations center in Sunrise.

Q On page 14 of your rebuttal, on lines 1 and 2,

the sentence reads, "Additionally, Mr. Bloomer does not take into consideration fragmented space."

A Yes, ma'am.

Q And I just have a question about what does fragmented space mean?

A If you review the videos that were taken, there is substantial areas predominantly in the transmission area in Golden Glades, where some of those tall eleven-foot-six frames have equipment at the top, perhaps in the middle, but there's large sections of the frame that are just empty of any type of equipment at all.

And from what I can see of the analysis that he turned in, that space is considered to be occupied even though there is nothing physically there.

Q So are you saying in that sentence that BellSouth could I guess move what's in that space and freeing up that space for possible collocation?

A Certainly.

Q And on page 15 of your rebuttal, line 4, I assume witness, "Supra witness Dylan" is really "Supra witness Graham"?

A That's correct.

Q On page 15 of your rebuttal, line 11 and 12 -- well, it starts on 10, 11 and 12 -- where you're talking about the 1200 square feet of space currently unused in the

power room?

A Yes, ma'am.

Q You, like Suzanne and I, have been here for the whole two days of depositions. So did you hear Mr. Rubin say that they're putting a new engine in that office?

A Yes, ma'am. I'm not talking about that space.

Q Okay. Which space are you talking about?

A Specifically in the second room into that area where the batteries are.

Q Okay.

A If you recall the battery room, as we walk through the battery room, at the far end, the batteries that were closest to the house service panel, that section of room was packed with a certain density of battery lineups.

As we moved I would say -- I don't have a compass -- but I believe it was probably westward in that room, we came into a large open area that was unoccupied by anything. On the first walk-through there was nothing there.

Q That would be the far end if you were standing like at the door to the engine room?

A Yeah. As you walk from the beginning of the battery room down towards the engine room, all of a sudden there is a large section where there is nothing, this area

marked 15 on my drawing. It was marked on all the blueprints as "occupied space." But you remember that area, on the second walk-through they had some --

Q On the second walk-through there was some like hazardous material there?

A Yes, ma'am.

Q And then the employees' lockers are along the wall?

A On the far wall; yes, ma'am. And I took an estimate based on the sizes of other things that that space was approximately 1200 feet.

Q Okay. Thank you.

MS. SUMMERLIN: Nancy, if it would be useful, we can give you that as an exhibit.

MS. WHITE: Yeah, if it would help the court reporter; that's fine. I mean, I understand it now. I just couldn't realize what space you were talking about, but the minute I saw it I could.

So if you want to -- It's up to ya'll. If you want to put it in, that's fine.

MS. SUMMERLIN: We'll be glad to, if we can get a couple of copies I guess.

MS. KEATING: It would help us.

MS. WHITE: Okay. I've got an idea. This is Glades; right? It's the same thing.

MS. SUMMERLIN: Okay. Do you want to show on here where --

A Sure. I don't know if I will get it quite as accurate as I did. Okay.

How would you like me to mark it?

MS. WHITE: Why don't you put, just put on it "Space" -- Just put "Page 15 Rebuttal Testimony, lines 11 and 12." And then everybody will know what we were talking about.

This drawing of the North Dade Golden Glades floor plan, where Mr. Nilson discussed the 1200 square feet he thought was available for collocation, at page 15 of his rebuttal testimony, lines 11 and 12, will be marked as Nilson Exhibit 1.

(Nilson Deposition Exhibit 1 marked for identification).

BY MS. WHITE (Continuing):

Q Mr. Nilson, on page 17 of your rebuttal testimony, lines 5 and 6, and I really -- 5, 6, 7, 8, 9 -- you state in the North Dade Golden Glades office that there is an area where two companies will be collocated and there is not and will not be full fire-rated walls, floor to ceiling, installed for these collocations.

Do you recall whether those collocations were virtual collocations or physical?

A I recall they were virtual. And from everything I've seen, I wasn't aware there was a distinction between the two for the requirement for fire-rated walls.

Q What about the, further down on that paragraph, lines 10 through 12, you said you witnessed two collocations in the Palm Beach Gardens office. Do you recall whether those were physical or virtual collocation?

A Those were virtual collocations as well, ma'am.

I might point out that this is rebuttal testimony to Mr. Bloomer, who made the statements in his direct testimony that there were or was a requirement for fire-rated walls on collocation space. And he did not distinguish that there was a difference between virtual or physical in his testimony.

Q Well, do you understand now that it's BellSouth that says that's only in connection with physical collocation situations, the fire-rated walls, and only in connection with certain building?

A I do understand it's something we're going to have to take a look into and get a little more information on.

You said that's a BellSouth requirement or a county requirement that makes that distinction?

Q City, municipality.

A Okay. I don't know until I can look at those

documents.

MS. WHITE: And I believe that's been asked for as a late-filed exhibit in somebody's.

A Yes, ma'am.

MS. SUMMERLIN: Bloomer, I think.

MS. WHITE: That's all I have. Thanks.

EXAMINATION

BY MS. KEATING:

Q Good evening. I really just have a few questions. I would like to start with your direct testimony. Most of these just sort of follow-up some of the questions that Ms. White has already asked you.

I'm looking at page 9.

A Yes, ma'am.

Q And here you're discussing that you believe that there is enough space for Supra to collocate in both of these central offices?

A That's correct.

Q And I'm just wondering have you considered how the grounding planes impact the amount of space that would be allocated to Supra?

A Yes, ma'am; I have.

Q And what did you determine?

A That there is sufficient space and there is -- to have isolated ground plane, far more than what we require

for our switch. And there is also sufficient space in the areas that have integrated ground plane.

Q So how does that come into your 200-square-feet determination that that's the amount of space that Supra needs?

A According to BellSouth's document, we calculated the floor space that we require by a specific formula. And it's basically taken from the manufacturer's equipment dimensions and then factored into the formula they give us.

I'm not sure if I answered your question.

Q I'm not sure if you did either. I mean, are you taking into account -- I believe it was seven feet that some of the previous BellSouth witnesses had indicated there has to be between different grounding planes?

A That's correct. There's no reason for us to impinge on that boundary. There is sufficient space in the interior of those grounding planes for the equipment.

Q And regarding the building code that you were discussing earlier, have you done any personal research into how local jurisdictions are interpreting physical collocation in central offices, whether they're applying the multi-tenant interpretation to that?

A We've had some discussions about that. We've been trying to identify the specific documents involved so that we could get copies of them and research them. I know

now that that's going to be included as a late-filed exhibit. So we should be able to do that work within the next week or so.

Q What about the fire-rated walls?

A That's part of that, yes.

Q What I would like you to do now is I'm going to show you a couple of diagrams of these central offices and, if you would, just if you could draw a line around the space or the areas that you think that space may be available.

MS. WHITE: Why don't you just ask him to do that on Exhibit No. 1, since --

MS. KEATING: And we'll make this a separate exhibit, I think.

BY MS. KEATING (Continuing):

Q Let's see. Let's start with -- I'm afraid I've drawn all over that one. If you don't mind, I think we'll use one of -- I believe this is Mr. Bloomer's exhibit.

And, if you would, just draw a line around the area that you think space would be available.

A Around the area?

Q Yes.

A All right.

Q Or just indicate spaces on that diagram where you think Supra could collocate.

A (Witness complies).

MS. SUMMERLIN: Beth, can I -- It might be good just to let us do a late-filed exhibit so that he can do this, unless -- I don't know. He may be comfortable doing it right now, but it might be more useful if we do it more neatly.

A However you want.

MS. KEATING: Why don't we do that? I'll just ask you for a late-filed deposition exhibit. And what I want you to do is go through the diagram of the floor plans of both central offices and indicate to me spaces where you think that Supra could physically collocate and also indicate whether you've taken into account air vents, walkways, the necessity for fire walls and grounding planes and those types of issues.

A All right.

MS. WHITE: Are you asking him to use what you have then as the floor plan?

MS. KEATING: He might like a clean copy, if we have one more.

MS. WHITE: Are you asking him to draw a new one or what?

MS. KEATING: It really doesn't matter to us. If ya'll have a floor plan available.

MS. SUMMERLIN: That's what you're using right

now, the Bloomer one?

MS. KEATING: Right.

A That was part of Mr. Bloomer's rebuttal testimony.

MS. SUMMERLIN: We'll use one of those and just blow it up and make it big enough.

A I'll use the floor plans from one of Mr. Bloomer's testimonies.

MS. SUMMERLIN: And with the information that he has, he'll do the best he can.

MS. KEATING: And, if you could, I think I noticed you were drawing just a big circle in a space. We need a little more specificity.

A I'm sorry; I thought that's what you asked me.

MS. KEATING: If at all possible, you know, taking into account what you know is there, to the extent that you can.

A Absolutely.

MS. KEATING: And that will be Late-Filed Deposition Exhibit 3?

MS. WHITE: It will be Exhibit 2, but Late-Filed No. 1.

MS. KEATING: And title for that would just be "Diagram Demonstrating Areas."

MS. SUMMERLIN: "Supra's Proposed Areas," maybe?

A Specific areas rather than circling the general area as I thought I understood your instructions.

MS. KEATING: That's correct.

(Late-Filed Deposition Exhibit 1 and Nilson Deposition Exhibit 1 identified.)

BY MS. KEATING (Continuing):

Q Next question I had is really just a follow-up on a discussion you had earlier. This is about the 200 square feet that Supra would like to reserve for future use for its own future needs?

A Yes, ma'am.

Q Do you have some idea about the projected growth for Supra and how long it would take Supra to use up that 200 feet?

A Which 200 feet are we speaking of now?

Q The reserve 200 feet.

A Well, because of the way things work in installing equipment in central office, we would probably install equipment to occupy that space all in one operation approximately eighteen months from now. I don't have a projection as to when all of that equipment that would be installed at that time would be exhausted, but there are people back in Miami working on those projections right now.

Q Is that eighteen months?

A No, no. You asked me how long would the second 200 square feet last.

Q Uh-huh.

A And I'm saying as I sit here today I can't testify to that answer. I can say I know approximately when we would want to begin using that space.

Q And you said you have got people working on forecasts?

A On how long it will last on that.

MS. KEATING: Can we make that another late-filed deposition exhibit? And that will be late-filed No. 2, and that is forecasts for time period for the reserve 200 square feet would be exhausted by Supra.

MS. SUMMERLIN: You need to put second.

A And that's the second 200 feet.

MS. KEATING: The reserve.

(Late-Filed Deposition Exhibit 2 and Deposition Exhibit 3 identified).

BY MS. KEATING (Continuing):

Q Okay. My last question goes to some statements you made in your rebuttal. This is on page 10.

And you're talking about the type of equipment Supra can place in the space?

A Yes, ma'am.

Q And I'm just trying to understand what your

understanding is of the type of equipment that you can put into that space.

A All right.

Q Is it your understanding that Supra should be allowed to place any type of telecommunications equipment in the central office?

A Telecommunications equipment, yes.

Q And how would you define telecommunications equipment?

A I think the definition that's been used consistently is that equipment that's used to provide basic telephone service.

Q And by that, is it your understanding of that definition to mean equipment that actually carries traffic or transmits traffic, or does that include any additional equipment that might assist in the provision of that service?

Let me rephrase it. Maybe I can clarify.

A Yeah, I'm getting confused here.

Q Is your definition or your understanding of that definition that that is restricted to equipment that actually transmits traffic?

A No, ma'am.

Q And what would your definition include?

A Are we talking about the definition of

telecommunications equipment or the definition of what Supra is allowed to locate in this space, which I see as potentially two different --

Q Well, I think you told me that Supra is allowed to collocate any telecommunications equipment in the central office. And I'm just tying to figure out what your understanding is of telecommunications equipment as it applies to what you can put in the central office.

A As I understand the wording of the CFR, provided that we're providing basic telephone service out of our collocation arrangement -- and that would be telephone service as we all know it today -- we're also allowed to locate equipment specifically for the purpose of providing information services within that collocation arrangement.

Q And by information services, could you be a little more specific?

A Data communication services, modems; what everybody has referred to as enhanced services.

MS. KEATING: Thank you. I believe that's all we have.

A Can I ask her a question?

MS. SUMMERLIN: No, I'm supposed to ask you one.

MS. WHITE: I don't know. What is it?

EXAMINATION

BY MS. SUMMERLIN:

Q When you responded to Ms. Keating that there is space available in the central offices that are involved in this case, have you specifically chosen a spot that you think Supra needs to have or have you just simply generally identified areas that you believe have the capacity or the potential to be available for physical collocation by Supra?

A I based that testimony on Mr. Bloomer's evidence, which stated that there were certain spaces set aside for future use. And I consider that space to be available.

Q Okay. So the areas that you're thinking are available are generally in the areas that have been reserved for future use by BellSouth?

A Yes.

MS. SUMMERLIN: Nothing else. Thanks.

MS. KEATING: When can we get the late-fileds?

MS. WHITE: Friday.

(Deposition concluded at 6:40 P.M.).

CERTIFICATE OF DEPONENT

CASE NO. 980800-TP
EMERGENCY RELIEF SUPRA V BELLSOUTH
OCTOBER 13, 1998
DEPO OF DAVID NILSON

This is to certify that I, DAVID NILSON, have read a certified copy of the foregoing transcription of my testimony, Page 3 through _____ given on October 13, 1998; and find the same to be true and correct, with the exceptions, and/or corrections, if any, as shown on the errata sheet attached hereto.

_____

DAVID NILSON

Sworn to and subscribed before me this

_____ day of _____, 19_____

NOTARY PUBLIC

State of _____

My Commission Expires:

ERRATA SHEET

CASE NO. 980800-TP
Emergency Relief Supra v BellSouth
OCTOBER 13, 1998
DEPOSITION DAVID NILSON

STATE OF FLORIDA)
: CERTIFICATE OF OATH
COUNTY OF LEON)

I, the undersigned authority, certify that DAVID NICHOLSON personally appeared before me and was duly sworn.

WITNESS my hand and official seal this October 15, 1998.

CATHY H. WEBSTER
Notary Public - State of Florida

Cathy H. Webster
MY COMMISSION # CC505597 EXPIRES
February 13, 2000
BONDED THRU TROY FAIN INSURANCE, INC

REPORTER'S DEPOSITION CERTIFICATE

STATE OF FLORIDA)
COUNTY OF LEON)

I, CATHY H. WEBSTER, Registered Professional Reporter, certify that I was authorized to and did stenographically report the deposition of DAVID NILSON; that a review of the transcript was requested; and that the transcript is a true and complete record of my stenographic notes.

I FURTHER CERTIFY that I am not a relative, employee, attorney or counsel of any of the parties, nor am I a relative or employee of any of the parties' attorney or counsel connected with the action, nor am I financially interested in the action.

DATED this 15th day of October, 1998.

CATHY H. WEBSTER, RPR

SUPRA Telecom and Information Systems Inc.

Space Requirement Projection for Switch, Transmission, Frames, Power Configuration after Initial Collocation and first Growth Window

			FRAMES														Nortel
					42"X28"						28.5"X18"				25"X12"	26"X14"	TOTAL
Site	Platform	RTU	SNSE	DPCC	ENET	LIM	MCSS	PDC***	ISME	MIS	DTEI	MVIE	LGE	LCE	DSX	A'NODE	BAYS
Ft. Lauderdale	SN70EM	L&LD		1	2	1	1	4	2	2	42	8	1	4	4	6	78
Plantation	SN70EM	L&LD		1	2	1	1	3	2	2	29	6	2	8	4	6	67
W. Hollywood	SNSE60	Local	1				1	2	2	2	13	0	3	10	4	2	40
Pembroke	SNSE60	Local	1				1	2	2	2	11	0	4	16	4	2	45
Hialeah	SN70EM	Local		1	2	1	1	3	2	2	14	0	4	16	4	2	52
Grande	SN70EM	L&LD		1	2	1	1	2	2	2	19	2	1	2	4	4	43
Palmetto	SN70EM	Local		1	2	1	1	2	2	2	10	0	2	8	4	2	37
Alhambra	SNSE60	Local	1				1	2	2	2	10	0	2	8	4	2	34
Perrine	SNSE60	Local	1				1	2	2	2	12	0	3	12	4	2	41
G. Glades	SN70EM	Local		1	2	1	1	3	2	2	6	0	1	4	4	2	29
Magnolia	SN70EM	L&LD		1	2	1	1	2	2	2	7	0	1	4	4	2	29
Melbourne	SN70EM	L&LD		1	2	1	1	2	2	2	14	0	2	6	4	2	39
P.B. Gardens	SN70EM	Local		1	2	1	1	2	2	2	12	2	2	6	4	4	41
Boca Main	SNSE60	L&LD	1				1	2	2	2	13	0	2	8	4	2	37
Green Acres	SN70EM	Local		1	2	1	1	3	2	2	23	2	2	8	4	4	55
Cypress	Anode	Local														10	10
Biscayne	ANode	Local														2	2
Sub Totals Ph 1			5	10	20	10	15	36	30	30	235	20	32	120	60	56	679

Supra Telecommunications, Inc.
FPSC Docket No. 980800-TP
Nilson Deposition Late Filed
Exhibit DAN-2
10/19/98

Proprietary

SUPRA Telecom and Information Systems Inc.

Space Requirement Projection for Switch, Transmission, frames, power
Configuration after Initial Collocation and first Growth Window

Site	Platform	RTU	Nortel TOTAL BAYS	Nortel Sq. Ft.	Nortel AMPS	Nortel Sw BTU	Nortel AMPS	Nortel 180 A feed	Nortel BTU's	Ascend CBX500	Ascend Bays CBX500	Ascend SA1200	Ascend Bays SA1200	Ascend Rem Acc	Ascend Bays Rem Acc	Paradyne DSLAM	Paradyne Bays DSLAM	Tadiran Bays DACS		Octel Bays # Vmail	Total Bays Total	Total Ext SQ Ft	Total Ext Amps	Total Ext AMPS	Total Ext 180 Amp
Ft. Lauderdale	SN70EM	L&LD	78	283	1681	84991	1177	8	59493	1	1	18	5	5	1	4	2	9		4	100	336	2216.2	1712.0	10
Plantation	SN70EM	L&LD	67	246	1544	73127	1080	8	51189	1	1	22	6		0	4	2	5		4	85	291	1997.7	1534.6	10
W Hollywood	SNSE60	Local	40	141	847	35590	593	4	24913	1	1	8	2		0	4	2	3			48	158	1042.5	788.3	6
Pembroke	SNSE60	Local	45	159	1030	40663	721	6	28464	1	1	4	1		0	4	2	3			52	175	1180.1	871.2	6
Hialeah	SN70EM	Local	52	197	1344	55640	941	6	38948	1	1	6	2	5	1	4	2	3		4	65	233	1680.4	1277.1	8
Grande	SN70EM	L&LD	43	163	998	47759	699	4	33431	1	1	16	4		0	4	2	7		4	61	210	1406.2	1106.8	8
Palmetto	SN70EM	Local	37	144	961	40603	673	4	28422	1	1	6	2		0	4	2	3			45	161	1133.9	845.5	6
Alhambra	SNSE60	Local	34	118	705	29100	494	4	20370	1	1	6	2		0	4	2	3			42	135	877.7	666.2	4
Perrine	SNSE60	Local	41	144	895	36570	627	4	25599	1	1	6	2	3	1	4	2	3			50	163	1117.8	849.2	6
G. Glades	SN70EM	Local	29	111	734	30860	514	4	21602	1	1	52	13		0	2	1	13			57	165	1517.2	1297.1	8
Magnolia	SN70EM	L&LD	29	114	752	31997	527	4	22398	1	1	12	3	2	1	1	1	3		4	42	150	1085.0	859.2	6
Melbourne	SN70EM	L&LD	39	152	969	43000	678	4	30100	1	1	14	4	2	1	4	2	7		4	58	199	1387.5	1096.9	8
P.B. Gardens	SN70EM	Local	41	156	1022	45082	716	4	31557	1	1	14	4		0	1	1	3			50	174	1263.8	957.2	6
Boca Main	SNSE60	L&LD	37	129	760	32476	532	4	22733	1	1	10	3	5	1	4	2	3		4	51	167	1141.2	913.1	6
Green Acres	SN70EM	Local	55	205	1294	59682	906	6	41777	1	1	8	2	1	1	4	2	5		4	70	246	1607.5	1219.3	8
Cypress	Anode	Local	10	22	200	9610	140	2	6727	1	1	6	2		0	4	2	3			18	39	372.7	312.7	2
Biscayne	ANode	Local	2	4	40	1922	28	2	1345	1	1	4	1		0	4	2	3			9	20	190.2	178.2	2
Sub Totals Ph 1			679																						

Supra Telecommunications, Inc.
FPSC Docket No. 980800-TP
Nilson Deposition Late Filed
Exhibit DAN-2
10/19/98

Proprietary

Note1. Horizontally summing the values for each CO will be greater than the Total for the Tandem. This is due to Erlangs to T1 conversions from the Seimens book that round up at each CO. The Tandem value is to be used for Engineering.
Note 2: This Horiz row uses a $ reference to the Tandem total column that must be resovled when copying. Otherwise each colum points to a different place when expanding at a given Tandem Location. Copy one CO column, fix, and then
Note 3 Global total, references across various tandems must be adjusted when copying

Printed 10/18/98 11:50 PM Phase 1 PhaseX-15 -

Supra Telecom and Information Systems, Inc -- Proprietary
FPSC Docket No. 980800-TP
Nilson Deposition Late Filed
Exhibit DAN-2

Wire Center	Cypress	FtLaud	Plantation	W.Hollywd	Pembroke	Hialeah	Biscayne	Grande	Palmetto	Alhambra	Perrine	[Tandem] G Glades	GG Tandem (Totals)		
Colocation - Virtual or Physical	P	P	P	P	P	P	P	P	P	P	P	P			
No. Lines Total	55,878	90,929	66,069	94,988	100,654	115,622	15,104	57,495	67,878	74,271	102,385	36,177	877,250		
No. Lines Captured	11176	18186	13214	18998	20131	23124	3021	11499	13536	14854	20477	7235	175,450		
Unbundled Loops	5588	3637	7928	11399	19124	18500	604	575	8121	8913	15358	4703	104,449		
Lines on T1's	5588	14549	5286	7599	1007	4625	2417	10924	5414	5942	5119	2532	71,001		
Erlangs on Unbundled Loops	447	291	634	912	1530	1480	48	46	650	713	1229	376	8,356		
Erlangs on T1's	931	2425	881	1267	168	771	403	1821	903	990	853	422	11,836		
Total Erlangs To/From Lines Served	1379	2716	1515	2179	1698	2251	451	1867	1552	1703	2082	798	20,192		
ISP Traffic From SUPRA Subscribers															
Min/Mo ISP From Unbundled Loops	167634	109115	237848	341957	573728	554986	18125	17249	243641	267376	460733	141090	3,133,480		
Min/Mo ISP From PBX T1's	167634	436459	158566	227971	30196	138746	72499	327722	162427	178250	153578	75972	2,130,020		
Erlangs ISP Traffic From Unbund. Loops	18.6	12.1	26.4	38.0	63.7	61.7	2.0	1.9	27.1	29.7	51.2	15.7	348.2		
Erlangs ISP Traffic From PBX T1's	18.6	48.5	17.6	25.3	3.4	15.4	8.1	36.4	18.0	19.8	17.1	8.4	236.7		
ISP Traffic - High Bandwidth															
T1's Small Business ADSL (Ovsub)	21.42	34.86	25.33	36.41	38.58	44.32	5.79	22.04	25.94	28.47	39.25	13.87	336.3		
T1's Large Business ADSL (Ovsub)	1.38	2.25	1.63	2.35	2.49	2.86	0.37	1.42	1.67	1.84	2.53	0.89	21.7		
Total ADSL Customers	457	743	540	776	823	945	123	470	553	607	837	296	7169	OKAY	Note 3
T1's Dedicated ISP	0	0	0	0	0	0	0	0	0	0	0	0	0.0		
T1's Frame Relay	0.93	1.51	1.10	1.58	1.67	1.92	0.25	0.95	1.12	1.23	1.70	0.60	14.5	OKAY	Note 2
ISP Traffic From BST Subcribers															
BST Subscribers Using SUPRA ISP	56	91	66	95	101	116	15	57	68	74	102	36	877	OKAY	
Min/Mo ISP From BST Subscribers	33527	54557	39641	56993	60392	69373	9062	34497	40607	44563	61431	21708	526350	OKAY	
LD Traffic From BST Subscribers															
Number of Non-Supra LD Customers	56	91	66	95	101	116	15	57	68	74	102	36	877	OKAY	
Min/Mo LD From LEC Tandem	16763.4	27278.7	19820.7	28496.4	30196.2	34686.6	4531.2	17248.5	20303.4	22281.3	30715.5	10853.1	263175	OKAY	

Traffic Calculations for T1's	Cypress	FtLaud	Plantation	W.Hollywd	Pembroke	Hialeah	Biscayne	Grande	Palmetto	Alhambra	Perrine	G Glades	GG Tandem (Totals)		
VOICE (and Modem to BST / LD)															
Line Side															
Trunk Side															
Erlangs to LEC Tandem	1108	2181	1218	1751	1367	1811	362	1499	1248	1369	1675	642	16,232	OKAY	
T1's to LEC Tandem	*48*	*93*	*52*	*75*	*59*	*77*	*17*	*64*	*54*	*59*	*72*	*28*	681	Note 1	
Erlangs to LD Provider	208	410	229	330	258	341	68	282	235	258	315	121	3055	OKAY	
T1's to LD Provider	*10*	*19*	*11*	*15*	*12*	*16*	*4*	*13*	*11*	*12*	*15*	*6*	129	Note 1	
Erlangs to Local Wire Center															
T1's to Local Wire Center															
Erlangs to Other Supra Locations	69	136	76	109	85	113	23	93	78	85	104	40	1010	OKAY	
T1's to Other Supra Locations													44		
TOTAL T1's Voice Switch [Trunk]	*58*	*112*	*63*	*90*	*71*	*93*	*21*	*77*	*65*	*71*	*87*	*34*	**1360**	Note 1	
VOICE MAIL Trunks															
Incoming [DS0's]		60	187			108		193							
Incoming [DS1's]	0	3	8	0	0	5	0	9	0	0	0	0			
Outgoing [DS0's]	60			97	90		19		72	76	98	36			
Outgoing [DS1's]	3	0	0	5	4	0	1	0	3	4	5	2			
Local [DS0's]		113	61			107		81							
Local [DS1's]	0	5	3	0	0	5	0	4	0	0	0	0			
Total [DS0's]	60	173	248	97	90	215	19	274	72	76	98	36			
TOTAL [DS1's]	3	8	11	5	4	9	1	12	3	4	5	2			
DATA (ISP)															
Erlangs to SUPRA ISP [PBX +BST]	22	55	22	32	10	23	9	40	23	25	24	11	295	OKAY	
T1's to SUPRA ISP [PBX +BST]	*2.0*	*3.0*	*2.0*	*2.0*	*1.0*	*2.0*	*1.0*	*3.0*	*2.0*	*2.0*	*2.0*	*1.0*	14.0	Note 1	
Erlangs to ISP [Copper wire dialup]	0.1	0.1	0.2	0.2	0.4	0.4	0.0	0.0	0.2	0.2	0.3	0.1	2	OKAY	Note 2
T1's to ISP [Copper wire dialup]	*1*	*1*	*1*	*1*	*1*	*1*	*1*	*1*	*1*	*1*	*1*	*1*	1	Note 1	
Total T1's to ISP from [Copper Wire Dialup]													15		
T1's Non Dialup ISP	23.7	38.6	28.1	40.3	42.7	49.1	6.4	24.4	28.7	31.5	43.5	15.4	372.5	OKAY	
TOTAL T1's ISP	*26*	*42*	*30*	*42*	*44*	*51*	*7*	*27*	*31*	*34*	*45*	*16*	**387.5**	Note 1	
Unbundled Loop Summary															
Line Side													(Totals)		
2 Wire --- POTS	5588	3637	7928	11399	19124	18500	604	575	8121	8913	15358	4703	104,449		
2 Wire ---- ADSL	457	743	540	776	823	945	123	470	553	607	837	296	7,169		
2 Wire --- Frame Relay	22	36	26	38	40	46	6	23	27	30	41	14	349	OKAY	
Total - 2 Wire	6067	4416	8495	12213	19987	19490	734	1068	8701	9549	16235	5013	N/A		
4 Wire --- PBX	559	1455	529	760	101	462	242	1092	541	594	512	253	7,100		
4 Wire --- ISP Dedicated T1 access	0	0	0	0	0	0	0	0	0	0	0	0	0		
Total - 4 Wire	559	1455	529	760	101	462	242	1092	541	594	512	253	N/A		
Traffic to ATM (T1's)															
(Outgoing)															
From Switch / DLC Local + LD + Other Supra	59	38	83	119	200	193	7	6	85	93	160	49			
From DACS	78	203	74	106	14	65	34	152	76	83	72	36			
From ISP / Data	24	39	29	41	43	50	7	25	29	32	44	18			
From VoiceMail	3	0	0	5	4	0	1	0	3	4	5	2			
(Incoming)															
To Voicemail		3	8	0	0	5	0	9	0	0	0	0			
To AT&T LD POP From Other SUPRA Locs			19					8							
To MCI LD POP From Other SUPRA Locs		8						5							
To SPRINT LD POP From Other SUPRA Locs			7				3								
SUBTOTAL Outgoing	164	280	186	271	261	308	49	183	193	212	281	103			
SUBTOTAL Incoming	0	11	34	0	0	5	3	22	0	0	0	0			
TOTAL	164	291	220	271	261	313	52	205	193	212	281	103			
Trunk Side															
UIT -- Unbundled InterOffice Transport													(Totals)		
T1's -- Path #1 --- LEC Tandem [Star Confi	48	93	52	75	59	77	17	64	54	59	72	28	698		
T1's -- Path #2 --- Other Supra Locations	3	2	4	6	10	10	0	0	4	5	8	2	44		
T1's -- Path #3 --- LD Provider #1													129		
T1's -- Path #4 --- ISP [Star Config]	*26*	*42*	*30*	*42*	*44*	*51*	*7*	*27*	*31*	*34*	*45*	*16*	**387.5**	Note 1	
Calculation Area for Vendor Switch - Lucent 5ESS and SLC-2000															
# SLC200's	16	26	19	28	29	34	5	17	20	22	30	0	*246*		
Racks - SLC	16	26	19	28	29	34	5	17	20	22	30	0	*246*		
Racks - #5ESS	0	0	0	0	0	0	0	0	0	0	0	12	*12*		
Racks - BDFB - Power	0	0	0	0	0	0	0	0	0	0	0	1	*1*		
Racks #5ESS / SLC - Sub Total	16	26	19	28	29	34	5	17	20	22	30	13	*259*		

Supra Telecom and Information Systems, Inc -- Proprietary
FPSC Docket No. 980800-TP
Nilson Deposition Late Filed
Exhibit DAN-2

Calculation Area for Vendor Switch - Cisco ATM and Remote Access													
# BPX	0	0	0	0	0	0	0	0	0	0	0	1	*1*
# IGX	1	1	1	1	1	1	1	1	1	1	1	1	*12*
# Remote Access	0	0	0	0	0	0	0	0	0	0	0	4	*4*
Racks ATM	1	1	1	1	1	1	1	1	1	1	1	1	*12*
Racks Remote	0	0	0	0	0	0	0	0	0	0	0	1	*1*
Racks CISCO - Sub Total	1	1	1	1	1	1	1	1	1	1	1	2	*13*
RBOC Colo Information Here													
Install 2 Wire	6067	4417	8495	12213	19987	19491	734	1068	8702	9550	16236	5014	*111,974*
Install 4 Wire DS1	559	1455	529	760	101	483	242	1093	542	595	512	254	*7,105*
Install 4 Wire DS3	14	26	20	24	22	28	6	18	18	18	24	10	*228*
Racks -- Total	17	27	20	29	30	35	6	18	21	23	31	15	*272*
Square Feet of Racks -- Total	82	130	96	140	145	169	28	86	101	111	150	67	*N/A*
Calculation for Nortel AccessNode													
# A/N Bays	10.0	7.0	13.0	19.0	30.0	30.0	2.0	2.0	13.0	15.0	25.0	8.0	
Equipped # of Lines	607.0	442.0	850.0	1222.0	1999.0	1950.0	74.0	107.0	871.0	955.0	1624.0	502.0	
Calculation for Nortel AccessNode Host Support													
ESMA Ports	1416.0	912.0	1992.0	2856.0	4800.0	4632.0	168.0	144.0	2040.0	2232.0	3840.0	1176.0	
PRI Ports	1872.0	4872.0	1776.0	2544.0	336.0	1560.0	816.0	3648.0	1824.0	1992.0	1728.0	864.0	
SS7 Ports	1416.0	912.0	1992.0	2856.0	4800.0	4632.0	168.0	144.0	2040.0	2232.0	3840.0	1176.0	
Calculation for Nortel RSCS													
Qty RCC2 Processors	4.0	3.0	6.0	8.0	13.0	13.0	1.0	1.0	6.0	8.0	10.0	4.0	
Qty Line Bays	5.0	4.0	7.0	10.0	16.0	16.0	1.0	1.0	7.0	8.0	13.0	4.0	
Equipped # of Lines	607.0	442.0	850.0	1222.0	1999.0	1950.0	74.0	107.0	871.0	955.0	1624.0	502.0	
Calculation for Nortel DMS-500					•	•		•		•	•	•	
Calculation for Paradyne DSL													
DSLAMS per CO	3	4	3	4	4	5	1	3	3	3	4	2	
Calculation for Ascend ATM													
Total T1's Adjusted for Toll traffic	164												
number of T-1 ports at ten percent													
# of T-1's @25% of T-1 total													
# of SA1200 chassis													
# of power supplies													
number of ICM's													
# of CPODs													
# of 4-port IPOD DS-1 CES													
# of 2-port Xpod DS-1 CES													
# of OC-3 XPODs													

Supra Telecom and Information Systems, Inc – Proprietary
FPSC Docket No 980800-TP
Nilson Deposition Late Filed
Exhibit DAN-2

Printed 10/18/98 11:50 PM Phase 1 PhaseX-15 -

Wire Center	Palm Bch G	Boca Main	Green Acres	Palm Bch G (Totals)	
Colocation - Virtual or Physical	P	P	P		
No Lines Total	35,785	83,055	92,966	211,806	
No Lines Captured	7157	16611	18593	42,361	
Unbundled Loops	6083	8306	9297	23,686	
Lines on T1's	1074	8306	9297	18,676	
Erlangs on Unbundled Loops	487	664	744	1,895	
Erlangs on T1's	179	1385	1550	3,113	
Total Erlangs To/From Lines Served	666	2049	2293	5,008	
ISP Traffic From SUPRA Subscribers					
Min/Mo ISP From Unbundled Loops	182504	249165	278898	710,567	
Min/Mo ISP From PBX T1's	32207	249165	278898	560,270	
Erlangs ISP Traffic From Unbund. Loops	20.3	27.7	31.0	79.0	
Erlangs ISP Traffic From PBX T1's	3.6	27.7	31.0	62.3	
ISP Traffic - High Bandwidth					
T1's Small Business ADSL (Ovsub)	13.72	31.84	35.64	81.2	
T1's Large Business ADSL (Ovsub)	0.88	2.05	2.30	5.2	
Total ADSL Customers	292	679	760	1731	OKAY No
T1's Dedicated ISP	0	0	0	0.0	
T1's Frame Relay	0.59	1.38	1.54	3.5	OKAY No
ISP Traffic From BST Subcribers..					
BST Subscribers Using SUPRA ISP	36	83	93	212	OKAY
Min/Mo ISP From BST Subscribers	21471	49833	55780	127084	OKAY
LD Traffic From BST Subscribers:					
Number of Non-Supra LD Customers	36	83	93	212	OKAY
Min/Mo LD From LEC Tandem	10735.5	24916.5	27889.8	63542	OKAY

Traffic Calculations for T1's	Palm Bch G	Boca Main	Green Acres	Palm Bch G (Totals)	
VOICE (and Modem to BST / LD)					
Line Side					
Trunk Side					
Erlangs to LEC Tandem	536	1647	1843	4,026	OKAY
T1's to LEC Tandem	*24*	*70*	79	170	Note 1
Erlangs to LD Provider	101	310	347	758	OKAY
T1's to LD Provider	*5*	*14*	*16*	33	Note 1
Erlangs to Local Wire Center					
T1's to Local Wire Center					
Erlangs to Other Supra Locations	33	102	115	250	OKAY
T1's to Other Supra Locations				12	
TOTAL T1's Voice Switch [Trunk]	*29*	*84*	*95*	**222**	Note 1
VOICE MAIL Trunks					
Incoming [DS0's]			54		
Incoming [DS1's]	0	0	3		
Outgoing [DS0's]	54				
Outgoing [DS1's]	3	0	0		
Local [DS0's]		90	101		
Local [DS1's]	0	4	5		
Total [DS0's]	54	90	155		
TOTAL [DS1's]	3	4	7		
DATA (ISP)					
Erlangs to SUPRA ISP (PBX +BST)	6	33	37	76	OKAY
T1's to SUPRA ISP (PBX +BST)	*1.0*	*2.0*	*3.0*	4.0	Note 1
Erlangs to ISP [Copper wire dialup]	0.5	0.7	0.8	2	OKAY No
T1's to ISP [Copper wire dialup]	*1*	*1*	*1*	1	Note 1
Total T1's to ISP from [Copper Wire Dialup]				5	
T1's Non Dialup ISP	15.2	35.3	39.5	89.9	OKAY
TOTAL T1's ISP	*16*	*37*	*42*	**94.9**	Note 1
Unbundled Loop Summary					
Line Side				(Totals)	
2 Wire — POTS	6083	8306	9297	23,686	
2 Wire — ADSL	292	679	760	1,731	OKAY
2 Wire — Frame Relay	14	33	37	84	OKAY
Total - 2 Wire	6390	9017	10093	N/A	
4 Wire — PBX	107	831	930	1,868	
4 Wire — ISP Dedicated T1 access	0	0	0	0	
Total - 4 Wire	107	831	930	N/A	
Traffic to ATM (T1's)					
(Outgoing)					
From SLC-2000	64	87	97		
From DACS	15	116	130		
From ISP / Data	16	36	40		
From VoiceMail	3	0	0		
(Incoming)					
To Voicemail	0	0	3		
To AT&T LD POP From Other SUPRA Locs					
To MCI LD POP From Other SUPRA Locs		3			
To SPRINT LD POP From Other SUPRA Locs					
SUBTOTAL Outgoing	98	239	267		
SUBTOTAL Incoming	0	3	3		
TOTAL	98	242	270		
Trunk Side					
UIT — Unbundled InterOffice Transport				(Totals)	
T1's – Path #1 — LEC Tandem [Star Config]	24	70	79	173	
T1's – Path #2 — Other Supra Locations	3	4	5	12	
T1's – Path #3 — LD Provider #1 [std T1's ???]				33	
T1's – Path #4 — ISP [Star Config]	*16*	*37*	*42*	**94.9**	Note 1
Calculation Area for Vendor Switch - Lucent 5ESS and SLC-2000					
# SLC200's	0	24	27	*51*	
Racks - SLC	0	24	27	*51*	
Racks - #5ESS	12	0	0	*12*	
Racks - BDFB - Power	1	0	0	*1*	
Racks - Sub Total	13	24	27	*64*	

Calculation Area for Vendor Switch - Cisco ATM and Remote Access				
# BPX	1	0	0	1
# IGX	1	1	1	3
# Remote Access	0	4	0	4
Racks ATM	1	1	1	3
Racks Remote	0	1	0	1
Racks - Sub Total	1	2	1	4

RBOC Cole Information Here				
Install 2 Wire	8391	9018	10094	25,503
Install 4 Wire DS1	108	831	930	1,869
Install 4 Wire DS3	10	22	24	56
Racks – Total	14	26	28	
Square Feet of Racks – Total	85	123	135	

Calculation for Nortel AccessNode				
# A/N Bays	10.0	14.0	16.0	
Equipped # of Lines	640.0	902.0	1010.0	
Calculation for Nortel AccessNode Host Support				
ESMA Ports	1536.0	2088.0	2328.0	
PRI Ports	360.0	2784.0	3120.0	
SS7 Ports	1536.0	2088.0	2328.0	
Calculation for Nortel RSCS				
Qty RCC2 Processors	4.0	6.0	7.0	
Qty Line Bays	5.0	8.0	8.0	
Equipped # of Lines	640.0	902.0	1010.0	

Calculation for Nortel DMS-500

Calculation for Paradyne DSL				
DSLAMS per CO	2	4	4	

Supra Telecom and Information Systems, Inc
FPSC Docket No 980800-TP
Nilson Deposition Late Filed
Exhibit DAN-2

Printed 10/18/98 11:50 PM Phase 1 PhaseX-15 -

Wire Center	[Tandem] Magnolia	Melbourne	Orl Magnolia Tandem (Totals)	
Colocation - Virtual or Physical	P	P		
No Lines Total	76,486	90,630	167,116	
No Lines Captured	15297	18126	33,423	
Unbundled Loops	6119	7250	13,369	
Lines on T1's	9178	10876	20,054	
Erlangs on Unbundled Loops	490	580	1,070	
Erlangs on T1's	1530	1813	3,343	
Total Erlangs To/From Lines Served	2020	2393	4,413	
ISP Traffic From SUPRA Subscribers				
Min/Mo ISP From Unbundled Loops	183566	217512	401,078	
Min/Mo ISP From PBX T1's	275350	326268	601,618	
Erlangs ISP Traffic From Unbund. Loops	20.4	24.2	44.6	
Erlangs ISP Traffic From PBX T1's	30.6	36.3	66.8	
ISP Traffic - High Bandwidth				
T1's Small Business ADSL (Ovsub)	29.32	34.74	64.1	
T1's Large Business ADSL (Ovsub)	1.89	2.24	4.1	
Total ADSL Customers	625	741	1366	OKAY No
T1's Dedicated ISP	0	0	0.0	
T1's Frame Relay	1.27	1.50	2.8	OKAY No
ISP Traffic From BST Subcribers..				
BST Subscribers Using SUPRA ISP	76	91	167	OKAY
Min/Mo ISP From BST Subscribers	45892	54378	100270	OKAY
LD Traffic From BST Subscribers				
Number of Non-Supra LD Customers	76	91	167	OKAY
Min/Mo LD From LEC Tandem	22945.8	27189	50135	OKAY

Traffic Calculations for T1's	Magnolia	Melbourne	Orl Magnolia Tandem (Totals)	
VOICE (and Modem to BST / LD)				
Line Side				
Trunk Side				
Erlangs to LEC Tandem	1623	1923	3,545	OKAY
T1's to LEC Tandem	*69*	*82*	150	Note 1
Erlangs to LD Provider	305	362	667	OKAY
T1's to LD Provider	*14*	*17*	29	Note 1
Erlangs to Local Wire Center				
T1's to Local Wire Center				
Erlangs to Other Supra Locations	101	120	221	OKAY
T1's to Other Supra Locations			11	
TOTAL T1's Voice Switch [Trunk]	*83*	*99*	**197**	Note 1
VOICE MAIL Trunks				
Incoming [DS0's]				
Incoming [DS1's]	0	0		
Outgoing [DS0's]				
Outgoing [DS1's]	0	0		
Local [DS0's]	81	103		
Local [DS1's]	4	5		
Total [DS0's]	81	103		
TOTAL [DS1's]	4	5		
DATA (ISP)				
Erlangs to SUPRA ISP [PBX +BST]	36	42	78	ERROR-Vs
T1's to SUPRA ISP [PBX +BST]	2.0	3.0	4.0	Note 1
Erlangs to ISP [Copper wire dialup]	1.0	1.2	2.1	OKAY No
T1's to ISP [Copper wire dialup]	*1*	*1*	1	Note 1
Total T1's to ISP from [Copper Wire Dialup]			5	
T1's Non Dialup ISP	32.5	38.5	71.0	OKAY
TOTAL T1's ISP	*34*	*41*	**76.0**	Note 1

Unbundled Loop Summary				
Line Side			(Totals)	
2 Wire — POTS	6119	7250	13,369	
2 Wire — ADSL	625	741	1,366	
2 Wire — Frame Relay	30	36	67	OKAY
Total - 2 Wire	6774	8027	N/A	
4 Wire — PBX	918	1088	2,005	
4 Wire — ISP Dedicated T1 access	0	0	0	
Total - 4 Wire	918	1088	N/A	

Traffic to ATM (T1's)			
(Outgoing)			
From SLC-2000	64	76	
From DACS	128	152	
From ISP / Data	33	39	
From VoiceMail	0	0	
(Incoming)			
To Voicemail	0		
To AT&T LD POP From Other SUPRA Locs		5	
To MCI LD POP From Other SUPRA Locs		3	
To SPRINT LD POP From Other SUPRA Locs		2	
SUBTOTAL Outgoing	225	287	
SUBTOTAL Incoming	0	9	
TOTAL	225	276	

Trunk Side				
UIT — Unbundled InterOffice Transport			(Totals)	
T1's -- Path #1 --- LEC Tandem [Star Config]	69	82	151	
T1's -- Path #2 --- Other Supra Locations	3	4	11	
T1's -- Path #3 --- LD Provider #1 [std T1's ???]			29	
T1's -- Path #4 --- ISP [Star Config]	*34*	*41*	**76.0**	Note 1

Calculation Area for Vendor Switch - Lucent 5ESS and SLC-2000			
# SLC200's	0	26	*26*
Racks - SLC	0	26	*26*
Racks - #5ESS	12	0	*12*
Racks - BDFB - Power	1	0	*1*
Racks - Sub Total	13	26	*39*

Supra Telecom and Information Systems, Inc – Proprietary
FPSC Docket No 980800-TP
Nilson Deposition Late Filed
Exhibit DAN-2

Calculation Area for Vendor Switch - Cisco ATM and Remote Access			
# BPX	0	0	0
# IGX	1	1	2
# Remote Access	4	0	4
Racks ATM	1	1	2
Racks Remote	1	0	1
Racks - Sub Total	2	1	3

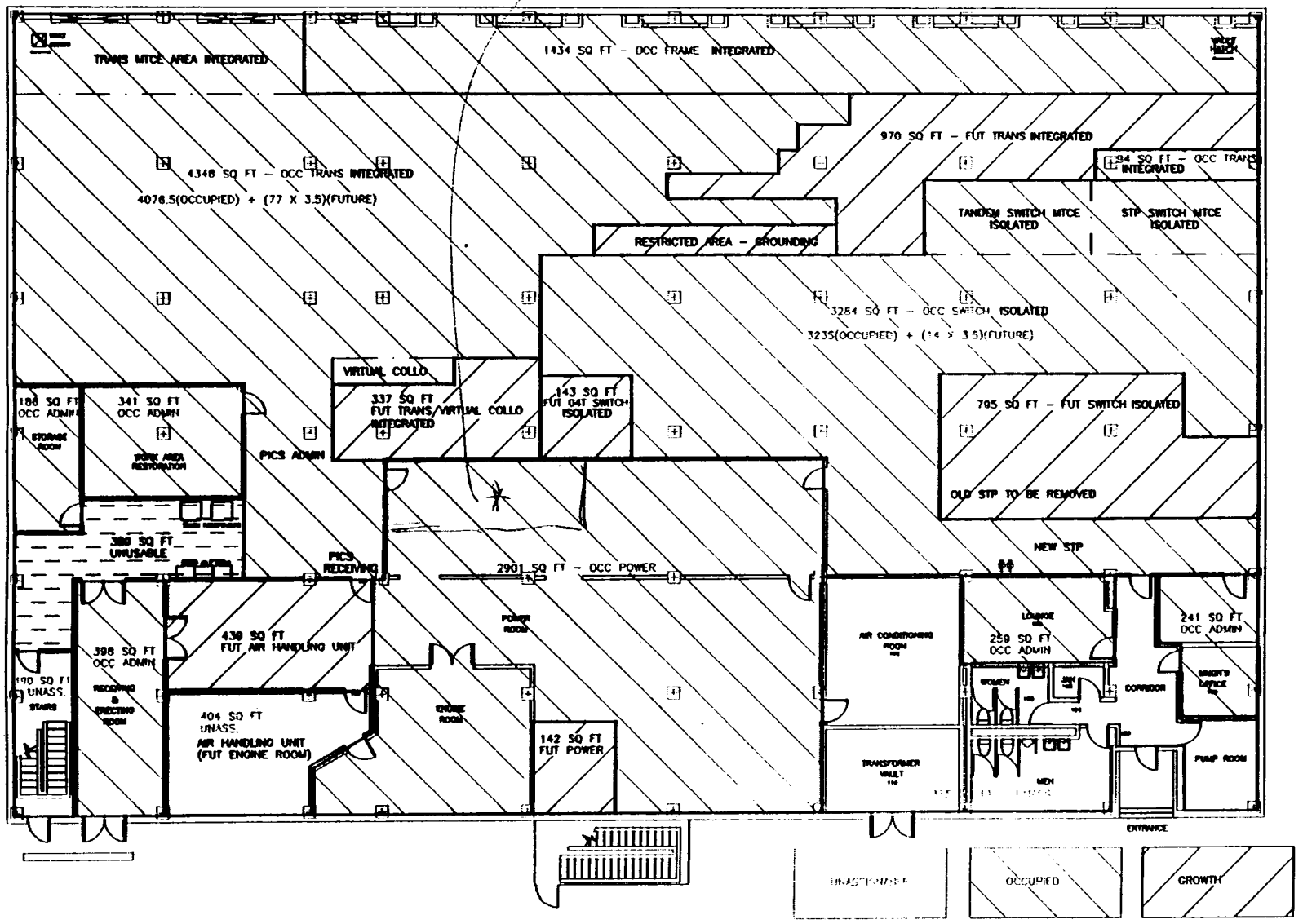
RBOC Colo Information Here			
Install 2 Wire	6775	8028	14,803
Install 4 Wire DS1	918	1088	2,006
Install 4 Wire DS3	20	24	44
Racks – Total	15	27	
Square Feet of Racks – Total	67	130	

Calculation for Nortel AccessNode		
# A/N Bays	11.0	12.0
Equipped # of Lines	678.0	803.0
Calculation for Nortel AccessNode Host Support		
ESMA Ports	1536.0	1824.0
PRI Ports	3072.0	3648.0
SS7 Ports	1536.0	1824.0
Calculation for Nortel RSCS		
Qty RCC2 Processors	4.0	5.0
Qty Line Bays	6.0	7.0
Equipped # of Lines	678.0	803.0
Calculation for Nortel DMS-500		

Calculation for Paradyne DSL		
DSLAMS per CO	3	4

Nilson Exhibit 1

Pg 15 REBUTTAL TESTIMONY LINES 11, 12

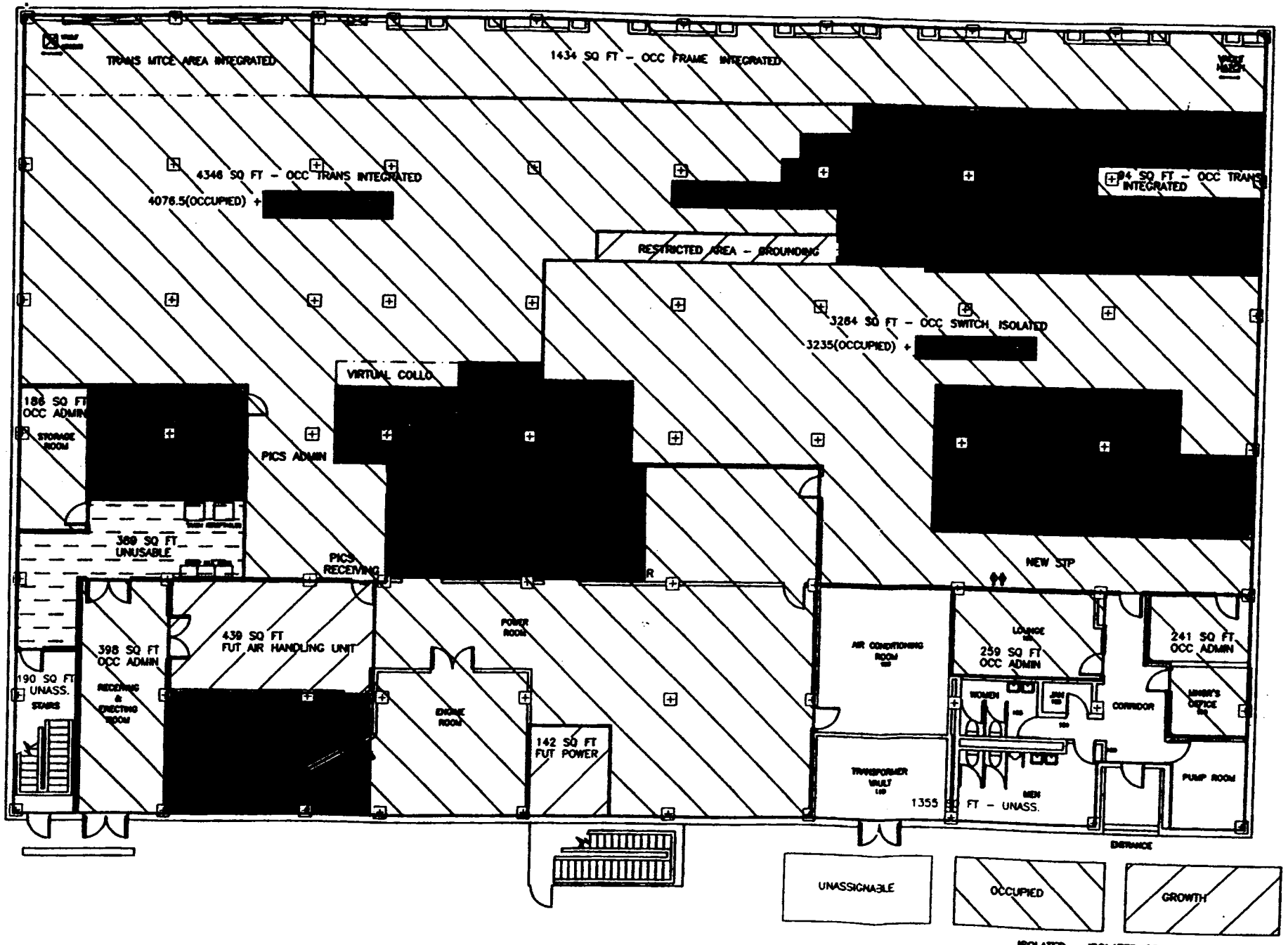


16506 NORTH DADE GOLDEN GLADES FIRST FLOOR PLAN

ISOLATED - ISOLATED GROUND PLANE
INTEGRATED - INTEGRATED GROUND PLANE
OCC - OCCUPIED SPACE
FUT - FUTURE/GROWTH SPACE
UNASS - UNASSIGNABLE SPACE
TRANS - TRANSMISSION EQUIPMENT
COLLO - COLLOCATION
[+] - BUILDING COLUMN

Bellsouth Telecommunications, Inc.
FPSC Docket No. 980800-TP
Exhibit JDB-3
September 10, 1998
Page 1 of 2

Nilson
EXHIBIT NO. 1
10-13-98
C. WEBSTER



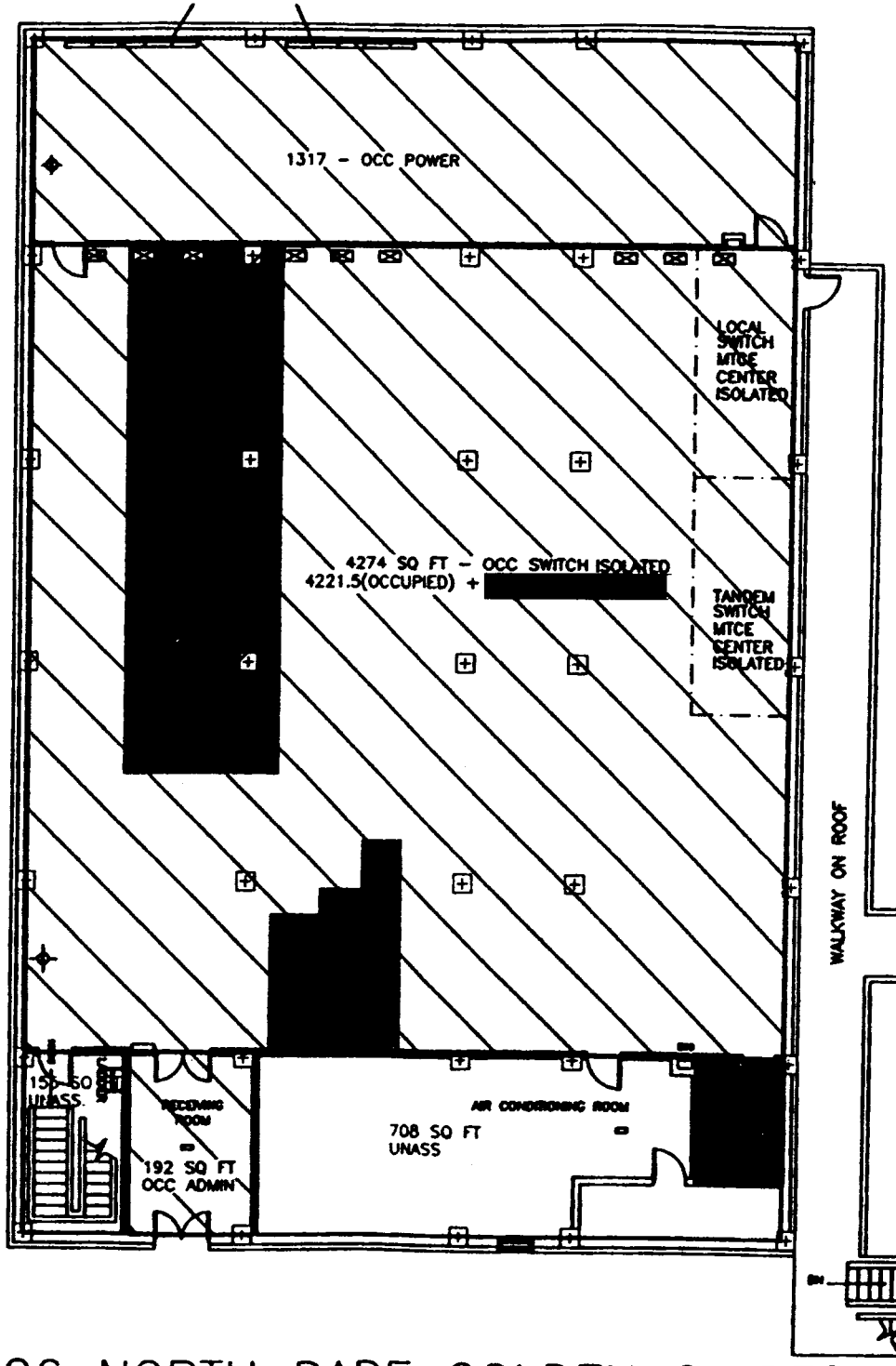
M6506 NORTH DADE GOLDEN GLADES FIRST FLOOR PLAN

Space Available for Collocation

Supra Telecommunications, Inc.
FPSC Docket No. 980800-TP
Nilson Deposition Late Filed
Exhibit DAN-1
October 19, 1998

ISOLATED - ISOLATED GROUND PLANE
INTEGRATED - INTEGRATED GROUND PLANE
OCC - OCCUPIED SPACE
FUT - FUTURE/GROWTH SPACE
UNASS - UNASSIGNABLE SPACE
TRANS - TRANSMISSION EQUIPMENT
COLLO - COLLOCATION
⊞ - BUILDING COLUMN

Supra Telecommunications, Inc.
FPSC Docket No. 960800-TP
Nilson Deposition Late Filed
Exhibit DAN-1
October 19, 1998



UNASSIGNABLE

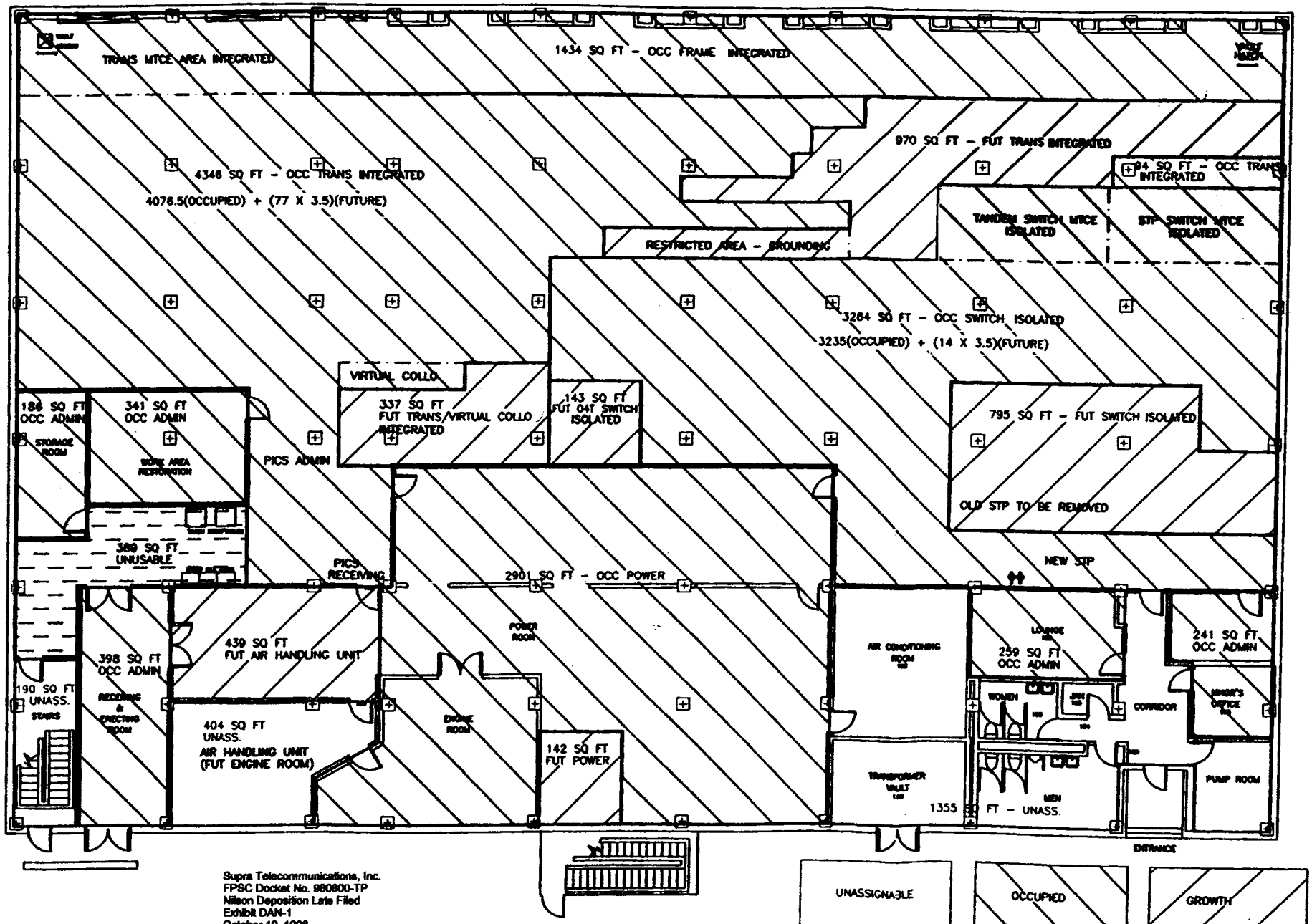
OCCUPIED

GROWTH

ISOLATED - ISOLATED GROUND PLANE
INTEGRATED - INTEGRATED GROUND PLANE
OCC - OCCUPIED SPACE
FUT - FUTURE/GROWTH SPACE
UNASS - UNASSIGNABLE SPACE
⊞ - BUILDING COLUMN

Space Available for Collocation

M6506 NORTH DADE GOLDEN GLADES SECOND FLOOR PLAN

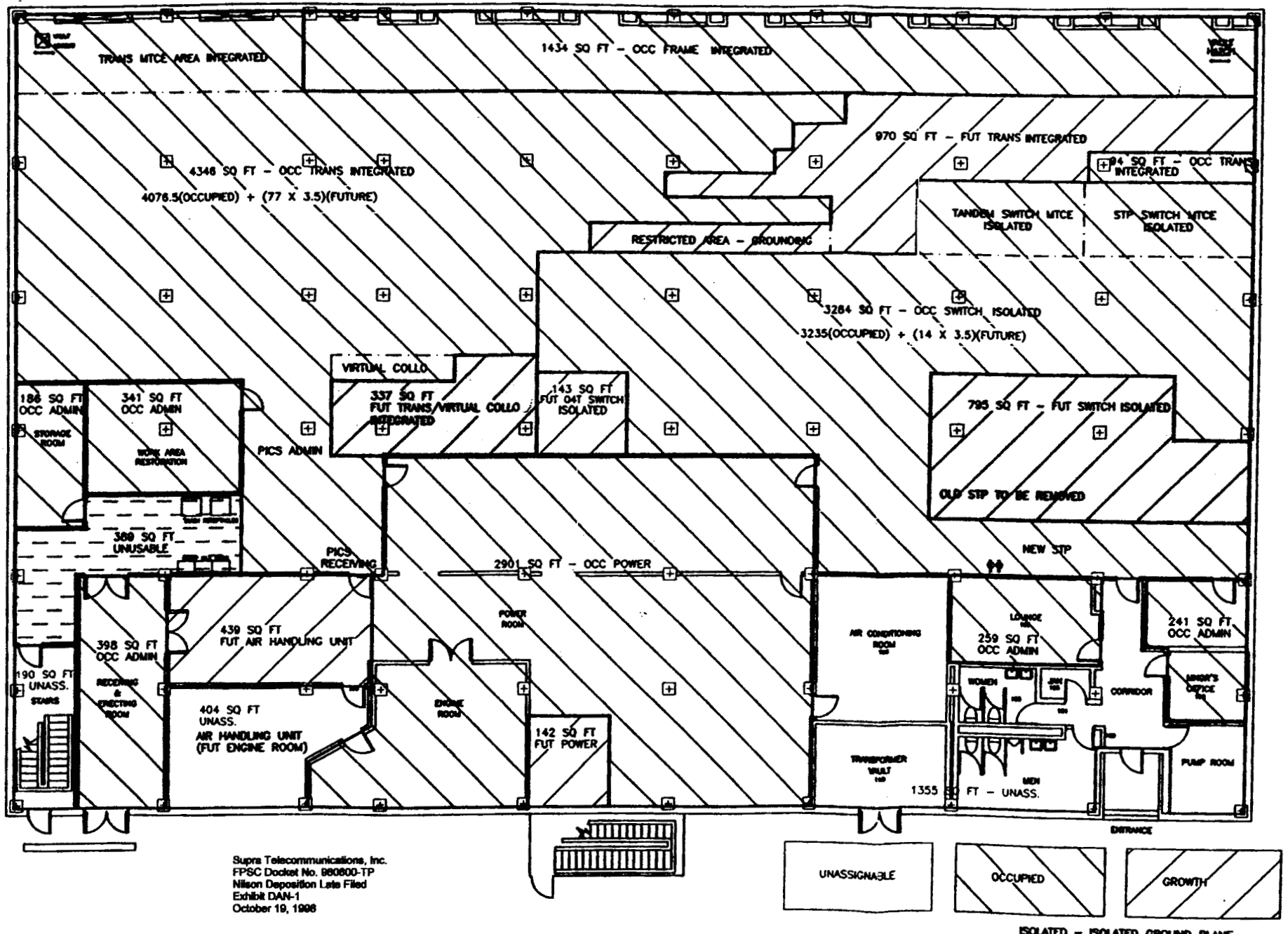


Supra Telecommunications, Inc.
FPSC Docket No. 980800-TP
Nilson Deposition Late Filed
Exhibit DAN-1
October 19, 1998

M6506 NORTH DADE GOLDEN GLADES FIRST FLOOR PLAN

Space Option for SUPRA Collocation Number 1

ISOLATED - ISOLATED GROUND PLANE
INTEGRATED - INTEGRATED GROUND PLANE
OCC - OCCUPIED SPACE
FUT - FUTURE/GROWTH SPACE
UNASS - UNASSIGNABLE SPACE
TRANS - TRANSMISSION EQUIPMENT
COLLO - COLLOCATION
⊞ - BUILDING COLUMN

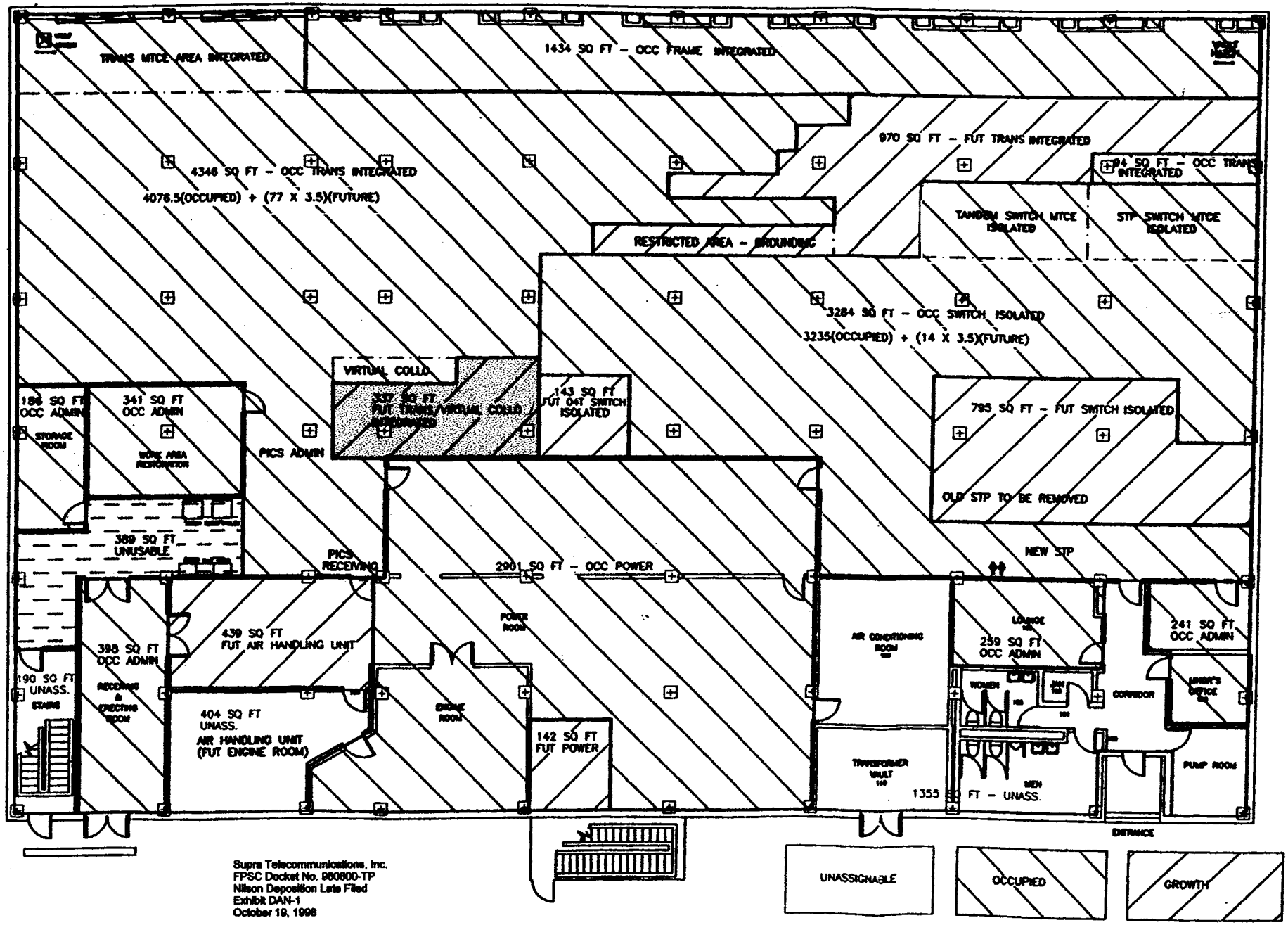


Supra Telecommunications, Inc.
FPSC Docket No. 980800-TP
Nilson Deposition Late Filed
Exhibit DAN-1
October 19, 1998

M6506 NORTH DADE GOLDEN GLADES FIRST FLOOR PLAN

Space Option for SUPRA Collocation Number 2

ISOLATED - ISOLATED GROUND PLANE
INTEGRATED - INTEGRATED GROUND PLANE
OCC - OCCUPIED SPACE
FUT - FUTURE/GROWTH SPACE
UNASS - UNASSIGNABLE SPACE
TRANS - TRANSMISSION EQUIPMENT
COLLO - COLLOCATION
⊞ - BUILDING COLUMN



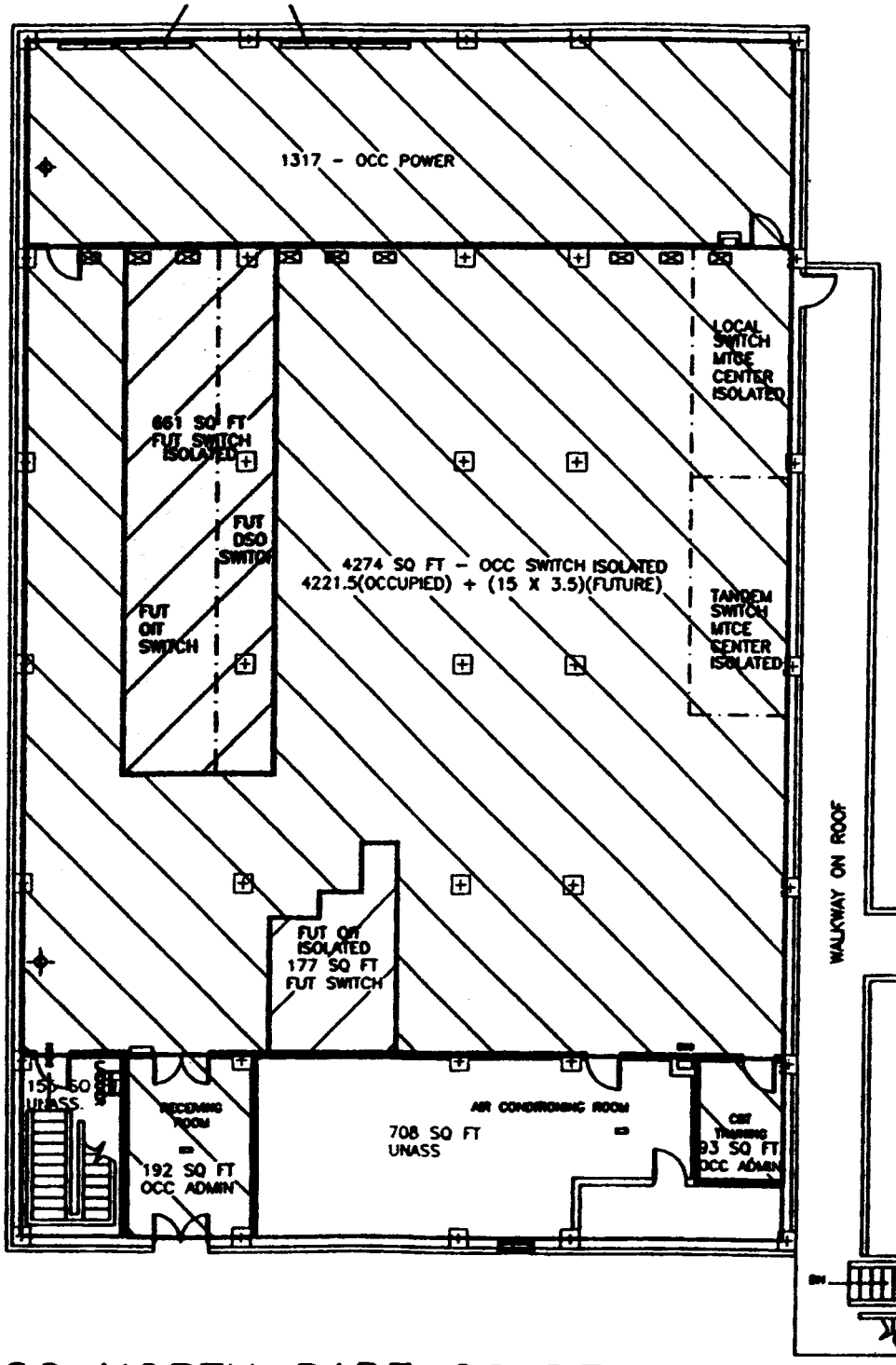
Supra Telecommunications, Inc.
FPSC Docket No. 960800-TP
Nilson Deposition Late Filed
Exhibit DAN-1
October 19, 1998

M6506 NORTH DADE GOLDEN GLADES FIRST FLOOR PLAN

Space Option for SUPRA Collocation Number 3

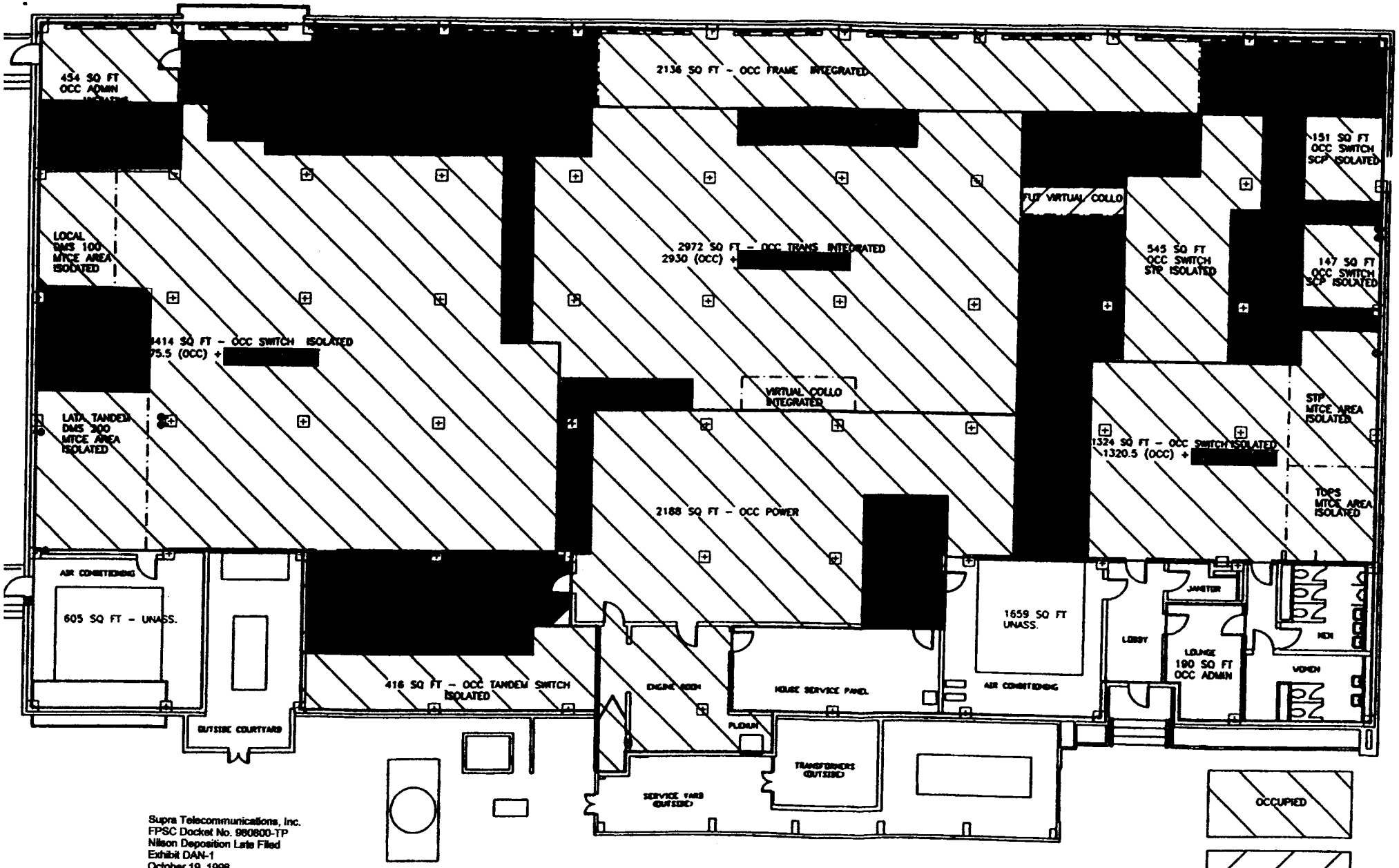
ISOLATED - ISOLATED GROUND PLANE
INTEGRATED - INTEGRATED GROUND PLANE
OCC - OCCUPIED SPACE
FUT - FUTURE/GROWTH SPACE
UNASS - UNASSIGNABLE SPACE
TRANS - TRANSMISSION EQUIPMENT
COLLO - COLLOCATION
⊞ - BUILDING COLUMN

Supra Telecommunications, Inc.
FPSC Docket No. 980800-TP
Nilson Deposition Late Filed
Exhibit DAN-1
October 19, 1998



Space Option for SUPRA Collocation Number 3

M6506 NORTH DADE GOLDEN GLADES SECOND FLOOR PLAN

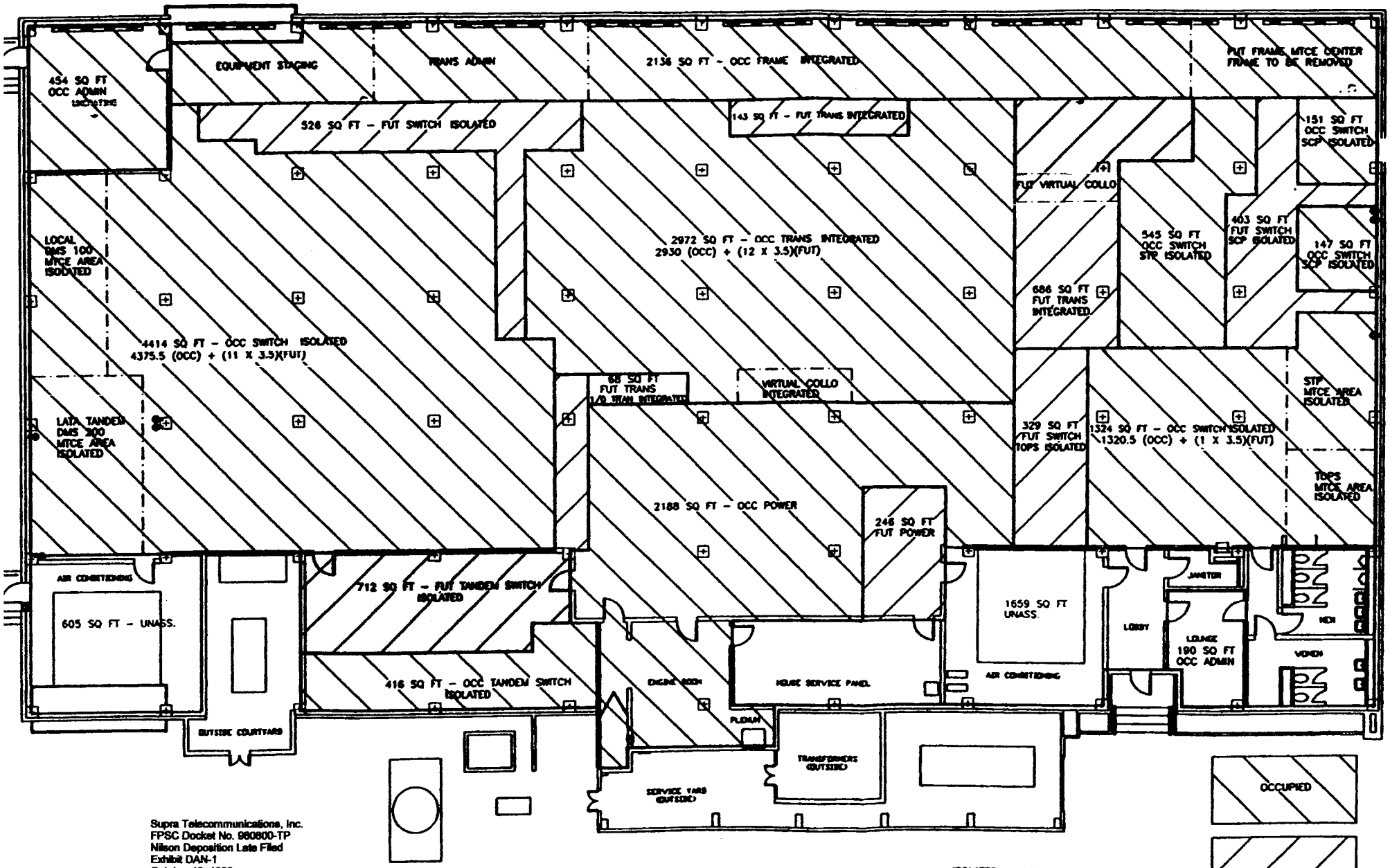


Supra Telecommunications, Inc.
FPSC Docket No. 980800-TP
Nilson Deposition Late Filed
Exhibit DAN-1
October 19, 1998

ISOLATED - ISOLATED GROUND PLANE
INTEGRATED - INTEGRATED GROUND PLANE
OCC - OCCUPIED SPACE
FUT - FUTURE/GROWTH SPACE
UNASS - UNASSIGNABLE SPACE
TRANS - TRANSMISSION EQUIPMENT
COLLO - COLLOCATION
⊞ - BUILDING COLUMN

E8519 WEST PALM BEACH GARDENS FIRST FLOOR PLAN

Space Available for Collocation



Supra Telecommunications, Inc.
FPSC Docket No. 980800-TP
Nilson Deposition Late Filed
Exhibit DAN-1
October 19, 1998

ISOLATED - ISOLATED GROUND PLANE
INTEGRATED - INTEGRATED GROUND PLANE
OCC - OCCUPIED SPACE
FUT - FUTURE/GROWTH SPACE
UNASS - UNASSIGNABLE SPACE
TRANS - TRANSMISSION EQUIPMENT
COLLO - COLLOCATION
⊕ - BUILDING COLUMN

E8519 WEST PALM BEACH GARDENS FIRST FLOOR PLAN

Space Option for SUPRA Collocation

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition for Emergency Relief of Supra Telecommunications and Information Systems, Inc., against BellSouth Telecommunications, Inc.	DOCKET NO. 980800-TP

DEPOSITION OF: MARK GRAHAM

TAKEN AT THE INSTANCE OF: BELLSOUTH TELECOMMUNICATIONS

PLACE: GERALD L. GUNTER BUILDING
ROOM 362
2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA

TIME: COMMENCED AT 6:55 P.M.
CONCLUDED AT 7:30 P.M.

DATE: TUESDAY, OCTOBER 13, 1998

REPORTED BY: CATHY H. WEBSTER, RPR
Registered Professional Reporter
C & N REPORTERS
POST OFFICE BOX 3093
TALLAHASSEE, FLORIDA

FLORIDA PUBLIC SERVICE COMMISSION
DOCKET NO. 980800-TP EXHIBIT NO 15
COMPANY/
WITNESS: Graham
DATE 10-21-98

APPEARANCES:

NANCY B. WHITE, appearing on behalf of BELLSOUTH TELECOMMUNIATIONS, INC., 150 South Monroe Street, Suite 400, Tallahassee, Florida 32301.

BETH KEATING, appearing on behalf of COMMISSION STAFF, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.

SUZANNE FANNON SUMMERLIN, appearing on behalf of SUPRA TELECOM & INFORMATION SYSTEMS, INC., 1311 Paul Russell Road, Suite 201, Tallahassee, Florida 32301; and

MARK E. BUECHELE, appearing on behalf of SUPRA TELECOM & INFORMATION SYSTEMS, INC., Post Office Box 398555, Miami Beach, Florida 33239-8555.

ALSO PRESENT:

Calvin Favors, FPSC Staff

Wayne Stavanja, FPSC Staff

Stan Greer, BellSouth

A.W. "Wayne" Tubaugh, BellSouth

David Nilson, Supra

Kay Ramos, Supra

Angel Leiro, Supra

* * * *

I N D E X

	PAGE NO.
STIPULATIONS	4
ERRATA SHEET	28
CERTIFICATE OF OATH	29
CERTIFICATE OF DEPONENT	27
CERTIFICATE OF REPORTER	30

WITNESS

MARK GRAHAM	
Examination by Ms. White	5
Examination by Ms. Keating	25

EXHIBITS

NUMBER	IDENTIFIED
No exhibits marked or identified	

STIPULATION

IT IS STIPULATED that this deposition was taken pursuant to notice in accordance with the applicable Florida Rules of Civill Porcedure; that objections, except as to the form of the question, are reserved until hearing in this cause; and that reading and signing was not waived.

IT IS ALSO STIPULATED that any off-the-record conversations are with the consent of the deponent.

D E P O S I T I O N

THEREUPON,

MARK GRAHAM

having been sworn, was examined and testified as follows:

MS. WHITE: Nancy White for BellSouth Telecommunications.

MS. SUMMERLIN: Suzanne Summerlin representing Supra Telecommunications and Information Systems.

MS. KEATING: And Beth Keating for Commission Staff.

MS. WHITE: Usual stipulations?

MS. SUMMERLIN: Yes.

EXAMINATION

BY MS. WHITE:

Q Mr. Graham, would you please state your name and address for the record?

A My name is Mark C. Graham. My business address is 2620 Southwest 27th Avenue in Miami, Florida, 33133.

Q You're employed by Supra?

A Supra.

Q And what is your job title?

A Vice President of Voice Mail Engineering.

Q What are your functions as Vice President of Voice Mail Engineering?

A Planning our voice mail roll-out. And, in

addition to that, I'm also given various responsibilities that basically don't fall under anyone else's jurisdiction.

Q Master of all trades?

A Pretty much.

Q Can you give me a couple of examples?

A For example, there was a pay phone conference that I was requested to attend to evaluate pay phone equipment, various internet technologies to evaluate how they can fit into our plan.

Q How long have you been with Supra?

A Two months now.

Q August?

A August.

Q Who do you report to?

A I now report to Lou Bender.

Q As of this morning?

A As of this morning.

Q And before this morning, who did you report to?

A Kay Ramos.

Q You were hired by Supra as Vice President of Voice Mail?

A Yes, I was.

Q Can you tell me a little bit about your educational background?

A Yeah. I haven't completed any college degree,

however I have completed high school and numerous technical schools with the various vendors I've worked for.

Q Okay. Now I know you attached your resume to your testimony. And I won't go through every step of it.

I'm showing Mr. Graham his resume that was attached to his direct testimony. And my question is, as you can see by my underline, you state that your experience with Bell operating company policies and procedures.

And my question is can you tell me how you gained that experience.

A Through installing switches in various BellSouth central -- not just BellSouth -- in various Bell operating company central offices, switches as well as voice mail platforms.

Q And the switches you installed when you were working for Northern Telcom?

A Right.

Q And the voice mail --

A As well as Siemen's, I should also point out.

Q That's correct. And voice mail when you were working for Converse, formerly Boston Technology?

A That's exactly right.

Q You installed switches in central offices in BellSouth central offices in particular?

A I assisted installation of a Siemen switch in

BellSouth central office.

Q Were these central offices in Florida?

A Yes.

Q Can you tell me which ones?

A The one in particular is Boca Main.

Q What about when you worked for Northern Telcom, did you install any switches in BellSouth central offices?

A I don't believe I installed any in BellSouth.

Q And then when you worked for Converse, which was formerly Boston Technology, you installed voice mail hardware and software?

A Yes.

Q And did you install any of that in any BellSouth central offices?

A Mostly in BellSouth.

Q Okay. In Florida?

A In Florida; actually in the entire BellSouth region.

Q And can you give me an idea of which central offices you did that in Florida?

A In Florida? Primarily there's a major office in Fort Lauderdale at Sunrise CO. There's one in the Miami Grande and there's one in Key West.

Q And can you tell me about what that time frame was that you were installing the voice mail in the

BellSouth Florida central offices? Is that within the last year? Two years? Five years?

A I've installed one as recently as within the last year. But, again, it's ranged throughout my employment at Boston Technology/Converse.

Q And the most recent one in the BellSouth area, would that have been the Fort Lauderdale main office?

A Miami Grande; that was most recent.

Q What kind of equipment did you install to provide voice mail in the BellSouth central offices when you were working for Converse?

A The name of the equipment is CO Access 600.

Q CO -- Capital C, a capital O?

A Capital C, capital O?

Q 600?

A Access 600.

Q And who is the manufacturer of that?

A Converse.

Q And what does that equipment do?

A Essentially it does phone answering. It does a few other additional features, but that's the primary function.

Q Is that the only piece of equipment needed to provide voice mail from the central office standpoint?

A Our equipment and its associated equipment.

There's some modems and that sort of thing that's essential to get the data from the various outlying central offices into the equipment.

Q Do you know what that equipment -- I mean, do you know the name of that equipment?

A There's one bank of modems. It's made by Tellabs. I don't know that I can give you any model number or anything that specific.

Q Does Supra intend to provide -- I assume Supra intends to provide voice mail since you're the Vice President of Voice Mail?

A For the sake of my employment, yes, they do.

Q Do you know, has Supra made a decision about what equipment they're going to use to provide the voice mail?

A We're considering a couple of different vendors, but we're pretty confident we're going to go with one particular.

Q Are you at liberty to tell me who that is?

A I don't know for sure if I'm at liberty. So, therefore, I'm going to hold off on that.

Q Is the equipment that vendor makes comparable to the equipment you installed in the BellSouth offices?

A Yes; it's function is identical.

Q On page 3 of your direct testimony you're discussing your job at Converse. And on lines 5 through 7,

you say the job consisted of installing new systems, typically file cabinets; do you see that?

A Yes.

Q Is that the CO Access 600 equipment that we discussed earlier?

A Yes, it is.

Q Can you tell me whether Supra is going to use the Ascend TNT or the Cisco equipment that I discussed with Mr. Ramos and Mr. Nilson?

A Yes.

Q Are they going to use that to provide voice mail?

A Not to provide voice mail.

Q What are they going to use that for?

A They'll use that to provide the access, as I mentioned before, for the SMDI links; sort of data transport to get the data into us. Also, that will be provided to allow trunking out to our central offices.

Q What's SMDI?

A I believe it's simplified message desk interface. It's essentially the protocol that allows a customer to get stutter dial tone when he has a message waiting.

Q And that it will also be used to provide trunking to the other central offices where Supra is going to physically collocate?

A Yes.

Q What's the purpose of your testimony that you filed in this case, your rebuttal testimony?

A I think my primary purpose is to use my experience in central offices to suggest ways of providing more space than is currently available.

Q Do you have any experience with physical or virtual collocation?

A Not prior to my employment here, unless you consider the voice mail equipment physical collocation.

Q Do you have any experience with building codes in the state of Florida?

A Not per se.

Q What about construction experience?

A The construction that I've done in erecting the voice mail system.

Q And were you present at both walk-throughs?

A No, the second one only.

Q The videotaped one?

A Yes.

Q Now on page 4 of your testimony, lines 15 through 17, you state that it is technically feasible to monitor all of the switches in a central office from a remote location. And then you go on to say it's technically feasible to monitor those switches from a single location in the central office.

A That's correct.

Q Can I take that to mean that you're suggesting that the monitoring functions be consolidated in one place in the central office?

A Yes.

Q So you're not suggesting that all of the monitoring be taken out of the central office?

A No.

Q All right. On page 5 of your testimony and on lines 1 through 3, you talk about a switch box?

A Yes.

Q And it's from the Black Box Corporation?

A It sounds like an interesting name, but that's the one I'm familiar with.

Q Well, it sounds like -- I don't know what they used to call that equipment you put on a pay phone and get free long distance, you know.

A It's definitely not. I doubt if they're related.

Q So the Black Box, that's just the name of the company?

A That's the name of the corporation.

Q And what does the switch box do? You said it's used to allow one terminal to access multiple computers?

A That's essentially exactly what it does. By this, the particular switch box that I'm referring to here,

it provides an electrical connection to multiple computers to one particular terminal.

Q Okay. And you say, the specific example you're saying was the equipment from Black Box. When did you have occasion to see that and what was the nature of that?

A One of our systems in -- if I'm not mistaken, I believe it was in Philadelphia, the voice mail systems. Our voice mail systems consists of a group of computers networked together.

And in this case there was multiple CO Access 600s. And rather than duplicate the same monitors over and over, they put a switch box in so that from one location they could monitor any of those systems.

Q Okay. So you saw this when you were working for Converse?

A Yes.

Q Do you know how much those cost?

A I have a relatively good idea. I think they're under a hundred dollars.

Q The switch box that you're talking about there that allow one terminal to access multiple computers, is it your testimony that that system would or could handle the functions of all the work stations that are in the Golden Glades and --

A I would not say all of them. A sizeable number

of them, yes.

Q Can you give me an idea of which functions they could not handle? Or either that they could handle or they couldn't handle, whichever would be easier for you.

A It would depend on the protocol between the terminal and the computer that it's accessing. If it's all using the same RS232 serial protocol, then that box could handle it, which I think from what I saw that was the case in many of the NOC positions.

There were also a number of other terminals that use, for want of a better word, an analog connection. And those could be handled by a different type of box.

Q Are there any of the work stations that could not be handled by any one of these boxes?

A I'm not aware of any.

Q Can the boxes do simultaneously -- Can the boxes do the simultaneously -- Let me start that over again.

Can the switch boxes do the simultaneous monitoring that BellSouth currently does?

A I've got two answers to that. One is those boxes that I'm referring to, no, they cannot. But I would also point out neither can a craft person. A craft person can only look at one terminal at a time. So he could switch from one to the other.

Q Okay. But what if you have two craft people?

A In that case, I would suggest a different technology, which allows one terminal, a graphics terminal, to be able to emulate multiple terminals at the same time.

Q And what is -- Have you seen one of those?

A I've seen one. I haven't seen one in action for BellSouth.

Q What are those called?

A It's basically a computer with a multiple serial input. And you'd get different windows up using obviously Microsoft Windows technology or a similar technology.

Q Now you also said on that page 5 of your rebuttal, lines 14 through 16, that you saw inoperable equipment and cables in both offices?

A Yes.

Q Can you -- Let's take the Golden Glades.

A What I'm primarily referring here is the vendor staging area.

Q Okay. So you're saying remove the vendor staging area. You're not talking about remove switches or inoperable switches or transmission equipment?

A If there is inoperable switches, but that's not what I'm referring to here.

Q Okay. So you're referring in this sentence of your testimony, you are referring to the vendor staging areas in both the central offices?

A That's right.

Q On page 6 of your rebuttal testimony, lines 9 through 17, you have an idea for what to do with the, or where to put a vendor staging area?

A I have experience from doing that exact situation.

Q And that was an experience while you were working for Siemen's in Pontoon Beach, Illinois?

A Yes.

Q Is that -- What is --

A That's the city that it was located in.

Q Near anywhere?

A East of St. Louis.

Q East of St. Louis. I mean, is it considered a suburb of St. Louis?

A Extended suburb.

Q And they might deny it.

A An extended suburb, yes.

Q And you say that your solution was to leave the support materials in the truck outside the central office until needed. What kind of neighborhood was the central office in?

A It was a rural area.

Q Rural?

A Yes; yes, it was.

Q You've been to the Glades office; correct?

A Yes, I have.

Q How would you describe their neighborhood?

A I think it could be safely described as an urban area.

Q Okay. And how would you describe the parking lot at the Glades office?

A It was fenced. Are you -- If you're referring to the size of it --

Q Size, especially as compared to the Gardens.

A As compared to the Gardens, it has a much smaller parking area.

Q Would your suggestion be that each vendor have a truck or that all the vendors share a truck?

A In our case there was only one vendor doing the job at the time. So, obviously, in the case that I'm referring to we only had one truck.

Q What if BellSouth had multiple vendors in the office; would you say they should have a truck or share a truck?

A Sharing a truck might be a good option.

Q All right. On page 7, lines -- well, the question starts on line 12 and it goes through line 22. And let's take the first part of that answer.

You stated you didn't observe any fire walls

between BellSouth's equipment and that of other companies that were collocated in the two central offices?

A Yes.

Q Do you know whether these were physical or virtual collocations?

A Virtual.

Q In the second paragraph you state that you have personally observed the equipment of a BellSouth subsidiary physically collocated in a BellSouth central office within the past twelve months and did not observe any fire wall construction of any sort.

Can you tell me the circumstances of that?

A This was an internet subsidiary of BellSouth located adjacent to the voice mail system in the Grande central office.

Q Okay. And who is the BellSouth subsidiary?

A BellSouth.Net.

Q And what kind of equipment was in there?

A There were multiple cabinets. As for the equipment inside of those cabinets, I couldn't speak to that.

Q How -- What was your basis for saying that it was a physical collocation situation?

A Because it was --

Q Because the cabinets were in the office?

A Because of -- Yes. Also, because I had met some of the BellSouth.Net personnel working on it.

Q Okay. And how did you know they were BellSouth.Net personnel?

A They told me.

Q Okay. What was the occasion of your being in the Miami Grande central office?

A I was performing upgrades to the current voice mail system.

Q In your position as a Converse employee?

A Right, yes.

Q And when was this?

A Specifically, obviously, the equipment was there for quite a while. I know it's been moved since then. That's why I mention the twelve months. So that would probably be about the last time that I saw the equipment in there.

Q The equipment is no longer there?

A It's no longer on that floor. I've been told it's been moved to the fourth floor.

Q And who told you that?

A The BellSouth personnel who worked with me.

Q When you were in your Converse job?

A Right.

Q And when did they tell you that?

A I would say about twelve months ago.

Q Now I'm confused. It was there twelve months ago?

A It was there up until about twelve months ago.

Q Okay. On page 8 of your rebuttal testimony, lines 5 through 9, 10, really, you're talking about the three-month time frame. And you stated that you had not observed fire wall construction around the equipment of any other companies in any other BellSouth central offices.

Can you tell me how many collocation situations you've seen in what BellSouth central offices in Florida?

A I'm referring here to the virtual collocations in the two tandem offices as well as the BellSouth.Net experience.

Q On the bottom of that page, the question is -- it's line 20 -- "In your experience do local exchange carriers have remote access concentrators and routers?" And the answer is yes.

Can you tell me what local exchange carriers use remote access concentrators and routers for?

A In the experience I have it's inside the voice mail equipment. It's the part that interfaces the modems that I mentioned to the rest of the system.

Q And that's the routers and local -- I'm sorry.

A The modems, obviously --

Q -- the remote access concentrators you're talking about?

A The modems, obviously, are the modem part of it. There is a piece of equipment in our cabinets called a concentrator. Its technical term within my company is a multiple integration unit.

Q Okay. On page 9 of your testimony, rebuttal, starting at the top of that page on line 4, you state that local exchange carriers use the equipment to send or receive information inside central offices for basic local service.

Can you tell me how they do that? I mean, what kind of information is sent and received inside the central offices for basic?

A Here I'm referring to basically billing provisioning of, again, the voice mail system that I have experience with, alarm monitoring, those sort of functions.

Q Okay.

A They also use the same modem arrangement that I referred to earlier.

Q Is remote alarm monitoring, mail box provisioning, billing data acquisition, and remote maintenance basic telecommunication service, in your opinion?

A Yes, that would be enhanced telecommunication

service in those situations. However, in my employment with Northern Telecom I know we also use the same sort of modems to transmit the same information. So, like I say, I guess voice mail is considered enhanced.

Q Okay. To transmit the same information?

A To transmit billing information, remote monitoring, that sort of thing.

Q The bottom of page 9, most of page 10, you're quoting the FCC's most recent memorandum and order on Notice of Proposed Rulemaking; is that correct?

A Right.

Q Part of the order you're quoting, is that the part that's the final order or the part that's the Notice of Proposed Rulemaking?

A In this case I'm quoting something that was shown to me. So I can't speak much more to it than the part that was shown to me.

Q So you don't know whether the part you're quoting is a final order or not?

A I don't know.

Q On page 10, line 24 -- really it starts on line 23 -- of your testimony, you state that "If Supra is denied the opportunity to use such basic equipment in provision of its services it will not be able to provide useful competition to BellSouth."

How do you define "useful competition?" What do you mean by that phrase?

A Well, without the ability to remotely maintain our systems, it would be very difficult, if not impossible, unless we wanted to have somebody physically in the same location.

Q Okay. So is it your testimony that the equipment BellSouth won't let Supra physically collocate is going to be used by Supra simply to monitor its equipment?

A No, no, not as the only function; as one of the functions.

Q Okay. And what are the other functions that it will provide?

A I think as Dave mentioned, we can tie a PBX customer directly into the access tandem switch using that equipment. We can also do, like you said, basic rate, ISDN, and internet access.

Q By internet access, what do you mean by that?

A The ability to allow our subscribers to be able to call, make a local call, and to hit our internet service provider.

Q And who is Supra's internet service provider?

A We will be our internet service provider.

Q When does Supra intend to go into the internet service provider business?

A I know we're planning to do it concurrent with the roll-out of the regular switching services. So as far as the time frame, it will be the same time frame.

Q And regular switching services would be when you get the equipment in the collocation?

A Yes.

Q Physical collocation situations?

A Yes.

MS. WHITE: That's all I have. Thank you.

MS. KEATING: I just have a couple of questions.

EXAMINATION

BY MS. KEATING:

Q And it's back on the remote access concentrators. And I'm really not trying to beat a dead horse, but I'm still a little confused about what basic local telecommunications services that this particular piece of equipment provides.

A It would provide an ability for us to do remote maintenance, remote provisioning, remote billing. That's one that I will say is the most basic to running any telecommunications service. Even BellSouth has got to have modems located in their offices to access remotely.

Another one, I don't believe ISDN services are considered enhanced services. I believe that's still basic services because essentially an ISDN telephone provides

voice dial up capability for subscribers. It also provides high speed data transmission, but one of its functions is also to do voice, which is regular telephone service.

Another one is obviously some of our customers are going to be PBX customers. The PBX handles the class 5 functions of those phone calls. So, again, that's regular phone service that this equipment will be able to provide without having to have it be part of the class 5 office that we're installing.

Q Is this equipment that must be physically collocated in the central office?

A There would be no ability for us to do remote maintenance of our systems without it.

Q Okay. So this couldn't be installed outside of the office and still allow you to maintain your --

A We would have to have modems in there somewhere.

MS. KEATING: I think that's it. Thank you.

MS. SUMMERLIN: I don't have any.

(Deposition concluded at 7:30 P.M.).

CERTIFICATE OF DEPONENT

CASE NO. 980800-TP
EMERGENCY RELIEF SUPRA V BELLSOUTH
OCTOBER 13, 1998
DEPO OF MARK GRAHAM

This is to certify that I, MARK GRAHAM, have read a certified copy of the foregoing transcription of my testimony, Page 3 through _____ given on October 13, 1998; and find the same to be true and correct, with the exceptions, and/or corrections, if any, as shown on the errata sheet attached hereto.

MARK GRAHAM

Sworn to and subscribed before me this

_____ day of _____, 19_____

NOTARY PUBLIC

State of _____

My Commission Expires:

ERRATA SHEET

CASE NO. 980800-TP
Emergency Relief of Supra v BellSouth
OCTOBER 13, 1998
DEPOSITION MARK GRAHAM

STATE OF FLORIDA)
: CERTIFICATE OF OATH
COUNTY OF LEON)

I, the undersigned authority, certify that MARK GRAHAM personally appeared before me and was duly sworn.

WITNESS my hand and official seal this October 15, 1998.

CATHY H. WEBSTER
Notary Public - State of Florida

Cathy H. Webster
MY COMMISSION # CC505597 EXPIRES
February 13, 2000
BONDED THRU TROY FAIN INSURANCE, INC.

REPORTER'S DEPOSITION CERTIFICATE

STATE OF FLORIDA)
COUNTY OF LEON)

I, CATHY H. WEBSTER, Registered Professional Reporter, certify that I was authorized to and did stenographically report the deposition of MARK GRAHAM; that a review of the transcript was requested; and that the transcript is a true and complete record of my stenographic notes.

I FURTHER CERTIFY that I am not a relative, employee, attorney or counsel of any of the parties, nor am I a relative or employee of any of the parties' attorney or counsel connected with the action, nor am I financially interested in the action.

DATED this 15th day of October, 1998.

CATHY H. WEBSTER, RPR

EXHIBIT NO. 16

DOCKET NO.: 980800-TP

PARTY: BellSouth

DESCRIPTION:

1. BellSouth's Responses to Supra's 1st Set of Interrogatories 1-26 - Page 1
2. BellSouth's Responses to Supra's 2nd Set of Interrogatories 27-56, supplemental 57, 58-66 - Page 38

PROFFERING PARTY: BellSouth

FLORIDA PUBLIC SERVICE COMMISSION
DOCKET NO. 980800-TP EXHIBIT NO 16
COMPANY/ WITNESS: Staff
DATE: 10-21-98

I.D. # Stip-1

REQUEST: Identify the location of every BellSouth central office in the State of Florida.

RESPONSE: BellSouth objects to this Interrogatory to the extent that it is overly broad and neither relevant nor reasonably calculated to the issues that are the subject of this docket. With respect to the two BellSouth central offices that are the subject of this proceeding, BellSouth has already provided this information to Supra.

Nancy B. White

INFORMATION PROVIDED BY:

Nancy B. White
BellSouth Telecommunications, Inc.
150 West Flagler Street
Suite 1910
Miami, Florida 33130

REQUEST: Identify the total space (in square footage) for each BellSouth central office identified in Interrogatory no. 1.

RESPONSE: BellSouth objects to this Interrogatory to the extent that it is overly broad and neither relevant to the issues that are the subject of this proceeding nor reasonably calculated to lead to admissible evidence. With respect to the two BellSouth central offices that are the subject of this proceeding, BellSouth states the following:

West Palm Beach Gardens CO - 20,314 sf
North Dade Golden Glades CO - 26,255 sf

Nancy B. White

INFORMATION PROVIDED BY:

Nancy B. White
BellSouth Telecommunications, Inc.
150 West Flagler Street
Suite 1910
Miami, Florida 33130

J. D. Bloomer
10JJ1
301 W. Bay St.
Jacksonville, Fl 32201

REQUEST: Identify the amount of space (in square footage) currently occupied by BellSouth's equipment in each BellSouth central office identified in Interrogatory no. 1.

RESPONSE: BellSouth objects to this Interrogatory to the extent that it is overly broad and neither relevant to the issues that are the subject of this proceeding nor reasonably calculated to lead to admissible evidence. With respect to the two BellSouth central offices that are the subject of this proceeding, BellSouth states the following:

West Palm Beach Gardens CO - 14,853sf
North Dade Golden Glades CO - 18,989 sf

Nancy B. White

INFORMATION PROVIDED BY:

Nancy B. White
BellSouth Telecommunications, Inc.
150 West Flagler Street
Suite 1910
Miami, Florida 33130

J. D. Bloomer
10JJ1
301 W. Bay St.
Jacksonville, Fl 32201

3

REQUEST: Identify the amount of space (in square footage) currently unavailable for physical collocation or virtual collocation by ALECs in each BellSouth central office identified in Interrogatory no. 1.

RESPONSE: BellSouth objects to this Interrogatory to the extent that it is overly broad and neither relevant to the issues that are the subject of this proceeding nor reasonably calculated to lead to admissible evidence. With respect to the two BellSouth central offices that are the subject of this proceeding, BellSouth states the following:

West Palm Beach Gardens CO - 3197 sf
North Dade Golden Glades CO - 4035 sf

Nancy B. White

INFORMATION PROVIDED BY:

Nancy B. White
BellSouth Telecommunications, Inc.
150 West Flagler Street
Suite 1910
Miami, Florida 33130

J. D. Bloomer
10JJ1
301 W. Bay St.
Jacksonville, Fl 32201

4

REQUEST: Identify any space (in square footage) currently assigned for BellSouth's use for each BellSouth central office identified in Interrogatory no. 1.

RESPONSE: BellSouth objects to this Interrogatory to the extent that it is overly broad and neither relevant to the issues that are the subject of this proceeding nor reasonably calculated to lead to admissible evidence. With respect to the two BellSouth central offices that are the subject of this proceeding, BellSouth states the following:

West Palm Beach Gardens CO - 18050 sf
North Dade Golden Glades CO - 23024 sf

Nancy B. White

INFORMATION PROVIDED BY:

Nancy B. White
BellSouth Telecommunications, Inc.
150 West Flagler Street
Suite 1910
Miami, Florida 33130

J. D. Bloomer
10JJ1
301 W. Bay St.
Jacksonville, Fl 32201

5

REQUEST: Identify all Alternative Local Exchange Carriers ("ALECs") with which BellSouth has entered into virtual collocation agreements since February 6, 1996.

RESPONSE: None. BellSouth does not enter into Virtual Collocation agreements because BellSouth makes Virtual Collocation available through a general tariff offering.

INFORMATION PROVIDED BY:

Pamela A. Tipton
BellSouth Telecommunications, Inc.
28A55
675 W. Peachtree St. N.E.
Atlanta, Ga. 30375

6

REQUEST: Identify all ALECs with which BellSouth has entered into physical collocation agreements since February 6, 1996.

RESPONSE: BellSouth objects to this Interrogatory on the grounds that the agreements referenced are public record and are on file with the Florida Public Service Commission.

Nancy B. White

INFORMATION PROVIDED BY:

Nancy B. White
BellSouth Telecommunications, Inc.
150 West Flagler Street
Suite 1910
Miami, Florida 33130

7

REQUEST: Describe in detail, what problems and/or complications BellSouth has or is currently experiencing with the implementation of virtual collocation agreements identified in Interrogatory no. 6.

RESPONSE: BellSouth has been provisioning Virtual Collocation since early 1995. BellSouth has not recently and is not currently experiencing problems with the implementation of Virtual Collocation.

INFORMATION PROVIDED BY:

Pamela A. Tipton
BellSouth Telecommunications, Inc.
28A55
675 W. Peachtree St. N.E.
Atlanta, Ga. 30375

8

REQUEST: Describe in detail what problems and/or complications BellSouth has or is currently experiencing with the implementation of physical collocation agreements identified in Interrogatory no. 7.

RESPONSE: BellSouth has encountered a number of roadblocks in filling requests for physical collocation. Among these roadblocks are: permit and inspection delays; building code restrictions; customer errors/ modifications on applications and firm orders which require rework; certified vendor errors and shortages of equipment.

BellSouth has experienced provisioning delays as a result of permitting and inspection intervals in certain local jurisdictions. BellSouth has also encountered delays as a result of the need to resolve local building code issues. For instance, in Florida municipalities where BellSouth has received requests from Supra, BellSouth has experienced permitting intervals which range from 15 days to in excess of 60 days. Moreover, many municipalities require BellSouth and its contractors to clear inspection gates at each stage of construction before the next stage can begin. This includes the sometimes difficult task of scheduling the inspections with a limited pool of inspectors.

In regard to building codes, not only have some municipalities treated collocation as a "multi-tenant" arrangement, thus requiring the construction of fire rated enclosures, certain municipalities have withheld certificates of occupancy until BellSouth complied with unrelated work requests issued by the City/County. For one location, this included replacing a sidewalk between the BellSouth central office building and the public street before a certificate of occupancy would be issued for the collocator's space. The sidewalk repair was not related to the work for which the permit had been approved and thus should not have been within the scope of a certificate of occupancy authorization.. BellSouth has also experienced delays as a result of ALEC failure to obtain the appropriate business licenses.

RESPONSE: (cont.)

BellSouth has experienced a significant amount of re-work as a result of incorrect information provided by customers on their collocation request documents. Many times these errors occur in the customer's indication of power requirements or the descriptions and equipment codes for the equipment the collocator wished to place. This information is critical for BellSouth's evaluation of its ability to provide adequate support mechanisms (power capacity) and environmental conditions (HVAC-heat dissipation) for the collocation installation. For instance, Supra had mis-identified switching equipment as an ATM Node (traditionally know to be transmission equipment). Many types of switching equipment have unique requirements, such as isolated ground plane, yet because Supra incorrectly identified its equipment on its initial application, BellSouth had to re-evaluate the application using a new set of assumptions once the equipment was properly identified.

In addition to the items mentioned above, BellSouth has encountered delays as a result of equipment back-orders from main suppliers. This has jeopardized BellSouth's completion of Network Infrastructure work. When this situation has occurred, BellSouth has negotiated with the collocator an extension of the Network Infrastructure completion date and has permitted the collocator to begin their equipment installation prior to the completion of all of BellSouth's infrastructure build activities.

Finally, BellSouth has experienced problems with the collocator's selected certified vendor incorrectly stenciling the cable terminations from the collocated equipment to the Point of Termination Bay. This error ultimately results in missed due dates for customer service requests since the stenciled location does not match the actual location of a particular circuit's appearance on the POT bay.

RESPONSE (continued)

INFORMATION PROVIDED BY:

Pamela A. Tipton
BellSouth Telecommunications, Inc.
28A55
675 W. Peachtree St.
Atlanta, Ga 30375

REQUEST: Describe in detail what internal policies BellSouth has implemented regarding virtual collocation.

RESPONSE: BellSouth's policies are reflected in the terms and conditions for Virtual Collocation as contained in its FCC #1 Access Services Tariff and the Florida Dedicated Access Tariff, section 20.

INFORMATION PROVIDED BY:

Pamela A. Tipton
BellSouth Telecommunications, Inc.
28A55
675 W. Peachtree St.
Atlanta, Ga 30375

REQUEST: Describe in detail what internal policies BellSouth has implemented regarding physical collocation.

RESPONSE: BellSouth's policies are generally described in its Collocation Handbook and Standard Collocation Agreement. Also included in the Handbook and Standard Agreement are BellSouth's commitments for the review and provision of space. Policy clarifications are presented in customer notification letters and are posted to the BellSouth Interconnection Website.

INFORMATION PROVIDED BY: Pamela A. Tipton
BellSouth Telecommunications, Inc.
28A55
675 W. Peachtree St.
Atlanta, Ga 30375

REQUEST: Describe in detail, step by step, the process(es) currently utilized by BellSouth when a request for virtual collocation is received.

RESPONSE: See response to Request No. 13.

INFORMATION PROVIDED BY:

Pamela A. Tipton
BellSouth Telecommunications, Inc.
28A55
675 W. Peachtree St.
Atlanta, Ga 30375

REQUEST: Describe in detail, step by step, the process(es) currently utilized by BellSouth when a request for physical collocation is received.

RESPONSE: BellSouth objects to this Interrogatory on the grounds that is overly broad, unduly burdensome and oppressive.. The detailed processes utilized to fully analyze, design, construct and provision collocation consumes volumes. Nevertheless, BellSouth will provide a general overview of the process.

The application process for both Physical and Virtual Collocation is a two-phase process consisting of the Application Inquiry phase and the Bona Fide Firm Order phase. Both phases use BellSouth Expanded Interconnection forms (BSTEI forms). The order document is called BSTEI-1-P for Physical Collocation requests and BSTEI-1-V for Virtual Collocation requests. For each customer, BellSouth has designated a Collocation Coordinator ("Coordinator") per respective customer Account Team, to process collocation requests. ALECs requesting Physical Collocation may begin the Application Inquiry process prior to the execution of a Physical Collocation agreement with BellSouth. However, a contract agreement must be executed prior to proceeding to the Firm Order phase.

BellSouth will negotiate a Collocation Agreement as part of the standard interconnection agreement or as a separate, stand-alone document. The Collocation Agreement defines the process under which BellSouth offers collocation, and contains the general terms and conditions of the arrangements. Attached to this Request as part of the Production of Documents is a copy of a Collocation Agreement. This agreement may be negotiated on a regional or state-specific basis. Once the Collocation Agreement is negotiated, it is not necessary to re-negotiate an agreement each time a collocation arrangement is requested.

RESPONSE: (cont.)

To initiate the Application Inquiry phase, a requesting collocator submits a complete BSTEI-1 Application Inquiry document to its designated BellSouth Account Team Collocation Coordinator. A proposed equipment layout drawing and the appropriate Application Fee for either Virtual or Physical Collocation, respectively, must accompany each Application Inquiry as indication of a bona fide application. The Coordinator reviews the Application for completeness and accuracy based on the general knowledge of the type of information which should be contained in each of the BSTEI-1 data fields. If the Application is complete and the Application Fee is received by BellSouth, the Coordinator assigns a reference number and distributes the BSTEI-1 to the following BellSouth interdepartmental representatives and BellSouth certified contractor(s) for review, planning, estimating and response: Interexchange Network Access Coordinator (INAC) who acts as the state specific implementation manager; Capacity Management (CM) for equipment floor space, terminal equipment, tie cable, cable support structure, Point Of Termination equipment and power requirements, as well as estimated construction intervals; Property Management (P&SM) and Parsons for building floor space availability, architectural design and building construction cost estimates, preliminary design work, and interval projections; Outside Plant Engineering (OSPE) for entrance conduit and manhole capacity and facility placement review; and Central Office Operations for general planning space and review.

Based on the space and infrastructure analysis from the interdepartmental review team, BellSouth responds to the Application Inquiry in writing. Each interdepartmental representative documents their evaluation of the collocation request and responds in writing on the BSTEI-2 to the INAC. The INAC compiles responses from all organizations, clarifies any information gaps and forwards the response data to the Account Team Coordinator. The Coordinator will complete the response, ensure compliance with the terms of the customer's contract and send the response to the customer, outlining any administrative details at that time. The response contains items such as space availability, technical parameters, interval and cost estimates, technical contacts and next step

RESPONSE: (cont.)

procedures. Each of BellSouth's central offices presents a unique set of circumstances such as available space for collocation, amount of physical construction required, the complexity of the permitting process in a given municipality, and the adequacy of existing power equipment, cable support structure, and heating and air conditioning facilities. All of these factors and others contribute to the overall time required to evaluate BellSouth's ability to provide collocation at a particular location and to prepare a collocation space for a requesting collocator.

As stated in the Collocation Handbook, BellSouth responds to individual Virtual Collocation Application Inquiries within 20 business days from receipt of a complete BSTEI-1 and individual Physical Collocation Application Inquiries within 30 business days from receipt of a complete BSTEI-1. BellSouth works closely with customers to establish priorities for their request when there is a need to process multiple applications within the same time frame. Response intervals for multiple applications are negotiated based on the priority established by the requesting customer.

Should the Coordinator identify deficiencies or omissions in the Application document upon initial receipt, the Coordinator actively works with the customer and BellSouth interdepartmental representatives as necessary to resolve open issues. Such clarification activities might include, for example, convening a conference between the collocator's engineering staff and BellSouth's power engineers to resolve questions about power specifications. The Coordinator will provide written clarification to the customer as necessary to establish parameters for making their application accurate and complete. Once clarification has been received from the customer and the BSTEI Application document is updated to completeness, it is considered to be a Bona Fide Firm Order and will be distributed as described above.

RESPONSE: (cont.)

Upon the evaluation of a Physical Collocation Application, if BellSouth determines there is insufficient space within a BellSouth location to accommodate Physical Collocation, BellSouth will refund the Physical Collocation Application Fee. BellSouth will provide the state commission with information confirming the unavailability of Physical Collocation. The collocator may request Virtual Collocation, in lieu of Physical Collocation, at the same premises by submitting a Virtual Collocation BSTEI form with the appropriate Application Fee.

Requesting collocators will have 30 calendar days to review BellSouth's written response to the Application Inquiry and submit a complete and accurate Firm Order document for each location for which the collocator wishes to proceed. The Firm Order may be submitted on the same BSTEI form used during the Application Inquiry phase, provided all necessary revisions are clearly marked to indicate the applicant's finalized plans. Major material changes to the request may require re-analysis of the space and infrastructure requirements, and therefore a re-completion of the Inquiry and Application response phase. A detailed equipment drawing must accompany the Firm Order request along the pre-payment of applicable fees in order for the request to be Bona Fide. If a Firm Order document is not received within the specified time interval and no extenuating circumstances, as outlined in the Collocation Handbook, exist, BellSouth's response expires and the space is no longer reserved.

BellSouth will establish a Firm Order Date, per request, based upon the date BellSouth is in receipt of the complete and accurate Firm Order document, detailed equipment drawing and application fees. BellSouth is establishing a process whereby it will acknowledge the receipt of the Bona Fide Firm Order within fifteen days of receipt indicating that the Bona Fide Firm Order has been received and whether or not the order is accurate and complete. If the Firm Order is accurate and complete, the acknowledgment will be a Firm Order Confirmation which will indicate the Firm Order Date. If the Firm Order is not accurate and complete, BellSouth will acknowledge receipt of the BSTEI form with a letter detailing the necessary information needed to cause the order to be accurate and complete. BellSouth will not proceed with space or

RESPONSE: (cont.)

infrastructure provisioning until the information required for an accurate and complete firm order is received in writing from the requesting collocator.

Subject to the availability of the collocator's personnel, a joint coordination meeting or other method of joint planning, such as a teleconference, is held between BellSouth, the collocator and the collocator's vendor within a minimum of seven days and a maximum of thirty days following BellSouth's receipt of a Bona Fide Firm Order. By mutual consent, the parties may establish a planning timeline other than the one described above. The purpose of the meeting is to finalize the construction and infrastructure design for specific customer requirements and to negotiate actual provisioning interval timelines and commitments within the parameters of the BellSouth's interval commitments. Immediately following the coordination meeting, BellSouth and its contractors complete architectural and infrastructure designs, file building permits as required, and begin infrastructure work. Building construction may not begin until building permits are received. Should additional power plant construction be required, as a general matter, building codes specify that this power plant work may not begin until a Certificate of Occupancy is issued for the newly constructed space.

INFORMATION PROVIDED BY:

Pamela A. Tipton
BellSouth Telecommunications, Inc.
28A55
675 W. Peachtree St.
Atlanta, Ga 30375

REQUEST: Describe in detail, step by step, the method utilized by BellSouth for its own internal requests for the installation of any equipment in its central offices described in Interrogatory no. 1.

RESPONSE: BellSouth objects to this Interrogatory on the grounds that it is neither relevant to the issues in this proceeding nor reasonably calculated to lead to the discovery of admissible evidence. Notwithstanding this objection, BellSouth does not make internal requests for the installation of any equipment in its central offices. External equipment vendors install equipment for BellSouth.

Nancy B. White

INFORMATION PROVIDED BY:

John N. MacDonald
BellSouth Telecommunications, Inc.
18560 NW 27th Ave
Room 330
Miami, Fla. 33056

Nancy B. White
BellSouth Telecommunications, Inc.
150 West Flagler Street
Suite 1910
Miami, Florida 33130

REQUEST: Identify the time (from initiation to completion) is takes BellSouth to install its own equipment.

RESPONSE: BellSouth objects to this Interrogatory on the grounds that it is neither relevant to the issues in this proceeding nor reasonably calculated to lead to the discovery of admissible evidence. Notwithstanding this objection, BellSouth does not install its own equipment; outside vendors are used by BellSouth to install equipment.

Nancy B. White

INFORMATION PROVIDED BY:

Nancy B. White
BellSouth Telecommunications, Inc.
150 West Flagler Street
Suite 1910
Miami, Florida 33130

John N. MacDonald
BellSouth Telecommunications, Inc.
18560 NW 27th Ave
Room 330
Miami, Fla. 33056

REQUEST: Identify the time (from initiation to completion is takes BellSouth to install equipment for an ALEC.

RESPONSE: BellSouth objects to this Interrogatory on the grounds that it is neither relevant to the issues of this proceeding nor reasonably calculated to lead to the discovery of admissible evidence. Notwithstanding this objection, BellSouth does not install equipment for ALECs in physical collocation scenarios; the ALEC uses outside vendors to install equipment.

Nancy B. White

INFORMATION PROVIDED BY:

Nancy B. White
BellSouth Telecommunications, Inc.
150 West Flagler St.
Suite 1910
Miami, Florida 33130

John N. MacDonald
BellSouth Telecommunications, Inc.
18560 NW 27th Ave
Room 330
Miami, Fla. 33056

REQUEST: Identify the time (from initiation to completion) BellSouth proposes it will take to install equipment for Supra.

RESPONSE: BellSouth objects to this Interrogatory on the grounds that it is neither relevant to the issues in thes proceeding nor reasonably calculated to lead to the discovery of admissible evidence. Notwithsatanding this objection, BellSouth will not install equipment for Supra in physical collocation scenarios; Supra will use outside vendors to install equipment.

Nancy B. White

INFORMATION PROVIDED BY:

Nancy B. White
BellSouth Telecommunications, Inc.
150 West Flagler St.
Suite 1910
Miami, Florida 33130

John N. MacDonald
BellSouth Telecommunications, Inc.
18560 NW 27th Ave
Room 330
Miami, Fla. 33056

REQUEST: Describe in detail, the basis for BellSouth's $3,850.00 application fee charged for physical collocation.

RESPONSE: The Application Fee is based upon the work effort required to fully evaluate BellSouth's ability to fulfill a particular request for physical collocation. Such activities may include, but not be limited to those activities described in the response to Item No. 13 preceding. The $3850.00 charge was based on the man-hours required per interdepartmental representative to perform the analysis functions and respond to the request, multiplied by the loaded labor rate for the position(s) performing the review and analysis. Additional data and support for the arbitrated rate established in the Florida Public Service Commission Order PSC-96-1579-FOF-TP are on file with the Commission and are publicly available.

INFORMATION PROVIDED BY:

Pamela A. Tipton
BellSouth Telecommunications, Inc.
28A55
675 W. Peachtree St.
Atlanta, Ga 30375

REQUEST: Describe how BellSouth's evaluation of an application for physical collocation differs from an inventory validation.

RESPONSE: BellSouth objects to this Interrogatory on the grounds that the request is vague, ambiguous, imprecise, utilizes terms that are subject to multiple interpretations, and are not properly defined or explained.

Nancy B. White

INFORMATION PROVIDED BY:

Nancy B. White
BellSouth Telecommunications, Inc.
150 West Flagler Street
Suite 1910
Miami, Florida 33130

REQUEST: Identify the individual expert(s) at BellSouth who is/are responsible for assuring that ALECs receive professional, knowledgeable, and timely responses to inquiries regarding requests for collocation space at any BellSouth central office.

RESPONSE: Kevin Davis, Account Manager
9th Floor
600 N. 19th Street
Birmingham, Al 35203

Nancy Nelson, Systems Specialist
E4E1
3535 Colonnade
Birmingham, Al 35243

INFORMATION PROVIDED BY: Keith Milner, Senior Director
3J39 BellSouth Center
675 West Peachtree Street N.E.
Atlanta, Ga 30375

REQUEST: Identify the individual(s) at BellSouth who is/are responsible for assuring the ALECs receive quality service when requesting collocation space at any BellSouth central office.

RESPONSE: Kevin Davis, Account Manager
9th Floor
600 N. 19th Street
Birmingham, Al 35203

Nancy Nelson, Systems Specialist
E4E1
3535 Colonnade
Birmingham, Al 35243

INFORMATION PROVIDED BY: Keith Milner, Senior Director
3J39 BellSouth Center
675 West Peachtree Street N.E.
Atlanta, Ga 30375

REQUEST: Identify the individual(s) at BellSouth who is/are responsible for policy statements regarding collocation space at any BellSouth central office.

RESPONSE: Keith Milner, Senior Director
3J39 BSC
675 W Peachtree St, NE
Atlanta, Ga 30375

INFORMATION PROVIDED BY: Keith Milner, Senior Director
3J39 BSC
675 W Peachtree St, NE
Atlanta, Ga 30375

REQUEST: Identify the individual(s) at BellSouth who is/are responsible for assuring that BellSouth complies with the requirements of the Telecommunications Act (TA) and the Code of Federal Regulations (CFR) as they relate to virtual collocation.

RESPONSE: Jerry Hendrix - responsible for contractual compliance
675 West Peachtree Street, N.E.
Room 34S91, BellSouth Center
Atlanta, Ga. 30375

Keith Milner - responsible for policy compliance
675 West Peachtree Street, N.E.
Room 3J39BellSouth Center
Atlanta, Ga. 30375

Pat Solin - project manager responsible for oversight of space preparation in accordance with the BellSouth Collocation Handbook
6451 North Federal Highway
Room 919
Ft. Lauderdale, Florida 33308

INFORMATION PROVIDED BY: Nancy B. White
BellSouth Telecommunications, Inc.
150 West Flagler Street
Suite 1910
Miami, Florida 33130

REQUEST: Identify the individual(s) at BellSouth who is/are responsible for assuring that BellSouth complies with the requirements of the Telecommunications Act (TA) and the Code of Federal Regulations (CFR) as they relate to physical collocation.

RESPONSE: Jerry Hendrix - responsible for contractual compliance
675 West Peachtree Street, N.E.
Room 34S91, BellSouth Center
Atlanta, Ga. 30375

Keith Milner - responsible for policy compliance
675 West Peachtree Street, N.E.
Room 3J39BellSouth Center
Atlanta, Ga. 30375

Pat Solin - project manager responsible for oversight of space preparation in accordance with the BellSouth Collocation Handbook
6451 North Federal Highway
Room 919
Ft. Lauderdale, Florida 33308

INFORMATION PROVIDED BY: Nancy B. White
BellSouth Telecommunications, Inc.
150 West Flagler Street
Suite 1910
Miami, Florida 33130

REQUEST: Identify the individual(s) at BellSouth who is/are responsible for the negotiation and implementation of collocation agreements with ALECs.

RESPONSE: Jerry Hendrix
675 West Peachtree Street, N.E.
Room 34S91, BellSouth Center
Atlanta, Georgia 30375

David Thierry
675 West Peachtree Street, N.E.
Room 34S91, BellSouth Center
Atlanta, Georgia 30375

INFORMATION PROVIDED BY: Jerry Hendrix
675 West Peachtree Street, N.E.
Room 34S91, BellSouth Center
Atlanta, Georgia 30375

REQUEST: Describe in detail BellSouth's understanding regarding the type of equipment ALECs are allowed to install in collocation cages in its central offices in compliance with TA and CFR and the legal basis for BellSouth's understanding.

RESPONSE: BellSouth offers Physical Collocation to telecommunications service providers for the purposes of interconnection as well as for the purposes of the telecommunications carrier gaining access to BellSouth's unbundled network elements. BellSouth offers Physical Collocation arrangements via contractual agreements.

BellSouth permits the placement of equipment in the Physical Collocation arrangement where such equipment is utilized for the purposes of providing telecommunications services through interconnection or through access to unbundled network elements. Where that equipment can also provide information services, the telecommunications carrier may offer information services through the same arrangement, so long as it is also offering telecommunications services through the same arrangement. BellSouth is not required to provide for collocation of equipment that can only provide enhanced services or information services. In addition, BellSouth will not permit collocation of equipment that will be used only to provide enhanced services or information services. Further, BellSouth will not accept collocation requests from entities that are not telecommunications carriers.

BellSouth offers Virtual Collocation pursuant to BellSouth's Virtual Expanded Interconnection Service tariff, Tariff FCC No. 1, Section 20. The tariff permits the collocation of transmission equipment only. Also see attached correspondence.

INFORMATION PROVIDED BY: Amanda Grant, Manager
Room 38L64, BellSouth Center
675 West Peachtree Street, N.E.
Atlanta, Georgia 30375

BELLSOUTH

BellSouth Interconnection Services
675 West Peachtree Street
Atlanta, Georgia 30375

Customer Letter / Announcement
SN91081348

Date: July 14, 1998

To: All Interconnection Services Customers

Subject: BellSouth Physical Collocation Policy

The purpose of this letter is to clarify BellSouth's position regarding the placement of equipment in Physical Collocation arrangements. BellSouth offers Physical Collocation to telecommunications service providers for the purposes of interconnection as well as for the purposes of the telecommunications carrier gaining access to BellSouth's unbundled network elements. BellSouth offers Physical Collocation arrangements via contractual agreements.

BellSouth permits the placement of equipment in the Physical Collocation arrangement where such equipment is utilized for the purposes of providing telecommunication services through interconnection or through access to unbundled network elements. Where that equipment can also provide information services, the telecommunications carrier may offer information services through the same arrangement, so long as it is also offering telecommunications services through the same arrangement. BellSouth is not required to provide for collocation of equipment that can only provide enhanced services or information services. In addition, BellSouth will not permit collocation of equipment that will be used only to provide enhanced services or information services. Further, BellSouth will not accept collocation requests from entities that are not telecommunications carriers.

Should you have questions regarding BellSouth's Collocation offerings, please contact your Account Representative.

Sincerely,

ORIGINAL SIGNED BY JIM BRINKLEY

Jim Brinkley - Director
Interconnection Services

529pt0751404

BELLSOUTH

BellSouth Interconnection Services
9th Floor
600 North 19th Street
Birmingham, Alabama 35203

205 321-4000
Fax 205 321-4354
Pager 1 800 946-4646 PIN 2250651
Internet
Marcus B Cathey@bridge.bellsouth.com

Marcus B Cathey
Senior Assistant Vice President
CLEC Interconnection Sales

July 14, 1998

Olukayode A. Ramos
President and CEO
Supra Telecom & Information Systems, Inc.
2620 S.W. 27th Avenue
Miami, Florida 33133

Re: Equipment in Collocation Arrangements

Dear Kay:

The purpose of this letter is to respond to your letter to me dated July 1, 1998 and to clarify BellSouth's position regarding the placement of equipment in collocation arrangements. In the interest of moving the issues before our two companies forward, I will not focus on the obvious disagreement between BellSouth and Supra as to the substance of the conversations on June 8th or 9th, 1998 regarding the placement of equipment in Supra's collocation arrangements. Neither I, nor the other BellSouth representatives in attendance concur in your recollection of what was stated by you in that meeting. It remains my understanding from that meeting that Supra was planning to offer enhanced services from a location outside of the physical collocation arrangement on BellSouth premises.

BellSouth is very aware of the language of the section of the physical collocation arrangement agreement dealing with nature of use as well as the specific CFR regulation cited in your letter. These cites, as well as additional language found in the FCC's First Report and Order issued August 8, 1996, support BellSouth's policies regarding collocation arrangements.

Clearly stated, BellSouth's policy is as follows:

BellSouth offers physical collocation arrangements to telecommunications service providers for the purposes of interconnection as well as for the purposes of the telecommunications carrier gaining access to BellSouth's unbundled network elements. BellSouth will permit the placement of equipment in the physical collocation arrangement where such equipment is utilized for the purposes of providing telecommunication services through interconnection or through access to unbundled network elements. Where that equipment can also provide information services, the telecommunications carrier may offer information services through the same arrangement, so long as it is also offering telecommunications services through the same arrangement.

BellSouth is not required to provide for collocation of equipment that can only provide enhanced services or information services. In addition, BellSouth will not permit collocation of equipment that will be used only to provide enhanced services or information services. Further, BellSouth will not accept collocation requests from entities that are not telecommunications carriers.

BellSouth offers virtual collocation arrangements pursuant to the rates, terms and conditions set forth in BellSouth's FCC Tariff No. 1. BellSouth has not been required to provide virtual collocation arrangements for the placement of switching equipment.

I hope that the foregoing will resolve the collocation issues before us.

Sincerely,

Marcus B. Cathey

cc: Nancy B. White
Pat Finlen

STIS
Supra Telecom & Information Systems, Inc.

Phone: (305) 443-37[illegible]
Fax: (305) 4[illegible]
2620 S.W. 27th [illegible]
Miami, FL 33133
E-mail: [illegible]
www.stis.com

Date: July 1, 1998

Mr. Marcus B. Cathey
Sales Asst. Vice President
CLEC Interconnection Sales
BellSouth Interconnection Services
9th Floor, 600 North 19th Street
Birmingham, Alabama 35203

Dear Mr. Cathey,

RE: ENHANCED SERVICE PROVIDER

I am in receipt of your letter dated June 19, 1998 regarding the above subject matter. I cannot remember meeting with BellSouth on June 9, 1998. The meeting I remember was held on June 8, 1998.

Paragraph one of the above referenced letter reads:

> During the course of the discussion regarding collocation at this meeting, you assured me that Supra will not be installing any equipment or ordering services associated with any BellSouth Physical Collocation or Virtual Collocation arrangement for the purpose of providing enhanced services. BellSouth, in continuing to process Supra's collocation requests, is relying on these assurances. Any action contrary to your assurances will be considered a material breach of the Interconnection Agreement between our two companies.

I am very confident that I did not give you such an impression. What I told you was Supra's primary line of business is the provision of telecommunications services. You failed to mention in your letter the specific section(s) in the Interconnection Agreement that Supra would have breached if it indeed offered enhanced services. You may wish to point us to the appropriate sections in that agreement for our consideration and understanding.

At this juncture, we would like to direct your attention to specific sections in our Collocation Agreement and the Code of Federal Regulations.

Please refer to Section III, Paragraph A of the Collocation Agreement executed on July 24, 1997 between Supra and BellSouth which states in part:.

> Nature of Use: BellSouth shall permit Interconnector to place, maintain and operate in the collocation space any equipment that Interconnector is authorized by BellSouth and by Federal or State regulators to place, maintain and operate in collocation space and that is used by Interconnector to provide services which Interconnector has the legal authority to provide.

Part 47 of the Code of Federal Regulations, §51.100 (b) reads:

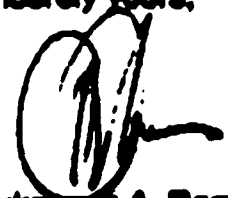
> A telecommunications carrier that has interconnected or gained access under sections 251(a)(1), 251(c)(2), or 251(c)(3) of the Act, may offer information services through the same arrangement, so long as it is offering telecommunications services through the same arrangement as well.

Supra views its corporate obligations seriously and expects its partners to do the same. We should all respect and obey the law. No responsibility is more fundamental than obeying the law. The laws of this country deserve to be respected and obeyed. Nobody has a more sacred obligation to obey the Telecommunications Act than those who participated in its creation. It is no secret that BellSouth actively participated in the writing of the Telecommunications Act of 1996.

If you need further clarification on the content of this letter, please feel free to call me at (305) 476 4220.

I look forward to an immediate resolution of this matter.

Sincerely yours,



Cluteiyes A. Ramos
Chairman and CEO

REQUEST: Please provide the addresses where any and all equipment is physically located which is owned, operated and maintained by BellSouth.Net and BellSouth Mobility.

RESPONSE: BellSouth objects to this interrogatory on the grounds that the request seeks to impose an obligation on BellSouth to respond on behalf of entities not parties to this case. BellSouth also objects on the grounds that the interrogatory seeks information that is not relevant and not reasonably calculated to lead to the discovery of admissible evidence. In an effort to be cooperative, BellSouth will respond with respect to the two central offices that are the subject of this action.

There is no equipment that is owned , operated or maintained by BellSouth. Net or BellSouth Mobility in the West Palm Beach Gardens central office.

There is no equipment located in the Golden Glades Central Office which is owned, operated and maintained by BellSouth.Net or BellSouth Mobility.

Nancy B. White

INFORMATION PROVIDED BY:

Guy Ream
Specialist
Room 912
6451 N Federal Hwy
Ft. Lauderdale, Fl 33308

Jerome Rubin,
Specialist
Room 3390
18560 NW 27 Av
Miami, Fl 33056

REQUEST: For each location described in response to Interrogatory 27 above, please describe in detail and by location any and all pieces of equipment in each location.

RESPONSE: BellSouth objects to this interrogatory on the grounds that the request seeks to impose an obligation on BellSouth to respond on behalf of entities not parties to this case. BellSouth also objects on the grounds that the interrogatory seeks information that is not relevant and not reasonably calculated to lead to the discovery of admissible evidence. In an effort to be cooperative, BellSouth will respond with respect to the two central offices that are the subject of this action. There is no equipment that is owned , operated or maintained by BellSouth. Net or BellSouth Mobility in the West Palm Beach Gardens central office.

See response to Number 27.

Nancy B. White

INFORMATION PROVIDED BY:

Guy Ream
Specialist
Room 912
6451 N Federal Hwy
Ft. Lauderdale, Fl 33308

Jerome Rubin,
Specialist
Room 3390
18560 NW 27 Av
Miami, Fl 33056

REQUEST: Does BellSouth.Net own, operate or maintain any Remote Access Concentrators?

RESPONSE: BellSouth objects to this interrogatory on the grounds that the request seeks information that is not in the possession, custody of control of BellSouth; that the request imposes an obligation on BellSouth to respond on behalf of entities not parties to this action; that the request is not relevant and not reasonably calculated to lead to the discovery of admissible evidence, and that the request is overly broad, unduly burdensome and oppressive.

Nancy B. White

INFORMATION PROVIDED BY: Nancy B. White
150 W. Flagler St.
Miami, Fl

REQUEST: **Does BellSouth Mobility own, operate or maintain any Remote Access Concentrators?**

RESPONSE: **BellSouth objects to this interrogatory on the grounds that the request seeks information that is not in the possession, custody of control of BellSouth; that the request imposes an obligation on BellSouth to respond on behalf of entities not parties to this action; that the request is not relevant and not reasonably calculated to lead to the discovery of admissible evidence, and that the request is overly broad, unduly burdensome and oppressive.**

Nancy B. White

INFORMATION PROVIDED BY:

Nancy B. White
150 W. Flagler St.
Miami, Florida

REQUEST: **Does BellSouth Telecommunications, Inc. own, operate or maintain any Remote Access Concentrators?**

RESPONSE: **BellSouth objects to this interrogatory on the grounds that it is not relevant and not relevant and not reasonably calculated to the discovery of admissible evidence.**

Nancy B. White

INFORMATION PROVIDED BY: Nancy B. White
150 W. Flagler St.
Miami, Florida

REQUEST: Does any BellSouth affiliate or subsidiary own, operate or maintain any Remote Access Concentrators?

RESPONSE: BellSouth objects to this interrogatory on the grounds that the request seeks information that is not in the possession, custody of control of BellSouth; that the request imposes an obligation on BellSouth to respond on behalf of entities not parties to this action; that the request is not relevant and not reasonably calculated to lead to the discovery of admissible evidence, and that the request is overly broad, unduly burdensome and oppressive.

Nancy B. White

INFORMATION PROVIDED BY: Nancy B. White
150 W. Flagler St.
Miami, Florida

REQUEST: For each Remote Access Concentrator described in response to Interrogatories Nos. 29, 30, 31 and 32 above, for what purpose are the Remote Access Concentrators used by each entity respectively.

RESPONSE: BellSouth objects to this interrogatory on the grounds that the request seeks information that is not in the possession, custody of control of BellSouth; that the request imposes an obligation on BellSouth to respond on behalf of entities not parties to this action; that the request is not relevant and not reasonably calculated to lead to the discovery of admissible evidence, and that the request is overly broad, unduly burdensome and oppressive.

Nancy B. White

INFORMATION PROVIDED BY: Nancy B. White
150 West Flagler St.
Miami, Florida

REQUEST: Please list any and all BellSouth Telecommunications, Inc. affiliates and subsidiaries that have Collocation and/or Interconnection Agreements or arrangements with BellSouth Telecommunications, Inc.

RESPONSE: BellSouth objects to this interrogatory on the grounds that the collocation agreements to which BellSouth is a party are public record at the Florida Public Service Commission. To the extent that Supra seeks details of each collocation arrangement in existence in Florida, this information is considered customer proprietary by BellSouth and is protected by Section 364.24(2), Florida Statutes. Moreover, such information is not relevant to the issues in this proceeding.

Nancy White

INFORMATION PROVIDED BY: Nancy B. White
150 W. Flagler St.
Miami, Fla.

REQUEST: For each affiliate or subsidiary listed in response in Interrogatory No. 34 above, please provide the location for which each affiliate and subsidiary has any equipment currently installed under the Collocation and/or Interconnection agreement/arrangement with BellSouth Telecommunications, Inc.

RESPONSE: BellSouth objects to this interrogatory on the grounds that the collocation agreements to which BellSouth is a party are public record at the Florida Public Service Commission. To the extent that Supra seeks details of each collocation arrangement in existence in Florida, this information is considered customer proprietary by BellSouth and is protected by Section 364.24(2), Florida Statutes. Moreover, such information is not relevant to the issues in this proceeding.

Nancy White

INFORMATION PROVIDED BY: Nancy B. White
150 W. Flagler St.
Miami, Florida

REQUEST: Please describe in detail BellSouth's physical collocation procedure regarding such requests from its affiliates and subsidiaries.

RESPONSE: BellSouth follows the same procedure for physical collocation requests from affiliates and subsidiaries as it follows for physical collocation requests from any other requesting telecommunications provider. This process was described in BellSouth's response to Supra's First Set of Interrogatories, item number 13.

INFORMATION PROVIDED BY: Pamela A. Tipton
675 West Peachtree St.
Atlanta, Ga. 30375

REQUEST: Please identify any document(s) or other reference material, which describes the procedure(s), requested in Interrogatory No. 36 above.

RESPONSE: Following are the documents or other reference materials which describe the procedure(s) requested:

Physical Collocation
BSTEI-P-1 Application Inquiry and Firm Order document
BSTEI-P-1-ins Line by line instructions for the above
BellSouth Collocation Handbook
BellSouth Provisioning Process Interval and Outputs
Application Process Flowchart
Installation Process Milestones
Interconnection Services Operating Standards
Collocation Coordinator Guidelines
INAC Methods and Procedures
CPG Methods and Procedures
CSCM Methods and Procedures
CCM Methods and Procedures
OSPE Guidelines to Implement Virtual and Physical Collocation
C.O. Operations M&P
Property Management Physical Collocation Guidelines
Administrative Guidelines for the Customer Advocate Center
Collocation with BellSouth - Network Details
Collocation Design Layout Record Job Aid
Physical Collocation CLEC Customer information Package
Physical Collocation Technical Service Description
Physical Collocation Master Agreement
BellSouth Certified Vendor List Engineering and Installation of Transmission Equipment
BellSouth Certified Vendor List Engineering and Installation of Switching Equipment
BellSouth Certified Vendor List Engineering and Installation of Power Equipment

RESPONSE: (cont.)

INFORMATION PROVIDED BY:

Pamela A. Tipton
675 West Peachtree St.
Atlanta, Ga. 30375

REQUEST: What restrictions, if any, are placed by BellSouth on its affiliates and subsidiaries regarding the placement of equipment in any BellSouth central office?

RESPONSE: For affiliate or subsidiary equipment placed in BellSouth central offices to provide services which BellSouth Telecommunications is permitted to offer on an integrated basis, BellSouth treats such equipment as if it were fully integrated. FCC rules permit Incumbent Local Exchange Carrier, or ILEC, (formerly known as Bell Operating Company) enhanced service operations to be in the ILEC central offices as long as the ILEC complies with the Commission's ONA rules and Computer III nonstructural safeguards. BellSouth complies with these guidelines and non-structural safeguards when placing equipment within its central offices for services which BellSouth Telecommunications is permitted to offer on an integrated basis. This includes charging the ILEC service operations, affiliate or subsidiary for tariffed services as though they are physically located outside of the central office. Payment for space for integrated service offerings or services offered by affiliates/subsidiaries are in accordance with the appropriate cost allocation and affiliate transaction rules.

Otherwise, BellSouth places the same restrictions on affiliates and subsidiaries regarding the placement of equipment as it does on any other provider.

INFORMATION PROVIDED BY: Pamela A. Tipton
675 West Peachtree St.
Atlanta, Ga. 30375

REQUEST: What amount of time does it takes BellSouth's vendors to complete network infrastructure work for BellSouth to physically collocate BellSouth's equipment from the time a decision is made to collocate equipment in a given central office?

RESPONSE: BellSouth does not physically collocate equipment for itself.

INFORMATION PROVIDED BY: Pamela A. Tipton
675 West Peachtree St.
Atlanta, Ga. 30375

REQUEST: What amount of time does it take BellSouth's vendors to complete network infrastructure work for BellSouth's affiliates and subsidiaries to physically collocate equipment from the time a decision is made to collocate equipment in a given central office?

RESPONSE: BellSouth objects to this interrogatory on the grounds that the request seeks to impose an obligation on BellSouth to respond on behalf of entities not parties to this case. BellSouth also objects on the grounds that the interrogatory seeks information that is not relevant and not reasonably calculated to lead to the discovery of admissible evidence. In an effort to be cooperative, BellSouth will respond with respect to the two central offices that are the subject of this action.

Nancy White

BellSouth does not have any physical collocation arrangements for affiliates in the North Dade Golden Glades or West Palm Beach Gardens offices on which to base an interval for vendors to complete network infrastructure work.

INFORMATION PROVIDED BY: Pamela A. Tipton
675 West Peachtree St.
Atlanta, Ga. 30375

REQUEST: What amount of time does it take BellSouth's vendors to complete network infrastructure work for ALECs to physically collocate equipment from the time a decision is made to collocate equipment in a given central office?

RESPONSE: The installation interval for completion of network infrastructure work depends on a number of factors, which may include, but not be limited to the scope of work, availability of network infrastructure components (e.g. equipment), or the amount of work already completed at the time the request is received (as a result of a prior request by another collocator). Because the requirements differ, sometimes greatly, from office to office, the interval is determined on an individual case basis. BellSouth has experienced network infrastructure intervals which range from 4-6 weeks to 20-22 weeks.

INFORMATION PROVIDED BY: Pamela A. Tipton
675 West Peachtree St.
Atlanta, Ga. 30375

REQUEST: **Is power still a problem regarding Supra's request for physical collocation in the North Dade Golden Glades Central Office as asserted in BellSouth's response to Supra's Petition for Emergency Relief?**

RESPONSE: **Power was not related to denying physical collocation; lack of physical space was the reason for denial.**

INFORMATION PROVIDED BY: Jerome Rubin, Specialist
Room 330
18560 NW 27th Av.
Miami, Fl. 33308

REQUEST: If power is no longer a problem in the North Dade Golden Glades Central Office, what measures were taken to correct the problem?

RESPONSE: Not applicable. See answer to item no. 42

INFORMATION PROVIDED BY: Jerome Rubin
Room 330
18560 NW 27th Av.
Miami, Fl. 33308

REQUEST: **Please define "NOC" and describe in detail the functions of a BellSouth "NOC"?**

RESPONSE: "NOC" stands for Network Operations Center. It ceased to exist during 1993. While in operation, it performed the following functions:

1. Switch and transport equipment alarm surveillance
2. Switch (complex) translations.
3. Work request loading and coordination for Central Office Technician.

The above functions have been moved to other centers follows:

1. Network Reliability Center (NRC)
2. Complex Translations Group (TCG)
3. Work Management Center (WMC)

INFORMATION PROVIDED BY:

Dan Stinson
Room 25B55
675 W. Peachtree St.
Atlanta, Ga. 30375

REQUEST: Please describe in detail the differences between the functions performed by the administrative staff in a central office and functions performed at the "NOC"?

RESPONSE: The "Administrative Staff" in a central office consists of the Central Office Technicians and Managers responsible for that office. Work functions include maintenance, inventory, and provisioning of all Central Office based equipment and circuits. The centers mentioned in item 44 load work to the Central Office Staff that cannot be performed remotely.

INFORMATION PROVIDED BY: Dan Stinson
Room 25B55
675 W. Peachtree St.
Atlanta, Ga. 30375

REQUEST: Can the activities or duties of employees of BellSouth in spaces that are not frequently used be performed in offices other than those located at the central offices?

RESPONSE: BellSouth objects to this interrogatory to the extent it seeks information on offices not the subject of this proceeding, and therefore is not relevant. With regard to Golden Glades and West Palm Beach Gardens, there are no spaces infrequently used in these offices. The spaces are regularly used for functions directly relate to the equipment installed, maintained, or serviced at these locations.

Nancy B. White

INFORMATION PROVIDED BY:

Pamela A. Tipton, Manager
34A35
675 W. Peachtree St. NE
Atlanta Ga 30375

J. D. Bloomer, Manager
10GG1, BST
301 West Bay Street
Jacksonville, Fl. 32202

REQUEST: If the answer to Interrogatory No. 46 above is negative, please describe in detail why the infrequent duties must be performed within the central office.

RESPONSE: BellSouth objects to this interrogatory to the extent it seeks information on offices not the subject of this proceeding, and therefore is not relevant.

With regard to Golden Glades and West Palm Beach Gardens, there are no infrequent duties performed at this location. Regular duties are performed that apply to the installation, service, or repair of equipment for these locations.

Nancy B. White

INFORMATION PROVIDED BY:

Pamela A. Tipton, Manager
34A35
675 W. Peachtree St. NE
Atlanta Ga 30375

J. D. Bloomer, Manager
10GG1, BST
301 West Bay Street
Jacksonville, Fl. 32202

REQUEST: What oversight role does the management of any affiliated BellSouth company play regarding the completion of network infrastructure work being performed for that affiliate?

RESPONSE: BellSouth objects to this interrogatory on the grounds that the request seeks to impose an obligation on BellSouth to respond on behalf of entities not parties to this case. BellSouth also objects on the grounds that the interrogatory seeks information that is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

Nancy B. White

INFORMATION PROVIDED BY: Nancy B. White
150 W. Flagler St.
Miami, Florida

REQUEST: Does BellSouth prohibit intervention to expedite network infrastructure work by affiliates once a Firm Order Confirmation or equivalent request is accepted by BellSouth Telecommunications, Inc. for these affiliates?

RESPONSE: BellSouth objects to this interrogatory on the grounds that the request seeks to impose an obligation on BellSouth to respond on behalf of entities not parties to this case. BellSouth also objects on the grounds that the interrogatory seeks information that is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

Nancy B. White.

INFORMATION PROVIDED BY: Nancy B. White
150 W. Flagler St.
Miami, Florida

REQUEST: For both the North Dade Golden Glades and the West Palm Beach Gardens Central Offices, please identify the individuals responsible for the following duties, for the period beginning January 1, 1998, through the present:

(a) Interexchange Network Access Coordinators;
(b) BellSouth certified contractors that reviewed Supra's collocation application;
(c) Capacity Managers;
(d) Property mangers (P&SM);
(e) Outside Plant Engineering (OSPE);
(f) Central Office Operations.

RESPONSE

(a) Pat Solin is the Interexchange Network Access Coordinator for both offices

(b) BellSouth does not have contractors review the applications.

(c) Capacity Managers for North Dade Golden Glades are:
Common Systems: Jerome Rubin
Circuit Capacity: Yvonne Harris
Switch Capacity: Rich Gore & Elio Sanchez
Capacity Managers for West Palm Beach Gardens are:
Common Systems: Guy Ream
Circuit Capacity: Vulla Ellis
Switch Capacity: Carl Smoot

(d) Program Managers for both offices are : Karen Hill & Wayne Mayes
Facility Manager for both offices is Jim Bloomer

(e) Outside Plant Engineering for Golden Glades is Tom Presnell
Outside Plant Engineering for West Palm Beach Gardens is Kurt Danielson.

(f) Central Office Operations for Golden Glades is Eric Johnson
Central Office Operations for West Palm Beach Gardens is Ron Toner.

62

INFORMATION PROVIDED BY:

Guy Ream
Specialist
Room 912
6451 N Federal Hwy
Ft. Lauderdale, Fl 33308

Jerome Rubin,
Specialist
Room 3390
18560 NW 27 Av
Miami, Fl 33056

REQUEST: Please describe in detail, step by step, the method utilized by BellSouth to complete its own network infrastructure design work that will eventually lead to the installation of equipment by BellSouth's certified vendors in its central offices.

RESPONSE: Network infrastructure construction is driven by the addition of the telecommunications equipment which it supports. BellSouth places orders on certified vendors for specific telecommunications equipment. The certified vendors are responsible for reviewing the existing infrastructure conditions and determining the new infrastructure, i.e. cable support structure, power plant, cross connect systems, equipment lighting, convenience outlets, etc., required to support the telecommunications equipment addition. The certified vendor is then required to perform the detailed engineering, order the material, and install the infrastructure.

Times required to complete this process vary widely, from several weeks to several months, dependent upon the type and amount of infrastructure work to be performed.

INFORMATION PROVIDED BY: Timothy J. Weber, Services Technician
6037 W. Atlantic Blvd.
Delray Beach Fl 33445

REQUEST: Please identify the time and processes involved (from initiation to completion) for BellSouth's certified contractors to complete BellSouth's network infrastructure design work.

RESPONSE: Network infrastructure construction is driven by the addition of the telecommunications equipment which it supports. BellSouth places orders to certified vendors for specific telecommunications equipment. The certified vendors are responsible for reviewing the existing infrastructure conditions and determining the new infrastructure, i.e. cable support structure, power plant, cross connect systems, equipment lighting, convenience outlets, etc. , required to support the telecommunications equipment addition. The certified vendor is then required to perform the detailed engineering, order the material, and install the infrastructure.

Times required to complete this process vary widely, from several weeks to several months, dependant upon the type and amount of infrastructure work to be performed.

INFORMATION PROVIDED BY: Timothy J. Weber, Services Technician
6037 W. Atlantic Blvd.
Delray Beach Fl 33445

REQUEST: Please identify the time and processes involved (from initiation to completion) for BellSouth's certified vendors to complete installation of equipment for use by BellSouth assuming the infrastructure design work described in Interrogatory No. 52 has been completed.

RESPONSE: For all equipment additions the certified vendors must review the existing infrastructure conditions. If adequate infrastructure to support the addition exists, then the certified vendor is required to perform the detailed engineering for the equipment, order the equipment and associated material (cable, connecting blocks, etc.), and install the equipment.

Times required to complete this process vary widely, from a few weeks to several months, dependent upon the type and amount of equipment to be installed.

INFORMATION PROVIDED BY: Timothy J. Weber, Services Technician
6037 W. Atlantic Blvd.
Delray Beach Fl 33445

REQUEST: Please identify the time (from initiation to completion) BellSouth proposes is required for its certified contractors to complete the network infrastructure work for Supra to collocate equipment in BellSouth's North Dade Golden Glades and West Palm Beach Gardens Central Offices.

RESPONSE: BellSouth objects to this request on the grounds that it has no space for collocation by Supra in these offices. See also response to No. 41.

Nancy B. White

INFORMATION PROVIDED BY: Nancy B. White
150 W. Flagler St.
Miami, Fl.

REQUEST: Please identify the managerial, technical and administrative individuals at BellSouth who are responsible for interpreting the Telecommunications Act of 1996 ("TA") and the Code of Federal Regulations ("CFR") as they relate to physical collocation, especially space allocation for future use.

RESPONSE: See BellSouth's response to Supra's first set of Interrogatories, Nos. 22, 23, and 24.

INFORMATION PROVIDED BY: Nancy B. White
150 W. Flagler St.
Miami, Florida

REQUEST: Please describe in detail what equipment BellSouth believes an ALEC is entitled to collocate in its central offices in compliance with the TA and CFR.

RESPONSE: BellSouth offers physical collocation arrangements to telecommunications service providers for the purpose of interconnection to BellSouth's network and for access to BellSouth's unbundled network elements. In compliance with the TA and the CFR, BellSouth is only required to provide for equipment necessary for interconnection and access to unbundled network elements (emphasis added). For virtual collocation, BellSouth allows the placement of transmission equipment. BellSouth has gone above and beyond its requirements by voluntarily allowing ALECs to place switching equipment in physical collocation arrangements in addition to transmission equipment.

Specifically, BellSouth will permit the placement of equipment in the physical collocation arrangement where such equipment is utilized for the purposes of providing telecommunication services through interconnection or through access to unbundled network elements. Where that equipment can also provide information services, the telecommunications carrier may offer information services through the same arrangement, so long as it is also offering telecommunications services through the same arrangement. BellSouth is not required to provide for collocation of equipment that can only provide enhanced services or information services. In addition, BellSouth will not permit collocation of equipment that will be used only to provide enhanced services or information services. Further, BellSouth will not accept collocation requests from entities that are not telecommunications carriers.

INFORMATION PROVIDED BY: Pamela A. Tipton
675 West Peachtree Street NE
Atlanta, GA 30374

REQUEST: For the year beginning January 1, 1998 through December 31, 2001, please provide a detailed explanation of BellSouth's plant additions and the space in square footage, which is expected to be occupied in the North Dade Golden Glades and the West Palm Beach Gardens Central Offices.

RESPONSE: 99 square feet have been occupied so far in 1998, and 162 square feet are reserved for future growth of the DSO(Local Switch). This growth is primarily predicated on the growth of Calling Number Delivery. The older existing Line Modules do not support Caller Identification (CID), and, therefore, in order for this office to keep pace with the demands for this service, new equipment is required.
283 square feet have been occupied so far in 1998, and 378 square feet have been reserved for future growth of the 01T Toll Tandem). This growth is a result of increased interoffice calling, and increased demands from Internet Service Providers and Alternative Local Exchange Carriers.

7.6 square feet have been occupied so far in 1998 in the second floor power room. This growth was required for additional power feeds to the second floor.

This growth will reduce the overall space on the second floor by 929.6 square feet. It does not take into account the end aisles, or fire aisle requirements.

18 square feet have been occupied so far in 1998, and 54 square feet have been reserved for future growth of the 03T(Operator Services Toll Tandem).

Equipment supplying data links to the Host Switch in West Palm

Beach was obsolete and was replaced.

99 square feet have been occupied so far in 1998, and 297 square feet are reserved for future growth of the 04T(Toll Tandem). This growth is a result of increased interoffice calling, and increased demands from Internet Service Providers and Alternative Local Exchange Carriers.

250 square feet have been occupied so far in 1998, and 42 square feet are reserved for future growth of the STP(Signal Transfer Point). The STP switch provides routing instructions to the central office switches for virtually all calls from a centralized, redundant data base. The reserved growth for 03T, 04T, and the STP will reduce the overall future space on the first floor switch area by 393 square feet. It does not take into account the end aisles, or fire aisle requirements.

167 square feet have been occupied so far in 1998, and 707 square feet have been reserved for future growth of Transmission Circuit. This is a combination of Fiber Optic Terminal frames, Digital and fiber cross connect frames, Multiplex frames and Miscellaneous Transmission frames.

228 square feet have been reserved for future growth of virtual collocation arrangements. Equipment to be placed in these arrangements consists of miscellaneous transmission equipment frames. Firm orders have been received for installation of 10 equipment frames in 1998.

7.6 square feet have been occupied so far in 1998 in the first floor power room. This growth was required for the new STP, an additional 142 square feet have been reserved for future growth of power equipment. This addition is planned to make sure that the office has sufficient capacity in case of a commercial power failure, hurricane, or any natural disaster.

This growth will reduce the overall space on the first floor by 2011.6 square feet. It does not take into account the end aisles, fire aisle requirements, or ground plane restrictions.

REQUEST: For the year beginning January 1, 1998 through December 31, 2001, please provide a detailed explanation of BellSouth's plant retirements and the space in square footage which is expected to become available in the North Dade Golden Glades and the West Palm Beach Gardens Central Offices as a result of said equipment retirement.

RESPONSE: The following chart describes the estimated equipment removals to the West Palm Beach Gardens Central Office.

EQUIP. TYPE	1998	1999	2000	2001
TANDEM SW	0	0	0	0
LOCAL SW.	13 BAYS 49 SQ. FT	0	0	0
OP. SVC. SW.	2 BAYS 7.5 SQ. FT.	0	0	0
TOLL/OSP	5 BAYS 10 SQ. FT.	0	0	0
POWER	0	0	0	0
STP/SCP	0	1 SCP 100 SQ. FT.	0	0

For the North Dade Golden Glades Central Office, 54 square feet will be reclaimed before the end of 1998 after service has been transferred from old Line Equipment bays in the DS0, Local Switch. At this time we can not predict what plant retirements will take place in future years.

387 square feet have been reclaimed in the 01T, Toll Tandem in 1998. At this time we can not predict what plant retirements will take place in future years.

18 square feet will be reclaimed before the end of 1998. Facility rearrangements need to be completed, that transfer service from old bays to new, in the 03T, Operator Services Toll Tandem. At this time

we cannot predict what plant retirements will take place in future years.

199 square feet will be reclaimed before the end of 1998. A job has been put to bid for the removal of the old Signal Transfer Point (STP) switch. At this time we can not predict what plant retirements will take place in future years.

INFORMATION PROVIDED BY: Guy Ream
Room 912
6451 N. Federal Hwy
Ft. Lauderdale, Fl

Jerome Rubin
Specialist
Room 330
18560 NW 27th Av.
Miami, Fl. 33308

REQUEST: Please provide a detailed list of any and all equipment in the West Palm Beach Gardens Central Office and its respective space utilization.

RESPONSE: A list of equipment is provided in POD # 24. A Building Study Plan is provided in POD # 27 which reflects space utilization.

INFORMATION PROVIDED BY: Guy Ream, Specialist
Room 912
6451 N. Federal Hwy.
Ft. Lauderdale, Fl. 33308

REQUEST: Please provide a detailed list of any and all equipment in the North Dade Golden Glades Central Office and its respective space utilization.

RESPONSE: See POD Item number 24 and James D. Bloomer's Testimony.

INFORMATION PROVIDED BY: Jerome Rubin, Specialist
Room 330
18560 NW 27th Av
Miami, Fl 33056

REQUEST: For Interrogatory 59 and 60 above, please provide a detailed list of what specific equipment is currently in use at each of the two central offices.

RESPONSE: The list of equipment provided in POD # 24 is presently working in the West Palm Beach Gardens central office.

In the Golden Glades Central office, all equipment is in use except for items marked "R " (which are retired in place, or are to be removed), supplied in POD item number 24.

INFORMATION PROVIDED BY

Guy Ream
Specialist
Room 912
6451 N Federal Hwy
Ft. Lauderdale, Fl. 33308

Jerome Rubin,
Specialist
Room 3390
18560 NW 27 Av
Miami, Fl. 33056

REQUEST: For Interrogatory 59 and 60 above, please provide a detailed list of any and all work orders which are pending and/or in progress which direct the removal of any of the listed equipment.

RESPONSE: In the West Palm Beach Gardens Central Office, Telephone Equipment Order (TEO) BHEB3735 is removing 5 frames of equipment.

In the North Dade Golden Glades Central Office the following changes are projected:

STP (Old) removal PHMA537200 (16 bays)
O3T -BHMA542600 (2-DCM bays)
DS0 - PMA5997 (3-LM bays)

INFORMATION PROVIDED BY

Guy Ream
Specialist
Room 912
6451 N Federal Hwy
Ft. Lauderdale, Fl 33308

Jerome Rubin,
Specialist
Room 3390
18560 NW 27 Av
Miami, Fl 33056

REQUEST: Please explain in detail the difference between "Expedite and "Standard Time Intervals" as they relate to collocation issues before and subsequent to the receipt of a Firm Order Confirmation from an ALEC.

RESPONSE: The term "expedite" has no application within the context of implementing collocation. To permit the expedite of requests would provide preferential access to space and shared resources to the ALEC with the largest bank account. Because BellSouth makes space available in a non-discriminatory, first come, first served manner, BellSouth does not permit requesting carriers to expedite requests for collocation.

INFORMATION PROVIDED BY: Pamela A. Tipton
675 West Peachtree St. NE
Atlanta, Ga. 30375

REQUEST: Does BellSouth use "Expedited" or Standard Time Intervals" for itself and its affiliates?

RESPONSE: With regard to collocation, BellSouth does not permit any entity to expedite a collocation request, whether a BellSouth affiliate or an ALEC.

INFORMATION PROVIDED BY: Pamela A. Tipton
675 West Peachtree St. NE
Atlanta, Ga. 30375

REQUEST: Please describe in detail the criteria used by BellSouth in the selection of contractors to perform work for collocators.

RESPONSE: BellSouth has contracted with Parsons Infrastructure and Technology Group Inc. to perform the project management and implementaion of all Collocation projects. Their responsibilities include the procurement of contractors.

Their procurement practices recommend bidding projects if time permits. For physical collocation projects, the time frame required to complete these projects does not usually give sufficient time to put these projects out to bid. In order for a project to be competitively bid, detailed plans and specifications are prepared, and an invitation to bid is sent out to prospective contractors. If interested, these contractors attend a pre-bid meeting to discuss the aspects of the project. The contractors would then be given a reasonable amount of time to gather cost data and subcontractor bids for submittal of their bid. This time period could be lengthened if addenda are added to the project due to changes in the scope of work requested by collocator or BST. The contractors would then submit their bids for the project. A determination is made as to the low bidder. Then an executive contract must be signed between the contractor and BellSouth. After a contract is signed, the contractor could apply for a building permit. A building permit must be received before any construction work could begin.

Projects for physical collocation are typically negotiated with general contractors who have master contracts with BellSouth. These contractors were selected by sending out samples of projects to multiple contractors in Florida, Louisiana, North Carolina and South Carolina for bid. The result of this process was the assurance of a percentage markup lower than the standard markup. This figure was used to negotiate the same markup with contractors in all of the BellSouth territory.

The construction work for Collocation projects is performed on the basis of cost of the services plus a fixed percentage fee basis with a guaranteed maximum. Any costs above the guaranteed maximum are to be absorbed by the Vendor and any savings below the estimated costs will revert to the owner. The guaranteed maximum cost can be adjusted by a supplemental work order or change order if changes are made to the scope of work. This type of contract requires the contractor to have receipts for all items billed including material, labor, and subcontractor's billing. The percentage fee allowed is typically below the industry standard. This process shortens the time frame to complete projects but still assures a competitive price.

It would be possible to bid these projects with a small number of pre-certified contractors, if the Collocators would be willing to allow additional time in the construction period for the bidding process described above.

INFORMATION PROVIDED BY

Karen Hill, Manager
3K102
333 Commerce St.
Nashville, Tenn. 37201

REQUEST: Please describe in detail the criteria BellSouth uses to select a contractor to perform its own network infrastructure work.

RESPONSE: BellSouth has established contractual arrangements with several vendors to perform network infrastructure work within the BellSouth region. These contracts assign BellSouth network infrastructure work to a specific vendor based upon a combination of the type of work and the geographic location of the central office where the work will be performed.

INFORMATION PROVIDED BY: Timothy J. Weber, Services Technician
6037 W. Atlantic Blvd.
Delray Beach Fl 33445

CONFIDENTIAL

FLORIDA PUBLIC SERVICE COMMISSION
DOCKET NO. 980800-TI EXHIBIT NO. 11
COMPANY/ WITNESS: Staff
DATE: 10-21-98

Document 11645-98, Exhibit 18

BellSouth

2 Videotapes of walk-thrus with Supra for

Golden Glades and West Palm Beach central offices

Date: 9/16/98

DN 12021-98

EXHIBIT 18 WAS FOUND TO BE **COPYRIGHT RESERVED**.

FOR FURTHER INFORMATION,
PLEASE CONTACT THE OFFICE OF COMMISSION CLERK.

Exhibit 19

2 videotapes

Supra vs BellSouth

P.B. Garden Central Office

Date: 9/19/98

Time: 1 Hr. 22 Min.

For: Karod Ramos

DN 12021-98

EXHIBIT 19 WAS FOUND TO BE **COPYRIGHT RESERVED**. -ac

FOR FURTHER INFORMATION,
PLEASE CONTACT THE OFFICE OF COMMISSION CLERK

Dave Nilson

From: Nancy.Nelson1@bridge.bellsouth.com
Sent: Wednesday, May 06, 1998 12:35 PM
To: dnilson@stis.com
Cc: Susan.M.Arrington@bridge.bellsouth.com; Wayne.Carnes@bridge.bellsouth.com; Marcus.B.Cathey@bridge.bellsouth.com; William.D.French@bridge.bellsouth.com; Bob.Mcrae1@bridge.bellsouth.com; jreinke@stis.com; jrienke@stis.com; Pat.R.Solin@bridge.bellsouth.com; Gretchen.Temple@bridge.bellsouth.com
Subject: Physical Collocation

Dear David,

BellSouth has in hand four Supra Telecom and Information Systems applications for Physical Collocation to the following Florida wire centers:

1. NDADFLGG - North Dade Golden Glades
2. WPBHFLGR - West Palm Beach Gardens
3. MIAMFLPL - Miami Palmetto
4. ORLDFLMA - Orlando Magnolia

On April 9, 1998, I spoke with John Reinke regarding the applications Supra intended to place with BellSouth. At that time, I informed John that BellSouth had in place Physical Collocation Exemptions due to no space availability in the wire centers known as NDADFLGG and the WPBHFLGR. In addition, I also advised John, that I was expecting to be informed that no space would be further available to the MIAMFLPL wire center.

At this time, BellSouth has determined no space is available to the MIAMFLPL wire center. While Physical Space is not available at this time, Supra Telecom and Information Systems may apply for Virtual Collocation following the terms, conditions and rates found in the Virtual Expanded Interconnection Service tariff. As you may be aware, Virtual Collocation permits only transmission equipment installation. I note that each of the Supra applications show switch equipment, which BellSouth only permits the installation of into Physical Collocation Service sites. Virtual Collocation Applications forms have previously been provided to Supra, however if you need a copy of the BellSouth Virtual application please let me know and we will see that you have it provided.

FLORIDA PUBLIC SERVICE COMMISSION
DOCKET NO. 980800-TP EXHIBIT NO. 20
COMPANY/ WITNESS: Ramos
DATE: 10-21-98

DOCUMENT NUMBER-DATE
09955 SEP 11 98
FPSC-RECORDS/REPORTING

This, therefore leaves only the one application for Physical Collocation to the ORLDFLMA wire center available to be processed. In review of this application it is on hold until the following corrections and clarifications of the following information is provided to BellSouth:

Item 4: Supra indicates the in Item A an equipment enclosure is not desired and in Item B that Supra does not want BellSouth to construct an enclosure. However, Supra provides a request for 500 square fee of enclosed floor space. Does Supra want 500 square feet of enclosed or unenclosed floor space? If the answer is unenclosed then Supra will only be provided the floor space displaced according to the details of the racking information provided and a maintenance and aisle factor (according to the terms of your Physical Collocation Agreement) calculation. An unenclosed space is made available in the Physical Collocation Common Area, therefore, BellSouth determines the design and placement of cable racking for such arrangements. Detail rack drawings are necessary to accompany the application for an unenclosed space.

Item 7: Supra has answered Yes to Item 7A2 for integrated ground power. When answering this item the instructions ask the applicant to then proceed to Item 7C. In the request for information Item 7C only shows TBD (to be determined). In order for BellSouth to evaluate and determine an interval, cost estimate and to provide Supra with appropriate power to your arrangement this information must be known at the time of application. Please review Section 7C and advise which choices Supra wishes to select for Power following Item7C1 or Item 7C2 instructions.

Item 9: Supra indicates a desire to interconnect with other collocation

Docket No. 980800-TP
Exhibit No. OAR-1
Page 1 of 2

DOCUMENT NUMBER-DATE
09955 SEP 11

arrangements during the initial installation, yet no identification of who Supra will interconnect with is shown. If on the initial application Supra wishes to interconnect with other collocation arrangements, then Supra must indicate who they are to interconnect with. BellSouth will then determine cable distances and such.

Item 11: Supra indicates on this initial application to wire 150 DS0, 25 DS1 and 2 DS3. BellSouth suggests that Supra consider wiring to the capacity of the equipment installation. The billing for the cross connect arrangements ride the service as Supra orders service to the designated cross connect and not with the initial wiring out. To add new BellSouth cross connections requires Supra to place Augmentations to the arrangement following the placement of an application and appropriate application fee payment.

The ORLDFLMA application is not considered Bona Fide and acceptable for processing until the information is provided to BellSouth. Supra indicates a desired space acceptance date of 6/24/1998. At this time BellSouth cannot proceed with the application until these critical details are resolved and provided. There is a thirty (30) business day response interval for individual Physical Collocation application inquires from the point of a Bona Fide application.

In addition, I need to also discuss with you how to handle the check which is for $15,400.00 (four times the Physical Collocation Application Fee of $3850.00). In light of the current space available conditions to three of the four sites, perhaps Supra would prefer to provide BellSouth with a new check in the amount of $3,850.00 and then we can exchange the initial check to Supra.

As you may also know, BellSouth will accept applications for Physical Collocation without Supra having a Physical Collocation Agreement in place with BellSouth. However, for the application to proceed into the project phase known as Firm Order, Supra will need to have an executed Physical Collocation Agreement in place with BellSouth. Please advise me if Supra has an agreement in place is or is in the process of negotiating for an agreement.

I am available at 205.977.1136 if you would like to further discuss collocation.

Thank you,

Nancy Nelson

Docket No. 980800-TP
Exhibit No. OAR-1
Page 2 of 2

STIS
Supra Telecom & Information Systems, Inc.

2620 SW 27th Avenue
Miami, FL 33133-3001
Phone: (305) 476-4220
FAX: (305) 476-4282
Email: kayramos@STIS.com
www.stis.com

Date: May 18, 1998

Ms. Maryrose Sirianni
Division of Communications
Florida Public Service Commission
Tallahassee, Fl.

Fax No: 1 850 413 6565

Dear Ms. Sirianni,

Re: APPLICATION FOR PHSICAL COLLOCATION

BellSouth is at it again.

For the successful rollout of telecommunications services from our Phase 1 equipment deployment, we applied to BellSouth for physical collocation space in 17 central offices. BellSouth has decided to deny us space in the three most important central offices and they are:

- North Dade Golden Glades;
- West Palm Beach Gardens; and
- Miami Palmetto

A copy of the e-mail sent us by Ms. Nancy Nelson that conveyed that decision is enclosed for ease of reference.

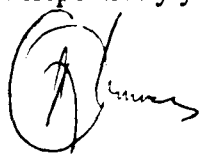
We have done our due diligence and know that BellSouth has more than enough space in those Central Offices, which makes the denial intriguing. We are convinced that they have only handed down this decision to frustrate and slow us down. As you are aware, these are very important offices to the survival of any viable network.

Based on the available information on those offices, understanding of the Telecommunications Act of 1996 and the FCC order 96-325, the illegality of disallowing us to physically collocate in the above mentioned three offices cannot be overemphasized.

We need your urgent intervention please as time is of the essence.

Thanking you for your anticipated cooperation.

Respectfully yours,



Olukayode A. Ramos
CEO

Attachment

BELLSOUTH

BellSouth Interconnection Services
9th Floor
600 North 19th Street
Birmingham, Alabama 35203

205 321-4900
Fax 205 321-4334
Pager 1 800 946-4646 PIN 2295861
Internet
Marcus.B.Cathey@bridge.bst.bls.com

Marcus B. Cathey
Sales Assistant Vice President
CLEC Interconnection Sales

June 18, 1998

Mr. David Nilson
Supra Telecom & Information Systems, Inc.
VP - System Design and Interconnection
2620 SW 27th Avenue
Miami, FL 33133

RE: Application for Physical Collocation at BellSouth's North Dade, FL, Golden Glades and West Palm Beach, FL, Gardens Central Offices

Dear Mr. Nilson:

This is in response to Supra Telecom & Information Systems, Inc.'s (Supra) applications for physical collocation at BellSouth's North Dade Golden Glades (NDADFLGG) and West Palm Beach Gardens (WPBHFLGR) Central Offices.

As Supra was previously advised, floor space for physical collocation is unavailable in the North Dade Golden Glades and West Palm Beach Gardens Central Offices. In cases where space for physical collocation is unavailable, BellSouth offers virtual collocation arrangements in compliance with the Telecommunications Act of 1996, the Collocation Agreement between BellSouth and Supra signed by Supra on July 21, 1997, and BellSouth's Virtual Expanded Interconnection Service tariff, Tariff FCC No. 1, Section 20, and BellSouth's Florida Access Tariff, Section E20.

BellSouth filed a Petition for Waiver for exemption of the requirement of physical collocation with the Federal Communications Commission (FCC) for the North Dade Golden Glades Central Office on February 16, 1993, and for the West Palm Beach Gardens Central Office on November 18, 1993 . BellSouth was granted the exemption waiver from the requirement of physical collocation for these locations by the FCC's Memorandum Opinion and Orders released June 9, 1993, and June 14, 1994, respectively.

We look forward to working with Supra on virtual collocation arrangements in the North Dade Golden Glades and West Palm Beach Gardens Central Offices as well as physical and/or virtual collocation in other central offices in which Supra may choose to collocate. Please feel free to call me on 205-321-4900.

Sincerely,

Marcus Cathey

Docket No. 980800-TP
Exhibit No. OAR-3
Page 1 of 1

REQUEST: Identify the total space (in square footage) for each BellSouth central office identified in Interrogatory no. 1.

RESPONSE: BellSouth objects to this Interrogatory to the extent that it is overly broad and neither relevant to the issues that are the subject of this proceeding nor reasonably calculated to lead to admissible evidence. With respect to the two BellSouth central offices that are the subject of this proceeding, BellSouth states the following:

West Palm Beach Gardens CO - 20,314 sf
North Dade Golden Glades CO - 26,255 sf

Nancy B. White

INFORMATION PROVIDED BY:

Nancy B. White
BellSouth Telecommunications, Inc.
150 West Flagler Street
Suite 1910
Miami, Florida 33130

J. D. Bloomer
10JJ1
301 W. Bay St.
Jacksonville, Fl 32201

Docket No. 980800-TP
Exhibit No. OAR-4
Page 1 of 1

REQUEST: Identify the amount of space (in square footage) currently occupied by BellSouth's equipment in each BellSouth central office identified in Interrogatory no. 1.

RESPONSE: BellSouth objects to this Interrogatory to the extent that it is overly broad and neither relevant to the issues that are the subject of this proceeding nor reasonably calculated to lead to admissible evidence. With respect to the two BellSouth central offices that are the subject of this proceeding, BellSouth states the following:

West Palm Beach Gardens CO - 14,853sf
North Dade Golden Glades CO - 18,989 sf

Nancy B. White

INFORMATION PROVIDED BY:

Nancy B. White
BellSouth Telecommunications, Inc.
150 West Flagler Street
Suite 1910
Miami, Florida 33130

J. D. Bloomer
10JJ1
301 W. Bay St.
Jacksonville, Fl 32201

REQUEST: Identify the amount of space (in square footage) currently unavailable for physical collocation or virtual collocation by ALECs in each BellSouth central office identified in Interrogatory no. 1.

RESPONSE: BellSouth objects to this Interrogatory to the extent that it is overly broad and neither relevant to the issues that are the subject of this proceeding nor reasonably calculated to lead to admissible evidence. With respect to the two BellSouth central offices that are the subject of this proceeding, BellSouth states the following:

West Palm Beach Gardens CO - 3197 sf
North Dade Golden Glades CO - 4035 sf

Nancy B. White

INFORMATION PROVIDED BY:

Nancy B. White
BellSouth Telecommunications, Inc.
150 West Flagler Street
Suite 1910
Miami, Florida 33130

J. D. Bloomer
10JJ1
301 W. Bay St.
Jacksonville, Fl 32201

REQUEST: Identify any space (in square footage) currently assigned for BellSouth's use for each BellSouth central office identified in Interrogatory no. 1.

RESPONSE: BellSouth objects to this Interrogatory to the extent that it is overly broad and neither relevant to the issues that are the subject of this proceeding nor reasonably calculated to lead to admissible evidence. With respect to the two BellSouth central offices that are the subject of this proceeding, BellSouth states the following:

West Palm Beach Gardens CO - 18050 sf
North Dade Golden Glades CO - 23024 sf

Nancy B. White

INFORMATION PROVIDED BY:

Nancy B. White
BellSouth Telecommunications, Inc.
150 West Flagler Street
Suite 1910
Miami, Florida 33130

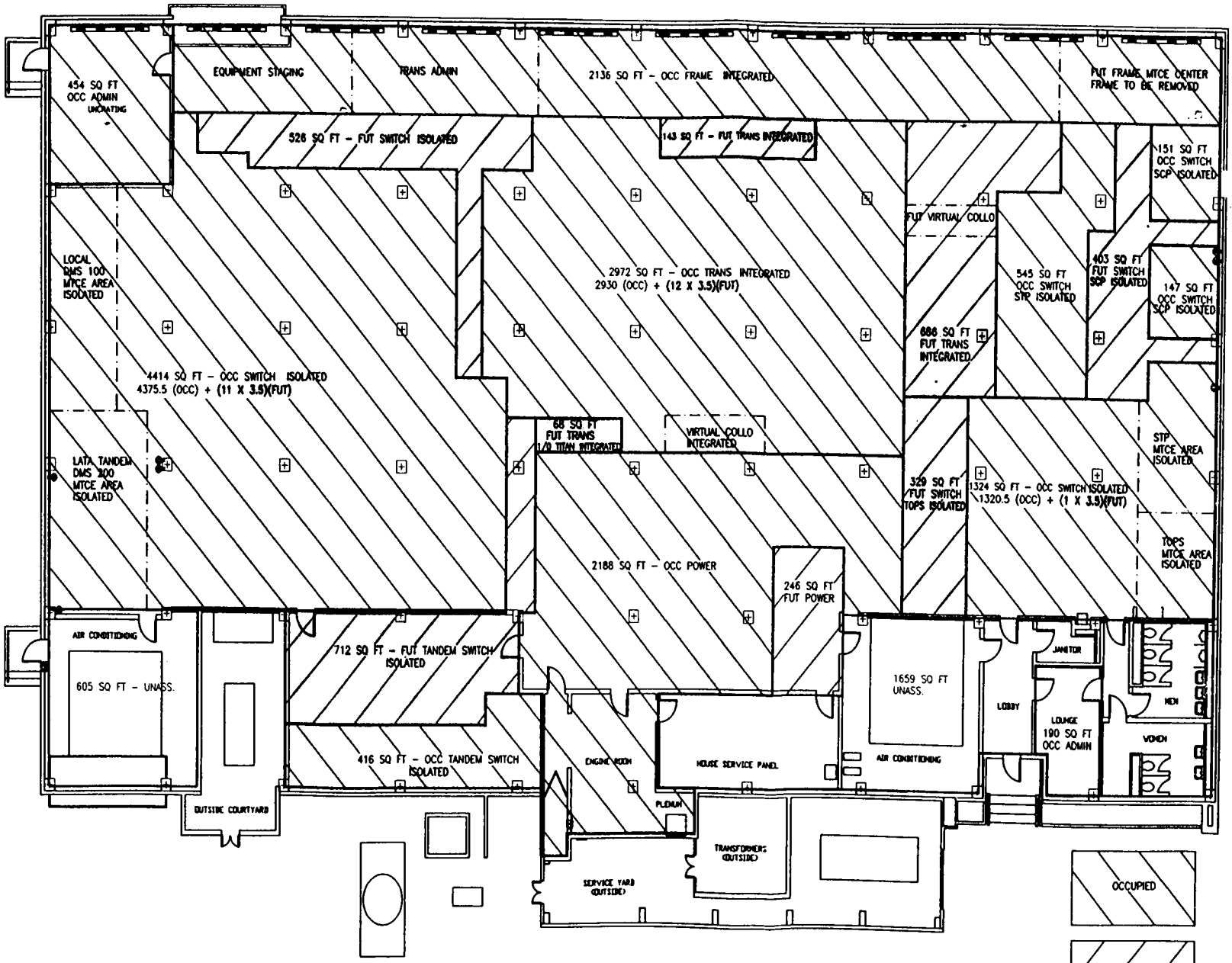
J. D. Bloomer
10JJ1
301 W. Bay St.
Jacksonville, Fl 32201

Supra Telecommunications & Information Systems, Inc.
Flotida Docket No. 980800-TP
Exhibit OAR - 8
Page 1 of 1

Name of Central Office	OAR - 4 Total Space	OAR - 5 Occupied*	Exhibits **OAR - 6 Reserved for Future Use+**	OAR - 7 Total Space Used by BS#
		(All in Square Feet)		
West Palm Beach Gardens	20,314	14,853	**3,197**	18,050
North Dade Golden Glades	26,255	18,989	**4,035**	23,024

Notes:
1. Occupied*: All by BellSouth
2. Resrved For Future Use+: All by BellSouth
3. Total Space Used by BellSouth#: Addition of OAR - 5 and OAR - 6.

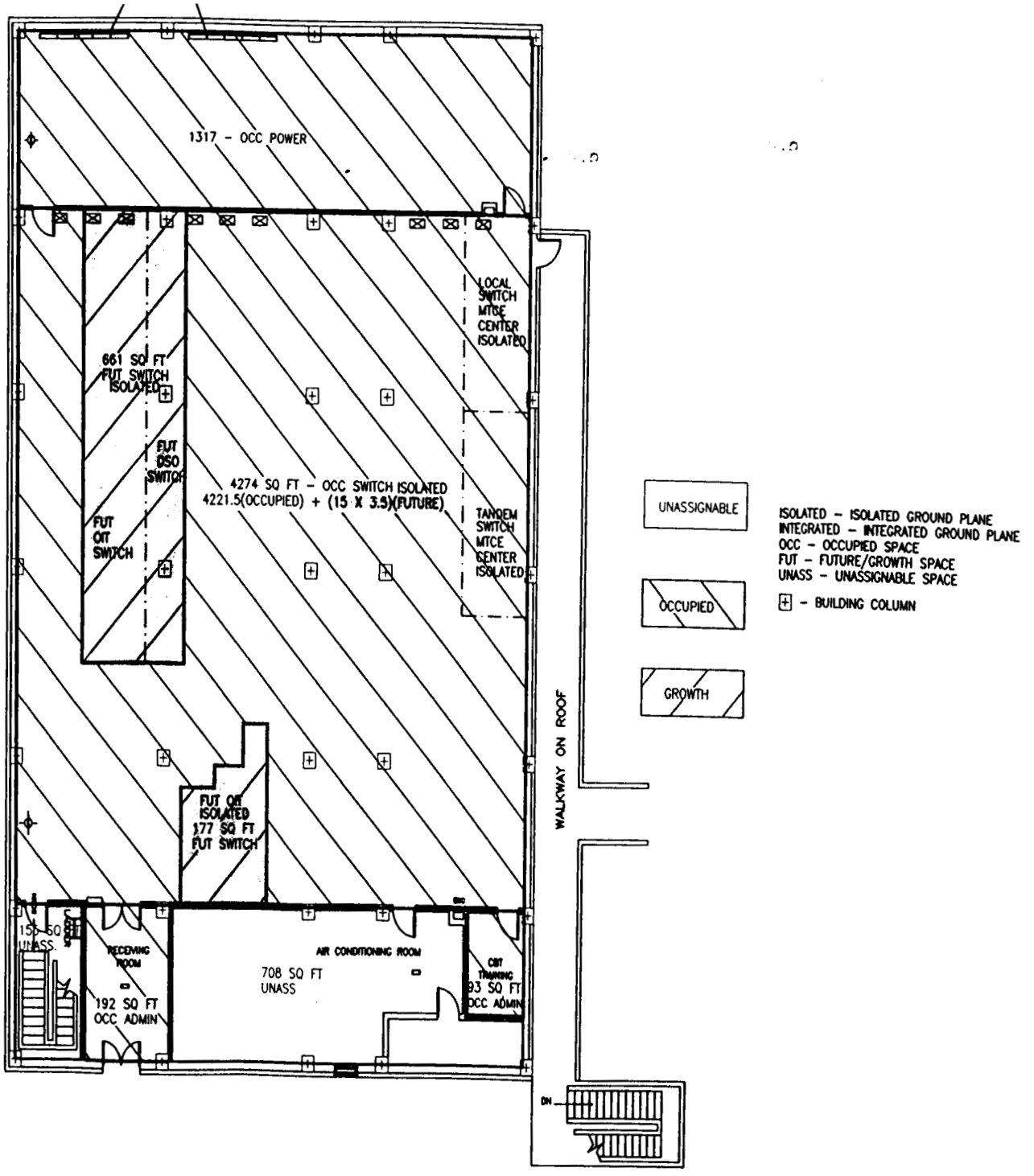
Docket No. 980800-TP
Exhibit No. OAR-8
Page 1 of 1



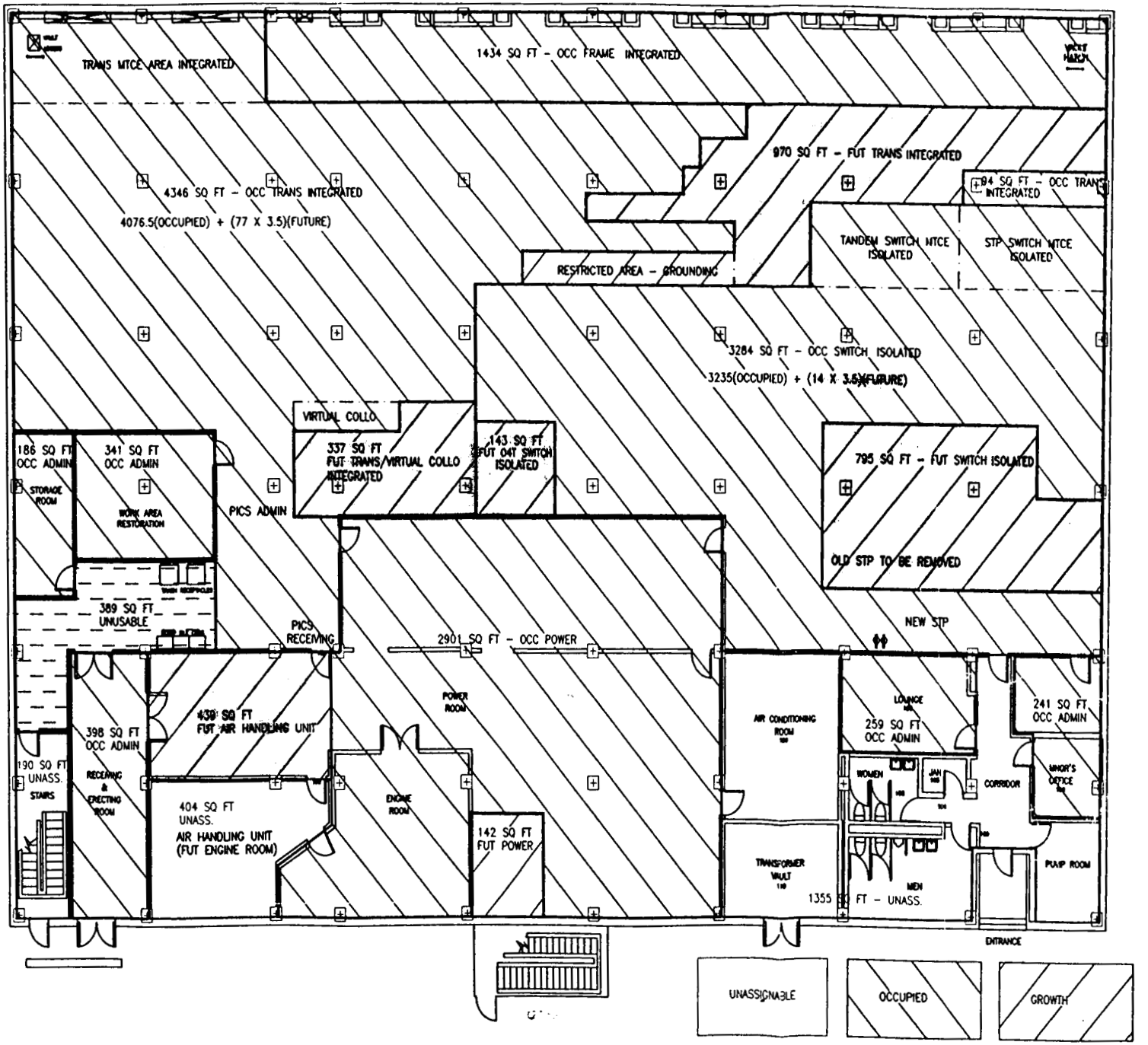
E8519 WEST PALM BEACH GARDENS FIRST FLOOR PLAN

ISOLATED - ISOLATED GROUND PLANE
INTEGRATED - INTEGRATED GROUND PLANE
OCC - OCCUPIED SPACE
FUT - FUTURE/GROWTH SPACE
UNASS - UNASSIGNABLE SPACE
TRANS - TRANSMISSION EQUIPMENT
COLLO - COLLOCATION
⊞ - BUILDING COLUMN

Docket No. 980800-TP
Exhibit No. OAR-10
Page 1 of 1



M6506 NORTH DADE GOLDEN GLADES SECOND FLOOR PLAN



M6506 NORTH DADE GOLDEN GLADES FIRST FLOOR PLAN

ISOLATED - ISOLATED GROUND PLANE
INTEGRATED - INTEGRATED GROUND PLANE
OCC - OCCUPIED SPACE
FUT - FUTURE/GROWTH SPACE
UNASS - UNASSIGNABLE SPACE
TRANS - TRANSMISSION EQUIPMENT
COLLO - COLLOCATION
⊞ - BUILDING COLUMN

REQUEST: Describe in detail, step by step, the process(es) currently utilized by BellSouth when a request for physical collocation is received.

RESPONSE: BellSouth objects to this Interrogatory on the grounds that is overly broad, unduly burdensome and oppressive.. The detailed processes utilized to fully analyze, design, construct and provision collocation consumes volumes. Nevertheless, BellSouth will provide a general overview of the process.

The application process for both Physical and Virtual Collocation is a two-phase process consisting of the Application Inquiry phase and the Bona Fide Firm Order phase. Both phases use BellSouth Expanded Interconnection forms (BSTEI forms). The order document is called BSTEI-1-P for Physical Collocation requests and BSTEI-1-V for Virtual Collocation requests. For each customer, BellSouth has designated a Collocation Coordinator ("Coordinator") per respective customer Account Team, to process collocation requests. ALECs requesting Physical Collocation may begin the Application Inquiry process prior to the execution of a Physical Collocation agreement with BellSouth. However, a contract agreement must be executed prior to proceeding to the Firm Order phase.

BellSouth will negotiate a Collocation Agreement as part of the standard interconnection agreement or as a separate, stand-alone document. The Collocation Agreement defines the process under which BellSouth offers collocation, and contains the general terms and conditions of the arrangements. Attached to this Request as part of the Production of Documents is a copy of a Collocation Agreement. This agreement may be negotiated on a regional or state-specific basis. Once the Collocation Agreement is negotiated, it is not necessary to re-negotiate an agreement each time a collocation arrangement is requested.

RESPONSE: (cont.)

To initiate the Application Inquiry phase, a requesting collocator submits a complete BSTEI-1 Application Inquiry document to its designated BellSouth Account Team Collocation Coordinator. A proposed equipment layout drawing and the appropriate Application Fee for either Virtual or Physical Collocation, respectively, must accompany each Application Inquiry as indication of a bona fide application. The Coordinator reviews the Application for completeness and accuracy based on the general knowledge of the type of information which should be contained in each of the BSTEI-1 data fields. If the Application is complete and the Application Fee is received by BellSouth, the Coordinator assigns a reference number and distributes the BSTEI-1 to the following BellSouth interdepartmental representatives and BellSouth certified contractor(s) for review, planning, estimating and response: Interexchange Network Access Coordinator (INAC) who acts as the state specific implementation manager; Capacity Management (CM) for equipment floor space, terminal equipment, tie cable, cable support structure, Point Of Termination equipment and power requirements, as well as estimated construction intervals; Property Management (P&SM) and Parsons for building floor space availability, architectural design and building construction cost estimates, preliminary design work, and interval projections; Outside Plant Engineering (OSPE) for entrance conduit and manhole capacity and facility placement review; and Central Office Operations for general planning space and review.

Based on the space and infrastructure analysis from the interdepartmental review team, BellSouth responds to the Application Inquiry in writing. Each interdepartmental representative documents their evaluation of the collocation request and responds in writing on the BSTEI-2 to the INAC. The INAC compiles responses from all organizations, clarifies any information gaps and forwards the response data to the Account Team Coordinator. The Coordinator will complete the response, ensure compliance with the terms of the customer's contract and send the response to the customer, outlining any administrative details at that time. The response contains items such as space availability, technical parameters, interval and cost estimates, technical contacts and next step

RESPONSE: (cont.)

procedures. Each of BellSouth's central offices presents a unique set of circumstances such as available space for collocation, amount of physical construction required, the complexity of the permitting process in a given municipality, and the adequacy of existing power equipment, cable support structure, and heating and air conditioning facilities. All of these factors and others contribute to the overall time required to evaluate BellSouth's ability to provide collocation at a particular location and to prepare a collocation space for a requesting collocator.

As stated in the Collocation Handbook, BellSouth responds to individual Virtual Collocation Application Inquiries within 20 business days from receipt of a complete BSTEI-1 and individual Physical Collocation Application Inquiries within 30 business days from receipt of a complete BSTEI-1. BellSouth works closely with customers to establish priorities for their request when there is a need to process multiple applications within the same time frame. Response intervals for multiple applications are negotiated based on the priority established by the requesting customer.

Should the Coordinator identify deficiencies or omissions in the Application document upon initial receipt, the Coordinator actively works with the customer and BellSouth interdepartmental representatives as necessary to resolve open issues. Such clarification activities might include, for example, convening a conference between the collocator's engineering staff and BellSouth's power engineers to resolve questions about power specifications. The Coordinator will provide written clarification to the customer as necessary to establish parameters for making their application accurate and complete. Once clarification has been received from the customer and the BSTEI Application document is updated to completeness, it is considered to be a Bona Fide Firm Order and will be distributed as described above.

RESPONSE: (cont.)

Upon the evaluation of a Physical Collocation Application, if BellSouth determines there is insufficient space within a BellSouth location to accommodate Physical Collocation, BellSouth will refund the Physical Collocation Application Fee. BellSouth will provide the state commission with information confirming the unavailability of Physical Collocation. The collocator may request Virtual Collocation, in lieu of Physical Collocation, at the same premises by submitting a Virtual Collocation BSTEI form with the appropriate Application Fee.

Requesting collocators will have 30 calendar days to review BellSouth's written response to the Application Inquiry and submit a complete and accurate Firm Order document for each location for which the collocator wishes to proceed. The Firm Order may be submitted on the same BSTEI form used during the Application Inquiry phase, provided all necessary revisions are clearly marked to indicate the applicant's finalized plans. Major material changes to the request may require re-analysis of the space and infrastructure requirements, and therefore a re-completion of the Inquiry and Application response phase. A detailed equipment drawing must accompany the Firm Order request along the pre-payment of applicable fees in order for the request to be Bona Fide. If a Firm Order document is not received within the specified time interval and no extenuating circumstances, as outlined in the Collocation Handbook, exist, BellSouth's response expires and the space is no longer reserved.

BellSouth will establish a Firm Order Date, per request, based upon the date BellSouth is in receipt of the complete and accurate Firm Order document, detailed equipment drawing and application fees. BellSouth is establishing a process whereby it will acknowledge the receipt of the Bona Fide Firm Order within fifteen days of receipt indicating that the Bona Fide Firm Order has been received and whether or not the order is accurate and complete. If the Firm Order is accurate and complete, the acknowledgment will be a Firm Order Confirmation which will indicate the Firm Order Date. If the Firm Order is not accurate and complete, BellSouth will acknowledge receipt of the BSTEI form with a letter detailing the necessary information needed to cause the order to be accurate and complete. BellSouth will not proceed with space or

RESPONSE: (cont.)

infrastructure provisioning until the information required for an accurate and complete firm order is received in writing from the requesting collocator.

Subject to the availability of the collocator's personnel, a joint coordination meeting or other method of joint planning, such as a teleconference, is held between BellSouth, the collocator and the collocator's vendor within a minimum of seven days and a maximum of thirty days following BellSouth's receipt of a Bona Fide Firm Order. By mutual consent, the parties may establish a planning timeline other than the one described above. The purpose of the meeting is to finalize the construction and infrastructure design for specific customer requirements and to negotiate actual provisioning interval timelines and commitments within the parameters of the BellSouth's interval commitments. Immediately following the coordination meeting, BellSouth and its contractors complete architectural and infrastructure designs, file building permits as required, and begin infrastructure work. Building construction may not begin until building permits are received. Should additional power plant construction be required, as a general matter, building codes specify that this power plant work may not begin until a Certificate of Occupancy is issued for the newly constructed space.

INFORMATION PROVIDED BY:

Pamela A. Tipton
BellSouth Telecommunications, Inc.
28A55
675 W. Peachtree St.
Atlanta, Ga 30375

BellSouth Interconnection Services
9th Floor
600 North 19th Street
Birmingham, Alabama 35203

205 321-4900
Fax 205 321-4334
Pager 1 800 946-4646 PIN 2295861
Internet
Marcus.B.Cathey@bridge.bst.bls.com

Marcus B. Cathey
Sales Assistant Vice President
CLEC Interconnection Sales

June 19, 1998

Mr. Olukayode Ramos
President and CEO
Supra Telecom & Information Systems, Inc.
2620 S.W. 27th Avenue
Miami, FL 33133

Dear Mr. Ramos:

RE: Enhanced Service Provider

Thank you for meeting with BellSouth on June 9, 1998, to once again review the telecommunications issues and concerns of Supra Telecom & Information Systems, Inc. (Supra). During the course of the discussion regarding collocation at this meeting, you assured me that Supra will not be installing any equipment or ordering services associated with any BellSouth Physical Collocation or Virtual Collocation arrangement for the purpose of providing enhanced services or information services. BellSouth, in continuing to process Supra's collocation requests, is relying on these assurances. Any action by Supra contrary to your assurances will be considered a material breach of the Interconnection Agreement between our two companies.

BellSouth does not currently permit the collocation of Enhanced Service Provider/Internet Service Provider equipment at its premises and has no statutory or regulatory requirement to do so. The definition of enhanced services is contained in the Code of Federal Regulations, subsection 64.702 in relevant part and is as follows:

> "...the term enhanced service shall refer to services, offered over common carrier transmission facilities...which employ computer processing applications that act on the format, content, code, protocol or similar aspects of the subscriber's transmitted information;..."

Further, information services have been defined by the Telecommunications Act of 1996 at 47 USC § 3(20).

BellSouth offers physical collocation on a negotiated basis to all telecommunications service providers, including IXCs, CAPS, ALECs/OLECs and CMRS providers, and offers virtual collocation in accordance with BellSouth's Virtual Expanded Interconnection Service tariff, Tariff FCC No. 1, Section 20 and the Florida Access Tariff, Section E20. To the extent the

equipment placed in a physical or virtual collocation arrangement is used only to provide telecommunications services as defined by the Communications Act of 1934 as amended by the Telecommunications Act of 1996, and does not employ enhanced or information capabilities as described above, BellSouth will negotiate for physical collocation or provide virtual collocation in accordance with the provisions of the tariff.

If you have questions regarding this matter, please contact your Account Team Collocation Coordinator. For physical collocation, contact Nancy Nelson at 205-321-4986 or for virtual collocation, contact Gretchen Temple at 205-321-4987.

Sincerely,

Marcus Cathey

Docket No. 980800-TP
Exhibit No. 12
Page 2 of 2

BellSouth Application Response for Physical Collocation
Including Service Interconnection (SI) and Expanded Interconnection Service (EIS)

In accordance with the Telecommunications Act of 1996, Section 251 (c) (6), BellSouth submits the following information to *David A. Nilson,* this information is in response to the *Supra Telecom and Information Systems (SUU)* application for Physical Collocation at the BellSouth location **HLWDFLPE**. Your project Reference Number is **HLWDFLPE.SUU.02**

Supra's placement of the equipment listed on its Application is based upon Supra's assurance and contractual agreement to utilize such equipment only for the provision of telecommunications services. Such contractual obligation is a material term and condition to the acceptance of a Bona Fide Firm Order. BellSouth does not currently permit the collocation of enhanced services equipment. If any of the equipment listed on Supra's Application and Firm Order Document (BSTEI-1-P) provides enhanced services as defined in the Code of Federal Regulations, Supra will not be permitted to place such equipment within a BellSouth location.

To place a Bona Fide Firm Order, for the Physical Collocation application submitted, please provide to your BellSouth Collocation Coordinator, Nancy Nelson, the following items (as they apply):

1. Pre -- payment of the applicable fees identified within this response document and in accordance with your BellSouth Physical Collocation Master Agreement.

2. Submit a finalized, comprehensive Bona Fide Application and Firm Order Document (BSTEI-1-P on the current issue) detailing the specific Firm Order requirements of this arrangement. Include on the Firm Order any revisions negotiated with BellSouth and provide any supporting technical documents.

The Firm Order (BSTEI-1-P) package should include, but not be limited to, a finalized detailed cable and equipment inventory list, associated engineering and network drawings and the quantity of cross connections requirement (i.e. DS0, DS1 and DS3). Identification of the selected BellSouth Certified Installation and Engineering Vendor is also necessary. The current BellSouth Certified Vendor lists for equipment installation and engineering are available upon making a request to BellSouth. Please verify the chosen vendor for this project is available for selection at this time, indicate who will perform your installation and engineering..

If network cable entrance facilities are coming to this location indicate on the Firm Order* the number of actual cables planned and if single cable entry or multiple cable entry is necessary. The cable installation fee is paid for each cable installation and prepaid when submitting the Bona Fide Firm Order*. This item does not apply to anyone making a service interconnection arrangement.

You shall have thirty (30) days from the issuance of this response information to place a firm order. **This Physical Application expires on August 3, 1998** a Firm Order* for this application is not acceptable after this date. You would need to reapply to proceed with an arrangement at this location with a new application (BSTEI-1-P), including the payment of a new application fee. BellSouth will then evaluate the new application based on the then current business conditions at the location.

Send a Bona Fide Firm Order* and Prepayment(s) package to:

BellSouth Interconnection Services
Nancy K. Nelson, Collocation Manager
9th Floor
600 North 19th Street
Birmingham, Alabama 35203

Prepayment Checks Make Payable to: BellSouth

To proceed to perform any work or to deliver equipment and/or cable within a wire center it is necessary to have an insurance certificate as proof of insurance a minimum of ten days prior to the start to BellSouth. Proof is sent to: Mrs. Billie Bridges,1635 Cheswood Circle, Hoover, Alabama 35244. *An annual notification for proof of insurance to BellSouth is necessary.* Normally the insurance company will make this notification for you upon your request.

* An executed BellSouth Physical Collocation Master Agreement, including rates, terms and conditions for Physical Collocation is a requirement for considering a Firm Order to be acceptable and Bona Fide.

Please direct questions to: Nancy K. Nelson, Physical Collocation Manager
Office 205.321.4986 FAX 205.321.4351 Internet -- Nancy.Ne

Docket No. 980800-TP
Exhibit No. 13
Page 1 of 4

BellSouth Application Response for Physical Collocation
Including Service Interconnection (SI) and Expanded Interconnection Service (EIS)

In accordance with the Telecommunications Act of 1996, Section 251 (c) (6), BellSouth submits the following information to *David A. Nilson*. In response to *Supra Telecom and Information Systems (SUU)* application for Physical Collocation into the BellSouth location **HLWDFLPE.**

A Reference Number of **HLWDFLPE.SUU.02** applies to this application. Please use this reference number when referring to this arrangement as this number remains with the arrangement implemented.

BellSouth intervals for Space Preparation, Enclosure Construction (as applicable) and critical dates require negotiation among the applicant, BellSouth and the chosen BellSouth Certified Vendor during the first joint Coordination Meeting held except where otherwise specified (e.g. negotiated contract terms or PSC decision). BellSouth intervals do not include the intervals for attaining local government licenses, permits (including certificate of occupancy) or collocator initiated changes to the original firm order configuration of the installation. A collocator may proceed with equipment installation once space and enclosure are complete and accepted, proof of insurance is provided and the Certified Vendor supplies a Method Of Procedure (MOP).

SPECIFIC TO THIS REQUESTS:

This response is for: **Physical Collocation**

1. Your Interdepartmental Coordinator for this location is: **Pat Solin @ 954.928.4707**
2. Outside Plant contact for access to the BellSouth manhole is: **N/A**
3. Plant Construction Supervisor (PCS) for Master Contractor contact: **N/A**
4. Master Contractor **N/A**
5. Were multiple cable entrances a request? **No access requested**
6. Are multiple Cable entrances available? **N/A**
7. Entrance manhole: Manhole 1. **N/A** 2. **N/A.**
8. Estimate of the cable distance from an interconnection point to the CO vault or the CO entrance facility. Manhole 1. **N/A** Feet Manhole 2. **N/A** Feet
9. A. Estimate of connectorized, fire retardant, Riser Cable Length: **N/A Feet**
   B. Estimate of cable distance to existing Collocation Arrangement: **N/A**
10. Estimate of additional engineering hours to be billed: **46 Hours estimated**
11A. Non-enclosed Floor Space available: **See Special Comments** Square Feet
   B. Enclosed Floor Space available: **N/A**
12. Power billing elements identified at completion of the project by the power installation vendor.
13. Cable support structure utilization depends on actual number of cable installations.
14. *Rack Height requirement: **Seven (7)** Feet, Rack width: **Twelve (12)** inches, Location in CO: **Second Floor**
15. Cable length between POT Bay and BellSouth equipment: **DSO-DF: 300 Feet; DSX-1 250 Feet ; DSX-3: 250 Feet; LGX: N/A Feet,** POT Bay to arrangement **DSO-DF: 150 Feet, DSX-1 150 Feet; DSX-3: 150 Feet; LGX: N/A Feet**
16. Central Office Manager or Representative: **Tim Thornton @ 954.962.8924**
17. Environment: **Separate Entrance Access Escort Required: No Rest Room Access: Yes, with escort Parking on site: Yes**
18: Estimate of Space Preparation Cost: **See Special Comments**
19. **This application will expire August 3, 1998.**

* An equipment installation must adhere to the BellSouth Central Office height and depth requirements.

Note 1: A Bona Fide Firm Order requires the prepayment of the following fees as they apply: Cable installation fee, per cable installation. Fifty percent (50%) of an Enclosure Construction fee and of the Space Preparation cost estimate. BellSouth must have proof of insurance and a Method of Procedure (MOP) prior to the start of work.

Note 2: Some information within this response are estimates of the physical collocation application work requirements. Actual costs or intervals may differ from the estimate shown and are dependent upon the ultimate work done except where otherwise specified (e.g. negotiated contract terms). Final project cost calculations follow the project's completion.

Please direct questions to: Nancy K. Nelson, Physical Collocation Manager
Office 205.321.4986 FAX 205.321.4351 Internet – Nancy.Nelson1

Docket No. 980800-TP
Exhibit No. 13
Page 2 of 4

Special Comments: HLWDFLPE.SUU.02

1. Non-enclosed space is available for a Physical Collocation arrangement installation at *the HLWDFLPE wire center.* BellSouth requires that when provisioning a non-enclosed Physical Collocation space, detailed equipment engineering diagrams, including number of equipment bays, the actual dimensions of each bay and proposed layout, must be provided with the submission of a Bona Fide Firm Order. These diagrams will facilitate efficient planning of the space layout. Note: For non-enclosed floor space calculation please refer to your agreement item V. RATES AND CHARGES, Article B. Floor Space, Sentence Three.

2. Please plan to post emergency contact names and telephone numbers to the exterior of a physical space enclosure or *attach directly to the racking of a non-enclosed physical arrangement. From time to time BellSouth may require access to space occupied by collocator. BellSouth retains the right to access such space for the purpose of making equipment and building modifications, e.g., running, altering or removing racking; ducts; electrical wiring; HVAC; and cables. BellSouth will give reasonable notice to collocator when access to collocation space is required and collocator may elect to be present whenever BellSouth performs work in the collocation space. It is agreed that collocator will not bear any of the expense associated with this work*

3. The estimate preparation interval for space acceptance is ***ninety (90)*** days. following the a Bona Fide Firm Order. BellSouth interval does not include the intervals for attaining local government licenses, permits (including certificate of occupancy) or collocator initiated changes to the original firm order configuration of an installation.

4. The finalized actual costs may differ from any cost estimates provided as they are dependent on the actual work performed or terms within your agreement. The actual costs are provided following the project work completion. Prepay fifty percent (50%) of the Space Preparation. Prepay fifty percent (50%) of the Space Enclosure construction cost. Information in this response are cost estimates based on the application information and subject to the terms, conditions and rates within your agreement.

5. BellSouth provides the appropriate quantity of Point Of Termination (POT) Bays based on the wiring requirements found in the BSTEI-1-P form of the Bona Fide Firm Order. BellSouth does not provide wiring which exceeds the capacity of the equipment installation or provides termination capacity beyond a two (2) year forecast. Based on the large number of termination requested, BellSouth requests Supra to provide assurance in writing that the wiring requirements represent a maximum of a two (2) year or twenty four (24) month forecast.

6. BellSouth normally brings overhead cable racking up to an enclosure space. Then a collocator will provide the necessary overhead cable racking within the enclosure space. If the physical collocation arrangement is within the space known as the "common physical collocation space" or the installation is without an enclosure then BellSouth will control the overhead racking placement and provide overhead racking for use by the collocator. The Bona Fide Firm Order from a collocator must provide to BellSouth a detail equipment layout for BellSouth to design the overhead racking for a non-enclosed arrangement.

7. You shall have thirty (30) days from issuance of this response information to place a firm order. **This Physical Application expires on August 3, 1998.** Firm Order for this application is not acceptable after this date. You will need to reapply to proceed with an arrangement at this location with a new application (BSTEI-1-P), including payment of an application fee. BellSouth will then evaluate the new application based on the then current business conditions at the location.

8. To proceed to perform any work or to deliver equipment and/or cable within a wire center it is necessary to have an insurance certificate as proof of insurance a minimum of ten days prior to the start to BellSouth. Proof is sent to: Mrs. Billie Bridges, 1635 Cheswood Circle, Hoover, Alabama 35244. An annual notification for proof of insurance to BellSouth is necessary. Normally the insurance company will make this notification for you upon your request. Access to the wire center requires proper, picture identification at all times. Access will be denied to anyone without proper identification, even if individual is known.

Please direct questions to: Nancy K. Nelson, Physical Collocation Manager
Office 205.321.4986 FAX 205.321.4351 Internet -- Nancy.Nelson1(

Docket No. 980800-TP
Exhibit No. 13
Page 3 of 4

9. Cost Summary for **HLWDFLPE.SUU.02**

Line Item	Total
1. Space Construction	N/A*

*Space Enclosure Construction fee per 100 square feet at $4,500.00 per the Schedule of Rates and Charges found in your agreement..

2. Cable Installation	N/A *

*Per your agreement the fixed installation rate applies per entrance cable at $2,750.00 per cable.

3. Space Preparation	$ 46,612.00 *

*Per your agreement this includes your prorated cost estimates for demolition, wall construction, lighting, electromechanical, floor treatment, A&E fees, HVAC, ingress/egress, OSHA compliance, local code compliance, cable support structure, power, grounding plane, etc.

Space Construction	**$ 14,841.00**
Frame, Cable, Cable Support, Etc.	**3,036.00**
Power	**24,735.00**
Total	**$ 46,612.00**

Space Construction $14,841.00= Project expenses to BellSouth, General construction is $26,687.00, Architectural & engineering fees $17,584.00, HVAC $24,375.00 and electrical $46,625.00
Frame, Cable, Cable Support, Etc. $ 3,036.00= Cable Support Structure new construction
Power $24,735.00 = Standby engine and power plant construction

In summary of the above information the prepayment necessary is in the amount as following:

1.	Space Construction	N/A	$ N/A
2.	Cable Installation	N/A	$ N/A
3.	Space Preparation	$ 46,612.00 @ 50%	$ 23,306.00
Total prepayment due at time of Firm Order			**$ 23,306.00**

Per your agreement a true-up of cost estimates will follow the completion of the implementation project.
August 3, 1998 is this application's expiration date

Please direct questions to: Nancy K. Nelson, Physical Collocatic
Office 205.321.4986 FAX 205.321.4351 Internet -- Nancy.Nelson1@b

Docket No. 980800-TP
Exhibit No. 13
Page 4 of 4

STIS
Supra Telecom & Information Systems, Inc.

Phone: (305) 443-3710
Fax: (305) 443-1078
2620 S.W. 27th Avenue
Miami, FL 33133
Email: sales@stis.com
www.stis.com

Date: July 1, 1998

Mr. Marcus B. Cathey
Sales Asst. Vice President
CLEC Interconnection Sales
BellSouth Interconnection Services
9th Floor, 600 North 19th Street
Birmingham, Alabama 35203

Dear Mr. Cathey,

RE: ENHANCED SERVICE PROVIDER

I am in receipt of your letter dated June 19, 1998 regarding the above subject matter. I cannot remember meeting with BellSouth on June 9, 1998. The meeting I remember was held on June 8, 1998.

Paragraph one of the above referenced letter reads:

> During the course of the discussion regarding collocation at this meeting, you assured me that Supra will not be installing any equipment or ordering services associated with any BellSouth Physical Collocation or Virtual Collocation arrangement for the purpose of providing enhanced services. BellSouth, in continuing to process Supra's collocation requests, is relying on these assurances. Any action contrary to your assurances will be considered a material breach of the Interconnection Agreement between our two companies.

I am very confident that I did not give you such an impression. What I told you was Supra's primary line of business is the provision of telecommunications services. You failed to mention in your letter the specific section(s) in the Interconnection Agreement that Supra would have breached if it indeed offered enhanced services. You may wish to point us to the appropriate sections in that agreement for our consideration and understanding.

At this juncture, we would like to direct your attention to specific sections in our Collocation Agreement and the Code of Federal Regulations.

Please refer to Section III, Paragraph A of the Collocation Agreement executed on July 24, 1997 between Supra and BellSouth which states in part:.

> Nature of Use: BellSouth shall permit Interconnector to place, maintain and operate in the collocation space any equipment that Interconnector is authorized by BellSouth and by Federal or State regulators to place, maintain and operate in collocation space and that is used by Interconnector to provide services which Interconnector has the legal authority to provide.
>
> Part 47 of the Code of Federal Regulations, §51.100 (b) reads:
>
> A telecommunications carrier that has interconnected or gained access under sections 251(a)(1), 251(c)(2), or 251(c)(3) of the Act, may offer information services through the same arrangement, so long as it is offering telecommunications services through the same arrangement as well.

Supra views its corporate obligations seriously and expects its partners to do the same. We should all respect and obey the law. No responsibility is more fundamental than obeying the law. The laws of this country deserve to be respected and obeyed. Nobody has a more sacred obligation to obey the Telecommunications Act than those who participated in its creation. It is no secret that BellSouth actively participated in the writing of the Telecommunications Act of 1996.

If you need further clarification on the content of this letter, please feel free to call me at (305) 476 4220.

I look forward to an immediate resolution of this matter.

Sincerely yours,

Olukayode A. Ramos
Chairman and CEO

BellSouth Interconnection Services
9th Floor
600 North 19th Street
Birmingham, Alabama 35203

205 321-4900
Fax 205 321-4334
Pager 1 800 946-4646 PIN 2295861
Internet
Marcus.B.Cathey@bridge.bst.bls.com

Marcus B. Cathey
Sales Assistant Vice President
CLEC Interconnection Sales

July 14, 1998

Olukayode A. Ramos
President and CEO
Supra Telecom & Information Systems, Inc.
2620 S.W. 27th Avenue
Miami, Florida 33133

Re: Equipment in Collocation Arrangements

Dear Kay:

The purpose of this letter is to respond to your letter to me dated July 1, 1998 and to clarify BellSouth's position regarding the placement of equipment in collocation arrangements. In the interest of moving the issues before our two companies forward, I will not focus on the obvious disagreement between BellSouth and Supra as to the substance of the conversations on June 8th or 9th, 1998 regarding the placement of equipment in Supra's collocation arrangements. Neither I, nor the other BellSouth representatives in attendance concur in your recollection of what was stated by you in that meeting. It remains my understanding from that meeting that Supra was planning to offer enhanced services from a location outside of the physical collocation arrangement on BellSouth premises.

BellSouth is very aware of the language of the section of the physical collocation arrangement agreement dealing with nature of use as well as the specific CFR regulation cited in your letter. These cites, as well as additional language found in the FCC's First Report and Order, issued August 8, 1996, support BellSouth's policies regarding collocation arrangements.

Clearly stated, BellSouth's policy is as follows:

BellSouth offers physical collocation arrangements to telecommunications service providers for the purposes of interconnection as well as for the purposes of the telecommunications carrier gaining access to BellSouth's unbundled network elements. BellSouth will permit the placement of equipment in the physical collocation arrangement where such equipment is utilized for the purposes of providing telecommunication services through interconnection or through access to unbundled network elements. Where that equipment can also provide information services, the telecommunications carrier may offer information services through the same arrangement, so long as it is also offering telecommunications services through the same arrangement.

BellSouth is not required to provide for collocation of equipment that can only provide enhanced services or information services. In addition, BellSouth will not permit collocation of equipment that will be used only to provide enhanced services or information services. Further, BellSouth will not accept collocation requests from entities that are not telecommunications carriers.

BellSouth offers virtual collocation arrangements pursuant to the rates, terms and conditions set forth in BellSouth's FCC Tariff No. 1. BellSouth has not been required to provide virtual collocation arrangements for the placement of switching equipment.

I hope that the foregoing will resolve the collocation issues before us.

Sincerely,

Marcus B. Cathey

cc: Nancy B. White
Pat Finlen

Docket No. 980800-TP
Exhibit No. 15
Page 2 of 2

BellSouth Interconnection Services
675 West Peachtree Street
Atlanta, Georgia 30375

Customer Letter / Announcement
SN91081348

Date: July 14, 1998

To: All Interconnection Services Customers

Subject: BellSouth Physical Collocation Policy

The purpose of this letter is to clarify BellSouth's position regarding the placement of equipment in Physical Collocation arrangements. BellSouth offers Physical Collocation to telecommunications service providers for the purposes of interconnection as well as for the purposes of the telecommunications carrier gaining access to BellSouth's unbundled network elements. BellSouth offers Physical Collocation arrangements via contractual agreements.

BellSouth permits the placement of equipment in the Physical Collocation arrangement where such equipment is utilized for the purposes of providing telecommunication services through interconnection or through access to unbundled network elements. Where that equipment can also provide information services, the telecommunications carrier may offer information services through the same arrangement, so long as it is also offering telecommunications services through the same arrangement. BellSouth is not required to provide for collocation of equipment that can only provide enhanced services or information services. In addition, BellSouth will not permit collocation of equipment that will be used only to provide enhanced services or information services. Further, BellSouth will not accept collocation requests from entities that are not telecommunications carriers.

Should you have questions regarding BellSouth's Collocation offerings, please contact your Account Representative.

Sincerely,

ORIGINAL SIGNED BY JIM BRINKLEY

Jim Brinkley - Director
Interconnection Services

Docket No. 980800-TP
Exhibit No. 16
Page 1 of 1

STIS
Supra Telecom & Information Systems, Inc.

Phone: (305) 443-3710
Fax: (305) 443-1078
2620 S.W. 27th Avenue
Miami, FL 33133
Email: sales@stis.com
www.stis.com

August 17, 1998

VIA FAX: (305) 577-4491

Nancy B. White, Esq.
and Mary Jo Peed, Esq.
c/o Ms. Nancy Sims
BellSouth Telecommunications, Inc.
150 South Monroe Street, Suite 400
Tallahassee, Florida 32301

Dear Nancy and Mary Jo:

I wish to address several matters that are pending between Supra Telecommunications & Information Systems, Inc., and BellSouth Telecommunications, Inc., that need to be resolved.

1. Regarding the issue of Supra's desire to physically collocate in the North Dade Golden Glades and the West Palm Beach Gardens' central offices, it is Supra's position that there is adequate space for Supra to physically collocate its Class 5 switches and other necessary equipment. I would like to set up a meeting to discuss the results of the walk-throughs and the revised central office maps and Supra's specific desires regarding space in each of these central offices.

In addition, when you and I met a few weeks ago, you stated you would obtain specific information regarding any problems with meeting the Florida Public Service Commission's three month deadline for each of Supra's applications for physical collocation. We need to have specific information regarding whether BellSouth intends to meet the deadline for each application or exactly why the deadline cannot be met for each application.

2. Regarding the issue of what equipment Supra intends to physically collocate in the 17 BellSouth central offices that Supra has applied for, it is Supra's intention to physically collocate equipment that will provide information services as well as basic telecommunications services. The "information services" equipment that Supra intends to physically collocate includes equipment that can provide anything traditionally considered "information services," as well as anything considered an "enhanced service," Internet services, etc. The specific equipment has been identified on the physical collocation applications that have already been approved by BellSouth. It is Supra's position that the Telecommunications Act and the FCC's

First Report and Order provide legal support for Supra's right to physically collocate this type of equipment in BellSouth's central offices. Supra would like an immediate clarification from BellSouth regarding whether BellSouth intends to object to any of Supra's equipment being physically collocated on the basis of any theory so that Supra may apply for a decision on this matter at the Florida Public Service Commission.

3. Regarding the issue of Supra's right to obtain combinations of unbundled network elements from BellSouth, it is Supra's position that Supra's interconnection agreement provides authority for Supra to obtain these combinations. The attached Section from Supra's interconnection agreement specifically provides Supra this right. To the extent BellSouth intends to rely on the fact that the version of the Interconnection Agreement filed by BellSouth with the Florida Public Service Commission does not include this particular section, Supra wishes to inform BellSouth that the draft agreement that Mr. Finlen provided Mr. Ramos and which Mr. Ramos signed immediately (according to Mr. Finlen's testimony), and that Mr. Finlen provided Supra by e-mail immediately prior to producing the final version for signing, included this provision. If there is a difference between the draft version agreed to and the version filed with the Commission (other than the removal of the Collocation and Resale Agreements which had been entered into separately and the insertion of Supra's name in appropriate spaces), Supra suggests that any such difference should not exist and BellSouth may wish to inquire internally as to how that might have happened.

Therefore, Supra would like to be informed immediately as to the prices for the combinations of unbundled network elements set out in Supra's Interconnection Agreement and the time frames in which they can be provided.

You will note that this letter is not being copied to the Commission Staff at this time to permit BellSouth and Supra the opportunity to work these matters out. However, this is a very narrow window of opportunity. If we do not hear from you on these issues within the next day or two, Supra will be forced to pursue relief at the Commission. Thank you for your attention to these matters.

Sincerely,

Suzanne F. Summerlin

SFS:ss

Docket No. 980800-TP
Exhibit No. OAR-17
Page 2 of 2

Legal Department

NANCY B. WHITE
Assistant General Counsel - Florida

BellSouth Telecommunications, Inc.
150 South Monroe Street
Room 400
Tallahassee, Florida 32301
(305) 347-5558

August 21, 1998

Via Facsimile and Federal Express

Suzanne Fannon Summerlin, Esq.
1311-B Paul Russell Rd., #201
Tallahassee, Florida 32301

RE: **Docket No. 980800-TP (Collocation)**

Dear Ms. Summerlin:

Pursuant to your letter of August 17, 1998, this is BellSouth's response to Issue 1 delineated therein. As I advised you, Mary Jo Peed will be responding to your Issues 2 and 3.

With regard to Issue 1, it remains BellSouth's position that there is inadequate space in the North Dade Golden Glades and West Palm Beach Gardens central offices for Supra to physically collocate. I will, however, be happy to meet with you further regarding this matter.

With regard to the three month time frame for completing physical collocation work by BellSouth, please be advised that BellSouth individually negotiates the specific interval for each collocation request based on a number of factors. BellSouth, cannot, however guarantee a three month time period. As we discussed, several mitigating factors that are outside BellSouth's control, such as permitting interval, local building code interpretation and unique construction requirements, affect the provision interval. BellSouth believes it is operating within the parameters of the Florida Commission's guidelines by negotiating time periods on a per request basis. Indeed, the Commission in Order No. PSC-98-0595-PCO-TP, issued on April 27, 1998, stated that:

"As stated in the Order, the parties may reach an agreement as to the time for a particular request. The purpose of the three month time frame is to serve as a guideline of what we consider reasonable. We find that our Order is clear as to our intent that the parties to a request for collocation would attempt to resolve any problems with that time frame on a case by case basis, and would only come to use if they were unable to resolve their problems." (p. 6).

A permit is required by each municipality involved for any construction work that modifies mechanical, electrical, architectural or safety factors. Specific permitting requirements and timelines vary from municipality to municipality. Each municipality, however, requires the submittal of a set of signed and sealed construction documents that have been prepared by a registered architect. Each municipality has their own interpretation of the building code requirements. For example, one municipality refused to issue a Certificate of Occupancy until BellSouth agreed to replace the high voltage fire alarm systems within the central office within two years. Another municipality refused to issue a Certificate of Occupancy until BellSouth agreed to replace a sidewalk at the central office.

In addition, all South Florida municipalities have indicated that physical collocation makes the central office a multi-tenant environment. There is a difference of opinion, however, between the municipalities on the method of treating the "tenant" space. Some municipalities require a minimum one-hour fire rated wall around the collocator enclosure and not the common area, while others require the rated wall around just the common area. The majority require enclosures around both the common area and the collocator enclosure. With rated walls, more complex mechanical and electrical systems must be constructed.

Attached hereto is a list of the offices involved in Supra's collocation request which contains a description of the permitting process for each locale, as well as the average length of time encountered in the permitting process by BellSouth.

For all these reasons, BellSouth cannot guarantee that collocation can be completed in a given central office within three months of a collocation application. If you have any further questions, please contact me.

Sincerely,

Nancy B. White

NBW/vf
Attachments

General Description of Permit Process

1) Boca Raton
2) Ft. Lauderdale (Cypress)
3) Ft. Lauderdale (Main)
4) Ft. Lauderdale (Plantation)
5) Hollywood
6) Hollywood (Pembroke Pine)
7) Hollywood (West)
8) Miami (Alhambra)
9) Miami (Biscayne)
10) Miami (Grande)
11) Miami (Hialeah)
12) Miami (Perrine)
13) Orlando (Magnolia)
14) Melbourne
15) West Palm Beach (Greenacres)

Boca Raton

Municipality: West Palm
Building Department: City of Boca Raton Building Department

Permitting Process

- Plans go to Department of Natural Resources Protection for Review (Processing Time: Varies 2 to 3 days average)
- Once approved by the above:

Plans then go to the Building Department

Forms/signed and sealed plans are dropped off at front counter
Process/Permit number is assigned
Insurance, licenses of General Contractor are verified
Plans routed through
- Building
- Fire
- Zoning
- Landscaping
- Mechanical
- Electrical
- Plumbing

(Average Processing Time: 6 to 8 weeks)

- Once reviewed by each department, sent to front counter
- If there are comments, plans go back to Architectural and Engineering firms for corrections
- If no comments, plans are ready for permit
- Fill out and file with Clerk of the County Court "The Notice of Commencement"

Ft. Lauderdale (Cypress)

Municipality: City of Ft. Lauderdale
Building Department: City of Cypress Building Department

Permitting Process

- Plans are submitted to Broward County Health Department if no sewer connection.
  (Processing Time: Varies 1 to 2 days average)
- Plans then go to Department of Natural Resources Protection for Review
  (Processing Time: Varies 2 to 3 days average)
- Once approved by the above:

Plans then go to the Building Department
(All plans have to be submitted at the same time)

- Forms/signed and sealed plans are dropped off at front counter
- All plans are submitted at the same time. Mechanical, Electrical & Fire Alarm must submit applications at the same time as the architectural
- Must submit a copy of the contract with the owner
- Must provide copies of contracts between contractors and sub-contractors
- Process/Permit number is assigned
- Insurance, licenses of General Contractor are verified
- Plans routed through
  - Building
  - Fire
  - Zoning
  - Landscaping
  - Mechanical
  - Electrical
  - Plumbing

(Average Processing Time: 6 to 8 weeks)

Ft. Lauderdale (Cypress) cont'd

- Once reviewed by each department, sent to front counter
- If there are comments, plans go back to Architectural and Engineering firms for corrections
- If no comments, plans are ready for permit
- Fill out and file with Clerk of the County Court "The Notice of Commencement"

Ft. Lauderdale (Main)

Municipality: City of Ft. Lauderdale
Building Department: City of Ft. Lauderdale Building Dept.

Permitting Process

- Plans are submitted to Broward County Health Department if no sewer connection.
  (Processing Time: Varies 1 to 2 days average)
- Plans then go to Department of Natural Resources Protection for Review
  (Processing Time: Varies 2 to 3 days average)
- Once approved by the above:

Plans then go to the Building Department
(All plans have to be submitted at the same time)

- Forms/signed and sealed plans are dropped off at front counter
- All plans are submitted at the same time. Mechanical, Electrical & Fire Alarm must submit applications at the same time as the architectural
- Must submit a copy of the contract with the owner
- Must provide copies of contracts between contractors and sub-contractors
- Process/Permit number is assigned
- Insurance, licenses of General Contractor are verified
- Plans routed through
  - Building
  - Fire
  - Zoning
  - Landscaping
  - Mechanical
  - Electrical
  - Plumbing

(Average Processing Time: 6 to 8 weeks)

Ft. Lauderdale (Main) cont'd

- Once reviewed by each department, sent to front counter
- If there are comments, plans go back to Architectural and Engineering firms for corrections
- If no comments, plans are ready for permit
- Fill out and file with Clerk of the County Court "The Notice of Commencement"

Ft. Lauderdale (Plantation)

Municipality: City of Ft. Lauderdale
Building Department: City of Plantation Building Department

Permitting Process

- Plans are submitted to Broward County Health Department if no sewer connection.
  (Processing Time: Varies 1 to 2 days average)
- Plans then go to Department of Natural Resources Protection for Review
  (Processing Time: Varies 2 to 3 days average)
- Once approved by the above:

Plans then go to the Building Department
(All plans have to be submitted at the same time)

- Forms/signed and sealed plans are dropped off at front counter
- All plans are submitted at the same time. Mechanical, Electrical & Fire Alarm must submit applications at the same time as the architectural
- Must submit a copy of the contract with the owner
- Must provide copies of contracts between contractors and sub-contractors
- Process/Permit number is assigned
- Insurance, licenses of General Contractor are verified
- Plans routed through
  - Building
  - Fire
  - Zoning
  - Landscaping
  - Mechanical
  - Electrical
  - Plumbing

(Average Processing Time: 6 to 8 weeks)

Ft. Lauderdale (Plantation) cont'd

- Once reviewed by each department, sent to front counter
- If there are comments, plans go back to Architectural and Engineering firms for corrections
- If no comments, plans are ready for permit
- Fill out and file with Clerk of the County Court "The Notice of Commencement"

Hollywood

Municipality: City of Hollywood
Building Department: City of Hollywood Building Department

Permitting Process

- Plans are submitted to Broward County Health Department if no sewer connection.
  (Processing Time: Varies 1 to 2 days average)
- Plans then go to Department of Natural Resources Protection for Review
  (Processing Time: Varies 2 to 3 days average)
- Once approved by the above:

  Plans then go to the Building Department

  Forms/signed and sealed plans are dropped off at front counter
  Process/Permit number is assigned
  Insurance, licenses of General Contractor are verified
  Plans routed through
  - Building
  - Fire
  - Zoning
  - Landscaping
  - Mechanical
  - Electrical
  - Plumbing

  (Average Processing Time: 6 to 8 weeks)

- Once reviewed by each department, sent to front counter
- If there are comments, plans go back to Architectural and Engineering firms for corrections
- If no comments, plans are ready for permit
- Fill out and file with Clerk of the County Court "The Notice of Commencement"

Hollywood (Pembroke Pines)

Municipality: City of Hollywood
Building Department: City of Pembroke Pines Building Dept.

Permitting Process

- Plans are submitted to Broward County Health Department if no sewer connection.
  (Processing Time: Varies 1 to 2 days average)
- Plans then go to Department of Natural Resources Protection for Review
  (Processing Time: Varies 2 to 3 days average)
- Once approved by the above:

  Plans then go to the Building Department

  Forms/signed and sealed plans are dropped off at front counter
  Process/Permit number is assigned
  Insurance, licenses of General Contractor are verified
  Plans routed through
  - Building
  - Fire
  - Zoning
  - Landscaping
  - Mechanical
  - Electrical
  - Plumbing

  (Average Processing Time: 4 to 6 weeks)

- Once reviewed by each department, sent to front counter
- If there are comments, plans go back to Architectural and Engineering firms for corrections
- If no comments, plans are ready for permit
- Fill out and file with Clerk of the County Court "The Notice of Commencement"

Hollywood (West)

Municipality: City of Hollywood
Building Department: City of Hollywood Building Department

Permitting Process

- Plans are submitted to Broward County Health Department if no sewer connection.
  (Processing Time: Varies 1 to 2 days average)
- Plans then go to Department of Natural Resources Protection for Review
  (Processing Time: Varies 2 to 3 days average)
- Once approved by the above:

  Plans then go to the Building Department

  Forms/signed and sealed plans are dropped off at front counter
  Process/Permit number is assigned
  Insurance, licenses of General Contractor are verified
  Plans routed through
  - Building
  - Fire
  - Zoning
  - Landscaping
  - Mechanical
  - Electrical
  - Plumbing

  (Average Processing Time: 6 to 8 weeks)

- Once reviewed by each department, sent to front counter
- If there are comments, plans go back to Architectural and Engineering firms for corrections
- If no comments, plans are ready for permit
- Fill out and file with Clerk of the County Court "The Notice of Commencement"

Miami (Alhambra)

Municipality: City of Coral Gables
Building Department: City of Coral Gables Building Dept.

Permitting Process

- Plans are submitted to the Department of Environmental Resources Management for review
  (Process Time: Varies 2 to 3 days average)
- Once approved by the above:

  Plans then go to the Building Department

  Forms/signed and sealed plans are dropped off at front counter
  Process/Permit number is assigned
  Insurance, licenses of General Contractor are verified
  Plans routed through
  - Building
  - Fire
  - Zoning
  - Landscaping
  - Mechanical
  - Electrical
  - Plumbing

  (Average Processing Time: 3 to 4 weeks)

- Once reviewed by each department, sent to front counter
- If there are comments, plans go back to Architectural and Engineering firms for corrections
- If no comments, plans are ready for permit
- Fill out and file with Clerk of the County Court "The Notice of Commencement"

Miami (Biscayne)

Municipality: City of Coral Gables
Building Department: City of Coral Gables Building Dept.

Permitting Process

- Plans are submitted to the Department of Environmental Resources Management for review
  (Process Time: Varies 2 to 3 days average)
- Once approved by the above:

  Plans then go to the Building Department

  Forms/signed and sealed plans are dropped off at front counter
  Process/Permit number is assigned
  Insurance, licenses of General Contractor are verified
  Plans routed through
  - Building
  - Fire
  - Zoning
  - Landscaping
  - Mechanical
  - Electrical
  - Plumbing

  (Average Processing Time: 3 to 4 weeks)

- Once reviewed by each department, sent to front counter
- If there are comments, plans go back to Architectural and Engineering firms for corrections
- If no comments, plans are ready for permit
- Fill out and file with Clerk of the County Court "The Notice of Commencement"

Miami (Grande)

Municipality: City of Miami
Building Department: City of Miami Building Department

Permitting Process

- Plans are submitted to the Department of Environmental Resources Management for review
  (Process Time: Varies 2 to 3 days average)
- Once approved by the above:

  Plans then go to the Building Department

  Forms/signed and sealed plans are dropped off at front counter
  Process/Permit number is assigned
  Insurance, licenses of General Contractor are verified
  Plans routed through
  - Building
  - Fire
  - Zoning
  - Landscaping
  - Mechanical
  - Electrical
  - Plumbing

  (Average Processing Time: 3 to 4 weeks)

- Once reviewed by each department, sent to front counter
- If there are comments, plans go back to Architectural and Engineering firms for corrections
- If no comments, plans are ready for permit
- Fill out and file with Clerk of the County Court "The Notice of Commencement"

Miami (Hialeah)

Municipality: City of Hialeah
Building Department: City of Hialeah Building Department

Permitting Process

- Plans are submitted to the Department of Environmental Resources Management for review
  (Process Time: Varies 2 to 3 days average)
- Once approved by the above:

  Plans then go to the Building Department

  Forms/signed and sealed plans are dropped off at front counter
  Process/Permit number is assigned
  Insurance, licenses of General Contractor are verified
  Plans routed through
  - Building
  - Fire
  - Zoning
  - Landscaping
  - Mechanical
  - Electrical
  - Plumbing

  (Average Processing Time: 5 to 7 weeks)

- Once reviewed by each department, sent to front counter
- If there are comments, plans go back to Architectural and Engineering firms for corrections
- If no comments, plans are ready for permit
- Fill out and file with Clerk of the County Court "The Notice of Commencement"

Miami (Perrine)

Municipality: Dade County
Building Department: City of Perrine Building Department

Permitting Process

- Plans are submitted to the Department of Environmental Resources Management for review
  (Process Time: Varies 2 to 3 days average)
- Once approved by the above:

  Plans then go to the Building Department

  Forms/signed and sealed plans are dropped off at front counter
  Process/Permit number is assigned
  Insurance, licenses of General Contractor are verified
  Plans routed through
  - Building
  - Fire
  - Zoning
  - Landscaping
  - Mechanical
  - Electrical
  - Plumbing

  (Average Processing Time: 6 to 8 weeks)

- Once reviewed by each department, sent to front counter
- If there are comments, plans go back to Architectural and Engineering firms for corrections
- If no comments, plans are ready for permit
- Fill out and file with Clerk of the County Court "The Notice of Commencement"

Orlando (Magnolia)

Municipality: City of Orlando
Building Department: City of Orlando Building Department

Permitting Process

- Plans go to the Building Department

  Forms/signed and sealed plans are checked in off at front counter
  Process/Permit number is assigned
  Insurance, licenses of General Contractor are verified
  Plans routed through
  - Building
  - Fire
  - Zoning
  - Landscaping
  - Mechanical
  - Electrical
  - Plumbing

  (Average Processing Time: 6 to 8 weeks)

- Once reviewed by each department, sent to front counter
- If there are comments, plans go back to Architectural and Engineering firms for corrections
- If no comments, plans are ready for permit
- Fill out and file with Clerk of the County Court "The Notice of Commencement". Owner or a representative of the owner has to sign this form. Has to be posted at the job site.

Orlando (Melbourne)

Municipality: Brevard
Building Department: City of Melbourne Building Department

Permitting Process

- Plans go to the Building Department

  Forms/signed and sealed plans are dropped off at front counter
  Process/Permit number is assigned
  Insurance, licenses of General Contractor are verified
  Plans routed through
  - Building
  - Fire
  - Zoning
  - Landscaping
  - Mechanical
  - Electrical
  - Plumbing

  (Average Processing Time: 5 to 7 weeks)

- Once reviewed by each department, sent to front counter
- If there are comments, plans go back to Architectural and Engineering firms for corrections
- If no comments, plans are ready for permit
- Fill out and file with Clerk of the County Court "The Notice of Commencement"

West Palm Beach

Municipality: West Palm
Building Department: City of West Palm Beach Building Dept.

Permitting Process

- Plans go to the Building Department

  Forms/signed and sealed plans are dropped off at front counter
  Process/Permit number is assigned
  Insurance, licenses of General Contractor are verified
  Plans routed through
  - Building
  - Fire
  - Zoning
  - Landscaping
  - Mechanical
  - Electrical
  - Plumbing

  (Average Processing Time: 4 weeks, generally)

- Once reviewed by each department, sent to front counter
- If there are comments, plans go back to Architectural and Engineering firms for corrections
- If no comments, plans are ready for permit
- Fill out and file with Clerk of the County Court "The Notice of Commencement"

Forms Needed for Permitting Process

DNRP Forms Needed
Land Use Permit - Development review procedure
Statement of Responsibility regarding Asbestos
Land User and Permit - Information for Approval
Application for approval of construction plans
Industrial review application

Health Department
Health Department permit application

Mary Jo Peed
General Attorney

BellSouth Telecommunications, Inc.
Legal Department - Suite 4300
675 West Peachtree Street
Atlanta, Georgia 30375-0001
Telephone: 404-335-0705
Facsimile: 404-525-5360

August 21, 1998

Via Facsimile

Suzanne Fannon Summerlin, Esq.
1311-B Paul Russell Road, #201
Tallahassee, Florida 32301

Re: Your letter of August 17, 1998

Dear Ms. Summerlin:

Pursuant to your letter of August 17, 1998, this is BellSouth's response to Issues 2 and 3 delineated therein. As I stated in my voice mail earlier this week, Nancy White will be responding to your Issue 1 under separate cover.

With regard to Issue 2 and the type of equipment that may be placed in physical collocation space occupied by Supra, you and I had a detailed conversation regarding this matter at the end of July. Contrary to your assertion, BellSouth has never approved the placement of the equipment listed in Supra's applications for physical collocation space.

Supra's physical collocation applications request that Supra be allowed to place ATM nodes (Cisco Systems Model No. IGX-16-RM); Digital switches (Lucent Tech Model No. 5ESS); Digital Loop Carrier equipment (Lucent Tech Model No. SLC2000); and Cisco Systems equipment Model No. AS5248-56K-CH (identified by Supra as Remote Access Concentrators). Section III(A) of Supra's Collocation Agreement, executed by Mr. Ramos on July 21, 1998, states that "BellSouth shall permit Interconnector to place, maintain, and operate in the Collocation Space any equipment that Interconnector is authorized by BellSouth and by Federal or State regulators to place, maintain and operate in collocation space and that is used by Interconnector to provide services which Interconnector has the legal authority to provide." In an effort to be perfectly clear and to finally put this issue to rest, **BellSouth does not authorize the placement of the remote access concentrators in the physical collocation space occupied by Supra. BellSouth does, however, authorize the placement of the ATM nodes, the digital switches, and the digital loop carrier equipment identified by the model**

numbers in Supra's applications in the physical collocation space occupied by Supra.

BellSouth's position regarding Supra's equipment requests is consistent with the BellSouth policy sent to Mr. Ramos from Marc Cathey on July 14, 1998 and is consistent with our discussions at the end of July and the portions of the FCC's First Report and Order that I cited in those discussions.[1] ATM nodes, digital switches and digital loop carrier equipment are all capable of providing telecommunications services and information services through the same arrangement. The remote access concentrator equipment is not. BellSouth administers its policy regarding equipment placed by Interconnectors in physical collocation arrangements in a non-discriminatory manner.

With regard to Issue 3, I have researched the issue of the language regarding network element combinations cited in Mr. David Nilson's letter to Marc Cathey dated August 3, 1998. That language was not contained in the interconnection agreement executed by BellSouth and Mr. Ramos and filed with the Florida Public Service Commission. The language was contained in the e-mailed agreement sent to Mr. Ramos by Pat Finlen. Mr. Finlen did not know of the inconsistencies between the two documents when he prepared the final version of the agreement to be executed and did not become aware of the inconsistency until Mr. Nilson's letter of August 3rd. I am enclosing an amendment to the filed agreement to be executed by Mr. Ramos so that the language may be incorporated within the filed and approved document. On behalf of BellSouth, I apologize to Supra for this error.

As to the intent of the language of sections 2.1.1 through 2.1.6, this language does not give Supra authority to obtain these combinations. The language of section 2.1.1 is conditional upon two discreet events, neither of which have occurred. As you know section 2.1.1 states the following:

> Where BellSouth offers to Supra Telecommunications and Information Systems, Inc., either through a negotiated arrangement or as a result of an effective Commission order, a combination of Network elements priced as individual unbundled network elements, The following product combination will be made available. All other requests for unbundled element combinations will be evaluated via the Bona Fide Request Process, as set forth in Attachment 9.

(Emphasis added). This language is consistent with BellSouth's position in regards to providing combinations of network elements to new entrants. At present, there is no effective Commission order that requires BellSouth to offer to Supra a combination of

[1] In the recently issued Memorandum Opinion and Order and Notice of Proposed Rulemaking in CC Docket No. 98-147 et. al., the FCC "tentatively concluded that we should decline to require collocation of equipment used to provide enhanced services." FCC 98-188 at para. 132.

network elements. BellSouth is willing, however, to negotiate with Supra and, if negotiations are successful, to provide such combinations for the price of the network elements and a negotiated professional service fee, commonly referred to as "a glue charge." If Mr. Ramos is interested in negotiating such an arrangement, Mr. Finlen would be happy to discuss this with him. In any event, the language of sections 1.3, 1.4 and 1.5 of Attachment 2 that sets forth the price of combinations of network elements where Supra does the combining and duplicates a service identical to a BellSouth retail offering will continue to apply. In those circumstances the price paid by Supra would be the retail price of the duplicated service less the wholesale discount.

Lastly, at the end of July, I sent to you, at your request, both electronically and through hand delivery, the documents necessary for Supra to adopt the MCImetro agreement. I have never received any further communication from you regarding this matter. Could you please let me know what Supra intends to do regarding the adoption of another agreement?

If you have further questions or would like to discuss the matters contained within this correspondence, please feel free to call me.

Sincerely,

Mary Jo Peed

Cc: Nancy White
Pat Finlen

Attachment

AMENDMENT

TO

INTERCONNECTION AGREEMENT BETWEEN
SUPRA TELECOMMUNICATIONS AND INFORMATION SYSTEMS, INC.
BELLSOUTH TELECOMMUNICATIONS, INC. DATED OCTOBER 23, 1997

Pursuant to this Agreement (the "Agreement"), Supra Telecommunications and Information Systems, Inc. ("Supra") and BellSouth Telecommunications, Inc. ("BellSouth") hereinafter referred to collectively as the "Parties" hereby agree to amend that certain Interconnection Agreement between the Parties dated October 23, 1997 ("Interconnection Agreement").

NOW THEREFORE, in consideration of the mutual provisions contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Supra and BellSouth hereby covenant and agree as follows:

1. Attachment 2 shall be amended to include a new section 2 entitled Unbundled Service Combinations (USC). The section shall read as follows:

2. **Unbundled Service Combinations (USC)**

2.1.1 Where BellSouth offers to Supra Telecommunications and Information Systems, Inc., either through a negotiated arrangement or as a result of an effective Commission order, a combination of network elements priced as individual unbundled network elements, the following product combination will be made available. All other requests for unbundled element combinations will be evaluated via the Bona Fide Request Process, as set forth in Attachment 9.

2.1.2 2-Wire Analog Loop with 2-Wire Analog Port - Residence

2.1.3 2-Wire Analog Loop with 2-Wire Analog Port - Business

2.1.4 2-Wire Analog Loop with 2-Wire Analog Port - PBX

2.1.5 2-Wire Analog Loop with 2-Wire DID or 4-Wire DID

2.1.6 BellSouth will confirm to the technical references contained in this Attachment 2 to the extent these requirements are implemented by equipment vendors and consistent with the software generic releases purchased and installed by BellSouth.

2. The Parties agree that all of the other provisions of the Interconnection Agreement, dated October 23, 1997, shall remain in full force and effect.

3. The Parties further agree that either or both of the Parties is authorized to submit this Amendment to the Florida Public Service Commission or other regulatory body having jurisdiction over the subject matter of this Amendment, for approval subject to Section 252(e) of the federal Telecommunications Act of 1996.

IN WITNESS WHEREOF, the Parties hereto have caused this Amendment to be executed by their respective duly authorized representatives on the date indicated below.

SUPRA TELECOMMUNICATIONS and INFORMATION SYSTEMS, INC.	BELLSOUTH TELECOMMUNICATIONS, INC.
By:_____	By:_____
DATE:_____	DATE:_____

FLORIDA PUBLIC SERVICE COMMISSION
DOCKET
NO. 980800 EXHIBIT NO. 21
COMPANY/
WITNESS: Ramos / BellSouth
DATE 10-21-98

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of	)	
Computer III Further Remand Proceedings: Bell Operating Company Provision of Enhanced Services	)	CC Docket No. 95-20
1998 Biennial Regulatory Review -- Review of *Computer III* and ONA Safeguards and Requirements	)	CC Docket No. 98-10

FURTHER NOTICE OF PROPOSED RULEMAKING

Adopted: January 29, 1998 **Released: January 30, 1998**

Comment Date: March 27, 1998
Reply Date: April 23, 1998

By the Commission: Commissioner Furchtgott-Roth issuing a separate statement.

TABLE OF CONTENTS

	Paragraph
I. INTRODUCTION	1
II. BACKGROUND	9
A. Overview of *Computer III*/ONA and Related Court Decisions	9
B. Overview of the 1996 Act	17
1. Opening the Local Exchange Market	18
2. BOC Provision of Information Services	20
III. CALIFORNIA III REMAND	24
A. Background	24
B. Subsequent Events May Have Alleviated the Ninth Circuit's *California III* Concerns	29
IV. EFFECT OF THE 1996 ACT	37
A. Basic/Enhanced Distinction	38
B. Cost-Benefit Analysis of Structural Safeguards	43

1. Background 43
2. Effect of the 1996 Act and Other Factors 48
a. Section 251 and Local Competition 49
b. Structural Separation and the 1996 Act 52
C. Comparably Efficient Interconnection (CEI) Plans 60
1. Proposed Elimination of Current Requirements 60
2. Treatment of Services Provided Through 272/274 Affiliates 66
a. Section 272 66
b. Section 274 71
3. Treatment of Telemessaging and Alarm Monitoring Services 74
4. Related Issues 75
D. ONA and Other Nonstructural Safeguards 78
1. ONA Unbundling Requirements 78
a. Introduction 78
b. ONA Unbundling Requirements 80
c. Effect of the 1996 Act 92
2. ONA and Nondiscrimination Reporting Requirements 99
a. Introduction 99
b. Annual ONA Reports 103
c. Semi-Annual ONA Reports 108
d. Nondiscrimination Reports 112
3. Other Nonstructural Safeguards 117
a. Network Information Disclosure Rules 117
b. Customer Proprietary Network Information (CPNI) 124

V. JURISDICTIONAL ISSUES 130

VI. PROCEDURAL MATTERS 133
A. Ex Parte Presentations 133
B. Initial Paperwork Reduction Act Analysis 134
C. Initial Regulatory Flexibility Certification 135
D. Comment Filing Procedures 137

VII. ORDERING CLAUSES 141

Exh. 21 cont'd.

BOCs to participate in such markets provided they open their networks to competitors.[32]

11. During the second phase of implementing *Computer III*, the Commission required the BOCs to develop and implement ONA plans. The ONA phase was intended to broaden a BOC's unbundling obligations beyond those required in the first phase. ONA plans explain how a BOC will unbundle and make available to unaffiliated ESPs network services in addition to those the BOC uses to provide its own enhanced services offerings.[33] These ONA plans were required to comply with a defined set of criteria in order for the BOC to obtain structural relief on a going-forward basis.[34] This means that a BOC would not need to obtain approval of CEI plans prior to offering specific enhanced services on an integrated basis. The Commission also required the BOCs to comply with various other nonstructural safeguards in the form of rules related to network disclosure, customer proprietary network information (CPNI), and quality, installation, and maintenance reporting.[35] All of these nonstructural safeguards were designed to promote the efficiency of the telecommunications network, in part by permitting the technical integration of basic and enhanced services and in part by preserving competition in the enhanced services market through the control of potential anticompetitive behavior by the BOCs.[36]

12. In 1990, the Court of Appeals for the Ninth Circuit vacated three orders in the *Computer III* proceeding, finding that the Commission had not adequately justified the decision to rely on (nonstructural) cost accounting safeguards as protection against cross-subsidization of

---

32 *Computer III Phase I Order*, 104 FCC 2d at 863, ¶ 2.

33 *Computer III Phase I Order*, 104 FCC 2d at 1063-1068, ¶¶ 210-225.

34 *Computer III Phase I Order*, 104 FCC 2d at 1064, 1067-68, ¶¶ 213, 220-21. The unbundling standard for the BOCs required that: (1) the BOCs' enhanced services operation obtain unbundled network services pursuant to tariffed terms, conditions, and rates available to all ESPs; (2) BOCs provide an initial set of basic service functions that could be commonly used in the provision of enhanced services to the extent technologically feasible; (3) ESPs participate in developing the initial set of network services; (4) BOCs select the set of network services based on the expected market demand for such services, their utility as perceived by enhanced service competitors, and the technical and costing feasibility of such unbundling; and (5) BOCs comply with CEI requirements in providing basic network services to affiliated and unaffiliated ESPs. *Id.*, 104 FCC 2d at 1064-66, ¶¶ 214-218.

35 *Computer III Phase I Order*, 104 FCC 2d at 1080-1086, 1088-1091, ¶¶ 246-255, 260-265; *Computer III Phase II Order*, 2 FCC Rcd at 3084-3086, ¶¶ 88-88.

36 *Computer III Phase I Order*, 104 FCC 2d at 1063, ¶ 210.

enhanced services by the BOCs.[37] In response to this remand, the Commission adopted the *BOC Safeguards Order*, which strengthened the cost accounting safeguards, and reaffirmed the Commission's conclusion that nonstructural safeguards should govern BOC participation in the enhanced services industry, rather than structural separation requirements.[38]

13. During the period from 1988 to 1992, the Commission approved the BOCs' ONA plans, which described the basic services that the BOCs would provide to unaffiliated and affiliated ESPs and the terms on which these services would be provided.[39] During the two-year period from 1992 to 1993, the Bureau approved the lifting of structural separation for individual BOCs upon their showing that their initial ONA plans complied with the requirements of the *BOC Safeguards Order*,[40] and these decisions were later affirmed by the Commission.[41]

14. After *California I* and the Commission's response in the *BOC Safeguards Order*, the Ninth Circuit in *California II* upheld the Commission's orders approving BOC ONA plans.[42] In *California II*, the court concluded that the Commission had scaled back its vision of ONA since *Computer III* by approving BOC ONA plans before "fundamental unbundling" had been achieved.[43] The court also concluded that the issue of whether implementation of ONA plans justified the lifting of structural separation, as the Commission had determined, was not properly before it.[44]

---

37 *California I*, 905 F.2d at 1232-1238 (*vacating* the *Computer III Phase I Order*, *Phase I Recon. Order*, and *Phase II Order*).

38 *See BOC Safeguards Order*, 6 FCC Rcd at 7578-7588, 7617-25, ¶¶ 14-41, 88-108.

39 *See supra* note Error! Bookmark not defined. for a full citation of the ONA proceedings.

40 *See Computer III Further Remand Notice*, 10 FCC Rcd at 8366 n.22, for a string citation of the referenced orders.

41 *Petition for Removal of the Structural Separation Requirements and Waiver of Certain State Tariffing Requirements*, 8 FCC Rcd 3053 (1994) (*Structural Relief Order*), *joint motion for remand granted in light of California I*, *MCI v. FCC*, No. 94-1587 (D.C. Cir. May 10, 1995).

42 *California v. FCC*, 4 F.3d 1505.

43 *Id.* at 1511-13.

44 The Court pointed out that the petition for review before it covered four Commission ONA orders, but not the specific Commission order lifting structural separation. *Id.* at 1513.

located in, and owned by, the BOC affiliate rather than the BOC. We seek comment on the appropriate treatment of these types of services.

c. Effect of the 1996 Act

(1) Section 251 Unbundling

92. Section 251 of the Act requires incumbent LECs, including the BOCs and GTE, to provide to requesting telecommunications carriers interconnection and access to unbundled network elements at rates, terms, and conditions that are just, reasonable, and nondiscriminatory, and to offer telecommunications services for resale.[221] The Act defines "telecommunications carrier" as "any provider of telecommunications services, except that such term does not include aggregators of telecommunications services (as defined in section 226)."[222] As we concluded in the *Local Competition Order*, the term "telecommunications carrier" does not include ISPs that do not also provide domestic or international telecommunications.[223] Thus, as discussed above, companies that provide both information and telecommunications services are able to request interconnection, access to unbundled network elements, and resale under section 251, but companies that only provide information services ("pure ISPs") are not accorded such rights under section 251.[224]

93. Despite this limitation, there are several ways that pure ISPs may be able to obtain benefits from section 251, as discussed in Part III.B above.[225] We recognize, however, that section 251 provides a level of unbundling that pure ISPs do not receive under the Commission's

---

service. *See Independent Data Communications Manufacturers Association, Inc. Petition for Declaratory Ruling that AT&T's Interspan Frame Relay Service Is a Basic Service*, Memorandum Opinion and Order, 10 FCC Rcd 13717, 13718, ¶¶ 1, 6 (1995).

221 *See* 47 U.S.C. § 251(c).

222 47 U.S.C. § 153(44); *see also id.* § 153(46) for the definition of "telecommunications service."

223 *Local Competition Order*, 11 FCC Rcd at 15990, ¶ 995. Conversely, a company that provides both telecommunications and information services must be classified as a telecommunications carrier to the extent that it is acting as a telecommunications carrier (*i.e.*, to the extent that it is providing telecommunications services). *Id.* at 15988, 15990, ¶¶ 992, 995. *See also* 47 U.S.C. § 153(44).

224 *Local Competition Order*, 11 FCC Rcd at 15988-15990, ¶¶ 992-95; *see supra* ¶ 0.

225 *See* discussion *supra* ¶ 0.

FLORIDA PUBLIC SERVICE COMMISSION
DOCKET NO. 980800-TP EXHIBIT NO 22
COMPANY/ WITNESS: Lamoureux
DATE: 10-21-98

(2) Discussion

35. We conclude that advanced services are telecommunications services. The Commission has repeatedly held that specific packet-switched services are "basic services,"[56] that is to say, pure transmission services.[57] xDSL and packet switching are simply transmission technologies. To the extent that an advanced service does no more than transport information of the user's choosing between or among user-specified points, without change in the form or content of the information as sent and received, it is "telecommunications," as defined by the Act. Moreover, to the extent that such a service is offered for a fee directly to the public, it is a "telecommunications service."[58]

---

[58] The Commission, under the regime established in its *Computer I* proceeding, classified all services offered over a telecommunications network as either "basic" or "enhanced." A basic service consists of the offering, on a common carrier basis, of "pure transmission capability over a communications path that is virtually transparent in terms of its interaction with customer supplied information." *Amendment of Section 64.702 of the Commission's Rules and Regulations* (*Computer II*), 77 FCC 2d 384, 419-20, ¶¶ 93, 96 (1980) (*Computer II Final Decision*), *recon.*, 84 FCC 2d 50 (1980) (*Reconsideration Order*), *further recon.*, 88 FCC 2d 512 (1981) (*Further Reconsideration Order*), *affirmed sub nom. Computer and Communications Industry Ass'n v. FCC*, 693 F.2d 198 (D.C. Cir. 1982), *cert. denied*, 461 U.S. 938 (1983). An enhanced service, by contrast, includes "any offering over the telecommunications network which is more than a basic transmission service." *Id.* at 420, ¶ 97. We have found that Congress intended the categories of "telecommunications" and "information service," established in the 1996 Act, to parallel these "basic" and "enhanced" categories. *Report to Congress on Universal Service*, ¶ 21. The Commission has concluded that the definitions of "information service" and "enhanced service" should be interpreted to extend to the same functions. *Implementation of the Non-Accounting Safeguards of Sections 271 and 272 of the Communications Act of 1934, as amended*, CC Docket No. 96-149, First Report and Order and Further Notice of Proposed Rulemaking, 11 FCC Rcd 21905 (1996) (*Non-Accounting Safeguards Order*), Order on Reconisderation, 12 FCC Rcd 2297 (1997), *recon. pending, petition for summary review in part denied and motion for voluntary remand granted sub nom., Bell Atlantic v. FCC*, No. 97-1067 (D.C. Cir. filed Mar. 31, 1997), Second Order on Reconsideration, 12 FCC Rcd 8653 (1997), *aff'd sub nom. Bell Atlantic Telephone Cos. v. FCC*, 131 F.3d 1044 (D.C. Cir. 1997), Second Report and Order, 12 FCC Rcd 15756 (1997). In a separate proceeding, we have sought comment on whether the definitions of "telecommunications service" and "basic service" should be interpreted to extend to the same functions. *Amendment of Section 64.702 of the Commission's Rules and Regulations* (*Computer III*), Report and Order, CC Docket No. 85-229, Phase I, 104 FCC 2d 958 (1986) (*Phase I Order*), *recon.*, 2 FCC Rcd 3035 (1987) (*Phase I Recon. Order*), *further recon.*, 3 FCC Rcd 1135 (1988) (*Phase I Further Recon. Order*), *second further recon.*, 4 FCC Rcd 5927 (1989) (*Phase I Second Further Recon*), *Phase I Order and Phase I Recon. Order, vacated, California v. FCC*, 905 F.2d 1217 (9th Cir. 1990) (*California I*); Phase II, 2 FCC Rcd 3072 (1987) (*Phase II Order*), *recon.*, 3 FCC Rcd 1150 (1988) (*Phase II Recon. Order*), *further recon.*, 4 FCC Rcd 5927 (1989) (*Phase II Further Recon. Order*), *Phase II Order vacated, California I*, 905 F.2d 1217 (9th Cir. 1990); *Computer III Remand Proceedings*, 5 FCC Rcd 7719 (1990) (*ONA Remand Order*), *recon.*, 7 FCC Rcd 909 (1992), *pets. for review denied, California v. FCC*, 4 F.3d 1505 (9th Cir. 1993) (*California II*); *Computer III Remand Proceedings: Bell Operating Company Safeguards and Tier 1 Local Exchange Company Safeguards*, 6 FCC Rcd 7571 (1991) (*BOC Safeguards Order*), *recon. dismissed in part*, Order, 11 FCC Rcd 12513 (1996); *BOC Safeguards Order vacated in part and remanded, California v. FCC*, 39 F.3d 919 (9th Cir. 1994) (*California III*), *cert. denied*, 115 S.Ct. 1427 (1995) (referred to collectively as the *Computer III* proceeding). We note that we are addressing modifications to these rules in another proceeding. *Computer III Further Remand Proceedings, Bell Operating Company Provision of Enhanced Services, 1998 Biennial Regulatory Review -- Review of Computer III and ONA Safeguards and Requirements*, CC Docket Nos. 95-20 and 98-10, Further Notice of Proposed Rulemaking, 13 FCC Rcd 1640 (1998) (*Computer III*

36. Incumbent LECs have proposed, and are currently offering, a variety of services in which they use xDSL technology and packet switching to provide members of the public with a transparent, unenhanced, transmission path. Neither the petitioners, nor any commenter, disagree with our conclusion that a carrier offering such a service is offering a "telecommunications service."[59] An end-user may utilize a telecommunications service together with an information service, as in the case of Internet access. In such a case, however, we treat the two services separately: the first service is a telecommunications service (*e.g.*, the xDSL-enabled transmission path), and the second service is an information service, in this case Internet access.[60]

37. We note that, pursuant to the Commission's *Computer Inquiry* and *Open Network Architecture* (*ONA*) proceedings, BOCs are permitted to offer information services on either an integrated basis, *i.e.* through the regulated telephone company, or through a separate affiliate. The BOCs are obligated, however, to unbundle and make available to competing information service providers (ISPs): (1) the network services that underlie the BOCs' own information services (pursuant to the *Computer Inquiry* proceedings); and (2) additional network services that the BOCs do not use in their information service offerings (pursuant to *ONA*).[61] We note that

---

FNPRM].

57 *See Independent Data Communications Manufacturers Association, Inc. Petition for Declaratory Ruling that AT&T's InterSpan Frame Relay Service Is a Basic Service, American Telephone and Telegraph Company Petition for Declaratory Ruling that all Interexchange Carriers be Subject to the Commission's Decision in the IDCMA Petition*, Memorandum Opinion and Order, 10 FCC Rcd 13717 (1995) (*Frame Relay Order*), *recon. pending*; *American Telephone and Telegraph Company, for Authority under Section 214 of the Communications Act of 1934, as amended, to Install and Operate Packet Switches at Specified Telephone Company Locations in the United States*, Memorandum Opinion, Order and Authorization, 84 FCC 2d 48 (1983); *Computer II Final Decision*, 77 FCC 2d at 420, ¶ 95 ("Use internal to the carrier's facility of ... bandwidth compression techniques, ... packet switching, error control techniques, etc. that facilitate economical, reliable movement of information does not alter the nature of the basic service."); *see generally, Report to Congress on Universal Service*, at ¶ 41. So long as the user sees no protocol conversion on the service level, it is irrelevant whether protocol processing takes place internal to the call. *See Non-Accounting Safeguards Order*; 11 FCC Rcd at 21958, ¶ 106; *see also Computer III Phase II Order*, 2 FCC Rcd at 3081-82, ¶¶ 64-71 (1987).

58 *See* 47 U.S.C. § 153(46).

59 *See, e.g.*, CIX Comments (CC Docket No. 98-11) at 13, 15; AT&T Reply Comments (CC Docket Nos. 98-11, 98-26, 98-32) at 11.

60 *See Frame Relay Order*; 10 FCC Rcd at 13722-23, ¶¶ 40-46; *Report to Congress on Universal Service*, at ¶ 60; CIX Comments (CC Docket No. 98-11) at 15.

61 We also note that GTE is subject to ONA. *See Application of Open Network Architecture and Nondiscrimination*

Sch. 22

it has the capability electronically to identify xDSL-capable loops, either on an individual basis or for an entire central office, while competing providers are relegated to a slower and more cumbersome process to obtain that information. In the NPRM below, we seek comment on whether we should adopt any additional rules to ensure that competing providers have nondiscriminatory access to the loop information they need to provide advanced services.[104]

(2) Other Network Elements

57. We further grant ALTS' petition to the extent that ALTS requests a declaratory ruling that advanced services are telecommunications services, and that the facilities and equipment used to provide advanced services are network elements subject to the obligations in section 251(c).[105] Given our conclusion above that advanced services offered by incumbent LECs are telecommunications services, all equipment and facilities used in the provision of advanced services are "network elements" as defined by section 153(29).[106]

58. We seek comment in the NPRM below on the specific unbundling obligations that would apply to the network elements used to provide advanced services.[107] We note, for example, that the section 251(c)(3) unbundling requirement is subject to the question of technical feasibility. We seek comment in the NPRM on whether the Commission should weigh any criteria under section 251(d)(2) other than those expressly listed in that provision to determine the extent to which network elements used to provide advanced services should be unbundled.[108]

5. Resale Obligations Under Section 251(c)(4)

(a) Background

---

104 *See infra* ¶¶ 0-76.

105 ALTS petition at 14-17; NTIA July 17 *Ex Parte* at n.34.

106 The term "network element" is defined in the Act as "a facility or equipment used in the provision of a telecommunications service. Such term also includes features, functions and capabilities that are provided by means of such facility or equipment...." 47 U.S.C. § 153(29).

107 *See infra* ¶ 86.

108 *See infra* ¶ 86. We also note that, pursuant to section 251(f)(2) of the Act, incumbent LECs "with fewer than two percent of the nation's subscriber lines installed in the aggregate nationwide" may petition state commissions for suspension or modification of the requirements in section 251(c). 47 U.S.C. § 251(f)(2).

63. ALTS asserts that excessive rates and unreasonably burdensome terms and conditions for collocation are blocking competitive entry into data service markets.[122] As a result, ALTS requests that we initiate proceedings to help ensure implementation of section 251 and 252 of the Act with respect to deployment of advanced services. Among other requests, ALTS asks us to exercise our authority under section 251(c)(6) of the Act and establish additional rules governing collocation arrangements.[123]

b. Discussion

64. We conclude that the availability of cost efficient collocation arrangements is essential for the deployment of advanced services by facilities-based competing providers. Given incumbent LECs' statutory duty to provide physical collocation on just, reasonable, and nondiscriminatory rates, terms, and conditions,[124] we believe that incumbent LECs have a statutory obligation to offer cost efficient and flexible collocation arrangements. In addition, we expect that incumbent LECs will fulfill their statutory collocation duty by taking steps to offer collocation arrangements that permit new entrants to provide advanced services using equipment that the new entrant provides.[125] Such steps include offering collocation to competing providers in a manner that reduces unnecessary costs and delays for the competing providers and that optimizes the amount of space available for collocation. We conclude that measures that optimize the available collocation space and that reduce costs and delays for competing providers are consistent with an incumbent LEC's obligation under both the statute and our rules. In addition, we agree with ALTS that we should build upon our current physical and virtual collocation requirements adopted in the *Expanded Interconnection*[126] and *Local Competition*[127]

---

122 ALTS Petition at 2-3; *see also* Intermedia Comments (CC Docket No. 98-78) at 5 (the costs, delays, and restrictions associated with collocation are an impediment to the growth of facilities-based competition in local and advanced services markets).

123 ALTS Petition at 2-3.

124 47 U.S.C. § 251(c)(6).

125 Several of the petitioners acknowledge this obligation to allow competitors to collocate the equipment necessary to provide advanced services. *See* SBC Petition at 20-21; U S WEST Comments (CC Docket No. 98-78) at 31-34; Bell Atlantic Reply (CC Docket Nos. 98-11, 98-26, 98-32) at 26-27.

126 *Expanded Interconnection with Local Telephone Company Facilities*, First Report and Order, 7 FCC Rcd 7369 (1992) (*Special Access Order*), *vacated in part and remanded, Bell Atlantic Telephone Cos. v. FCC*, 24 F.3d 1441 (D.C. Cir. 1994) (*Bell Atlantic v. FCC*); First Reconsideration, 8 FCC Rcd 127 (1993); *vacated in part and remanded, Bell Atlantic v. FCC*, 24 F.3d 1441; Second Reconsideration, 8 FCC Rcd 7341 (1993); Second Report and Order, 8 FCC Rcd 7374 (1993) (*Switched Transport Order*), *vacated in part and remanded, Bell Atlantic v. FCC*, 24 F.3d 1441; Remand Order, 9 FCC Rcd 5154 (1994) (*Virtual Collocation*

issues.[171]

86. We are committed to ensuring that an optional alternative pathway is available for incumbent LECs that are willing to offer advanced services on the same footing as any of their competitors. As described more fully below, we believe that, if advanced services are offered by an affiliate that is truly separate from the incumbent LEC (an "advanced services affiliate"), that affiliate should not be deemed an incumbent LEC and, therefore, should not be subject to the incumbent LEC regime established by Congress in section 251(c). In addition, we tentatively conclude below that such an advanced services affiliate, to the extent it provides interstate exchange access services, should, under existing Commission precedent, be presumed to be nondominant (and, therefore, not be subject to price cap regulation or rate of return regulation for its provision of such services). We also tentatively conclude below that such an affiliate, as a non-incumbent, also should not be required to file tariffs for its provision of any interstate services that are exchange access. We emphasize that we are not proposing that incumbent LECs be required to establish affiliates to provide advanced services. Any incumbent LEC is free to provide advanced services on an integrated basis, but, in those circumstances, is subject to section 251(c) requirements. Simply put, each incumbent LEC seeking to provide advanced services must make a business decision as to whether it wishes to provide such services free of section 251(c) requirements.

87. In this NPRM we lay out a framework that will guide incumbent LECs that choose to pursue this alternative. The proposals in this NPRM are based on the underlying assumption that, to be free of incumbent LEC regulation, an advanced services affiliate must function just like any other competitive LEC and not derive unfair advantages from the incumbent LEC.

88. We recognize that many states have significant practical experience in dealing with LEC affiliates in a variety of contexts. We therefore welcome input from the states on each of the issues raised below regarding provision of advanced services through a separate affiliate.

1. Background

89. The obligations set out in section 251(c) of the Act are imposed only on incumbent LECs.[172] In the *Non-Accounting Safeguards Order*, the Commission concluded that a

---

171 *See, e.g.*, Statement of Chuck McMinn, Chairman of the Board, Covad Communications Company, before the Federal Communications Commission, En Banc Hearing on Bandwidth, July 8, 1998, at 2 (stating that, "If [incumbent LECs] wish to provide DSL services in-region, they should be required to provide these services through a separate entity . . . [that] would have to obtain the inputs essential to provide DSL service in exactly the same manner as Covad or any other competitor.").

172 47 U.S.C. § 251(c).

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."[218] In the *Local Competition Order*, the Commission adopted specific rules to implement the collocation requirements of section 251(c)(6).[219]

121. ALTS, in its petition, argues that the rules adopted in the *Local Competition Order* do not go far enough.[220] ALTS contends that incumbent LECs offer physical collocation, but impede competition by: (1) restricting equipment that can be placed in collocation spaces;[221] and (2) imposing substantial costs and delays on competing carriers for space and construction of collocation cages.[222] In addition, ALTS contends that the space available for physical collocation at many LEC premises is extremely limited, and in an increasing number of cases, altogether unavailable.[223] ALTS, therefore, urges the Commission to adopt additional collocation rules to ensure that competing providers have access to physical collocation space so that they are able to provide advanced services using their equipment.[224]

---

218 47 U.S.C. § 251(c)(6).

219 47 C.F.R. §§ 51.321, 51.323; *see also Local Competition Order*, 11 FCC Rcd at 15782-15811, ¶¶ 555-617. These rules were specifically upheld by the Eighth Circuit in *Iowa Utilities Board v. FCC*, 120 F.3d 753, 818 (8th Cir. 1997) (*Iowa Utilities Board*), *cert. granted sub nom. AT&T Corp. v. Iowa Utils. Bd.*, 118 S.Ct. 879 (1998).

220 ALTS Petition at 20-22; *see also* e.spire Comments (CC Docket No. 98-78) at 6-7; NTIA July 17 *Ex Parte* at 14-17.

221 ALTS Petition at 21; *see also* Covad Comments (CC Docket Nos. 98-11, 98-26, 98-32) at 17; e.spire Comments (CC Docket No. 98-78) at 7.

222 ALTS Petition at 18-22; *see also* Covad Comments (CC Docket Nos. 98-11, 98-26, 98-32) at 13-16; DATA Comments (CC Docket Nos. 98-11, 98-26, 98-32) at 7-8, Att. 1; LCI Comments (CC Docket No. 98-78), Attach. at 22-27.

223 ALTS Petition at 20; *see also* Covad Comments (CC Docket Nos. 98-11, 98-26, 98-32) at 14; DATA Comments (CC Docket Nos. 98-11, 98-26, 98-32), Attach. 1 at 4-5; e.spire Comments (CC Docket No. 98-78) at 6.

224 ALTS Petition at 18-22; *see also* CIX Comments (CC Docket No. 98-78) at 5-6 (collocation is a necessity for competitors because xDSL services can only be offered to customers in close proximity of the incumbent LEC central office; Covad Comments (CC Docket Nos. 98-11, 98-26, 98-32) at 13-16; DATA Comments (CC Docket Nos. 98-11, 98-26, 98-32) at 7-8, Attach. 1; e.spire Comments (CC Docket No. 98-78) at 6-8 (the accomplishment of the purposes of Section 706 requires that the Commission revise its collocation rules to increase available collocation space, broaden the use that may be made of such collocation space, and dramatically reduce the expense of physical collocation); Intermedia Comments (CC Docket No. 98-78) at 5-6 (Commission should revisit the existing collocation rules and include cageless collocation, cage sharing, cross-connection, and removal of equipment limitations in the collocation rules); LCI Comments (CC Docket No. 98-78), Attach. at 22-27; MCI Comments (CC Docket No. 98-78) at 6 (competitive LECs need to be able to collocate xDSL equipment); NAS Comments (CC Docket

b. Adoption of National Standards

(1) Background

122. In the *Local Competition Order*, the Commission adopted minimum requirements for nondiscriminatory collocation arrangements.[225] The Commission adopted rules for, among other things, space allocation and exhaustion, types of equipment that could be collocated, and LEC premises where parties could collocate equipment.[226] The Commission also concluded that state commissions should have the flexibility to adopt additional collocation requirements that are otherwise consistent with the Act and the Commission's regulations.[227]

(2) Discussion

123. We seek comment on the extent to which we should establish additional national rules for collocation pursuant to sections 201 and 251 in order to remove barriers to entry and speed the deployment of advanced services.[228] Parties should address whether adoption of additional uniform standards would encourage the deployment of advanced services by increasing predictability and certainty, and by facilitating entry by competitors providing advanced services in multiple states. We also ask commenters to address how any collocation requirements they suggest would affect investment in, and deployment of, advanced services.[229]

No. 98-78) at 4-5 (Commission should update central office collocation rules to require that incumbent LECs provide xDSL access providers with a right to small collocation cages or cageless collocation; to permit shared collocation cages and establish cross-connections to cages of other collocated carriers; to permit collocation of xDSL line cards, Internet routers, and remote switching modules); NEXTLINK Comments (CC Docket No. 98-78) at 5-6 (Commission should reopen its proceeding to revise the collocation rules, because the rules were developed before the development of xDSL-based services); CIX *Ex Parte*, CC Docket Nos. 98-11, 98-26, 98-32, 98-78, RM 9244, at 2 (filed July 30, 1998) (CIX July 30 *Ex Parte*) (a competitive Internet industry requires competitive LEC collocation at incumbent LEC offices on terms that are more efficient and flexible); NTIA July 17 *Ex Parte* at 14-17.

225 *Local Competition Order*, 11 FCC Rcd at 15782-15811, ¶¶ 555-617. The relevant collocation requirements are summarized in the following sections dealing with specific collocation issues.

226 *Id.*

227 *Id.* at 15783-84, ¶ 558.

228 *See* ALTS Petition at 18-22; MCI July 30 *Ex Parte* at 24; NTIA July 17 *Ex Parte* at 14-17.

229 *See* Letter from Lawrence Chimerine, Senior VP and Chief Economist, Erik Olbeter, Director, Advanced Telecom and Information Technology Program, and Larry C. Darby, Visiting Fellow, Economic Strategy Institute, to William E. Kennard,

124. We tentatively conclude that any standards we adopt in this proceeding should serve as minimum requirements and that states should continue to have flexibility to adopt additional requirements that respond to issues specific to that state or region. In the past two years, a number of states have adopted collocation requirements that go beyond the minimum requirements the Commission adopted in the *Local Competition* proceeding.[230] With respect to each subsection that follows, we encourage commenters to address whether any state approach to collocation might provide useful guidelines for additional national standards to facilitate deployment of advanced services. We welcome input from the states on each of these issues.

125. We note that competitive LECs can pursue remedies for violations of our collocation requirements before the Commission and the appropriate state commissions.[231] We seek comment on any measures we could take to aid enforcement of our collocation requirements.[232]

c. Collocation Equipment

(1) Background

126. Section 251(c)(6) requires incumbent LECs to allow collocation of "equipment

---

Chairman, Federal Communications Commission, regarding Section 706 of the Telecommunications Act of 1996, at 5-6 (dated July 30, 1998) (ESI July 30 *Ex Parte*).

230 *See, e.g., Joint Complaint of ATCT Communications of New York, Inc., et. al. Against New York Telephone Company Concerning Wholesale Provisioning of Local Exchange Service by New York Telephone Company and Sections of New York Telephone's Tariff No. 900*, Case 95-C-0657, *Proceeding on Motion of the Commission to Examine Issues Related to the Continuing Provision of Universal Service and to Develop a Regulatory Framework for the Transition to Competition in the Local Exchange Market*, Case 94-C-0095, *Proceeding on Motion of the Commission Regarding Comparably Efficient Interconnection Arrangements for Residential and Business Links*, Case 91-C-1174, *Complaint of ATCT Communications of New York, Inc. Against New York Telephone Company Concerning ATCT's Request for Four Collocated "Cages" to be Provided by New York Telephone Pursuant to its Optical Transport Interconnection Service II Tariff*, Case 96-C-0036, Order Directing Tariff Changes for Non-Pricing Terms and Conditions for Collocation (N.Y.P.S.C. Mar. 2, 1998).

231 *See supra* ¶ 0 (discussing the Commission's expedited complaint process to resolve competitive issues in an accelerated fashion).

232 *See, e.g.*, NorthPoint July 28 *Ex Parte* at 4 (Commission should ensure that competitors actually receive critical services and facilities such as cageless collocation); CIX July 30 *Ex Parte* at 2 (a competitive Internet industry requires swift and effective enforcement of collocation requirements).

necessary for interconnection or access to unbundled network elements . . . ."[233] In the *Local Competition Order*, the Commission concluded that section 251(c)(6) requires collocation only of equipment used for: (1) interconnection for "the transmission and routing of telephone exchange service and exchange access" pursuant to section 251(c)(2); and (2) access to unbundled network elements for "the provision of a telecommunications service" pursuant to section 251(c)(3).[234]

127. The Commission concluded in the *Local Competition Order* that new entrants may collocate transmission equipment, including optical terminating equipment and multiplexers, on incumbent LEC premises.[235] The Commission further concluded, at the time, that incumbent LECs need not permit the collocation of other types of equipment, including switching equipment and equipment used to provide enhanced services.[236]

128. With respect to switching equipment, however, the Commission recognized that "modern technology has tended to blur the line between switching equipment and multiplexing equipment."[237] A current trend in manufacturing appears to be to integrate multiple functions into telecommunications equipment.[238] This trend has benefited service providers and their customers by reducing costs, promoting efficient network design, and expanding the range of possible service offerings.[239] As a consequence of this integration, certain facilities that competing carriers need to collocate to provide advanced services efficiently may also perform switching functions.[240] Because incumbent LECs are currently not required by our rules to

---

233 47 U.S.C. § 251(c)(6).

234 *Local Competition Order*, 11 FCC Rcd at 15795, ¶ 581.

235 *Id.* 15784, ¶ 580.

236 *Id.* at 15795, ¶ 581; 47 U.S.C. § 51.323(c). The Commission noted that switching equipment generally performs functions other than providing interconnection or access to unbundled network elements. *Local Competition Order*, 11 FCC Rcd at 15795, n.1417. The Commission indicated that it might reexamine the issue of collocation of switching equipment if it appeared that "such action would further achievement of the 1996 Act's procompetitive goals." *Id.* at 15795, ¶ 581.

237 *Local Competition Order*, 11 FCC Rcd at 15795, ¶ 581; *see also* NTIA July 17 *Ex Parte* at 15.

238 *See* NTIA July 17 *Ex Parte* at 15.

239 *See id.*

240 *See* ALTS Petition at 21; Covad Comments (CC Docket Nos. 98-11, 98-26, 98-32) at 17; e.spire Comments (CC Docket No. 98-78) at 7; NTIA July 17 *Ex Parte* at 15.

permit collocation of switching equipment, competing providers argue that incumbent LECs may delay competitive entry by contesting, on a case-by-case basis, the functionality of a particular piece of equipment (which may perform switching functions in addition to its other functions) and whether it may be collocated.[241]

(2) Discussion

129. We tentatively conclude that incumbent LECs should not be permitted to impede competing carriers from offering advanced services by imposing unnecessary restrictions on the type of equipment that competing carriers may collocate.[242] We seek comment on whether we should require incumbent LECs to allow new entrants to collocate equipment that is used for interconnection and access to unbundled network elements even if such equipment also includes switching functionality.[243] Would allowing collocation of equipment that performs both switching and other functions encourage competitive LECs to use integrated equipment as a means to collocate equipment that otherwise would not be allowed in central offices? Would restrictions on placing switching equipment in collocation spaces prevent new entrants from taking advantage of integrated equipment that may be more cost efficient?[244] We tentatively conclude that, if an incumbent LEC chooses to establish an advanced services affiliate, the incumbent must allow competitive LECs to collocate equipment to the same extent as the incumbent allows its advanced services affiliate to collocate equipment in order to meet its existing obligation to provide collocation on nondiscriminatory terms and conditions.[245]

---

241 Covad Comments (CC Docket Nos. 98-11, 98-26, 98-32) at 17; *see also* ALTS Petition at 21.

242 ALTS Petition at 21 (Commission should eliminate restrictions on competitive LECs' ability to collocate remote switching modules, xDSL electronics, Internet routers and other advanced data equipment); *see also* CIX July 30 *Ex Parte* at 2 (a competitive Internet industry requires that incumbent LECs permit competitive LECs to collocate a range of equipment and technologies demanded by end users); Covad Comments (CC Docket Nos. 98-11, 98-26, 98-32) at 17; e.spire Comments (CC Docket No. 98-78) at 7; Letter from Steven Gorosh, Vice President and General Counsel, NorthPoint Communications, to Magalie Salas, Secretary, Federal Communications Commission, CC Docket Nos. 98-11, 98-26, 98-32, 98-91, at 6 (filed July 7, 1998) (NorthPoint July 7 *Ex Parte*); NTIA July 17 *Ex Parte* at 15-17.

243 *See, e.g.*, TRA Comments (CC Docket No. 98-78) at 16) at 8-8; WorldCom Comments (CC Docket No. 98-78) at 13 (incumbent LECs must allow competitive LECs to collocate their own xDSL electronics at the central office).

244 *See, e.g.*, NTIA July 17 *Ex Parte* at 15-17 (ban on collocation of switching equipment could discourage use of multifunction equipment and disadvantage competitive providers of advanced digital services).

245 *See supra* ¶¶ 0-0 (discussing advanced services affiliates).

130. If we decide to allow carriers (whether they be new entrants or advanced services affiliates) to collocate equipment that includes switching functionality, should we limit such collocation to equipment that performs both switching and other functions (such as multiplexing), or should we extend such collocation to switching equipment in general? If we allow carriers to collocate switching equipment, should we limit such collocation to packet-switching equipment or should we allow collocation of circuit-switching equipment? Does it makes sense to differentiate among technologies? To the extent that parties urge the Commission to permit collocation of switching or other equipment that is not used for interconnection or access to unbundled network elements, as required by section 251(c)(6),[246] parties should indicate what sections of the Act authorize the Commission to require collocation of such equipment.

131. We also seek comment on any other specific restrictions that we should adopt for switching equipment, assuming new entrants and advanced services affiliates are permitted to collocate such equipment. For example, given the lack of space in many central offices, we seek comment on whether we should adopt size restrictions on the switching equipment that a competing provider may collocate at a LEC's premises. Parties should address whether failure to impose size or other restrictions could impede competition by, for example, allowing the first competing provider in the market to request all of the available space, thereby potentially depriving other competitors of the opportunity to collocate facilities. We tentatively conclude that an advanced services affiliate should not be permitted to collocate its switching equipment if there is only enough room at the central office for one carrier to collocate such equipment. We seek comment on this tentative conclusion.

132. We further seek comment on whether carriers should be permitted to collocate other equipment on LEC premises. We tentatively conclude that we should continue to decline to require collocation of equipment used to provide enhanced services.[247] We seek comment on this tentative conclusion. Parties should address whether provision of other advanced services would only be possible if we allow collocation of enhanced services equipment. Parties should further address whether allowing any other equipment in the collocation space will facilitate new entrants' ability to provide advanced services and thereby encourage widespread deployment of such services.

133. ALTS contends that some incumbent LECs will not allow competitive LECs to interconnect their collocated equipment.[248] Under our current rules, an incumbent LEC is

---

246 *See Local Competition Order*, 11 FCC Rcd at 15785, ¶ 581 & n.1417.

247 We conclude above that xDSL-based services are telecommunications services, not information services. *See supra* ¶ 0.

248 ALTS Petition at 19-20.

the incumbent's voice service, the competitive LEC must be allowed to do likewise.

f. Uniform Standards for Attachment of Electronic Equipment at the Central Office End of a Loop

163. To facilitate competition in the local loop, we tentatively conclude that there should be uniform national standards for attachment of electronic equipment (such as modems and multiplexers) at the central office end of a loop by incumbent LECs and new entrants. The requirements would apply to both incumbent LEC and new entrant equipment. The requirements would serve the same role, for the attachment of equipment to the central office end of a loop, as do the *Part 68 - Connection of Terminal Equipment to the Telephone Network* - rules for the attachment of customer premises equipment. Currently, each incumbent LEC sets its own requirements for central office equipment, and each has its own processes for certifying equipment before it can be connected to loop plant. This increases new entrants' costs and time to market. A simple set of national requirements would reduce new entrants' costs, speed their time to market, and reduce confusion. We seek comment on the content of these requirements. We also seek comment on whether central office equipment complying with these requirements should be certified, and if so, how.

g. Redefining the Local Loop to Ensure Competitive LEC Access to Loops Capable of Providing Advanced Services

164. In the Order above, we emphasize that, under our existing rules, incumbent LECs are required to make xDSL-compatible loops available to competitors.[311] We seek comment on whether our current definition of the loop is sufficient to ensure that competitive LECs have access to the loop functionalities they need to offer advanced services, such as xDSL-based services, or whether any refinements to that definition are necessary to ensure that incumbent LECs are providing competitive LECs with loops capable of delivering such advanced services.[312] Commenters should also address whether our current definition is sufficiently flexible and forward-looking to facilitate deployment of new technologies and new services in the future.

---

310 *See supra* ¶¶ 0-0 (discussing advanced services affiliates).

311 *See supra* ¶ 0.

312 *See, e.g.*, ALTS Petition at 16-17; e.spire Comments (CC Docket No. 98-78) at 5-6 (If competitive LECs are refused permission to interconnect with xDSL equipment, are refused loops with xDSL electronics, and not given access to loops free of loading coils or bridged taps, competitive LECs will effectively be prevented from providing xDSL-based services on a significant number of loops).

capability such as xDSL-based services. We further tentatively conclude that deployment intervals for provisioning xDSL-compatible loops should be the same for incumbent LECs and competitive LECs, regardless of whether the loop passes through a remote concentration device.[328] We seek comment on these tentative conclusions. We also ask commenters to address whether we should require incumbent LECs to provision xDSL-compatible loops within a specified interval and, if so, what that interval should be.[329] Again, we tentatively conclude that whatever accommodations are provided to the incumbent's advanced services affiliate must be equally provided to new entrants.[330]

173. Sub-Loop Unbundling and Collocation at the Remote Terminal. We seek comment on whether we need to extend the concept of loop unbundling to sub-loop elements in order to further the pro-competitive goals of the 1996 Act and facilitate deployment of advanced services.[331] We ask commenters to address whether it is technically feasible to require incumbent LECs to unbundle sub-loop elements and provide competitive LECs access to the remote terminal so that competitive LECs can provide advanced services.

174. We tentatively conclude that incumbent LECs must provide sub-loop unbundling and permit competitive LECs to collocate at remote terminals, unless the incumbent LEC can demonstrate one of the following with respect to the particular remote terminal requested by the competitive LEC: (1) sub-loop unbundling is not "technically feasible;" or (2) there is insufficient space at the remote terminal to accommodate the requesting carrier. We make this tentative conclusion because the use of sub-loop elements and access to the remote terminal may

---

328 *See* NorthPoint July 7 *Ex Parte* at 7.

329 *See id.*

330 *See supra* ¶¶ 0-0 (discussing advanced services affiliates); *see also* NorthPoint July 28 *Ex Parte* at 2 (If the incumbent's advanced services affiliate is permitted to place its DSLAM in remote terminals, competitive LECs should be permitted to do so as well).

331 *See* ALTS Petition at 41-44; MCI July 30 *Ex Parte* at 23 (incumbent LECs must provide access to all network elements encompassing distribution plant, remote terminals, and feeder plant; incumbent LECs must provide collocation options in remote terminals); CIX July 30 *Ex Parte*, Att. at 2 (a competitive Internet industry requires interconnection at points of aggregation, including remote terminal units of digital loop carrier systems); NAS Comments (CC Docket No. 98-78) at 3-4 (Commission should require incumbent LECs to permit a competitor's xDSL line cards in the incumbent LEC's remote terminals as part of the existing requirement for incumbent LECs to permit carrier collocation at any technically feasible point. This would allow customers served by loops provisioned through remote terminals to have a choice of any carrier, and would also expand consumer choice, if the competitor's xDSL line card has a potentially wider array of xDSL offerings than the incumbent LEC's); WorldCom Comments (CC Docket No. 98-78) at 16 (competitive LEC must have choice of either putting its own electronics in the remote terminal or utilizing incumbent's electronics).

be the only means by which competitive LECs can provide xDSL-based services for those end-users whose connection to the central office is currently provided via digital loop carrier systems. If an incumbent deploys digital loop carriers extensively and refuses to allow competitive LECs access at the remote terminal, the incumbent can effectively deny market entry by such competitive LECs and discourage the deployment of advanced telecommunications capability. We further tentatively conclude that it would be an unreasonable practice for an incumbent LEC to deny competitive LECs collocation at the remote terminal on either of these grounds, while allowing its own affiliate to collocate at the remote terminal. We seek comment on these tentative conclusions. In particular, we seek comment on whether such sub-loop unbundling and remote terminal access are, in fact, necessary in order for competitive LECs to provide high bandwidth services, such as xDSL-based services. We ask commenters to consider whether new technologies, such as next generation digital loop carrier systems, might reduce or eliminate the need for competitive LEC access to sub-loop elements. As an alternative to requiring sub-loop unbundling, or if sub-loop unbundling proves to be technically infeasible or there is insufficient space at the remote terminal, we seek comment on whether the incumbent LEC should be obligated to provide an alternative unbundling method at no greater cost to the competitive LEC. Should the incumbent LEC be obligated to demonstrate that such unbundling method will provide the competitive LEC with a loop of the same quality and functionality as the loop that the competitive LEC would have obtained through access to the sub-loop element(s)?

175. We also ask commenters to address the use to which competitive LECs would put sub-loop elements and what specific sub-loop elements, if any, should be unbundled. We also ask commenters to address the technical issues involved with loops that pass through remote concentration devices, including the ability of competitive providers of advanced services to access the necessary elements of the incumbent LEC networks. Commenters should address the extent to which the incumbent LEC's control over the remote terminal and electronics therein might limit the ability of end users to access a full range of competitive services.[332] We seek comment on the technical issues of customer premises equipment and central office or remote terminal equipment compatibility, and we ask commenters that perceive problems to propose solutions that would ensure that end users have the widest possible access to competitive services. We also ask commenters to address what should be done if more competitive LECs request access to a remote terminal than the remote terminal can accommodate. What would be a fair means of allocating limited space? Should there be a lottery system? Should the space be auctioned? Should the space be made available on a "first come, first served" basis? If we conclude that "first come, first served" is the most appropriate method, how can we ensure that incumbent LECs do not fill up all the available space before competitive LECs have the opportunity to collocate their equipment? We tentatively conclude that an incumbent LEC may

[332] For example, the xDSL customer premises equipment must have an electronic match at the carrier's remote terminal or other xDSL termination point. An incumbent LEC's installation of a particular manufacturer's DSLAM at a remote terminal might limit the ability of customers using the xDSL customer premises equipment of another manufacturer to utilize the remote terminal DSLAM.

FLORIDA PUBLIC SERVICE COMMISSION
DOCKET
NO. 980800-TP EXHIBIT NO. 23
COMPANY/
WITNESS: Nilson
DATE: 10-21-98

16. **TECHNICAL COMPLIANCE**

Applicant certifies that equipment is in compliance with the following industry standards:

- Criteria Level 1 requirements as outlined in the Bellcore Special Report SR-3580 Issue 1.
- Equipment design spatial requirements per GR-63-CORE, Section 2.
- Thermal heat dissipation per GR-63-CORE, Section 4, Criteria 77 - 79.
- Acoustic noise per GR-63-CORE, Section 4, Criterion 128.
- Applicable National Electric Code requirements.

I hereby certify that the equipment listed on page 2 in this document meet the industry standards for safety and compatibility. For equipment which is noncompliant, attached is documentation describing the equipment, including exceptions or deviations from the above standards.

Signature _____ Date _____

Print Name David A. Nilson Title VP System Design and Interconnection

Company SUPRA Telecom and Information Systems INC.

Use of Space in Central Offices

From time to time BellSouth may require access to space occupied by collocator. BellSouth retains the right to access such space for the purpose of making equipment and building modifications, e.g., running, altering or removing racking; ducts; electrical wiring; HVAC; and cables. BellSouth will give reasonable notice to collocator when access to collocation space is required and collocator may elect to be present whenever BellSouth performs work in the collocation space. It is agreed that collocator will not bear any of the expense associated with this work.

17. Dates are negotiated during the Firm Order process. For planning purposes, you may indicate your

Desired **Space Acceptance** date: 6/24/1998 and

Desired **Commencement** date: 7/24/1998 for this arrangement.

The **Space Acceptance** date will be the date that BellSouth's floor space and infrastructure construction are complete.

The **Commencement** date will be the date that the collocator's transmission and/or switch equipment are operational and ready for service. Notification of the commencement date should be provided by the collocator to BellSouth in writing.

18. **BSTEI-1-P PREPARATION DATE**

Inquiry/Application Preparation Date 5/16/1998

Firm Order Preparation Date 8/24/1998

DOCUMENT NUMBER-DATE
10269 SEP 18 98
FPSC-RECORDS/REPORTING

Docket No. 980800-TP
Exhibit No. DAN-R1
Page 1 of 1

Private/Proprietary: Not for use or disclosure outside BellSouth except by wr
Copyright 1997 BELLSOUTH. All rights reserved.

Mark C. Graham

3940 N. 56th Ave. Apt. 204
Hollywood, FL. 33021
(954) 985-8825
mgraham@comversens.com

Voicemail and TelCo. Hardware and Software Installation and Support
Experienced in Unix Scripts, Netware, MS Access, Paradox and Visual Basic
Small Office Network Design, installation and Maintenance
Experienced with Bell Operating Company Policies and Practices
Self-Starting, Motivated and Reliable

October, 1992 to present –

Senior Field Engineer - $63,000/yr
Comverse Network Systems (Formerly Boston Technology) – Wakefield, MA

As a Senior Field Engineer for CNS, I am involved in all field activities in the Bell South region of the U.S. Although my company is based in Massachusetts, I am based in South Florida. I plan, install and test hardware and software upgrades for voicemail systems throughout the southeastern U.S. In this position, I am given a general plan of action and I implement that plan, coordinating with local Bell managers and performing the installations. I also write procedures and code utilities for other field engineers throughout the country as well as train and offer technical assistance to them. In my spare time, I also manage a small business computer network as a technical support consultant.

March 1989 to October 1992 –

First Office Applications Engineer - $51,000/yr
Siemens Public Switching – Boca Raton

In my former job as FOA Engineer for Siemens, I designed and executed test plans for new features and new software releases for their local telephone company switch. During this time I became proficient at coding applications in the Paradox database as well as learning the latest telephone company features including Siemens' LSDN products and applications. Half of the year would typically be spent planning and testing in the lab environment, then going into field locations and testing with real-world trials.

FLORIDA PUBLIC SERVICE COMMISSION
DOCKET 980800-TP EXHIBIT NO 14
COMPANY/
WITNESS: Graham
DATE: 10-21-98

August 1984 to February 1989 –

Technical Support Engineer - $45,000/yr
Northern Telecom – Research Triangle Park, N.C.

My employment with Northern Telecom started as a field installer and graduated to field manager and finally as a senior technical support engineer. As a field installer, I learned the installation and operations of digital central office equipment. I moved on to managing field installations where I coordinated installation activities and testing, primarily with new long distance providers MCI and Sprint.

I was the manager of the first Northern Telecom DMS300 International switch installation in the U.S. in downtown Manhattan.

DOCUMENT NUMBER-DATE
10364 SEP 21 98
FPSC-RECORDS/REPORTING

Shortly afterwards, however, I decided to move to a technical support position as it afforded me an opportunity to live in a more stable situation and get off the road. As a technical support engineer, I coordinated troubleshooting efforts with Northern Telecom's R&D group and handled most of the easier service requests on my own. During this time I became familiar with Northern's programming language – Protel.

July 1979 to August 1984 –

Field Installer - $30,000/yr
GTE Automatic Electric – Northlake, IL.

As a field Installer with GTE Automatic Electric, I installed and tested various electro-magnetic, electronic and digital telephone company switching systems manufactured by my company. This experience trained me in telephone company operating practices and procedures as well as allowing me to become proficient in electronic troubleshooting techniques. As the switches became more digital in nature, I became familiar and adept at program patching and troubleshooting of software components.

Collocation Agreement

By and Between

BellSouth Telecommunications, Inc.

and

Supra Telecommunications and Information Systems, Inc.

Florida

FLORIDA PUBLIC SERVICE COMMISSION
DOCKET
NO. 980800-TP EXHIBIT NO. 25
COMPANY/
WITNESS: Sherry
DATE 10-21-98

DOCUMENT NUMBER-DATE
09943 SEP 10 98
FPSC-RECORDS/REPORTING

BELLSOUTH PHYSICAL COLLOCATION MASTER AGREEMENT

THIS AGREEMENT, made this 24th day of July, 1997, by and between BellSouth Telecommunications, Inc., ("BellSouth") a corporation organized and existing under the laws of the State of Georgia, and Supra Telecommunications and Information Systems, Inc., ("Interconnector") a (corporation) organized and existing under the laws of the State of Florida;

WITNESSETH

WHEREAS, Interconnector wishes the right to occupy the BellSouth Central Office(s) delineated herein for the purpose of interconnection to BellSouth's facilities;

WHEREAS, BellSouth has space available in its Central Office(s) which Interconnector desires to utilize; and

WHEREAS, BellSouth is willing to make such space available to Interconnector within its Central Office(s) subject to all terms and conditions of this Agreement;

NOW, THEREFORE, in consideration of the mutual agreements and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereto agree as follows:

I. *SCOPE OF AGREEMENT*

A. BellSouth hereby grants to Interconnector a right to occupy that certain enclosed area designated by BellSouth within a BellSouth Central Office, of a size and dimension which is specified by Interconnector and agreed to by BellSouth (hereinafter "Collocation Space"). BellSouth will design and construct at Interconnector's expense, a wall or other delineation to establish a clear division between the Collocation Space and other areas of the Central Office dedicated to BellSouth's use.

B. Interconnector shall use the Collocation Space for the purposes of installing, maintaining and operating Interconnector's equipment (to include testing and monitoring equipment) which is used to interconnect with telecommunications services and facilities provided by BellSouth. Pursuant to Article III, following, Interconnector may place Interconnector-owned fiber entrance facilities to the Collocation Space, in which case the arrangement is designated "Expanded Interconnection." Placement of equipment in the Collocation Space without the use of Interconnector-owned entrance facilities is designated "Service Interconnection." In addition to, and not in lieu of, interconnection to BellSouth services and facilities, Interconnector may connect to other interconnectors within the designated Central Office. The Collocation Space may be used for no other purposes except as specifically described herein or authorized in writing by BellSouth.

C. Interconnector may not provide or make available space within the Collocation Space to any third party. Any violation of this provision shall be deemed a material breach of this Agreement.

D. Interconnector agrees to pay the rates and charges identified at Exhibit A attached hereto.

E. A Collocation Space will be provided to Interconnector at each Central Office identified at Exhibit B attached hereto, which Exhibit shall be updated from time to time as additional Central Offices are made subject to the terms of this Agreement.

II. *TERM OF AGREEMENT*

A. Term. The term of this Agreement shall be for an initial period of two (2) years, beginning on the Agreement date stated above and ending two (2) years later on the month and day corresponding to such date.

B. Commencement Date. The "Commencement Date" shall be the first day after Interconnector's equipment becomes operational as described in Article II.B, following

C. Occupancy. BellSouth will notify Interconnector that the Collocation Space is ready for occupancy. Interconnector must place operational telecommunications equipment in the Collocation Space and connect with BellSouth's network within one hundred eighty (180) days after receipt of such notice. BellSouth may consent to an extension beyond 180 days upon a demonstration by Interconnector that circumstances beyond its reasonable control prevented Interconnector from completing installation by the prescribed date. If Interconnector fails to place operational telecommunications equipment in the Collocation Space within 180 days and such failure continues for a period of thirty (30) days after receipt of written notice from BellSouth, then and in that event Interconnector's right to occupy the Collocation Space terminates and BellSouth shall have no further obligations to Interconnector with respect to said Collocation Space. Termination of Interconnector's rights to the Collocation Space pursuant to this paragraph shall not operate to release Interconnector from its obligation to reimburse BellSouth for all costs reasonably incurred by BellSouth in preparing the Collocation Space, but rather such obligation shall survive this Agreement. For purposes of this paragraph, Interconnector's telecommunications equipment will be deemed operational when cross-connected to BellSouth's network for the purpose of service provision.

D. Termination. Interconnector may terminate occupancy in a particular Collocation Space upon thirty (30) days prior written notice to BellSouth. Upon termination of such occupancy, Interconnector at its expense shall remove its equipment and other property from the Collocation Space. Interconnector shall have thirty (30) days from the termination date to complete such removal; provided, however, that Interconnector shall continue payment of monthly fees to BellSouth until such date as Interconnector has fully vacated the Collocation Space. Should Interconnector fail to vacate the Collocation Space within thirty (30) days from the termination date, BellSouth shall have the right to remove the equipment and other property of Interconnector at Interconnector's expense and with no liability for damage or injury to Interconnector's property unless caused by the negligence or intentional misconduct of BellSouth.

III. *USE OF COLLOCATION SPACE*

A. Nature of Use. BellSouth shall permit Interconnector to place, maintain and operate in the Collocation Space any equipment that Interconnector is authorized by BellSouth and by Federal or State regulators to place, maintain and operate in collocation space and that is used by Interconnector to provide services which Interconnector has the legal authority to provide. The equipment must at a minimum comply with the BellCore Network Equipment Building System (NEBS) General Equipment Requirements (TR-NWT-000063) and National Electric Code standards. Interconnector may elect to enclose the Collocation Space. Interconnector shall not use the Collocation Space for marketing purposes. Interconnector shall place no signs or marking of any kind (except for a plaque or other identification affixed to Interconnector's equipment and reasonably necessary to identify Interconnector's equipment, and which shall include a list of emergency contacts with telephone numbers), in the area surrounding the Collocation Space or on the grounds of the Central Office housing the Collocation Space.

B. Entrance Facilities. Interconnector may elect to place Interconnector-owned entrance facilities into the Collocation Space. BellSouth will designate the point of interconnection in proximity to the central office building housing the Collocation Space, such as an entrance manhole or a cable vault. Interconnector will provide and place cable at the point of interconnection of sufficient length to be pulled through conduit and into the splice location. No splicing will be permitted in the entrance manhole. Interconnector will provide a sufficient length of fire retardant riser cable, to which the entrance cable will be spliced, which will extend from the splice location to the Interconnector's equipment in the Collocation Space. Interconnector must contact BellSouth for instructions prior to placing the entrance facility cable in the manhole. Interconnector is responsible for maintenance of the entrance facilities. Dual entrance will be permitted where capacity exists. The interconnection point for entrance facilities extending from a rooftop antenna will be designated by BellSouth on the Application/Inquiry response.

C. Demarcation Point. A point-of-termination bay(s) will designate the point(s) of interconnection between Interconnector's equipment and/or network and BellSouth's network. Each party will be responsible for maintenance and operation of all equipment/facilities on its side of the demarcation point. Interconnector may, at its option, provide its own point-of-termination bay(s) in accordance with BellSouth's guidelines and specifications, which BellSouth will provide upon request.

D. Interconnector's Equipment and Facilities. Interconnector is solely responsible for the design, engineering, testing, performance, monitoring, maintenance, and repair of the equipment and facilities used by Interconnector in the Collocation Space. Without limitation of the foregoing provisions, Interconnector will be responsible for servicing, supplying, repairing, installing and maintaining the following: (1) cable(s); (2) equipment; (3) point-of-termination cross-connects; (4) point of termination maintenance, including replacement fuses and circuit breaker restoration, if not performed by BellSouth; and (5) connection cable(s) and associated equipment which may be required within the Collocation Space to the points of interconnection.

E. Access and Administration. Interconnector shall have access to the Collocation Space twenty-four (24) hours a day, seven (7) days a week. A security escort will be required at Central Offices where separate, secured ingress and egress are not available and access would require Interconnector to traverse restricted areas. All employees, agents and contractors of Interconnector having access to the Collocation Space shall comply with BellSouth's policies and practices pertaining to fire, safety and security, and each such employee, agent or contractor shall display an identification badge issued by Interconnector or certified vendor which contains a current photo, the individual's name and company

name/logo. Interconnector agrees to comply with all laws, ordinances and regulations affecting the use of the Collocation Space. Upon expiration of this Agreement, Interconnector shall surrender the Collocation Space to BellSouth in the same condition as when first occupied by the Interconnector except for ordinary wear and tear.

F. Interference or Impairment. Notwithstanding any other provisions of this Agreement, equipment and facilities placed in the Collocation Space shall not interfere with or impair service provided by BellSouth or by any other interconnector located in the Central Office; shall not endanger or damage the facilities of BellSouth or of any other interconnector, the Collocation Space, or the Central Office; shall not compromise the privacy of any communications carried in, from, or through the Central Office; and shall not create an unreasonable risk of injury or death to any individual or to the public. If BellSouth reasonably determines that any equipment or facilities of Interconnector violate the provisions of this paragraph, BellSouth shall give written notice to Interconnector, which notice shall direct Interconnector to cure the violation within twenty-four (24) hours or, at a minimum, to commence curative measures within 24 hours and to exercise reasonable diligence to complete such measures as soon as possible thereafter. If Interconnector fails to take curative action within 24 hours or if the violation is of a character which poses an immediate and substantial threat of damage to property, injury or death to any person, or interference/impairment of the services provided by BellSouth, then and only in that event BellSouth may take such action as it deems appropriate to correct the violation, including without limitation the interruption of electrical power to Interconnector's equipment. BellSouth will endeavor, but is not required, to provide notice to Interconnector prior to taking such action and shall have no liability to Interconnector for any damages arising from such action, except to the extent that such action by BellSouth constitutes willful misconduct.

G. Personalty and its Removal. Subject to requirements of this Agreement, Interconnector may place or install in or on the Collocation Space such facilities and equipment as it deems desirable for the conduct of business. Personal property, facilities and equipment placed by Interconnector in the Collocation Space shall not become a part of the Collocation Space, even if nailed, screwed or otherwise fastened to the Collocation Space, but shall retain their status as personalty and may be removed by Interconnector at any time. Any damage caused to the Collocation Space by Interconnector's employees, agents or representatives during the removal of such property shall be promptly repaired by Interconnector at its expense.

H. Alterations. In no case shall Interconnector or any person acting on behalf of Interconnector make any rearrangement, modification, improvement, addition, repair, or other alteration to the Collocation Space or the BellSouth Central Office without the written consent of BellSouth, which consent shall not be unreasonably withheld. The cost of any such specialized alterations shall be paid by Interconnector.

IV. *ORDERING AND PREPARATION OF COLLOCATION SPACE*

A. Application for Space. Interconnector shall submit to BellSouth a complete and accurate Application and Inquiry document, together with payment of the Application Fee as stated in Exhibit A. The Application shall contain a detailed description and schematic drawing of the equipment to be placed in Interconnector's Collocation Space(s) and an estimate of the amount of square footage required. BellSouth will respond to Interconnector's Application in writing following the completion of review, planning and design activities. Such response will include estimates on space availability, space preparation costs and space availability dates.

B. Bona Fide Firm Order. Interconnector shall indicate its intent to proceed with equipment installation in a BellSouth Central Office by submitting a Bona Fide Firm Order to BellSouth. A Bona Fide Firm Order requires Interconnector to complete the Application/Inquiry process described in Article IV.A preceding, submit an updated Application document based on the outcome of the Application/Inquiry process, and pay all applicable fees referenced in Article V, following. The Bona Fide Firm Order must be received by BellSouth no later than thirty (30) days after BellSouth's response to Interconnector's Application/Inquiry. Space preparation for the Collocation Space will not begin until BellSouth receives the Bona Fide Firm Order and all applicable fees.

C. Use of Certified Vendor. Interconnector shall select an equipment installation vendor which has been approved as a BellSouth Certified Vendor to perform all engineering and installation work required in the Collocation Space. BellSouth shall provide Interconnector with a list of Certified Vendors upon request. The Certified Vendor shall be responsible for installing Interconnector's equipment and components, extending power cabling to the BellSouth power distribution frame, performing operational tests after installation is complete, and notifying BellSouth's equipment engineers and Interconnector upon successful completion of installation. The Certified Vendor shall bill Interconnector directly for all work performed for Interconnector pursuant to this Agreement and BellSouth shall have no liability for nor responsibility to pay such charges imposed by the Certified Vendor.

D. Alarm and monitoring. BellSouth shall place environmental alarms in the Central Office for the protection of BellSouth equipment and facilities. Interconnector shall be responsible for placement, monitoring and removal of environmental and equipment alarms used to service the Collocation Space. Upon request, BellSouth will provide Interconnector with applicable tariffed service(s) to facilitate remote monitoring of collocated equipment by Interconnector.

E. Basic Telephone Service. Upon request of Interconnector, BellSouth will provide basic telephone service to the Collocation Space under the rates, terms and conditions of the current tariff offering for the service requested.

F. Space Preparation. BellSouth shall pro rate the costs of any renovation or upgrade to Central Office space or support mechanisms which is required to accommodate physical collocation. Interconnector's pro rated share will be calculated by multiplying such cost by a percentage equal to the amount of square footage occupied by Interconnector divided by the total Central Office square footage receiving renovation or upgrade. For this section, support mechanisms provided by BellSouth may include, but not be limited to heating/ventilation/air conditioning (HVAC) equipment, HVAC duct work, cable support structure, fire wall(s), mechanical upgrade, asbestos abatement, ground plane addition, or separate ingress/egress construction. Such renovation or upgrade will be evaluated and the charges assessed on a per Central Office basis. BellSouth will make reasonable efforts to provide for occupancy of the Collocation Space on the negotiated date and will advise Interconnector of delays. Interconnector agrees BellSouth shall not be liable to Interconnector for delays in providing possession of the Collocation Space.

G. Space Enclosure. Upon request of Interconnector, BellSouth shall construct an equipment arrangement enclosure of a size and dimension jointly agreed upon by the Parties. Interconnector may request enclosed floor space in increments of one hundred (100) square feet, with a minimum of one hundred (100) square feet. Interconnector may, at its option, arrange with a BellSouth certified contractor to construct the space enclosure in accordance with BellSouth's guidelines and

specifications. Such contractor shall directly bill Interconnector for activities associated with the space enclosure construction.

H. Cancellation. If Interconnector cancels its order for the Collocation Space(s), Interconnector will reimburse BellSouth for any expenses incurred up to the date that written notice of the cancellation is received. In no event will the level of reimbursement under this paragraph exceed the maximum amount Interconnector would have otherwise paid for work undertaken by BellSouth if no cancellation of the order had occurred.

V. *RATES AND CHARGES*

Interconnector shall pay for Collocation Space(s) according to the rates contained in Exhibit A attached hereto and pursuant to the following:

A. Non-recurring Fees. In addition to the Application Fee referenced in Article IV preceding, Interconnector shall remit payment of a Cable Installation Fee, Space Construction Fee, as applicable, and one-half (1/2) of the estimated Space Preparation Fee coincident with submission of a Bona Fide Firm Order. The outstanding balance of the actual Space Preparation Fee shall be due thirty (30) days following Interconnector's receipt of a bill or invoice from BellSouth. BellSouth shall provide documentation to establish the actual Space Preparation Fee. Cable Installation Fee(s) are assessed per entrance fiber placed. No Cable Installation Fee is required for Service Interconnection. The Space Preparation Fee will be pro rated as prescribed in Article IV.F preceding. The Space Enclosure Construction Fee will be assessed for the materials and installation cost of the equipment enclosure. BellSouth's engineering and other labor time associated with establishing the Physical Collocation Arrangement will be assessed as Additional Engineering charges, under provisions in BellSouth's F.C.C. Number 1 Tariff, Sections 13.1 and 13.2. An estimate of the Additional Engineering charges will be provided by BellSouth to Interconnector in the Application Response.

B. Floor Space. The floor space charge includes charges for lighting, heat, air conditioning, ventilation and other allocated expenses associated with maintenance of the Central Office but does not include amperage necessary to power Interconnector's equipment. When the Collocation Space is enclosed by walls or other divider, Interconnector shall pay floor space charges based upon the number of square feet so enclosed. When the Collocation Space is not enclosed, Interconnector shall pay floor space charges based upon the number of square feet contained in a shadow print of Interconnector's equipment racks and POT bay, plus a factor of 2.50 multiplied by the shadow print, which represents Interconnector's share of wiring and provisioning aisle space for provisioning and maintenance activities. Floor space charges are due beginning with the date on which BellSouth releases the Collocation Space for occupancy or on the date Interconnector first occupies the Collocation Space, whichever is sooner.

C. Power. Charges for -48V DC power will be assessed per ampere per month based upon the certified vendor engineered and installed power feed fused ampere capacity. Rates include redundant feeder fuse positions (A&B) and cable rack to Interconnector's equipment or space enclosure. Fuses and power feed cables (A&B) must be engineered (sized), furnished and installed by Interconnector's certified vendor. The Interconnector's certified vendor must also provide a copy of the engineering power specification prior to the Commencement Date. In the event BellSouth shall be required to construct additional DC power plant or upgrade the existing DC power plant in a central office as a result of Interconnector's request to collocate in that central office ("Power Plant Construction"), Interconnector shall pay all costs associated with the Power Plant Construction. The determination of whether Power Plant Construction is necessary shall be within BellSouth's sole, but reasonable, discretion. BellSouth will notify Interconnector of the need for the Power Plant Construction and will estimate the costs associated

with the Power Plant Construction if BellSouth were to perform the Power Plant Construction. Interconnector shall pay BellSouth one-half of the estimated Power Plant Construction costs prior to commencement of the work. Interconnector shall pay BellSouth the balance due (actual cost less one-half of the estimated cost) within thirty (30) days of completion of the Power Plant Construction. Interconnector has the option to perform the Power Plant Construction itself; provided, however, that such work shall be performed by a BellSouth certified contractor and such contractor shall comply with BellSouth's guidelines and specifications. Where the Power Plant Construction results in construction of a new power plant room, upon termination of this Agreement Interconnector shall have the right to remove its equipment from the power plant room, but shall otherwise leave the room intact. Where the Power Plant Construction results in an upgrade to BellSouth's existing power plant, upon termination of this Agreement, such upgrades shall become the property of BellSouth.

D. Security Escort. A security escort will be required whenever a collocator or approved agent desires access to the entrance manhole or must traverse a restricted area within BellSouth's central office. Rates for a BellSouth security escort are assessed in one-half (1/2) hour increments according to the schedule appended hereto as Exhibit A.

E. Rate "True-Up". The Parties agree that the interim prices reflected herein shall be "trued-up" (up or down) based on final prices either determined by further agreement or by final order, including any appeals, in a proceeding involving BellSouth before the regulatory authority for the State in which the services are being performed or any other body having jurisdiction over this agreement (hereinafter "Commission"). Under the "true-up" process, the interim price for each service shall be multiplied by the volume of that service purchased to arrive at the total interim amount paid for that service ("Total Interim Price"). The final price for that service shall be multiplied by the volume purchased to arrive at the total final amount due ("Total Final Price"). The Total Interim Price shall be compared with the Total Final Price. If the Total Final Price is more than the Total Interim Price, Interconnector shall pay the difference to BellSouth. If the Total Final Price is less than the Total Interim Price, BellSouth shall pay the difference to Interconnector. Each party shall keep its own records upon which a "true-up" can be based and any final payment from one party to the other shall be in an amount agreed upon by the Parties based on such records. In the event of any disagreement as between the records or the Parties regarding the amount of such "true-up," the Parties agree that the Commission shall be called upon to resolve such differences.

F. Other. Payment of all other charges under this Agreement shall be due thirty (30) days after receipt of the bill (payment due date). Interconnector will pay a late payment charge of one and one-half percent (1-1/2%) assessed monthly on any balance which remains unpaid after the payment due date.

VI. *INSURANCE*

A. Interconnector shall, at its sole cost and expense, procure, maintain, and keep in force insurance as specified in this Article VI and underwritten by insurance companies licensed to do business in the states contained in Exhibit B attached hereto and having a BEST Insurance Rating of B ++ X (B ++ ten).

B. Interconnector shall maintain the following specific coverages:

1. Commercial General Liability coverage in the amount of fifteen million dollars ($15,000,000.00) or a combination of Commercial General Liability and Excess/Umbrella coverage totaling not less than fifteen million dollars ($15,000,000.00). BellSouth shall be named as an ADDITIONAL INSURED on ALL applicable policies as specified herein.

2. Statutory Workers Compensation coverage and Employers Liability coverage in the amount of one hundred thousand dollars ($100,000.00) each accident, one hundred thousand dollars ($100,000.00) each employee by disease, and five hundred thousand dollars ($500,000.00) policy limit by disease.

3. Interconnector may elect to purchase business interruption and contingent business interruption insurance, having been advised that BellSouth assumes no liability for loss of profit or revenues should an interruption of service occur.

C. The limits set forth in Article VI.B above may be increased by BellSouth from time to time during the term of this Agreement upon thirty (30) days notice to Interconnector to at least such minimum limits as shall then be customary with respect to comparable occupancy of BellSouth structures.

D. All policies purchased by Interconnector shall be deemed to be primary and not contributing to or in excess of any similar coverage purchased by BellSouth. All insurance must be in effect on or before the date equipment is delivered to BellSouth's Central Office and shall remain in effect for the term of this Agreement or until all Interconnector's property has been removed from BellSouth's Central Office, whichever period is longer. If Interconnector fails to maintain required coverages, BellSouth may pay the premiums thereon and seek reimbursement of same from Interconnector.

E. Interconnector shall submit certificates of insurance reflecting the coverages required pursuant to this Section a minimum of ten (10) days prior to the commencement of any work in the Collocation Space. Interconnector shall arrange for BellSouth to receive thirty (30) days advance notice of cancellation from Interconnector's insurance company. Notice of cancellation should be forwarded to:

BellSouth Telecommunications, Inc.
Attn.: Insurance Coordinator
3535 Colonnade Parkway, S9A1
Birmingham, Alabama 35243

F. Interconnector must conform to recommendations made by BellSouth's fire insurance company to the extent BellSouth has agreed to, or shall hereafter agree to, such recommendations.

G. Failure to comply with the provisions of this Section will be deemed a material breach of this Agreement.

VII. *MECHANICS LIENS*

If any mechanics lien or other liens shall be filed against property of BellSouth, or any improvement thereon by reason of or arising out of any labor or materials furnished or alleged to have been furnished or to be furnished to or for Interconnector or by reason of any changes, or additions to BellSouth property made at the request or under the direction of the Interconnector, Interconnector shall, within thirty (30) days after receipt of written notice from BellSouth either pay such lien or cause the same to be bonded off BellSouth's property in the manner provided by law. Interconnector shall also defend on behalf of BellSouth, at Interconnector's sole cost and expense, any action, suit or proceeding which may be brought for the enforcement of such liens and Interconnector shall pay any damage and discharge any judgment entered thereon.

VIII. *INSPECTIONS*

BellSouth shall conduct an inspection of Interconnector's equipment and facilities in the Collocation Space(s) prior to the activation of facilities between Interconnector's equipment and equipment of BellSouth. BellSouth may conduct an inspection if Interconnector adds equipment and may otherwise conduct routine inspections at reasonable intervals mutually agreed upon by the Parties. BellSouth shall provide Interconnector with a minimum of forty-eight (48) hours or two (2) business days, whichever is greater, advance notice of all such inspections.

IX. *SECURITY*

Only BellSouth employees, BellSouth certified vendors and authorized employees or agents of Interconnector will be permitted in the BellSouth Central Office. Interconnector shall provide its employees and agents with picture identification which must be worn and visible at all times while in the Collocation Space or other areas in or around the Central Office. BellSouth may refuse entry to any person who fails to display the identification required by this section.

X. *INDEMNITY / LIMITATION OF LIABILITY*

A. Interconnector shall be liable for any damage to property, equipment or facilities or injury to person caused by the activities of Interconnector, its agents or employees pursuant to, or in furtherance of, rights granted under this Agreement. Interconnector shall indemnify and hold BellSouth harmless from and against any judgments, fees, costs or other expenses resulting or claimed to result from such activities by Interconnector, its agents or employees.

B. BellSouth shall not be liable to Interconnector for any interruption of Interconnector's service or for interference with the operation of Interconnector's communications facilities, or for any special, indirect, incidental or consequential damages arising in any manner, including BellSouth's negligence, out of the use of the Collocation Space(s) and Interconnector shall indemnify, defend and hold BellSouth harmless from and against any and all claims, demands, causes of action, costs and reasonable attorneys' fees with respect to such special, indirect, incidental or consequential damages.

XI. *PUBLICITY*

Interconnector agrees to submit to BellSouth all advertising, sales promotion, press releases, and other publicity matters relating to this Agreement or mentioning or implying the tradenames, logos, trademarks or service marks (hereinafter "Marks") of BellSouth Corporation and/or any of its affiliated companies or language from which the connection of said Marks therewith may be inferred or implied, or mentioning or implying the names of any personnel of BellSouth Corporation and/or any of its affiliated companies, and Interconnector further agrees not to publish or use such advertising, sales promotions, press releases, or publicity matters without BellSouth's prior written consent.

XII. *DESTRUCTION OF COLLOCATION SPACE*

In the event a Collocation Space is wholly or partially damaged by fire, windstorm, tornado, flood or by similar causes to such an extent as to be rendered wholly unsuitable for Interconnector's permitted use hereunder, then either party may elect within ten (10) days after such damage, to terminate this Agreement, and if either party shall so elect, by giving the other written notice of termination, both parties shall stand released of and from further liability under the terms hereof. If the Collocation Space shall suffer only minor damage and shall not be rendered wholly unsuitable for Interconnector's permitted use, or is damaged and the option to terminate is not exercised by either party, BellSouth covenants and agrees to proceed promptly without expense to Interconnector, except for improvements not the property of BellSouth, to repair the damage. BellSouth shall have a reasonable time within which to rebuild or make any repairs, and such rebuilding and repairing shall be subject to delays caused by storms, shortages of labor and materials, government regulations, strikes, walkouts, and causes beyond the control of BellSouth, which causes shall not be construed as limiting factors, but as exemplary only. Where allowed and where practical in the sole judgment of BellSouth, Interconnector may erect a temporary facility while BellSouth rebuilds or makes repairs. In all cases where the Collocation Space shall be rebuilt or repaired, Interconnector shall be entitled to an equitable abatement of rent and other charges, depending upon the unsuitability of the Collocation Space for Interconnector's permitted use, until such Collocation Space is fully repaired and restored and Interconnector's equipment installed therein (but in no event later than thirty (30) days after the Collocation Space is fully repaired and restored).

XIII. *EMINENT DOMAIN*

If the whole of a Collocation Space shall be taken by any public authority under the power of eminent domain, then this Agreement shall terminate as of the day possession shall be taken by such public authority and rent and other charges for the Collocation Space shall be paid up to that day with proportionate refund by BellSouth of such rent and charges as may have been paid in advance for a period subsequent to the date of the taking. If any part of the Collocation Space shall be taken under eminent domain, BellSouth and Interconnector shall each have the right to terminate this Agreement and declare the same null and void, by written notice of such intention to the other party within ten (10) days after such taking.

XIV. *FORCE MAJEURE*

Neither party shall be in default by reason of any failure in performance of this Agreement, in accordance with its terms and conditions, if such failure arises out of causes beyond the control of the nonperforming party including, but not restricted to, acts of God, acts of government, insurrections, fires, floods, accidents, epidemics, quarantines, restrictions, strikes, freight embargoes, inability to secure raw materials or transportation facilities, acts or omissions of carriers or any and all other causes beyond the party's control.

XV. *ASSIGNMENT*

Interconnector acknowledges that this Agreement does not convey any right, title or interest in the Central Office to Interconnector. Interconnector may not sublet its rights under this Agreement, nor shall it allow a third party to use or occupy the Collocation Space at any time or from time to time without the prior written consent, and at the sole discretion, of BellSouth. This Agreement is not assignable by either party without the prior written consent of the other party, and any attempt to assign any of the rights, duties or obligations of this Agreement without such consent is void. Notwithstanding the foregoing, either party may assign any rights, duties or obligations of this Agreement to a parent, subsidiary or affiliate without the consent of the other party.

XVI. *NONEXCLUSIVITY*

Interconnector understands that this Agreement is not exclusive and that BellSouth may enter into similar agreements with other parties. Assignment of space pursuant to all such agreements shall be determined by space availability and made on a first come, first served basis.

XVII. *NO IMPLIED WAIVER*

No consent or waiver by either party to or of any breach of any covenant, term, condition, provision or duty of the other party under this Agreement shall be construed as a consent to or waiver of any other breach of the same or any other covenant, term, condition, provision or duty. No such consent or waiver shall be valid unless in writing and signed by the party granting such consent or waiver.

XVIII. *NOTICES*

Except as otherwise provided herein, any notices or demands that are required by law or under the terms of this Agreement shall be given or made by Interconnector or BellSouth in writing and shall be given by hand delivery, or by certified or registered mail, and addressed to the parties as follows:

To BellSouth:	To Supra Telecommunications and Information Systems, Inc.:
3535 Colonnade Parkway Room E4E1 Birmingham, AL 35243 ATTN: OLEC Account Team	269 Giralda Avenue Suite 203 Coral Gables, FL 33134 ATTN: O.A. Ramos

Such notices shall be deemed to have been given in the case of certified or registered mail when deposited in the United States mail with postage prepaid.

XIX. *RESOLUTION OF DISPUTES*

Except as otherwise stated in this Agreement, the Parties agree that if any dispute arises as to the interpretation of any provision of this Agreement or as to the proper implementation of this Agreement, the parties will petition the Commission in the state where the services are provided pursuant to this Agreement for a resolution of the dispute. However, each party reserves any rights it may have to seek judicial review of any ruling made by the Public Service Commission concerning this Agreement.

XX. *SECTION HEADINGS*

The section headings used herein are for convenience only, and shall not be deemed to constitute integral provisions of this Agreement.

XXI. *AUTHORITY*

Each of the parties hereto warrants to the other that the person or persons executing this Agreement on behalf of such party has the full right, power and authority to enter into and execute this Agreement on such party's behalf and that no consent from any other person or entity is required as a condition precedent to the legal effect of this Agreement.

XXII. *REVIEW OF AGREEMENT*

The parties acknowledge that each has had an opportunity to review and negotiate this Agreement and has executed this Agreement only after such review and negotiation. The Parties further agree that this Agreement shall be deemed to have been drafted by both BellSouth and Interconnector and the terms and conditions contained herein shall not be construed any more strictly against one party or the other.

XXIII. *ENTIRE AGREEMENT*

This Agreement contains the full understanding of the Parties (superseding all prior or contemporaneous correspondence between the Parties) and shall constitute the entire agreement between BellSouth and Interconnector and may not be modified or amended other than by a written instrument signed by both parties. If any conflict arises between the terms and conditions contained in this Agreement and those contained in a filed tariff, the terms and conditions of this Agreement shall control.

IN WITNESS WHEREOF, the Parties have executed this Agreement by their duly authorized representatives in one or more counterparts, each of which shall constitute an original, on the day and year first above written.

BELLSOUTH TELECOMMUNICATIONS, INC.

Authorized Signature

Jerry Hendrix

Print or Type Name

Director

Title

07/24/97

Date

INTERCONNECTOR
(Full Company Name)

Authorized Signature

M. A Amos

Print or Type Name

CEO

Title

July 21st, 1997

Date

Schedule of Rates and Charges

Rate Element Description		Type of Charge	Charge
Application Fee		NRC (per Arrangement, per C.O.)	$3,850.00
Subsequent Application Fee (Note 1)		NRC (per Arrangement, per C.O.)	$1,600.00
Space Preparation Fee (Note 2)		NRC (per Arrangement, per C.O.)	ICB
Space Enclosure Construction Fee (Note 2)		NRC (per 100 square feet)	$4,500.00
Additional Engineering Fee (Note 3)		NRC	ICB
Cable Installation		NRC (per entrance cable)	$2,750.00
Floor Space	Zone A	RC (per square foot)	$7.50
	Zone B	RC (per square foot)	$6.75
Power		RC (per amp)	$5.00
Cable Support structure		RC (per entrance cable)	$13.35
Cross-Connects	2-wire	RC (per cross-connect)	$0.30
	4-wire	RC (per cross-connect)	$0.50
	DS1	RC (per cross-connect)	$8.00
	DS3	RC (per cross-connect)	$72.00
	2-wire	NRC (first cross-connect)	$19.20
	4-wire	NRC (first cross-connect)	$19.20
	DS1	NRC (first cross-connect)	$155.00
	DS3	NRC (first cross-connect)	$155.00
	2-wire	NRC (each additional cross-connect)	$19.20
	4-wire	NRC (each additional cross-connect)	$19.20
	DS1	NRC (each additional cross-connect)	$27.00
	DS3	NRC (each additional cross-connect)	$27.00
POT Bay	2-wire	RC (per cross-connect)	$0.40
	4-wire	RC (per cross-connect)	$1.20
	DS1	RC (per cross-connect)	$1.20
	DS3	RC (per cross-connect)	$8.00
Additional Security Access Cards		NRC-ICB (each)	$10.00

Schedule of Rates and Charges (cont.)

Rate Element Description	Type of Charge	Charge
Security Escort		
Basic - first half hour	NRC-ICB	$41.00
Overtime - first half hour	NRC-ICB	$48.00
Premium - first half hour	NRC-ICB	$55.00
Basic - additional half hour	NRC-ICB	$25.00
Overtime - additional half hour	NRC-ICB	$30.00
Premium - additional half hour	NRC-ICB	$35.00

Notes
NRC: Non-recurring Charge - one-time charge
RC: Recurring Charge - charged monthly
ICB: Individual Case Basis - one-time charge

(1) Subsequent Application Fee. BellSouth requires the submission of an Application Fee for modifications to an existing arrangement. However, when the modifications do not require BellSouth to expend capital (e.g., additional space or power requirements, BST termination/cross-connect equipment, etc.), BellSouth will assess the Subsequent Application Fee in lieu of the Application Fee.

(2) Space Preparation Fee. The Space Preparation Fee is a one-time fee, assessed per arrangement, per location. It recovers costs associated with the shared physical collocation area within a central office, which include survey, engineering, design and building modification costs. BellSouth will pro rate the total shared space preparation costs among the collocators at each location based on the amount of square footage occupied by each collocator. This charge may vary depending on the location and the type of arrangement requested.

Space Enclosure Construction Fee. The Space Enclosure Construction Fee is a one-time fee, assessed per enclosure, per location. It recovers costs associated with providing an optional equipment arrangement enclosure, which include architectural and engineering fees, materials, and installation costs. This fee is assessed in 50 square-foot increments, with a minimum space enclosure size of 100 square feet. Interconnector may, at its option, arrange with a BellSouth certified contractor to construct the space enclosure in accordance with BellSouth's guidelines and specifications. In this event, the contractor shall directly bill Interconnector for the space enclosure, and this fee shall not be applicable.

(3) Additional Engineering Fee. BellSouth's engineering and other labor costs associated with establishing the Physical Collocation Arrangement shall be recovered as Additional Engineering charges, under provisions in BellSouth's F.C.C. Number 1 Tariff, Sections 13.1 and 13.2. An estimate of the Additional Engineering charges shall be provided by BellSouth in the Application Response.

EXHIBIT B

Bona Fide Physical Collocation Arrangements

Central Office Name:
Central Office CLLI Code:
City:
State:
Date of Bona Fide Firm Order:

Central Office Name:
Central Office CLLI Code:
City:
State:
Date of Bona Fide Firm Order:

Central Office Name:
Central Office CLLI Code:
City:
State:
Date of Bona Fide Firm Order:

Central Office Name:
Central Office CLLI Code:
City:
State:
Date of Bona Fide Firm Order:

Central Office Name:
Central Office CLLI Code:
City:
State:
Date of Bona Fide Firm Order:

Central Office Name:
Central Office CLLI Code:
City:
State:
Date of Bona Fide Firm Order:

MESSAGE
Subject: Physical Collocation
Creator: Nancy K. Nelson /AL,BRHM07

Dated: 5/6/98 at 11:35
Contents: 2

Item 1

FROM: Nancy K. Nelson /AL,BRHM07 (Undisplayable address parts)
TO: David A. Nilson /internet,mime (dnilson@stis.com)
CC: Susan M. Arrington /AL,BRHM03 (Undisplayable address parts)
Wayne Carnes /AL,BRHM03 (Undisplayable address parts)
Marcus B. Cathey /AL,BRHM06
William D. French /AL,BRHM03 (Undisplayable address parts)
Bob Mcrae /AL,BRHM04 (Undisplayable address parts)
John Reinke /Internet,mime (jreinke@stis.com)
John Rienke /internet,mime (jrienke@stis.com)
Pat R. Solin /FL,MIAM02 (Undisplayable address parts)
Gretchen A. Temple /AL,BRHM03 (Undisplayable address parts)
BCC: Amanda J. Grant /AL,BRHM04 (Undisplayable address parts)
Pam A. Tipton /AL,BRHM04 (Undisplayable address parts)

Item 2

Dear David,

BellSouth has in hand four Supra Telecom and Information Systems applications for Physical Collocation to the following Florida wire centers:

1. NDADFLGG - North Dade Golden Gladea
2. WPBHFLGR - West Palm Beach Gardens
3. MIAMFLPL - Miami Palmetto
4. ORLDFLMA - Orlando Magnolia

On April 9, 1998, I spoke with John Reinke regarding the applications Supra intended to place with BellSouth. At that time, I informed John that BellSouth had in place Physical Collocation Exemptions due to no space availability in the wire centers known as NDADFLGG and the WPBHFLGR. In addition, I also advised John, that I was expecting to be informed that no space would be further available to the MIAMFLPL wire center.

At this time, BellSouth has determined no space is available to the MIAMFLPL wire center. While Physical Space is not available at this time, Supra Telecom and Information Systems may apply for Virtual Collocation following the terms, conditions and rates found in the Virtual Expanded Interconnection Service tariff. As you may be aware, Virtual Collocation permits only transmission equipment installation. I note that each of the Supra applications show switch equipment, which BellSouth only permits the installation of into Physical Collocation Service sites. Virtual Collocation Applications forms have previously been provided to Supra, however if you need a copy of the BellSouth Virtual application please let me know and we will see that you have it provided.

This, therefore leaves only the one application for Physical Collocation to the ORLDFLMA wire center available to be processed. In review of this application it is on hold until the following corrections and clarifications of the following information is provided to BellSouth:

Item 4: Supra indicates the in Item A an equipment enclosure is not desired and in Item B that Supra does not want BellSouth to construct an enclosure. However, Supra provides a request for 500 square fee of enclosed floor space. Does Supra want 500 square feet of enclosed or unenclosed floor space? If the answer is unenclosed then Supra will only be provided the floor space displaced according to the details of the racking information provided and a maintenance and aisle factor (according to the terms of your Physical Collocation Agreement) calculation. An unenclosed space is made available in the Physical Collocation Common Area, therefore, BellSouth determines the design and placement of cable racking for such arrangements. Detail rack drawings are necessary to accompany the application for an unenclosed space.

Item 7: Supra has answered Yes to Item 7A2 for integrated ground power. When answering this item the instructions ask the applicant to then proceed to Item

7C. In the request for information Item 7C only shows TBD (to be determined). In order for BellSouth to evaluate and determine an interval, cost estimate and to provide Supra with appropriate power to your arrangement this information must be known at the time of application. Please review Section 7C and advise which choices Supra wishes to select for Power following Item7C1 or Item 7C2 instructions.

Item 9: Supra indicates a desire to interconnect with other collocation arrangements during the initial installation, yet no identification of who Supra will interconnect with is shown. If on the initial application Supra wishes to interconnect with other collocation arrangements, then Supra must indicate who they are to interconnect with. BellSouth will then determine cable distances and such.

Item 11: Supra indicates on this initial application to wire 150 DS0, 25 DS1 and 2 DS3. BellSouth suggests that Supra consider wiring to the capacity of the equipment installation. The billing for the cross connect arrangements ride the service as Supra orders service to the designated cross connect and not with the initial wiring out. To add new BellSouth cross connections requires Supra to place Augmentations to the arrangement following the placement of an application and appropriate application fee payment.

The ORLDFLMA application is not considered Bona Fide and acceptable for processing until the information is provided to BellSouth. Supra indicates a desired space acceptance date of 6/24/1998. At this time BellSouth cannot proceed with the application until these critical details are resolved and provided. There is a thirty (30) business day response interval for individual Physical Collocation application inquires from the point of a Bona Fide application.

In addition, I need to also discuss with you how to handle the check which is for $15,400.00 (four times the Physical Collocation Application Fee of $3850.00). In light of the current space available conditions to three of the four sites, perhaps Supra would prefer to provide BellSouth with a new check in the amount of $3,850.00 and then we can exchange the initial check to Supra.

As you may also know, BellSouth will accept applications for Physical Collocation without Supra having a Physical Collocation Agreement in place with BellSouth. However, for the application to proceed into the project phase known as Firm Order, Supra will need to have an executed Physical Collocation Agreement in place with BellSouth. Please advise me if Supra has an agreement in place is or is in the process of negotiating for an agreement.

I am available at 205.977.1136 if you would like to further discuss collocation.

Thank you,

Nancy Nelson

July 16, 1997

Mr. Kay Ramos
Supra Telecommunications and Information Systems
269 Giralda Avenue, Suite 203
Coral Gables, FL 33134

Dear Mr. Ramos:

Thank you for your request to begin negotiations with BellSouth for Physical Collocation. BellSouth would be pleased to enter into negotiations with Supra Telecommunications and Information Systems with the intent of developing a mutually acceptable agreement. BellSouth is currently negotiating with several companies in this regard, and has successfully negotiated agreements with many carriers.

I am enclosing for your review a copy of the standard Physical Collocation contract used in negotiations.

Please call me at 404-927-7596 if you have questions relative to the enclosed documents or to schedule an initial meeting to discuss the scope of the negotiations.

Sincerely,

Gregory D. Beck
Manager, Interconnection Services

cc: Jerry Hendrix, Director

FLORIDA PUBLIC SERVICE COMMISSION
DOCKET NO. 980800-TP EXHIBIT NO. 26
COMPANY/
WITNESS: Sherry
DATE 10-21-98

DOCUMENT NUMBER-DATE
10301 SEP 18 98
FPSC RECORDS/REPORTING

BellSouth's

Physical Collocation

Offering

FLORIDA PUBLIC SERVICE COMMISSION
DOCKET
NO. 980800-TP EXHIBIT NO 27
COMPANY/
WITNESS: BellSouth
DATE: 10-21-98

Agenda

* Background

* Assumptions

* Overview of schematics

* General terms and conditions

* The Application process overview

* INAC's role

* Next steps

Assumptions:

- The Telecommunications Act of 1996 obligates the LEC's to provide actual collocation to Telecommunications service providers.

- The Act makes provisions for interconnection on a negotiatied (non-tariffed) basis. If the LEC and a negotiating party are unable to agree on terms, the matter will be arbitrated by the state PSC/PUC.

- BellSouth can experience greater pricing flexibility for its co-location offering if accomplished on a non-tariffed basis. We will attempt a more market-based price depending on the competitive conditions/desirability of a given Central Office.

- BellSouth will not price any of the physical co-location rate elements below the existing comparable element in the tariffed virtual collocation offering. Once a price is established for a given Central Office, that price must be offered to all co-locators requesting space in that C.O.

- The Strategic Management Organization has recommended expanding the allowable equipment compliment to include routers, switches, and modem pools in addition to the transmission equipment currently allowed.

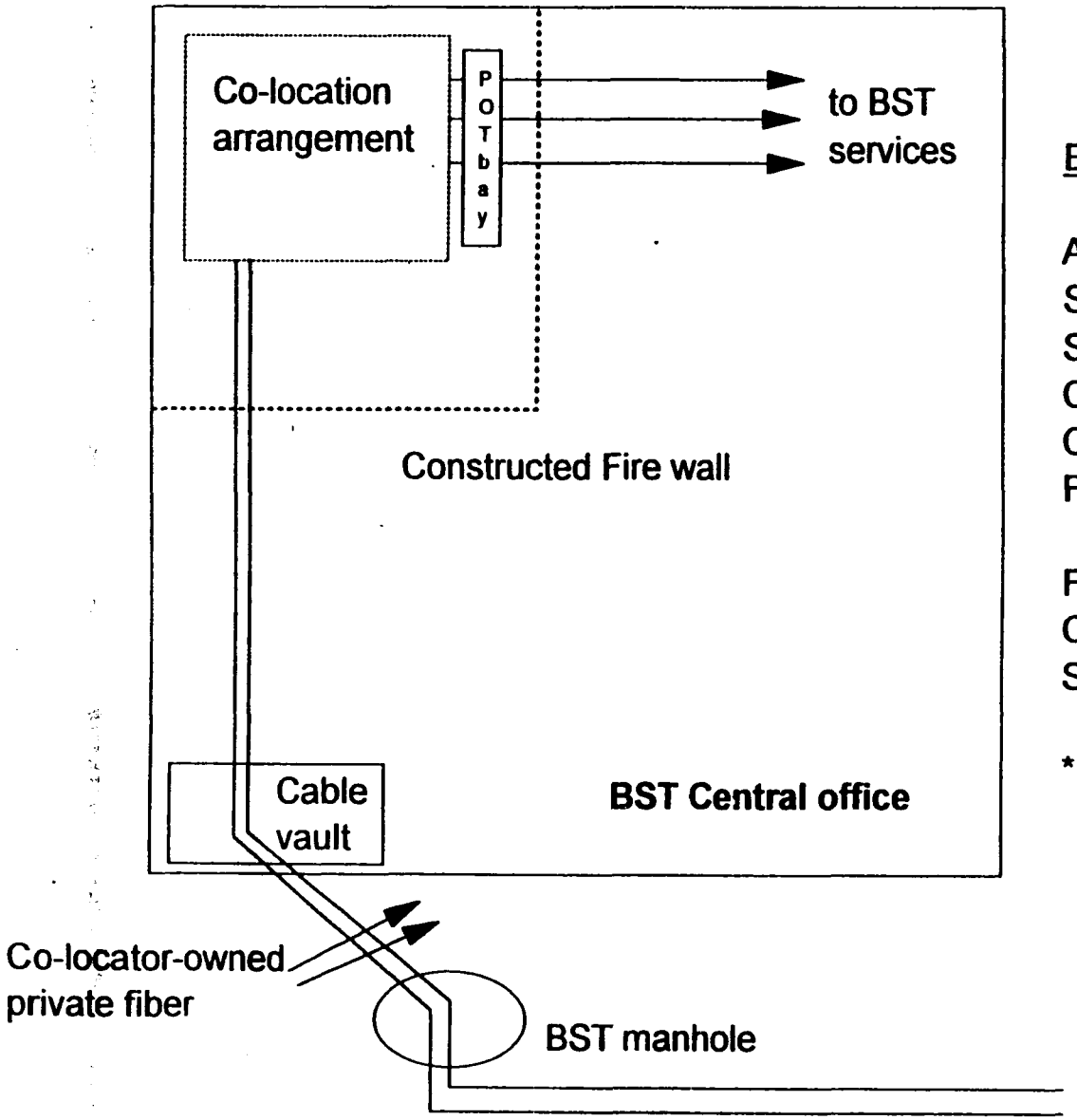
- Physical co-location of third party equipment in BellSouth Central offices will require the construction of physical barriers (walls/cages) and the installation of security access features, per arrangement, at the co-locator's expense.

- The Physical Co-location offering, by definition, will go beyond the FCC mandated Expanded Interconnection and will have menu-style components.

- There are certain and specific FCC mandated rules for a LEC's treatment of Enhance Service Providers. Consequently, BellSouth will not permit the collocaion of Enhanced Service Providers in our central offices at this time.

Physical Co-location: Expanded Interconnection

With Expanded Interconnection, the co-locator is "expanding" their private network to interconnect with BellSouth's network. Therefore, private fiber is placed to the central office and pulled through to the co-location arrangement. The co-locator places their equipment in leased floor space and purchases cross-connects to BellSouth's transport services.

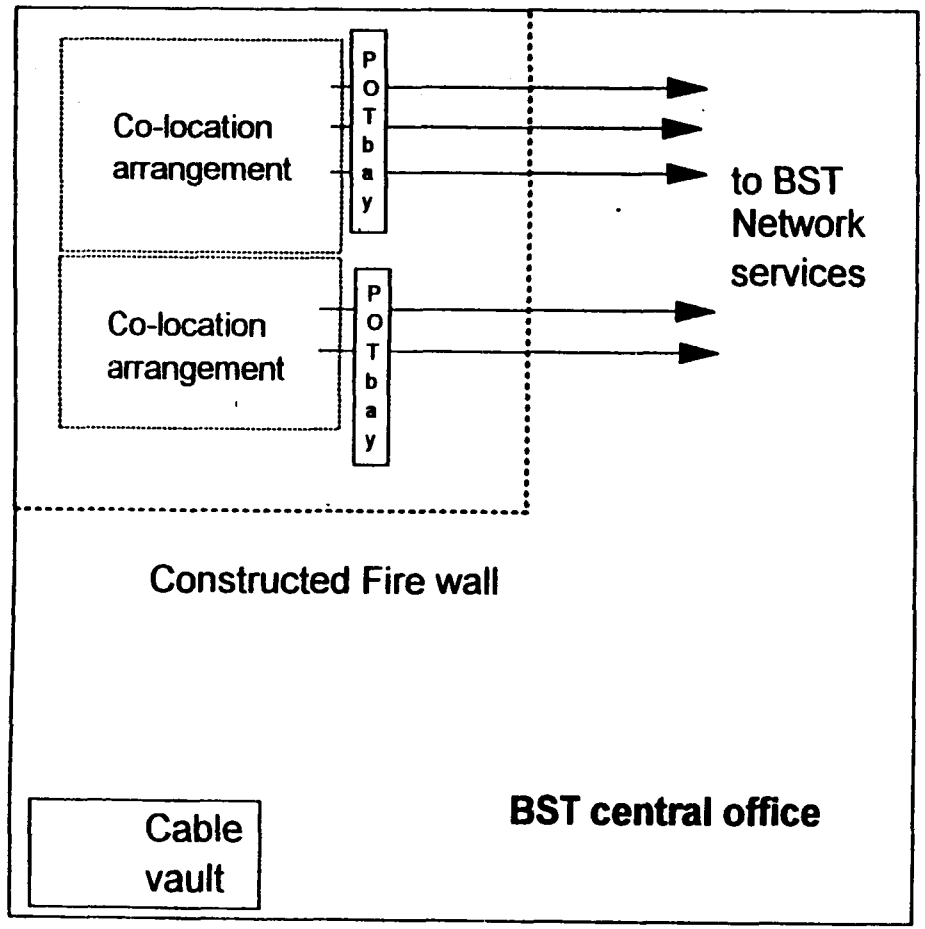


Elements	Type of charge
Application fee	NRC
Space preparation fee	NRC
Space construction fee *	NRC
Cable Installation fee	NRC
Cable support structure	RC
Floor space / per square foot includes environmentals	RC
Floor space - power / per ampere	RC
Cross-connects	NRC & RC
Security escort / per 1/2 hour	(as required)

* Applies for optional cage construction only

Physical co-location: Service Interconection arrangement

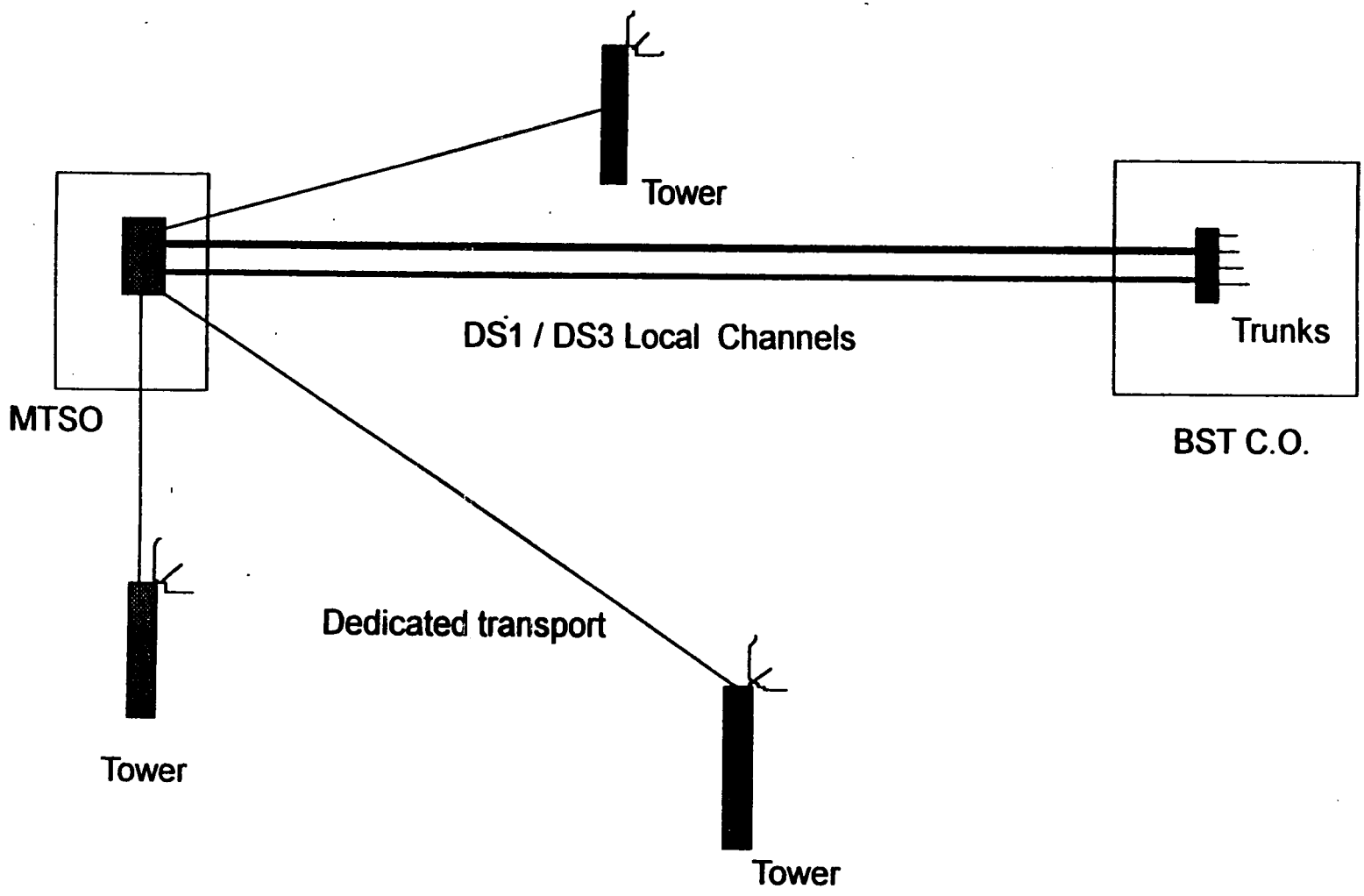
With a Service Interconnection arrangement, the co-locator places their equipment in leased floor space and purchases cross-connects to BellSouth's Transport services. For this arrangement, BellSouth will request a minimum 24 month contract for both the floor space and transport services, as well as a minimum number of interconnected DS1 or DS3 services.



Elements		Type of charge
Application fee		NRC
Space preparation fee		NRC
Space construction fee	*	NRC
Floor space / per square foot includes environmentals		RC
Floor space - power / per ampere		RC
Cross-connects		NRC & RC
Security escort / per 1/2 hour		(as required)

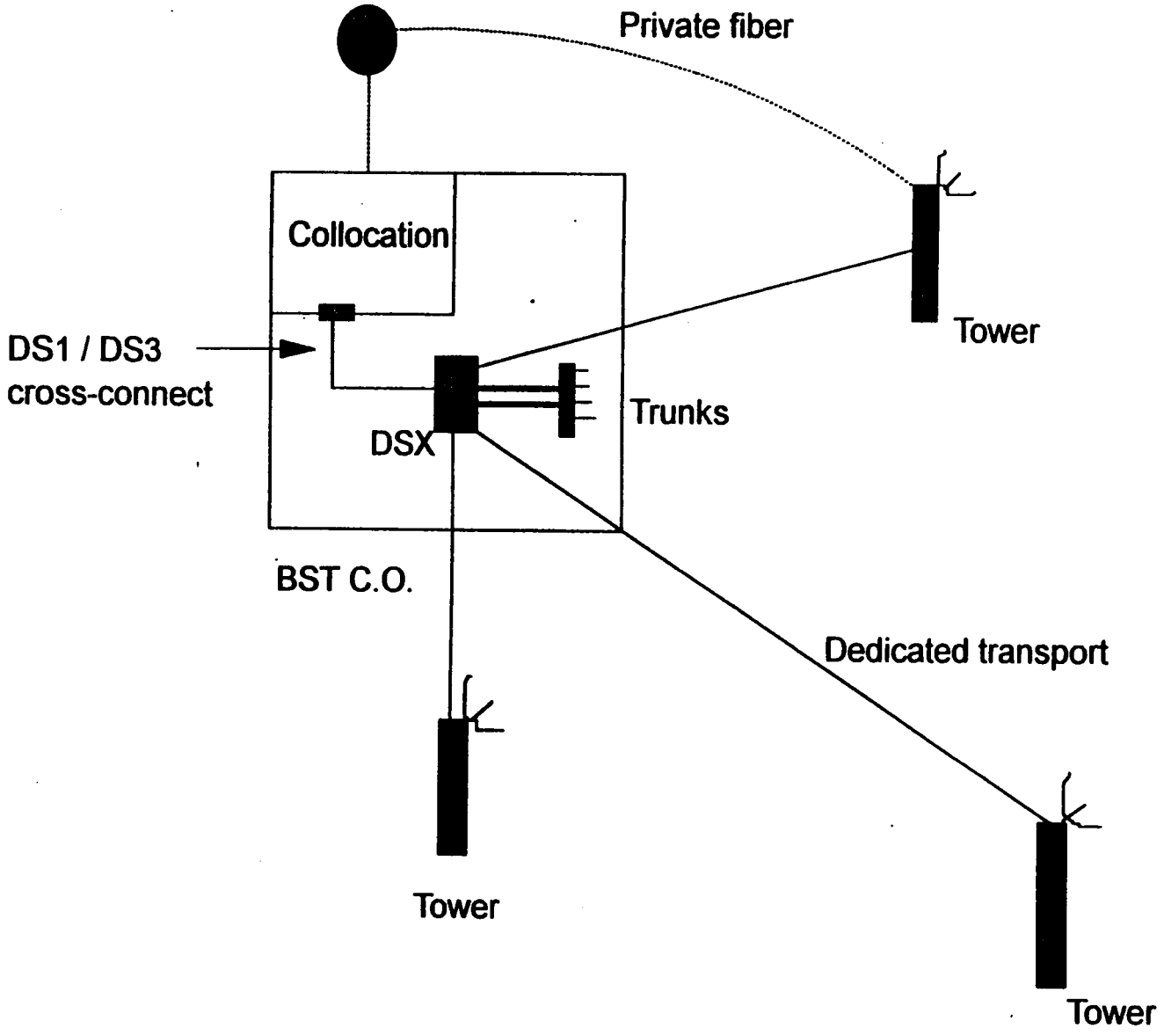
* Required only for optional cage construction

Simplified existing scenario:

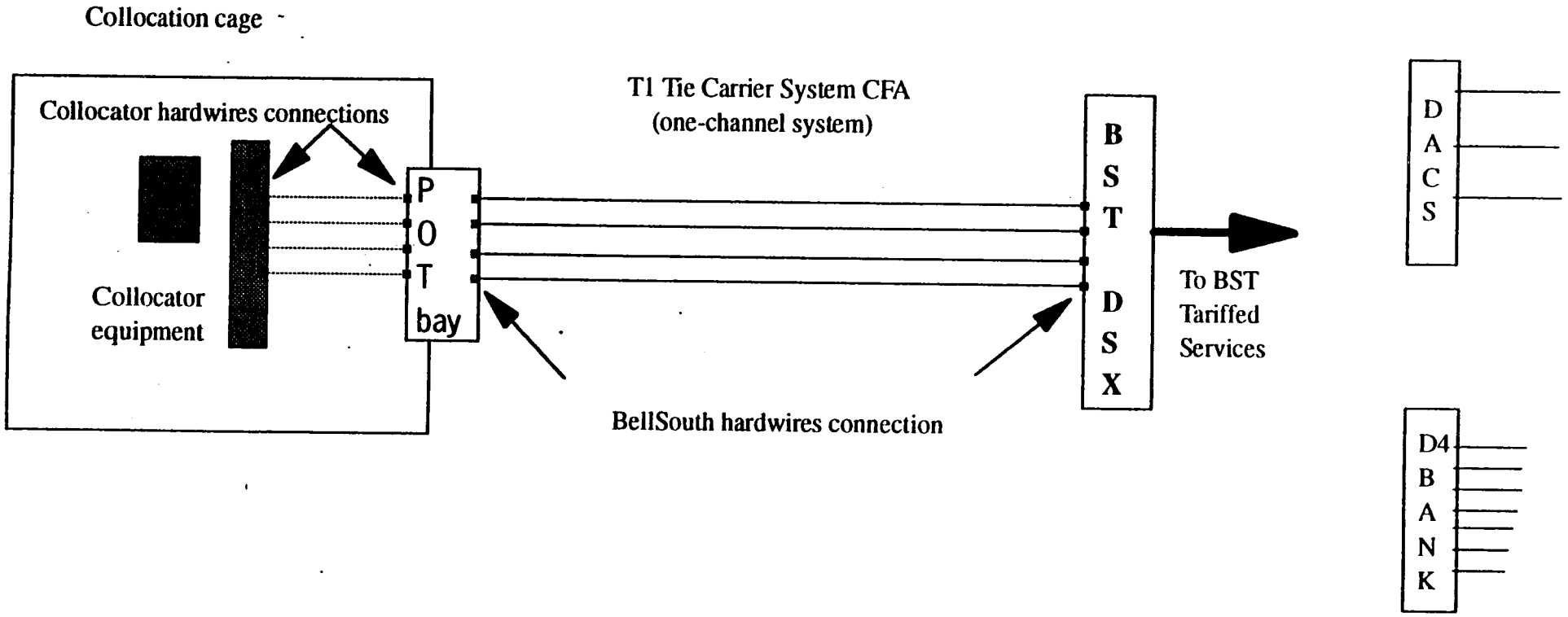


Collocation scenario:

Eliminates the local channel for DS1 / DS3 transport



Physical Collocation DS1 Cross-connect with POT bay



RECEIVED
FEB 16 1993
FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY
FILE COPY

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of	)	
	)	
Expanded Interconnection with Local Telephone Company Facilities	)	CC Docket No. 91-141

PETITION FOR WAIVER

BellSouth Telecommunications, Inc. ("BellSouth") hereby files this Petition for Waiver in accordance with Section 1.3 of the Commission's Rules, 47 C.F.R. Section 1.3. BellSouth requests an exemption from physical collocation requirements established in the above-referenced docket for certain of petitioner's central offices (COs) identified at Exhibit 1 to this filing. In each case, an exemption is necessitated by space limitations within the CO which preclude an offering of physical collocation. As shown more fully below, identification of those COs requiring exemption is based upon a BellSouth inventory which comports fully with Commission standards and provides the requisite good cause for a favorable ruling on the current petition.

BACKGROUND

In its order of October 19, 1992, the Commission prescribed a tariffed offering of physical collocation at all LEC serving wire centers and end offices, to include "remote distribution nodes, and any other points, that the LEC treats as a rating point--a point used in calculating

FLORIDA PUBLIC SERVICE COMMISSION
DOCKET NO. 980800-TL EXHIBIT NO. 29
COMPANY Supra
DATE 10-21-98

the length of interoffice special access links."[1] This expansive mandate was nevertheless subject to a LEC's right to seek exemption from physical collocation where available CO space was exhausted.[2] In addition, a LEC was permitted to reserve CO space for its own future use in meeting service obligations.[3]

The Commission refined its requirements for physical collocation in the order of December 18, 1992. Specifically, availability of the service was narrowed to require original tariffing of a subset of LEC COs comprised of those facilities "in which interconnectors are likely to desire expanded interconnection for DS1 and DS3 service in the near future, such as the first year that expanded interconnection is available."[4] With one exception,[5] identification of qualifying COs was left in the first instance to the LEC; however, interested parties could add

---

[1] Expanded Interconnection with Local Telephone Company Facilities, CC Docket No. 91-141, FCC 92-440, Report and Order and Notice of Proposed Rulemaking, released October 19, 1992, para. 103.

[2] Id. at para. 78.

[3] Id. at para. 79.

[4] Expanded Interconnection with Local Telephone Company Facilities, CC Docket No. 91-141, FCC 92-552, Memorandum Opinion and Order, released December 18, 1992, para. 9.

[5] Southwestern Bell, which had not previously identified a subset of facilities, was directed to compile and provide the Commission with a listing of the 250 largest COs in its service area. Id. at para. 11.

specific locations to the list by submitting a request to the affected LEC on or before January 15, 1993.[6]

Pursuant to the Commission's requirements, as modified by the order of December 18, 1992, BellSouth prepared a list of COs potentially available for physical collocation. Included on the list were those COs displaying substantial special access high capacity (DS1/DS3) demand, as expressed in DS1 equivalents.[7] Using this method, BellSouth identified 60 COs, representing more than 70% of current special access demand, as potential sites for an initial offering of physical collocation. This number was increased to 141 through customer requests for additional, specific COs.

CENTRAL OFFICE INVENTORY

Each CO on the expanded list was inventoried to determine space availability for physical collocation. To constitute an acceptable site, it was determined that a CO must contain a minimum of 300 square feet of contiguous space for collocation after excluding areas currently in use or reserved for future use by LEC services. This standard incorporates several assumptions: (1) that each collocator

---

[6] Id. at para. 13. The Commission stated that interconnector requests should be limited to offices where collocation would be sought within 12 months of service availability and expressed its expectation that the number of such requests would be comparatively insignificant.

[7] For purposes of this calculation, each transmission link--whether local channel or interoffice--was considered a DS1 equivalent.

will require an average of 100 square feet; (2) that each CO will be required to accommodate a minimum of three collocators; and (3) that virtual collocation arrangements will be provided when physical collocation space is exhausted.

The following procedure was employed in each CO inventory to identify potential collocation space:

1. Determined total square footage within the CO
2. Determined unavailable space (e.g., restrooms, hallways, stairs, etc.)
3. Determined assigned space currently occupied by BellSouth switch, transmission, power and other equipment, and administrative space
4. Determined space reserved to satisfy future (5 year) growth requirements of BellSouth switch, transmission, power and other equipment, and administrative space
5. Identified any vacant space unusable for collocation (e.g., basement subject to flooding)
6. Determined available collocation space (Item 1 less Items 2 through 5)

Consideration was given to BellSouth's future switch replacement plans and to space requirements for switch changeover.[8] Determination of the availability of conduit and riser space was a facet of each inventory. Finally, BellSouth's identification of available collocator space does not require the surrender of areas currently used for administrative purposes or the expansion of any CO

---

[8] To avoid any interruption of service, the CO must have adequate space to accommodate both the old switch and the new while the latter is under installation.

facility.[9]

The inventory identified a total of 112 COs where collocation would be desired within one year of service availability and where adequate square footage exists to provide such an offering. The remaining offices initially identified for collocation--a total of 29-- do not have sufficient space to accommodate this form of interconnection. For 20 of these offices BellSouth now seeks a waiver in accordance with the Commission directive.[10] Exhibit 1 to this petition identifies each CO and provides the values assigned to each in Items 1 through 6 of the CO inventory. Where future space availability is anticipated (due to building expansion or other reasons) this information is also provided. As shown in Exhibit 1 each CO subject to the waiver request contains no space presently usable for collocation and for this reason should be excluded from the Commission's tariffing requirements for physical collocation.

---

[9] Pursuant to the Commission's directive, BellSouth will consider collocation requirements in any future construction undertaken.

[10] Following the issuance of orders by the North Carolina Utilities Commission and the Alabama Public Service Commission granting telephone companies the discretion to provide either physical or virtual collocation and in accordance with the Report and Order released October 19, 1992, BellSouth will apply for exemptions applicable to central offices in North Carolina and Alabama. See Exhibit 1.

CONCLUSION

Having demonstrated good cause for its request, BellSouth asks that the Commission grant this petition for waiver and exempt from the offer of physical collocation all COs identified in Exhibit 1 to this filing.

Respectfully submitted,

BELLSOUTH TELECOMMUNICATIONS, INC.

By: Helen A. Shockey

William B. Barfield
Richard M. Sbaratta
Helen A. Shockey

Its Attorneys

Suite 1800
1155 Peachtree Street, N.E.
Atlanta, Georgia 30367-6000

February 16, 1993

EXPANDED INTE ,ONNECTION
DOCKET NO. 91-141
CENTRAL OFFICE INVENTORY
BELLSOUTH TELECOMMUNICATIONS

E) .T 1

STATE	LOCATION	CENTRAL OFFICE NAME	CLLI	TOTAL GROSS SQ. FT*	UNAVAIL-ABLE SPACE*	ASSIGNED-OCCUPIED SPACE*	VACANT RESERVED SPACE*	SPACE NOT USABLE*	AVAILABLE SPACE*	FUTURE AVAILABLE SPACE* (YR)
AL	SEE ATTACHED ORDER FROM THE STATE OF ALABAMA PUBLIC SERVICE COMMISSION									
FL	CHIPLEY	W. JACKSON	CHPLFLJA	3684	171	3513	0	0	0	
Expired end/94	GAINESVILLE	MAIN	GSVLFLMA	81385	16813	62219	2353	0	0	3050 (1994)
	JACKSONVILLE	JT BUTLER	JCVLFLJT	4428	580	3689	159	0	0	
		SAN JOSE	JCVLFLSJ	21168	2165	18196	807	0	0	
	LAKE MARY	MAIN	LKMRFLMA	5166	373	4363	430	0	0	
	LYNN HAVEN	OHIO AVE	LYHNFLOH	4850	500	3884	466	0	0	
	BAY MEADOWS	MANDRIN AVES	MNDRFLAV	4876	267	3929	680	0	0	
	NORTH DADE	GOLDEN GLADES	NDADFLGG	27764	3691	23073	1000	0	0	
expired end/95	PENSACOLA	FERRY PASS	PNSCFLFP	24412	2263	19955	2194	0	0	2230 (1995)
GA	AUSTELL	MAIN	ASTLGAMA	31649	6008	21327	4314	0	0	2000 (1998)
	TUCKER	MAIN	TUKRGAMA	56285	10077	44508	1700	0	0	2000 (1995)
KY	LOUISVILLE	ARMORY PLACE	LSVLKYAP	85531	34564	46402	3856	709	0	6000 (1995)
		BARDSTOWN RD	LSVLKYBR	44057	7608	35240	1209	0	0	4000 (1994)
		WESTPORT	LSVLKYWE	11943	1233	9676	1034	0	0	
	PADUCAH	MAIN	PDCHKYMA	83991	14918	61527	7546	0	0	
LA	NONE									
MS	NONE									
NC	SEE ATTACHED ORDER PROMULGATING POLICY FAVORING CHOICE FROM STATE OF NORTH CAROLINA UTILITIES COMMISSION									
SC	COLUMBIA	SENATE ST	CLMASCSN	41096	8323	26908	5865	0	0	
	GREENVILLE	WOODRUFF RD	GNVLSCWR	15470	1968	11166	2336	0	0	
TN	MEMPHIS	MAIN	MMPHTNMA**	183961	80340	71817	200	** 31604	0	13538 (1996)
		MIDTOWN	MMPHTNMT	34866	5314	19116	0	10436	0	5400 (1994)
		SOUTHSIDE	MMPHTNST	16566	2365	13116	825	260	0	3915 (1996)

* ALL NUMBERS INDICATE SQUARE FEET

** ONE OF TWO BUILDINGS SCHEDULED TO BE DEMOLISHED IN 1996 UNDER EARTHQUAKE PROTECTION PLAN

2/16/93

STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH

DOCKET NO. P-100, SUB 121

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of		
Expanded Interconnection With Local Telephone Company Facilities	}	ORDER PROMULGATING POLICY FAVORING CHOICE

BY THE COMMISSION: On October 19, 1992, the Federal Communications Commission (FCC) released a Report and Order and Notice of Proposed Rulemaking, entitled In the Matter of Expanded Interconnection with Local Telephone Company Facilities (CC Docket No. 91-141) (hereinafter, "FCC Order"). The FCC Order requires Tier 1 Local Exchange Carriers (LECs) to offer expanded interconnection to all interested parties, permitting competitors and high volume users to terminate their own special access transmission facilities at LEC central offices. Tier 1 LECs are companies having annual revenues from regulated telecommunications operations of $100 million or more. The FCC requires that physical collocation be made available upon request for interstate special access services.

The FCC Order recognizes two reasons for exemption from the requirement for a physical collocation option. The first is if the LEC demonstrates that a specific central office lacks the physical space to accommodate physical collocation. The second is if the following exists:

> ... a formal decision by a state legislature or public utility regulatory agency, after proceedings allowing all interested parties a reasonable opportunity to be heard, in favor of virtual collocation rather than physical collocation for intrastate expanded interconnection, or in favor of allowing LECs to choose which form of interconnection to use for intrastate expanded interconnection. Exemption requests based on such final state decision must be submitted...

By letter dated December 11, 1992, the LECs in North Carolina have requested that the Commission address the question of whether special access expanded interconnection should be implemented either via physical or virtual collocation. According to the LECs, a decision and appropriate action by the North Carolina Utilities Commission must occur before February 16, 1993, in order to avoid an FCC mandate restricting intrastate special access interconnection to physical collocation arrangements. The LECs assert that inaction on the part of the state utility commission will result in FCC preemption relative to special access expanded interconnection.

On December 22, 1992, the Commission issued an Order Initiating Investigation and Requesting Comments on the issue of whether the Commission should adopt a policy in favor of virtual collocation rather than physical collocation for intrastate expanded interconnection or a policy in favor of

allowing LECs to choose which form of interconnection to use for intrastate expanded interconnection. A copy of that Order was served on all LECs, all certificated interexchange carriers, (IXCs), the Attorney General, Public Staff, and Privacom. In addition, certain of the LECs were required to have a public notice of investigation published in newspapers of general circulation throughout North Carolina.

Comments were received from: ALLTEL Carolina, Inc., Heins Telephone Company and Sandhill Telephone Company (ALLTEL); Carolina Telephone and Telegraph Company (Carolina); Central Telephone Company (Centel); GTE South Incorporated and Centel of North Carolina, Inc., (GTE South); Citizens Telephone Company (adopting Comments of ALLTEL), Concord Telephone Company (Concord); Lexington Telephone Company (Lexington); North State Telephone Company (North State); BellSouth Telecommunications, Inc., d/b/a Southern Bell Telephone and Telegraph Company (Southern Bell); AT&T Communications of the Southern States, Inc. (AT&T); LDDS of Carolina, Inc. (LDDS); MCI Telecommunications Corporation (MCI); Sprint Communications Company L.P. (Sprint); The Public Staff; Carolina Utility Customers Association, Inc. (CUCA); and PrivaCom, Inc. (PrivaCom).

Initial Comments. All of the LECs with the exception of North State favored the Commission adopting a state policy of LEC choice as to the form of interconnection, with virtual collocation as an alternative. North State recommended virtual collocation.

Carolina argued that under GS 62-110 the Commission lacks the statutory authority to certify competitive access providers (CAPs) on an intrastate basis, and that, absent legislative action, CAPs must be restricted to operation on an interstate basis only. Carolina recommended that the Commission issue an order allowing the affected LECs to choose either virtual collocation or physical collocation to use at such time as intrastate expanded interconnection is allowed by law. In what Carolina viewed as a less satisfactory alternative, Carolina recommended that the Commission issue an order favoring virtual collocation. Carolina expressed concerns about FCC preemption and pressed the Commission to act to ensure that FCC preemption regarding mandatory physical collocation does not occur.

Centel also suggested that the Commission adopt a position in favor of LEC choice of providing physical or virtual collocation. Centel argued that the physical collocation position of the FCC is flawed in that there is no proof that physical collocation is necessary for the public interest to be served. Mandatory physical collocation is in conflict with the FCC's own earlier statement that virtual collocation is comparable. Furthermore the FCC action is an unwarranted taking of property, and may actually serve to undermine the FCC intent to promote competition. Centel states that the LECs can best manage interconnection arrangement to the benefit of end users and that, due to limited floor space availability and no requirement to construct facilities for collocation, the FCC action may deter new market entrants after the initial phase. Centel also argued that the Commission should take the position that tariffing of building space is not a proper function of the tariffing process and that physical collocation should not be required.

GTE asked the Commission to adopt a policy of LEC choice as between virtual

and physical collocation, or in the alternative, adopt a virtual collocation policy. GTE cited several reasons for its position: A physical collocation policy will raise costs and reduce efficiency; mandatory physical collocation poses serious network security and reliability risks; and finally, a LEC option rule will best preserve this Commission's power to direct telecommunications policy.

Southern Bell stated it favored a policy -- both interstate and intrastate -- that permits a Tier I LEC to choose either virtual or physical collocation on a central office by central office basis. Southern Bell submitted that the Commission cannot permit competition in the access market unless the General Assembly specifically authorizes that competition, as it did with long distance, coin telephone service, and shared tenant service. Even before considering such competition, the Commission should consider the issues to which that competition gives rise including pricing flexibility, loss of subsidy to the basic residence exchange service and regulatory reform. Given the complexity of all of the issues, the Commission should not be forced to act precipitously. Southern Bell recommended that the Commission consider supporting NARUC's petition for reconsideration now pending at the FCC.

Several non-Tier I companies filed comments. ALLTEL thought it would have been preferable to limit the scope of this inquiry to Tier 1 companies and urged the Commission to exempt all non-Tier 1 LECs from any Commission requirement of collocation or of filing of intrastate collocation tariffs. Concord expressed concerns that the small companies which are exempted from the FCC's order will, through regulatory or market forces, be required to provide expanded interconnection in the future. Concord also expressed concern with safety and employees, and security and recommended that the Commission make physical collocation optional, not mandatory, for Tier 1 LECs. Concord further stated it does not believe that any party in this FCC proceeding has offered a compelling reason to require physical collocation over virtual collocation for LECs, but there have been serious concerns raised regarding the additional costs, and security and legal issues presented by physical collocation. Lexington encouraged the Commission to adopt a policy which would allow LECs to choose the form of interconnection which best fits that LEC's circumstances. North State stated it believes that a state policy in favor of virtual interconnection arrangements is in the public interest, removes undue burdens from the LEC, and approaches interconnection in a manner which has less far-reaching impact on the ratepayer.

AT&T argued that the real objective of the LECs is to obtain a pronouncement by this Commission of a state policy favoring virtual collocation which would exempt them -- for purposes of interstate services -- from the physical collocation requirement. AT&T stated it favored expanding access alternatives and it supports Commission action authorizing access competition in connection with intrastate service. AT&T further favors a requirement, in the event competitive access is authorized, that physical collocation be required to be offered by the LECs. However, AT&T believes that the narrow "collocation" question which the LECs are now pressing cannot reasonably be resolved in isolation from broader issues of competition in general, and encouraged the Commission to proceed to a broader generic hearing addressing the authorization of competitive access (including collocation), expanded local calling plans, and intraLATA competition.

LDDS and MCI supported the Commission adopting a policy of physical collocation. Both companies expressed concerns about the possible competitive advantage AT&T would have over its smaller rivals. MCI stated it believes that expanded interconnection should be accompanied by the implementation of certain safeguards to avoid the risk that expanded interconnection could adversely affect competition in the interexchange marketplace.

Sprint stated it does not take a position as to which form of collocation, physical or virtual, the Commission should adopt as its policy, and it does not oppose LECs choosing physical or virtual collocation. Sprint also urged the Commission to take such actions as may be necessary to insure that the terms and conditions governing the Commission's collocation policy does not favor one interconnector over another or physical collocation over virtual collocation. Further, Sprint urged the Commission to consider the safeguards set out by the FCC in its order. In addition, Sprint stated that, to achieve the benefits of intrastate expanded interconnection, virtual collocation arrangements must be provided in a manner that is sufficiently comparable in quality to physical collocation.

The Public Staff argued that the Commission does not have the authority under existing statutes to authorize competition with the LECs in the provision of local exchange or intrastate access services and that enabling legislation would be required before the Commission could authorize provision of local exchange or intrastate special access by a competitive carrier. However, the Public Staff does not believe the Commission is precluded from reaching a policy conclusion at this time on the preferred means of intrastate expanded interconnection even though the Commission does not currently permit such interconnection. The Public Staff stated that based upon its review of the FCC docket, it believes that each LEC should be free to determine on an office-by-office basis the type of expanded interconnection which it will make available to interconnectors. This would enable LECs to offer virtual collocation to interconnectors where provision of physical interconnection would result in greater costs or inefficiency for the LEC. Since the increased costs and inefficiency would impact the interests of the basic local subscribers as well as the large telecommunications users, giving the LEC flexibility to choose which type of collocation it will provide would enable the LEC to better balance the interests of all of its subscribers.

CUCA believed that retention of the physical collocation requirement will not preclude the LECs from negotiating virtual collocation requirements with interested parties. Approval of any requested exemption from the physical collocation requirement could well preclude certain forms of competition which would be socially beneficial. CUCA further stated that in the event that the Commission authorizes reliance upon virtual collocation rather than physical, the competitive options to CUCA's member companies will be significantly reduced. The Commission should therefore not allow any "watering down" of the FCC's efforts in favor of competition in the absence of some overriding reason to do so. Since, to date, no overriding reason for abandoning the physical collocation requirement has been advanced by anyone, CUCA believes the Commission has no basis to permit any exemption from the physical collocation requirements at the present time.

PrivaCom, a competitive access provider (CAP), urged the Commission not to seek exemption from the FCC mandated physical collocation rules. PrivaCom further stated that it is not necessary for the Commission to establish virtual collocation as a viable service option because CAPs may find virtual collocation preferable to physical after exploring both options with LECs. The ability of CAPs to compete effectively for interstate access services is contingent upon their ability to gain expanded interconnection within the central offices owned and controlled by the LECs. Because LECs control these central offices, they occupy a bargaining position superior to the CAPs. PrivaCom argued that the considerable experience that has been gained with collocation in other states, and the voluminous record compiled in the FCC's collocation proceeding fully demonstrates that only a mandatory physical collocation standard can place interconnectors on competitively equal footing with the LECs. PrivaCom stated that inasmuch as North Carolina does not now permit competition for intrastate local access services, having a policy in place would conflict with existing North Carolina law and policy.

Reply Comments. Reply Comments were received from: Carolina, GTE, Southern Bell, AT&T, CUCA and Fibercom, Inc.

Carolina replied to PrivaCom's concerns about virtual collocation as being inferior to physical, and concerns regarding technological advances by indicating that these allegations are unsupported by the facts. Further, Carolina stated that PrivaCom's allegation that most states favor a physical collocation arrangement is simply untrue, a number of states support the policy of LEC choice, and NARUC has adopted a resolution favoring LEC choice. Carolina will provide collocation to all parties requesting it and on the same or similar terms and conditions. Furthermore, Carolina does not foresee a lessening of infrastructure development and technological advance if the Commission adopts a position of LEC choice.

In response to AT&T's comments, Carolina stated that AT&T's argument that collocation and intraLATA competition are inseparable is without basis as intraLATA competition is not directly related to collocation issues and should not be addressed in this docket.

Carolina concluded by reiterating its earlier recommendation that the Commission should issue an order allowing the affected LECs to choose either virtual or physical collocation on an office-by-office basis at such time as intrastate expanded interconnection is allowed by law, or in the alternative, but less acceptably to Carolina, an order requiring virtual collocation rather than physical collocation.

In its Reply Comments, GTE pointed out that PrivaCom's Comments made no attempt to justify a physical collocation rule in terms of the Commission's responsibility to safeguard ratepayers' interests. GTE also cautioned the Commission to avoid accepting claims that failure to act on collocation at the state level would not result in preemption of state special access interconnection policies and that it is a practical impossibility to limit the effects of interconnection implementation decisions to just the interstate or intrastate arena.

In response to Privacom's arguments that the actions of other state regulatory commissions and the FCC provide "incontrovertible evidence" to support adoption of a physical collocation requirement, GTE replied that these assertions were misleading and provide no basis for this Commission to forego issuance of its own policy. GTE also responded to PrivaCom's remarks that experience with virtual collocation in other jurisdictions has demonstrated its anticompetitive impact by indicating these statements are wholly unsupported by any facts and, to GTE's knowledge, no such problems have occurred. GTE further pointed out that the FCC Order was not unanimous, was introduced late in the FCC's rulemaking by three of the five FCC Commissioners and overrode the FCC's own staff recommendation.

GTE stated that most advocates of mandatory physical collocation did not adequately justify their preference for physical collocation. According to GTE, CUCA appeared to rely solely on the FCC's judgment that mandatory physical collocation is a competitive necessity, AT&T's concern seems to be with further introduction of competition in intrastate markets, rather than the specific issue of collocation, and MCI's filing appears to be motivated primarily by fear that AT&T will gain an undue competitive advantage in an environment of expanded special access competition. In response to PrivaCom's contentions that a virtual collocation option will result in less reliable CAP service, artificially inflate CAPs' cost, result in excessive litigation and stunt North Carolina's economic growth, GTE stated it believed such assertions to be untenable.

GTE also stated it believed there are no legal obstacles to adoption of a LEC option collocation policy and that nothing precludes the Commission from ruling on collocation at this time whereas the risks of inaction in this matter are simply too great. GTE concluded by urging the Commission to adopt a policy allowing LECs to choose between physical and virtual collocation in response to valid interconnection requests. The availability of a virtual collocation option is critical to assure the Commission's ability to guide the development of the intrastate special access market in accordance with state-specific conditions and social objectives.

Southern Bell recommended that the Commission adopt the Public Staff's recommendation and declare a policy allowing LECs to choose on an office-by-office basis between virtual and physical collocation in time to allow the LECs to seek an exemption from the FCC by February 16, 1993.

AT&T pointed out that it should be clarified that the FCC's proceeding does not entail preemption of any intrastate services and there is nothing in the FCC's decision that would prevent this Commission, at a later time, from adopting virtual collocation, or LEC choice, as a policy for intrastate special access. The FCC's deadline is designed to respond to existing state policies supporting competitive access for intrastate services. It is clear that a true competitive policy in this respect in North Carolina will not and cannot be put in place in the next two weeks and there is neither need or justification for immediate action by this Commission. AT&T recommended that the Commission proceed to address the North Carolina issues independently of the FCC's procedural schedule and at a pace which allows the relevant state issues to be aired and resolved reasonably and responsibly.

AT&T repeated that it is prepared to assist in pursuing a generic and broad-based docket on the full range of competitive issues facing the Commission but recommends that, for the present, the Commission refrain from any hasty policy pronouncements.

CUCA suggested that the Commission should abstain from making any decision to grant or deny any exemption from the physical collocation requirement or to adopt a policy of mandatory physical collocation for use in this jurisdiction.

Fibercom urged the Commission not to adopt either of the policies proposed in its December 22, 1992, Order for the following reasons: The FCC order does not preempt state action; the FCC's collocation rule will not affect the intrastate rate base; there is no legitimate basis for LECs' alleged concern over security and network integrity; the FCC's collocation order does not represent an unlawful taking of LECs' property; physical and virtual collocation do not confer the same benefits on interconnectors; and competition for intrastate local access services is not permitted under North Carolina law.

WHEREUPON, THE COMMISSION reaches the following

CONCLUSIONS

After careful consideration of the filings in this docket, the Commission believes that the LECs should be given the choice of virtual or physical collocation as to interconnection with CAPs and other interconnectors.

The posture of this matter as it appears before the Commission at this time is somewhat unusual. The Commission agrees with those parties who have noted that the North Carolina statutes do not currently allow the certification of CAPs. The Commission also agrees with the Public Staff that the Commission nevertheless is not precluded by this from reaching a policy conclusion at this time on the preferred mode of intrastate expanded interconnection. The policy would simply apply to the provision of access at some future time.

The fact of the matter is that the FCC's decision favoring interstate physical collocation necessarily has intrastate implications. First, if North Carolina were to allow intrastate CAPs, the physical collocation preference of the FCC would tend to determine the preferred mode of intrastate collocation. Second, even in the absence of intrastate CAP certification, the preference for interstate physical collocation has implications for intrastate services and the cost of these services. Fortunately, the FCC has chosen to allow the states a window of opportunity in which to exercise what some parties have characterized as a "reverse preemption" -- that is, if a state favors a policy of virtual collocation or of choice with respect to intrastate interconnections, this policy will be determinative of interstate interconnection as well.

We believe that the Pennsylvania Public Utility Commission was directly on point concerning the importance of the central office to the telecommunications infrastructure and to the maintenance of effective service when it issued its December 18, 1992 statement of Policy favoring choice in this matter. The Pennsylvania Commission wrote:

> LEC central offices are fundamental components of the core telecommunication's infrastructure used to provide telephone service to the ratepayers. . . Thus we have a vital interest in ensuring that the LECs continue to maintain their ability to utilize the capacity of their central offices in order to meet the obligations to provide reliable and economical intrastate telephone service. (Pennsylvania Bulletin, Vol. 22, No. 5, December 19, 1992, p. 6024)

In view of the limited time that the Commission has in which to act, we believe that the more prudent course is for us to exercise the right of reverse preemption and enunciate a policy of choice for LECs for the reasons as generally set forth by the proponents of choice. Such concerns regarding physical collocation include:

1. Higher costs and reduced efficiencies pursuant to the forced reconfiguration of LEC central offices. A mandatory physical collocation policy could affect the intrastate rate base. With central office space preemptively allocated to interstate interconnectors, LECs may well have to build or acquire new facilities to meet intrastate needs, thus increasing the cost of intrastate services.

2. Risks concerning network security and reliability.

3. Disruption of LECs' operations leading to a reduced ability to ensure reliable and affordable service.

4. Reduced ability by the LECs to meet long-term state needs and several objectives.

5. An erosion of the Commission's power to direct telecommunications policy.

Proponents of mandatory physical collocation, notably PrivaCom, have sought to deprecate these concerns. The Commission does not agree. Since the actual experience with collocation is minimal, the Commission believes it would be unwise to mandate one form of collocation at this time.

A flexible policy of permitting LECs to opt for either virtual or physical collocation for special access is the best way for the Commission to assure dependable and affordable telecommunications services in keeping with North Carolina consumers' needs. A LEC option policy will also allow this Commission to determine the contours of the access market in accordance with state-specific conditions.

This alternative will fit within any future Commission initiatives to foster development of the competitive special access market. This is true because the FCC's virtual collocation scheme affords technical interconnection arrangements equal to those associated with a physical collocation regime. Under virtual collocation, the LEC will designate an interconnection point near its central office that is physically accessible to both the LEC and the interconnector on nondiscriminatory terms. LECs and interconnectors would remain free to negotiate

the key details of virtual collocation arrangements, allowing the parties to tailor rates, terms, and conditions to the type of central office equipment an interconnector wishes to use. The same arrangements will be made available to any similarly situated entity within the same central office.

IT IS, THEREFORE, ORDERED as follows:

1. That the Commission hereby promulgate a policy of LEC choice with respect to intrastate expanded interconnection by CAPs and other interconnectors with LEC facilities.

2. That a copy of this Order be sent to the Federal Communications Commission.

ISSUED BY ORDER OF THE COMMISSION.

This the 10th day of February 1993.

NORTH CAROLINA UTILITIES COMMISSION

(SEAL)

Geneva S. Thigpen, Chief Clerk

STATE OF ALABAMA

[redacted]

[redacted]

[redacted]

[redacted]

IN THE MATTER OF:
NOTICE OF INQUIRY ON
EXPANDED INTERCONNECTION FOR
INTERSTATE SPECIAL ACCESS

DOCKET U-3443

ORDER

BY THE COMMISSION:

The Federal Communications Commission, in CC Docket 91-141, required Tier 1 Local Exchange Carriers to offer expanded interconnection for interstate special access to all interested parties. Tier 1 Local Exchange Carriers are required to offer physical collocation to all interconnectors that request this arrangement; however, the interconnectors and the Local Exchange Carriers are free to negotiate virtual collocation arrangements if both parties prefer such an arrangement over physical collocation. The Federal Communication Commission will permit Tier 1 Local Exchange Carriers to file a petition for exemption from physical collocation, but envisions only two justifications: lack of central office space to accommodate physical collocation; or a decision by a state legislature or state public utility regulatory agency, after a "formal proceeding" allowing all interested parties a reasonable opportunity to be heard, in favor of virtual collocation for interstate expanded interconnection or permitting the Local Exchange Carriers to select the form of collocation for interstate expanded interconnection.

As a result of the decision by the FCC concerning collocation of facilities necessary for expanded interconnection of special access services, the Alabama Public Service Commission initiated, within this docket, a Notice of Inquiry on Expanded Interconnection for Interstate Special Access dated January 8, 1993. This inquiry expressed the Alabama Public Service Commission's interest in

evaluating 'impacts and implications for Alabama intrastate services and companies' (Notice of Inquiry at p. 1). The comments received have enabled the Alabama Public Service Commission to formulate a policy which it perceives to balance the concerns of the commentors in this docket and best serve the citizens of the State of Alabama.

STATEMENT OF POLICY
ON
EXPANDED INTERCONNECTION FOR INTRASTATE SPECIAL ACCESS

IT IS, THEREFORE, ORDERED BY THE COMMISSION, THAT IT IS THE Alabama Public Service Commission's policy to permit Tier 1 Local Exchange Carriers to offer expanded interconnection for intrastate special access, either on a physical or virtual collocation basis, pursuant to negotiated agreement between the parties. Should the parties fail to agree on the terms of the collocation arrangement, the interested party seeking collocation for intrastate special access at a given central office can file a petition with this Commission requesting specific terms of the collocation arrangement be ordered, stating the reasons for such request. All such petitions would be reviewed on a case by case basis, with the Commission weighing the equities involved in providing physical or virtual collocation to the given central office.

DATED at Montgomery, Alabama, this 16th day of February 1993.

ALABAMA PUBLIC SERVICE COMMISSION

Jim Sullivan, President

Charles B. Martin, Commissioner

ATTEST: A True Copy

Wallace Tidmore, Secretary

Commissioner Jan Cook abstains.

NOV 1993 RECEIVED

RECEIVED
NOV 18 1993
FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY
FILE COPY

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of	)	
	)	
Expanded Interconnection with Local Telephone Company Facilities	)	CC Docket No. 91-141 Transport Phase I
	)	
Amendment of Part 36 of the Commission's Rules and Establishment of a Joint Board	)	CC Docket No. 80-286
	)	

PETITION FOR WAIVER

BellSouth Telecommunications, Inc. ("BellSouth") hereby files this Petition for Waiver in accordance with Section 1.3 of the Commission's Rules, 47 C.F.R. § 1.3. BellSouth requests an exemption from physical collocation requirements established in the above-referenced docket for certain of petitioner's central offices (COs) identified at Exhibit 1 to this filing. In each case, the exemption is necessitated by space limitations within the CO which preclude an offering of physical collocation.

DISCUSSION

On September 2, 1993, the Commission released the above-referenced order, which directs Tier 1 local exchange companies excepting NECA pool members (the LECs) to provide expanded interconnection for the accommodation of competitive switched transport services. As in the parallel proceeding for special access, LECs may obtain an exemption from the requirement of physical collocation where such arrangements are rendered infeasible by space limitations

FLORIDA PUBLIC SERVICE COMMISSION
DOCKET NO. 980800-TP EXHIBIT NO. 29
COMPANY/ WITNESS: Dupree
DATE: 10-21-98

within the CO.[1]

The COs named in this waiver were subjected to the same inventory procedure used by BellSouth to assess available collocation space at other sites and described in a previous Petition for Waiver.[2] Appropriate values representing total square footage, unavailable space, assigned space, etc. were calculated for each CO and are provided at Exhibit 1. As shown in Exhibit 1 and the following description, each CO subject to this waiver request contains no space presently usable for collocation and for this reason should be excluded from the Commission's tariffing requirements for physical collocation.

The following COs lack sufficient space to accommodate physical collocation and are not included within an existing waiver of expanded interconnection requirements:[3]

(1) Jupiter Main, Jupiter, Florida. Unavailable space within the Jupiter Main CO is comprised of 2400 square feet consisting of entrance and hallways, bathroom facilities and

---

[1] Second Report and Order and Third Notice of Proposed Rulemaking, CC Docket No. 91-141, Transport Phase I, CC Docket No. 80-286, FCC 93-379, released September 2, 1993, para. 31.

[2] BellSouth Petition for Waiver, CC Docket No. 91-141, February 16, 1993.

[3] Pursuant to the Second Report and Order and Third Notice of Proposed Rulemaking, parties were given the opportunity to designate COs where switched access collocation was desired. Eleven COs were thus added to the list of 141 COs previously identified in the parallel special access proceeding. The current petition seeks exemption for three of the eleven COs so designated.

. mechanical room housing HVAC equipment. An additional 1200 square feet of "Assigned-Occupied Space" is used for maintenance equipment and supply storage and includes a 400 square foot employee break room. Growth requirements through 1998 necessitate the reservation of 2160 square feet. Further, 1800 square feet of the CO is unusable for any purpose due to inadequate floor loading capacity under Network Equipment Building Standards (NEBS) resulting from its location above the cable vault.

(2) Royal Palm Beach CO, West Palm Beach, Florida. The Royal Palm Beach CO has 964 square feet of unavailable space consisting of entrance and bathroom facilities, an equipment receiving room and a mechanical room for HVAC. An addition to the CO is planned for 1994 with completion scheduled for First Quarter 1995. This improvement will add 2444 square feet to the facility and will include a reservation of 300 square feet for physical collocation.

(3) Garden CO, West Palm Beach, Florida. There are four switches and associated peripheral equipment (consisting of polling equipment, circuit equipment, DC power and main distribution frame) located in the Garden CO. BellSouth has reserved 2100 square feet for projected growth of the switches over a two year period. An additional 2300 square feet, comprised of entrance lobby, bathroom facilities and a mechanical room for HVAC, is classified as unavailable space.

CONCLUSION

Having demonstrated good cause for its request, BellSouth asks that the Commission grant this petition for waiver and exempt from the offer of physical collocation those COs in the state of Florida which are identified in Exhibit 1 to this filing.

Respectfully submitted,

BELLSOUTH TELECOMMUNICATIONS, INC.

By: Helen A. Shockey

M. Robert Sutherland
Richard M. Sbaretta
Helen A. Shockey

Its Attorneys

4300 Southern Bell Center
675 West Peachtree Street, N.E.
Atlanta, Georgia 30375
(404) 614-4904

DATE: November 18, 1993

EXHIBIT 1

EXPANDED INTERCONNECTION
DOCKET NO. 91-141
CENTRAL OFFICE INVENTORY
BELLSOUTH TELECOMMUNICATIONS

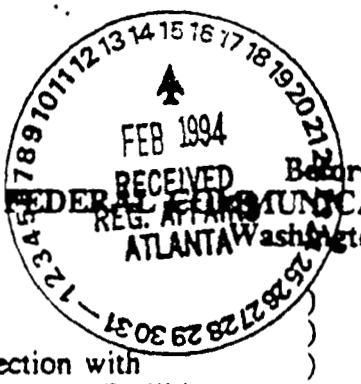
STATE	LOCATION	CENTRAL OFFICE NAME	CLLI	TOTAL SPACE SQ. FT.*	UNAVAILABLE SPACE *	ASSIGNED/ OCCUPIED SPACE *	VACANT/ RESERVED SPACE *	SPACE NOT USABLE *	AVAILABLE SPACE *	FUTURE AVAILABLE SPACE (YR) *
FL	Jupiter	Main	JPITFLMA	20,000	2,400	15,000	2,100	1,000	0	
	West Palm Beach	Garden	WPBHFLGR	20,000	2,200	16,400	2,100	0	0	
	Hypothetical	Royal Palm	WPBHFLRP	8,857	894	7,000	0	0	0	200 (1998)

* ALL NUMBERS INDICATE SQUARE FEET

11-19-93

REVISED PER BPUG

FLORIDA PUBLIC SERVICE COMMISSION
DOCKET NO. 980800-TP EXHIBIT NO. 30
COMPANY/ Supra
WITNESS:
DATE: 10-21-98



DA 94-143

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C.

In the Matter of	)	
Expanded Interconnection with Local Telephone Company Facilities	)	CC Docket No. 91-141 Transport Phase I
Petitions for Exemption from Physical Collocation Requirement for Interstate Switched Transport	)	

MEMORANDUM OPINION AND ORDER

Adopted: February 10, 1994; Released: February 14, 1994

By the Acting Chief, Common Carrier Bureau:

I. INTRODUCTION

1. In the Switched Transport Expanded Interconnection Order, the Commission required most Tier 1 local exchange carriers (LECs) to provide expanded interconnection for interstate switched transport service to all interested parties that wish to terminate their own switched transport transmission facilities at particular LEC premises.[1] The designated LECs must offer all such interested parties physical collocation of equipment necessary for interconnection in LEC central offices.[2] The Commission did not extend this requirement to any central office already exempt from the requirement to provide physical collocation for expanded interconnection for interstate special access.[3] The Commission also contemplated exempting additional offices from the physical collocation requirement if those offices lacked adequate space for physical collocation.[4] For those locations, LECs must file tariffs for virtual

---

[1] Expanded Interconnection with Local Telephone Company Facilities, Second Report and Order and Third Notice of Proposed Rulemaking, CC Docket No. 91-141 Transport Phase I, 8 FCC 7374, 7402 (1993) (Switched Transport Expanded Interconnection Order).

[2] Id. at 7391.

[3] Id. at 7394. See also Expanded Interconnection with Local Telephone Company Facilities, Petitions for Exemption from Physical Collocation Requirement, CC Docket No. 91-141, 8 FCC Rcd 4569 (Com.Car.Bur. 1993) (Special Access Exemption Order), app. for rev. pending.

[4] Switched Transport Expanded Interconnection Order, 8 FCC Rcd at 7393-94. LECs were not given a second opportunity to qualify for the state exemption. Id.

collocation for switched transport expanded interconnection.[5]

2. LECs seeking exemption from this physical collocation requirement were required to file petitions for exemption by November 18, 1993, the same time they filed tariffs for switched transport expanded interconnection.[6] Four LECs filed such petitions for central offices for which they had not sought a similar exemption for special access. These LECs are BellSouth Telecommunications, Inc. (BellSouth), GTE Service Corporation (GTE), Southern New England Telephone Company (SNET), and Southwestern Bell Telephone Company (Southwestern Bell). Teleport Communications Group (TCG) filed an opposition to these petitions, and BellSouth, GTE, Southwestern Bell, and SNET filed replies. For reasons discussed below, we grant these petitions in part.

II. PLEADINGS

A. BellSouth

3. Bellsouth seeks exemption for three central offices.[7] At its Garden central office in West Palm Beach, Florida, BellSouth alleges that 2300 square feet of office space are unavailable for physical collocation because this space is used for entrance and bathroom facilities and a mechanical room containing heating, ventilation, and air conditioning (HVAC) equipment.[8] BellSouth also has reserved 2100 square feet within that office for projected growth.[9] In its reply, BellSouth states that 600 of this 2100 square feet are needed for three years of growth for a DMS 200 access tandem switch and a DMS 100 switch to provide local switching.[10] BellSouth asserts that another 600 square feet are needed for a DMS 200, a TOPS operator switch, and a DMS signal transfer point (STP).[11] Finally, BellSouth claims that the remaining 900 square feet must be reserved for main distribution frame growth and maintenance administration.[12]

4. TCG doubts that, of the 4400 square feet that BellSouth states are either unavailable or reserved for future use, it could not find at least 100 square feet to make available for

---

[5] Id. The Commission delegated authority to the Bureau to act upon certain implementation details pertaining to expanded interconnection for switched transport. Switched Transport Expanded Interconnection Order, 8 FCC Rcd at 7450.

[6] Switched Transport Expanded Interconnection Order, 8 FCC Rcd at 7443.

[7] BellSouth Petition at 2-3 and Exh. 1. These central offices are listed in Appendix A of this Order.

[8] Id.

[9] Id.

[10] BellSouth Reply at 3.

[11] Id.

[12] Id.

Exh. 30

physical collocation.[13] TCG also implies that BellSouth's representations should not be believed because BellSouth has made an excessive number of exemption requests in the past.[14] BellSouth contends that the Common Carrier Bureau (Bureau) in the past has found that each exemption request should be judged on its own merits, independent of that LEC's requests at other locations.[15]

5. At its Royal Palm central office in West Palm Beach, Florida, BellSouth alleges that 964 square feet are unavailable for physical collocation because this space is used for entrance and bathroom facilities, an equipment receiving room, and a mechanical room containing HVAC equipment.[16] BellSouth plans construction to enlarge this central office, and expects physical collocation to be available in the first quarter of 1995.[17] TCG asserts that BellSouth has not justified exemption at the Royal Palm Beach central office, and in any case BellSouth would not be entitled to an exemption after March 31, 1995, when BellSouth states that physical collocation will be available at this central office.[18] BellSouth replies that TCG has not refuted its showing of space inadequacy, and states that it would not be opposed to limiting its exemption to March 31, 1995.[19]

6. In its Jupiter, Florida, central office, BellSouth claims that 2400 square feet are unavailable for physical collocation because it is used for hallways, entrance and bathroom facilities, and a mechanical room containing HVAC equipment.[20] BellSouth also contends that 1200 square feet are used for equipment storage and an employee break room. BellSouth has reserved 2160 square feet for growth through 1998. In addition, BellSouth asserts that 1800 square feet at this central office are unusable for any purpose because the floor has insufficient load bearing capacity.[21] TCG argues that BellSouth has not shown that 1200 square feet are necessary for storage and an employee break room in Jupiter.[22] TCG also maintains that BellSouth has not disclosed the load-bearing capacity of the 1800 square foot space in the Jupiter central office, and that it has not shown that this space could not be used for storage or

---

[13] TCG Opposition at 2-3.

[14] Id. at 3.

[15] BellSouth Reply at 3-4, citing Expanded Interconnection with Local Telephone Company Facilities CC Docket No. 91-141, GTE Service Corporation Petition for Exemption from Physical Collocation Requirement, DA 93-1529 (released December 21, 1993) (granting GTE a petition for exemption from the special access expanded interconnection physical collocation requirement at a central office in San Bernardino, California).

[16] BellSouth Petition at 2-3.

[17] Id.

[18] TCG Opposition at 2 n.3.

[19] BellSouth Reply at 2-3.

[20] BellSouth Petition at 2-3.

[21] Id. at 3.

[22] TCG Opposition at 2.

an employee break room, even if it is not adequate for collocated equipment.[23] In response to TCG's opposition, BellSouth reexamined its Jupiter central office and determined that its storage and employee break room areas could be placed in the 1800 square feet with insufficient load bearing capacity for collocation cited by TCG. Therefore, BellSouth withdrew its petition for exemption with regard to this central office.[24]

B. GTE

7. GTE seeks exemption for nine central offices.[25] GTE asserts that there is no available floor space in any of these central offices suitable for housing switching equipment.[26] GTE also explains that it has reserved space for its own use in these offices based on five-year growth projections.[27] TCG asserts that GTE has not provided sufficient information for the Commission to determine whether GTE is reserving an excessive amount of space for future use.[28] TCG also alleges that GTE has sought exemptions for an excessive number of central offices in the past.[29] GTE replies that it used the same methodology to justify its exemption request as it has in the past, and that the Bureau has granted GTE's exemption requests.[30] GTE also provides data on vacant floor space and growth projections for each central office for which it seeks exemption. GTE claims there is no vacant space available except at two of these nine central offices.[31] It also asserts that the proportion of central offices for which it has sought exemption in the past is similar to those of other companies.[32]

8. GTE also seeks waiver of the virtual collocation tariffing requirement at Logansport, Indiana and Westport, Washington. GTE contends that there is insufficient conduit space to provide virtual collocation at these offices, and does not plan to install additional conduit because these offices already have sufficient capacity to support expected demand growth.[33] GTE estimates that installing the conduit necessary to provide collocation could cost as much

---

[23] Id.

[24] BellSouth Reply at 1-2.

[25] GTE Petition at 1-2. These central offices are listed in Appendix A of this Order.

[26] Id. at 2.

[27] Id. at 2-3.

[28] TCG Opposition at 5.

[29] Id.

[30] GTE Reply at 2-3.

[31] Id. at Att. 2. Specifically, at Wentsville, Missouri, GTE asserts there are 57 square feet available; it projects that 72 square feet will be necessary for future growth. At Westport, Washington, GTE maintains there are 50 square feet available, and it projects that 30 square feet will be necessary for future growth.

[32] Id. at 3-4.

[33] GTE Petition at 3.

as $125,000 at each location.[34] TCG asserts that GTE has not adequately shown that it cannot pull any additional fiber through any existing conduit. TCG also claims that GTE may be attempting to avoid providing physical collocation by filling ducts with dark fiber.[35] If that is the case, TCG suggests requiring GTE to lease this dark fiber capacity to customers ordering physical collocation.[36]

9. In its reply, GTE states that there is room only for projected growth in local and access lines in the conduits of its Logansport and Westport central offices, and repeats that there is not sufficient space to provide expanded interconnection.[37] According to GTE, the Logansport wire center has 20 multi-tile ducts leaving the wire center, and 27 cable sheaths fully occupy these ducts.[38] GTE also contends that 11 cables terminate in the Westport wire center.[39] GTE contends that pulling another cable through any of those conduits would damage either the new or existing cable in that conduit.[40] It also denies that it has filled its existing conduit with dark fiber at these two locations, and argues that it has never been required to provide dark fiber service in the past.[41] Furthermore, GTE denies that there have been any bona fide requests for expanded interconnection service at either of these central offices.[42] Finally, GTE states that it will work with a customer requesting interconnection at either of these central offices to find some alternative, such as routing to another wire center, or bringing in wire through the central office floor.[43]

C. Southwestern Bell

10. Southwestern Bell seeks exemption from the physical collocation requirement and waiver of the virtual collocation requirement at three central offices.[44] Southwestern Bell explains that the buildings which house the offices are owned by American Telephone and Telegraph Company (AT&T), and Southwestern Bell leases some space in these buildings pursuant to a divestiture agreement.[45] It contends that it has no switching equipment at these

---

[34] Id. at 3-4.

[35] TCG Opposition at 5-6.

[36] Id. at 6.

[37] GTE Reply at 4.

[38] GTE Reply at 4.

[39] Id. at 5.

[40] Id. at 4-5.

[41] Id. at 5.

[42] Id. at 5-6.

[43] Id. at 5.

[44] Southwestern Bell Petition at 1-2. These central offices are listed in Appendix A.

[45] Id. at 2.

locations, and that it leases power from AT&T at the Dallas and Houston central offices.[46] Southwestern Bell argues that it has no control over AT&T's floor space.[47] Finally, it asserts that it was granted an exemption from the physical and virtual collocation requirements in another central office for interstate special access on similar grounds.[48]

11. TCG argues that Southwestern Bell has not shown that it made a good faith effort to obtain permission to provide physical collocation in its leased space.[49] It also argues that because Southwestern Bell has identified these three central offices as locations where switched access service is available, it doubts Southwestern Bell's contention that there is no switching equipment in these central offices.[50] Southwestern Bell repeats that it owns none of the switching equipment at these three locations.[51] Southwestern Bell states that it does not know on what basis TCG assumes it provides switched access service from these locations, but speculates that TCG might have been referring to Bell Communication Research's (Bellcore's) Local Exchange Routing Guide, which lists these three central offices as providing operator services. Southwestern Bell explains that AT&T provides these operator services, and Bellcore assigned AT&T its operating company number for these offices rather than assigning AT&T its own number because AT&T is not an operating company.[52] Southwestern Bell also repeats that it was granted an exemption from the physical and virtual collocation requirements for interstate special access on similar grounds.[53]

D. SNET

12. SNET seeks exemption from the physical collocation requirement at one central office in Jewett City, Connecticut.[54] It also claims that its Jewett City central office has no usable space other than space currently in use or reserved for future use.[55] In its reply, SNET states that its Jewett City central office has a total of 3208 square feet, of which 2900 square feet are used to house 5ESS switching equipment, and the remainder are used for two bathrooms and two desks for computer terminal equipment and printers.[56] TCG contends that

---

[46] Id. Southwestern Bell states that it has only transmission equipment at these central offices.

[47] Id.

[48] Id. at 2-3. See Special Access Exemption Order, 8 FCC Rcd at 4573.

[49] TCG Opposition 3.

[50] Id. at 3-4.

[51] Southwestern Bell Reply at 2.

[52] Id. at 2-3.

[53] Id. at 3.

[54] SNET Petition at 2.

[55] Id. at 2-3.

[56] SNET Reply at 3.

SNET's claim of no available space is unpersuasive because its petition did not provide data on total floor space, space used for equipment and for other purposes, space held for future use, and the basis for forecasts of future use needs."[97]

III. DISCUSSION

A. Physical Collocation

13. The Special Access Expanded Interconnection Order permitted LECs to seek exemption from the physical collocation requirement for special access expanded interconnection at specified central offices if they could make a factual showing that a specific central office lacked sufficient space to permit physical collocation.[98] The factual showing standard adopted for exemptions from the physical collocation requirement for special access expanded interconnection also applies to exemptions from the physical collocation requirement for switched transport expanded interconnection.

14. In general, the LECs provide, either in their petitions or their replies to oppositions, charts specifically listing the central offices for which they seek exemption based on lack of space, the area in square feet of each office, and the amount of area currently occupied by LEC equipment or reserved for future use.[99] These are substantially similar to the showings made by LECs in the Special Access Exemption Order, which we determined were adequate to satisfy the factual showing requirement.[100] Here the LECs have made adequate factual showings to warrant exemptions from the physical collocation requirement for switched transport expanded interconnection. Accordingly, we hereby grant all the petitions for exemption from the physical collocation requirement for switched transport expanded interconnection requested by GTE and SNET, and BellSouth's request with respect to the Garden central office in Palm Beach, Florida.

---

[97] TCG Opposition at 4-5. SNET asserts that a central office must have a minimum of 400 square feet available to provide physical collocation for interstate switched transport. SNET Petition at 2. TCG maintains that SNET's 400 square foot requirement is comparable to BellSouth's proposal to provide physical collocation for special access expanded interconnection only at central offices with a minimum of 300 square feet available. TCG asserts that BellSouth withdrew that proposal because it was opposed. TCG Opposition at 4, citing Special Access Expanded Interconnection Order, 8 FCC Rcd at 4574 n.79. TCG maintains that such a minimum space requirement is inconsistent with the Commission's "first come, first serve" policy. TCG Opposition at 4. On February 7, 1994, SNET filed an ex parte statement explaining that its 400 square foot standard is not a minimum for physical collocation, but an internal engineering and planning guideline used to identify central offices demanding more thorough examination. SNET's expanded interconnection tariff does not mention a 400 square foot minimum requirement, and in fact makes collocation space available in 100 square foot increments. See SNET Tariff F.C.C. No. 39, Section 18.6(C), 1st Revised Page 18-15. Therefore, we do not reach the issue of whether it is reasonable or appropriate to base petitions for exemption on a 400 square foot minimum requirement.

[98] Special Access Expanded Interconnection Order, 7 FCC Rcd at 7390-91, 7407-08 n.190).

[99] BellSouth Petition at 2-3 and Exh. 1; GTE Reply at Att. 2; SNET Reply at 3.

[100] Special Access Exemption Order, 8 FCC Rcd at 4570-71.

15. BellSouth has withdrawn its petition for exemption for its central office in Jupiter. Accordingly, BellSouth's petition is dismissed as moot with respect to this office, and BellSouth is required to file tariffs for physical collocation for switched transport expanded interconnection as specified in the Switched Transport Expanded Interconnection Order.[61] Furthermore, with respect to its Royal Palm central office in Palm Beach, Florida, BellSouth states that physical collocation will become available in the first quarter of 1995. Thus, BellSouth has provided no justification for exemption after March 31, 1995. Accordingly, this central office is exempted from the physical collocation requirement for switched transport expanded interconnection only until March 31, 1995.

B. Virtual Collocation

16. In addition to the exemption from the physical collocation requirement discussed above, GTE seeks waivers of the virtual collocation requirement at two central offices, and Southwestern Bell seeks similar waivers at three central offices. Carriers must show "good cause" for these waivers within the meaning of Section 1.3 of the Communications Act.[62] In these cases, both Southwestern Bell and GTE have shown good cause for waiver of the Commission's virtual collocation requirement for the same reasons stated in that Order.

17. In the Special Access Exemption Order, the Bureau granted Southwestern Bell a waiver of the virtual collocation requirement for certain central offices which it shares with AT&T pursuant to divestiture agreements.[63] The Southwestern Bell waiver request before us now is substantially similar to the one we granted in the Special Access Exemption Order. Accordingly, we grant Southwestern Bell's waiver in these limited circumstances.

18. In its virtual collocation waiver request, GTE has made a showing similar to that made by US West Communications, Inc. (US West). We granted US West a waiver of the virtual collocation requirement for a central office in Pocatello, Idaho, where US West showed that it had no space available in its conduit to provide virtual collocation.[64] Accordingly, we conclude that GTE has shown good cause for waiver at both its Logansport and Westport central offices.

19. However, we granted US West waiver of the virtual collocation requirement only for a limited time.[65] GTE has not provided good cause for a permanent waiver of this requirement. Nevertheless, GTE states that it has not yet received a request for service in these offices, which appear on the list of central offices interconnectors have identified as likely candidates for collocation. Therefore, now is not yet the time to decide this issue on a permanent basis. Accordingly, GTE's waiver of the virtual collocation requirement at each of these two central offices will expire 90 days after it has received a bona fide request for collocation at those central offices.

---

[61] Switched Transport Expanded Interconnection Order, 8 FCC Rcd at 7443-44.

[62] Special Access Exemption Order, 8 FCC Rcd at 4573.

[63] Id.

[64] Id.

[65] US West's waiver was granted on June 9, 1993, and will expire on October 1, 1994. Special Access Exemption Order, 8 FCC Rcd at 4573.

IV. ORDERING CLAUSES

20. Accordingly, IT IS ORDERED that the petitions for exemption filed by BellSouth Telecommunications, Inc.; GTE Service Corporation; Southwestern Bell Telephone Company; and Southern New England Telephone Company ARE GRANTED to the extent indicated above, and otherwise ARE DISMISSED AS MOOT.

21. IT IS FURTHER ORDERED that, pursuant to Section 1.3 of the Commission's Rules, 47 C.F.R. § 1.3, Southwestern Bell Telephone Company and GTE Service Corporation ARE GRANTED waiver of the Commission's virtual collocation requirement to the extent indicated above.

22. IT IS FURTHER ORDERED that BellSouth Telecommunications, Inc. SHALL FILE, within 14 days of the release date of this Order, physical collocation tariffs for switched transport expanded interconnection to become effective on 15 days' notice, for its central office in Jupiter, Florida.

23. For these purposes, we waive Sections 61.58 and 61.59 of the Commission's Rules. 47 C.F.R. §§ 61.58; 61.59. BellSouth Telecommunications, Inc., should cite the "DA" number of this Order as the authority for this filing.

FEDERAL COMMUNICATIONS COMMISSION

Kathleen B. Levitz
Acting Chief
Common Carrier Bureau

APPENDIX A

CENTRAL OFFICES FOR WHICH LECS SEEK EXEMPTION FROM THE PHYSICAL COLLOCATION REQUIREMENT FOR SWITCHED TRANSPORT EXPANDED INTERCONNECTION

I. BellSouth

1. JPTRFLMA Jupiter, Florida
2. WPBHFLGR West Palm Beach, Florida, Garden Central Office
3. WPBHFLRP West Palm Beach, Florida, Royal Palm Central Office

II. GTE

1. Show Low, Arizona
2. Long Beach Access Tandem, California
3. Logansport, Indiana *
4. Wentzville, Missouri
5. Cash, Texas
6. Dickenson, Texas
7. Lyden, Washington
8. Mount Vernon, Washington
9. Westport, Washington *

III. Southwestern Bell

1. DLLSTXTL Dallas, Texas *
2. HSTNTX01 Houston, Texas *
3. STLSMO09 St. Louis, Missouri *

IV. SNET

1. JWCYCT00 Jewett City, Connecticut

* Carrier seeks exemption from both physical and virtual collocation at this central office.

SPACE ASSESSMENT WORK SHEET

[EVALUATION OF CENTRAL OFFICE SPACE AVAILABLE FOR PHYSICAL COLLOCATION]

CENTRAL OFFICE CLLI: _____

ADDRESS: _____

			SQ. FT.
A.	TOTAL GROSS SQ. FT.	A.	
B.	UNAVAILABLE SPACE*:		
	_____		
	_____		
	_____		
	_____	B.	

* Unavailable space is all Non-Assignable area and is comprised of entrance lobbies, main corridors, hall spaces, inside stairways, fire towers, vertical shafts(light, vent, power, dumbwaiters, & elevators), all toilet rooms (except those associated with private offices) and all space necessary for building operations.

C.	OCCUPIED SPACE: (Space Computed as Block of Assigned Space - (Future Bays - 3.5)		
	Central office Switch(es) _____		
	_____		
	Transmission Equipment _____		
	_____		
	Other (Specify) FRAME _____		
	POWER _____		
	ADMINISTRATIVE _____		
	TOTAL ASSIGNED - OCCUPIED SPACE	C.	0

980800-TP EXHIBIT NO. 31
COMPANY: BELLSOUTH
WITNESS: Bloomer
DATE: 10-21-98

DOCUMENT NUMBER-DATE
09940 SEP 10 98
FPSC-RECORDS/REPORTING

SPACE ASSESSMENT WORK SHEET

D. RESERVED SPACE

Switching Equipment Growth through Year of _____. | |
For: _____

Transmission Equipment Growth through year of _____. | |
For: _____

Turnaround Space for replacement of _____: Year: _____ | |
(Switch Type)

Other (Virtual Collacation) _____: Year: _____ | |
(Switch Type)

Power _____: Year: _____ | |
(Switch Type)

Frame _____: Year: _____ | |
(Switch Type)

Administrative (Space reserved for Administrative use, service center(s), or non-wire center functions)

_____: Year: _____ | |
_____: Year: _____ | |
_____: Year: _____ | |

TOTAL VACANT SPACE RESERVED FOR FUTURE USE D. | 0

E. VACANT SPACE/NOT USABLE (I.e., flooding, no access to fire exits, configuration problems, space less than 100 sq. ft., building to be vacated)

** If building is to be vacated, what CLLI will replace the facilities served by CLLI being vacated.

Explain each item in detail:

_____ | |
_____ | |
_____ | |

TOTAL VACANT SPACE/NOT USABLE E. | 0

F. NET AVAILABLE SPACE (A -B -C -D -E -F) = **F.** | **#VALUE!**

SPACE ASSESSMENT WORK SHEET

G. FUTURE AVAILABLE SPACE SQ. FT.

Completion of Switch Replacement: _____ Sq. Ft. = [ ]
(Qtr/Yr.)

Removal of Retired Equipment: _ _____ Sq. Ft. = [ ]
(Qtr/Yr.)

OTHER (Specify) _____
_____
_____: _____ [ ]
(Qtr/Yr.)

H. IF PHYSICAL SPACE IS NOT AVAILABLE, VIRTUAL WILL BE OFFERED. (EXPLAIN IN DETAIL IF VIRTUAL COLLOCATION CANNOT BE OFFERED,)

_____
_____
_____
_____
_____

NAME OF PERSON FILLING OUT FORM:

_____
(PRINT NAME AND TITLE)

TEL. NO. _____

AUTHORIZED BY:

_____
(Paygrade 59 or above)

TEL. NO. _____

SPACE ASSESSMENT WORK SHEET

[EVALUATION OF CENTRAL OFFICE SPACE AVAILABLE FOR PHYSICAL COLLOCATION]

CENTRAL OFFICE CLLI: _____NDADFLGG

ADDRESS: _____-___18400 NE 5TH AVE, MIAMI, FL 33162

			SQ. FT.
A.	TOTAL GROSS SQ. FT.	A.	26225
B.	UNAVAILABLE SPACE*:		
	_____1st FL - stairwell, air handling unit, pump room,		
	_____corridor, janitor, restrooms, transformer vault &		
	_____air conditioning room		
	_____2nd FL - stairwell & air conditioning room	B.	2812

* Unavailable space is all Non-Assignable area and is comprised of entrance lobbies, main corridors, hall spaces, inside stairways, fire towers, vertical shafts(light, vent, power, dumbwaiters, & elevators), all toilet rooms (except those associated with private offices) and all space necessary for building operations.

C.	OCCUPIED SPACE: (Space Computed as Block of Assigned Space - (Future Bays - 3.5)	
Central office Switch(es) _____		
_____		7456.5
Transmission Equipment _____		
_____		4170.5
Other (Specify) FRAME _____		1434
POWER _____		4218
ADMINISTRATIVE _____		1710
TOTAL ASSIGNED - OCCUPIED SPACE	C.	18989

SPACE ASSESSMENT WORK SHEET

D. RESERVED SPACE

Switching Equipment Growth through Year of _____. For: _____	1877.5
Transmission Equipment Growth through year of _____. For: _____	1576.5
Turnaround Space for replacement of _____ (Switch Type): Year: _____	
Other (Future Air Handling Unit) (Switch Type)	439
Power _____ (Switch Type): Year: _____	142
Frame _____ (Switch Type): Year: _____	

Administrative (Space reserved for Administrative use, service center(s), or non-wire center functions)

_____: Year: _____	
_____: Year: _____	
_____: Year: _____	

TOTAL VACANT SPACE RESERVED FOR FUTURE USE	D.	4035

E. VACANT SPACE/NOT USABLE (I.e., flooding, no access to fire exits, configuration problems, space less than 100 sq. ft., building to be vacated)

** If building is to be vacated, what CLLI will replace the facilities served by CLLI being vacated.

Explain each item in detail:

Space too narrow for equipment and required for exit aisle _____	389

TOTAL VACANT SPACE/NOT USABLE	E.	389
F. NET AVAILABLE SPACE (A -B -C -D -E -F) =	**F.**	**0**

SPACE ASSESSMENT WORK SHEET

G. FUTURE AVAILABLE SPACE SQ. FT.

Completion of Switch Replacement: _____ Sq. Ft. = [ ]
(Qtr/Yr.)

Removal of Retired Equipment: _ _____ Sq. Ft. = [ ]
(Qtr/Yr.)

OTHER (Specify) _____
_____
_____: _____ [ ]
(Qtr/Yr.)

H. IF PHYSICAL SPACE IS NOT AVAILABLE, VIRTUAL WILL BE OFFERED. (EXPLAIN IN DETAIL IF VIRTUAL COLLOCATION CANNOT BE OFFERED,)

_____
_____
_____
_____
_____

NAME OF PERSON FILLING OUT FORM:

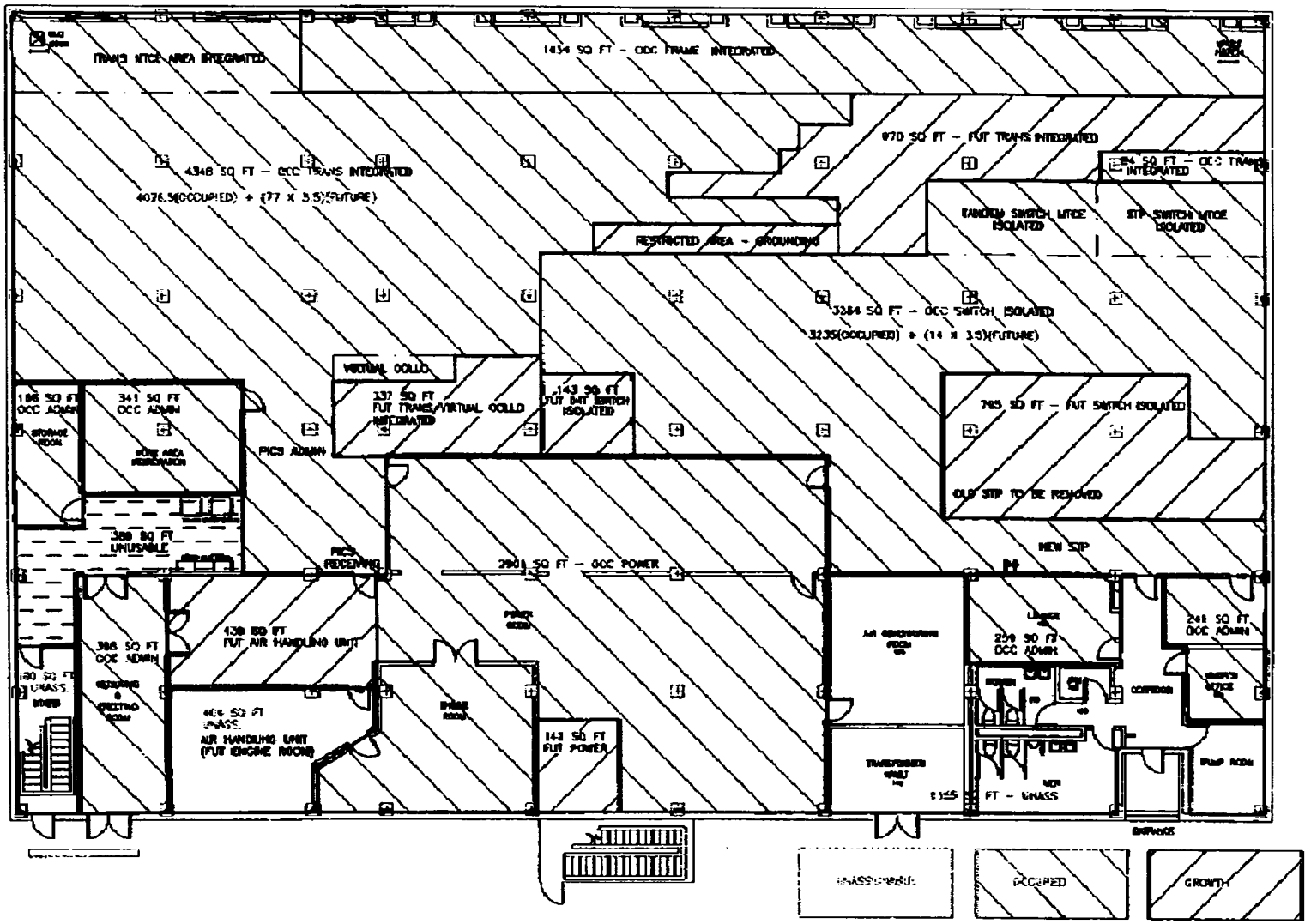
_____Jenine Williams/North FL CAD Librarian
(PRINT NAME AND TITLE)

TEL. NO. _(904) 350-4217

AUTHORIZED BY:

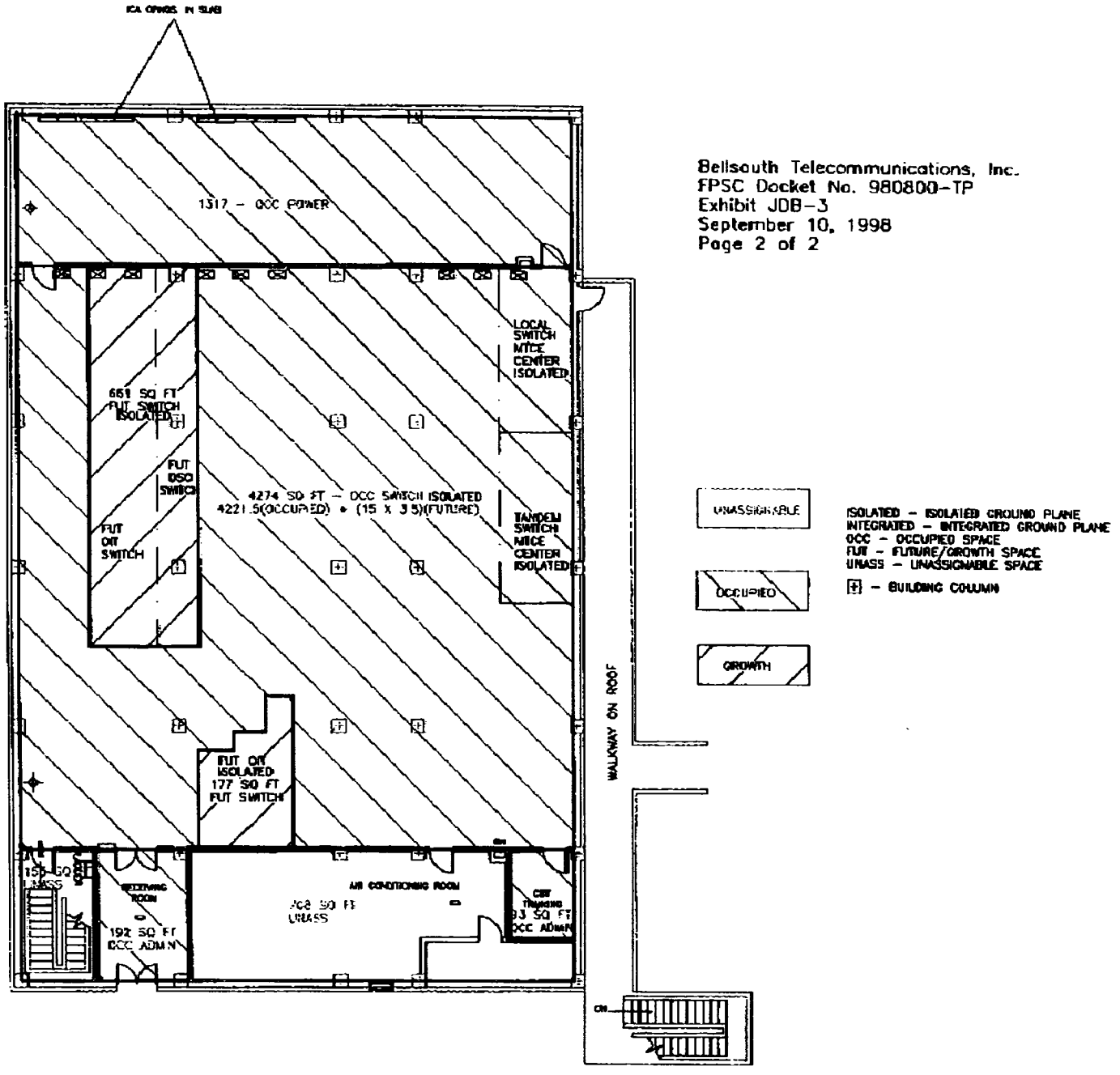
_____Jim D. Bloomer/ Facility Planner
(Paygrade 59 or above)

TEL. NO. _(904) 350-3428



M6506 NORTH DADE GOLDEN GLADES FIRST FLOOR PLAN

ISOLATED - ISOLATED GROUND PLANE
INTEGRATED - INTEGRATED GROUND PLANE
OCC - OCCUPIED SPACE
FUT - FUTURE/GROWTH SPACE
UNASS - UNASSIGNABLE SPACE
TRANS - TRANSMISSION EQUIPMENT
COLLO - COLLOCATION
[ ] - BUILDING COLUMN



M6506 NORTH DADE GOLDEN GLADES SECOND FLOOR PLAN

SPACE ASSESSMENT WORK SHEET

[EVALUATION OF CENTRAL OFFICE SPACE AVAILABLE FOR PHYSICAL COLLOCATION]

CENTRAL OFFICE CLLI: _____WPBHFLGR

ADDRESS: _____-___3700 RCA BLVD, WEST PALM BEACH, FL

			SQ. FT.
A.	TOTAL GROSS SQ. FT.	A.	20314
B.	UNAVAILABLE SPACE*:		
	_____Air conditioning rooms, house service panel, lobby, _____janitor and restrooms	B.	2264

* Unavailable space is all Non-Assignable area and is comprised of entrance lobbies, main corridors, hall spaces, inside stairways, fire towers, vertical shafts(light, vent, power, dumbwaiters, & elevators), all toilet rooms (except those associated with private offices) and all space necessary for building operations.

C.	OCCUPIED SPACE: (Space Computed as Block of Assigned Space - (Future Bays - 3.5)	
Central office Switch(es) _____		6955
Transmission Equipment _____		2930
Other (Specify) FRAME _____		2136
POWER _____		2188
ADMINISTRATIVE _____		644
TOTAL ASSIGNED - OCCUPIED SPACE	C.	14853

SPACE ASSESSMENT WORK SHEET

D. RESERVED SPACE

Switching Equipment Growth through Year of _____. 2012

For: _____

Transmission Equipment Growth through year of _____. 939

For: _____

Turnaround Space for replacement of _____: Year: _____

(Switch Type)

Other (Virtual Collocation)

(Switch Type)

Power _____: Year: _____ 246

(Switch Type)

Frame _____: Year: _____

(Switch Type)

Administrative (Space reserved for Administrative use, service center(s), or non-wire center functions)

_____: Year: _____

_____: Year: _____

_____: Year: _____

TOTAL VACANT SPACE RESERVED FOR FUTURE USE D. 3197

E. VACANT SPACE/NOT USABLE (I.e., flooding, no access to fire exits, configuration problems, space less than 100 sq. ft., building to be vacated)

** If building is to be vacated, what CLLI will replace the facilities served by CLLI being vacated.

Explain each item in detail:

_____

_____

_____

TOTAL VACANT SPACE/NOT USABLE E. 0

F. NET AVAILABLE SPACE (A -B -C -D -E -F) = F. 0

SPACE ASSESSMENT WORK SHEET

G. FUTURE AVAILABLE SPACE SQ. FT.

Completion of Switch Replacement: _____ Sq. Ft. = [ ]
(Qtr/Yr.)

Removal of Retired Equipment: _ _____ Sq. Ft. = [ ]
(Qtr/Yr.)

OTHER (Specify) _____
_____
_____: _____ [ ]
(Qtr/Yr.)

H. IF PHYSICAL SPACE IS NOT AVAILABLE, VIRTUAL WILL BE OFFERED. (EXPLAIN IN DETAIL IF VIRTUAL COLLOCATION CANNOT BE OFFERED,)

_____
_____
_____
_____
_____

NAME OF PERSON FILLING OUT FORM:

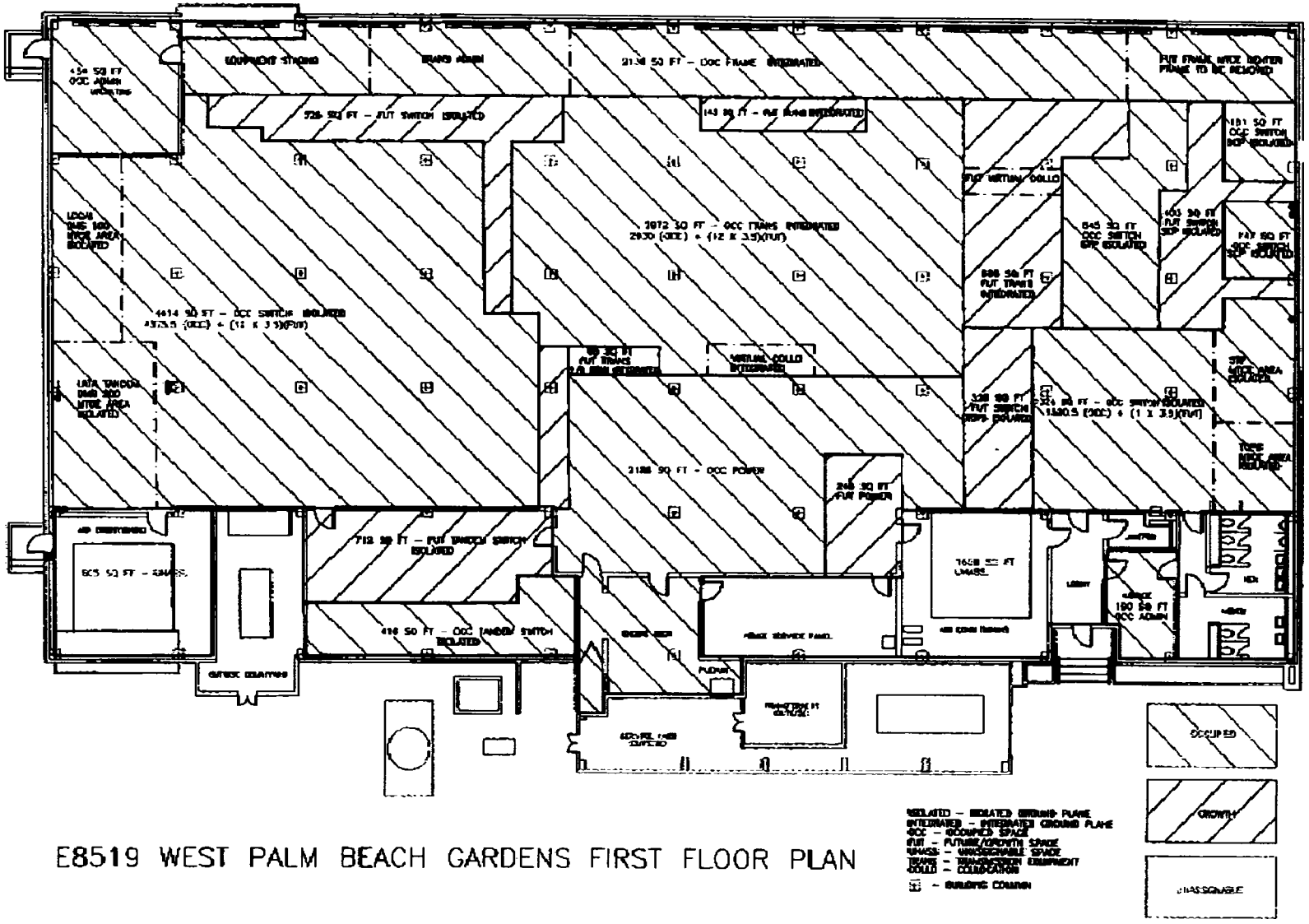
_____Jenine Williams/North FL CAD Librarian
(PRINT NAME AND TITLE)

TEL. NO. _(904) 350-4217

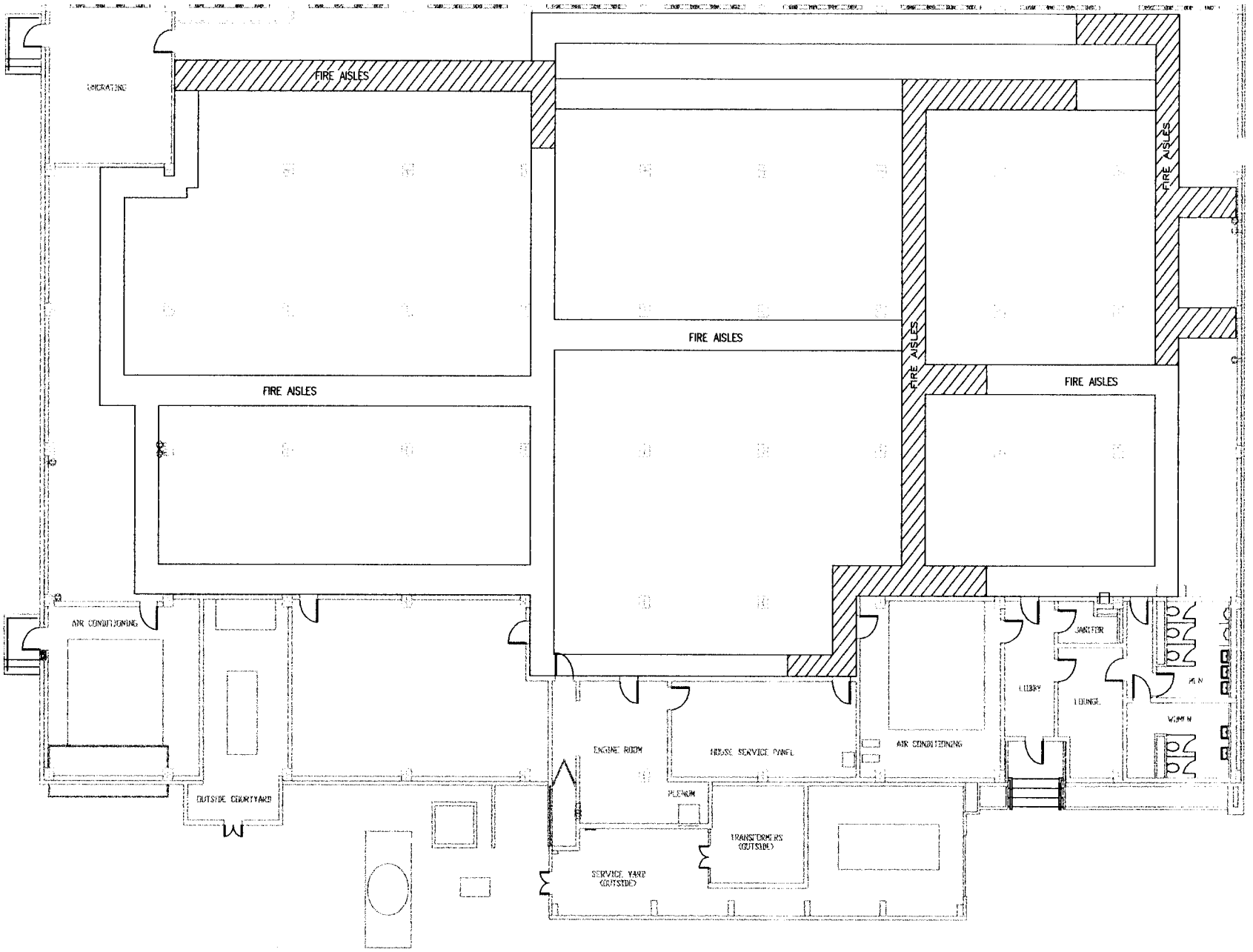
AUTHORIZED BY:

_____Jim D. Bloomer/Facility Planner
(Paygrade 59 or above)

TEL. NO. _(904) 350-3428



E8519 WEST PALM BEACH GARDENS FIRST FLOOR PLAN

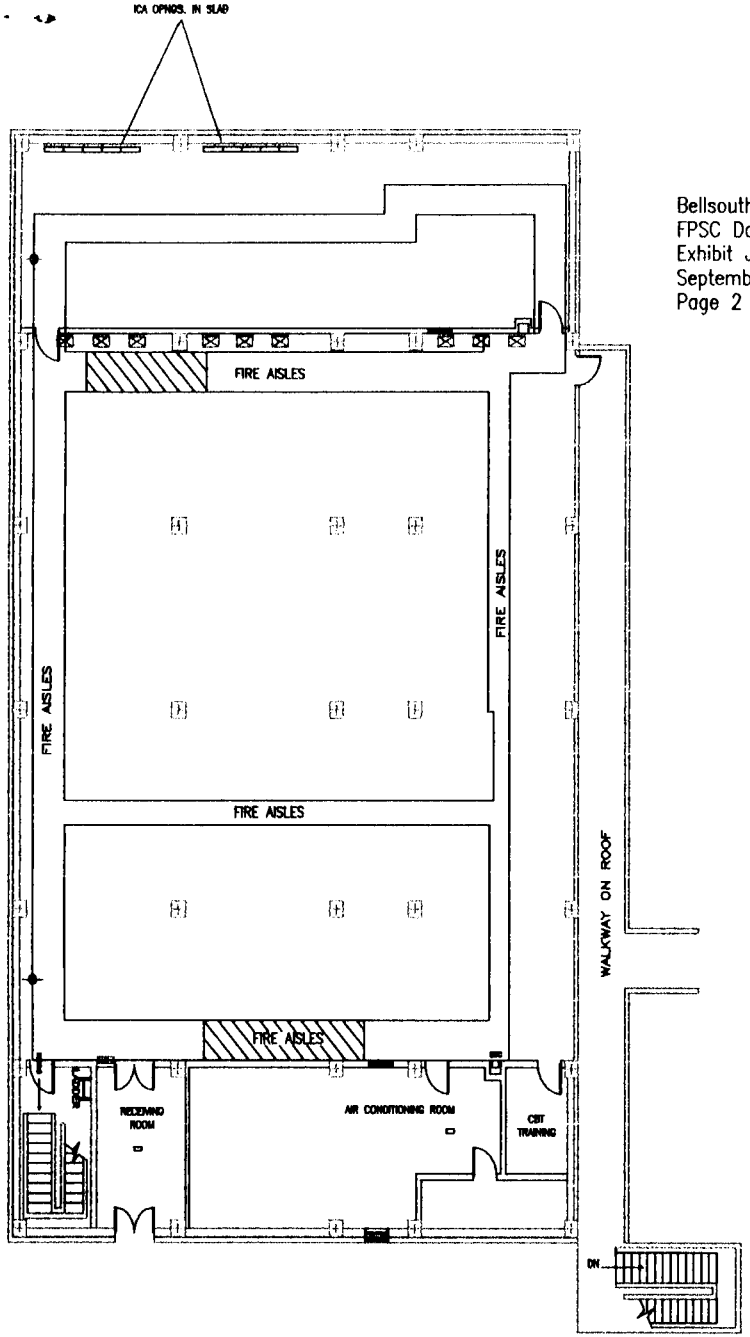


E8519 WEST PALM BEACH GARDENS FIRST FLOOR PLAN

FIRE AISLES – OCCUPIED EQUIPMENT AREA: 2478 SQ FT

FIRE AISLES – FUTURE EQUIPMENT AREA: 1169 SQ FT

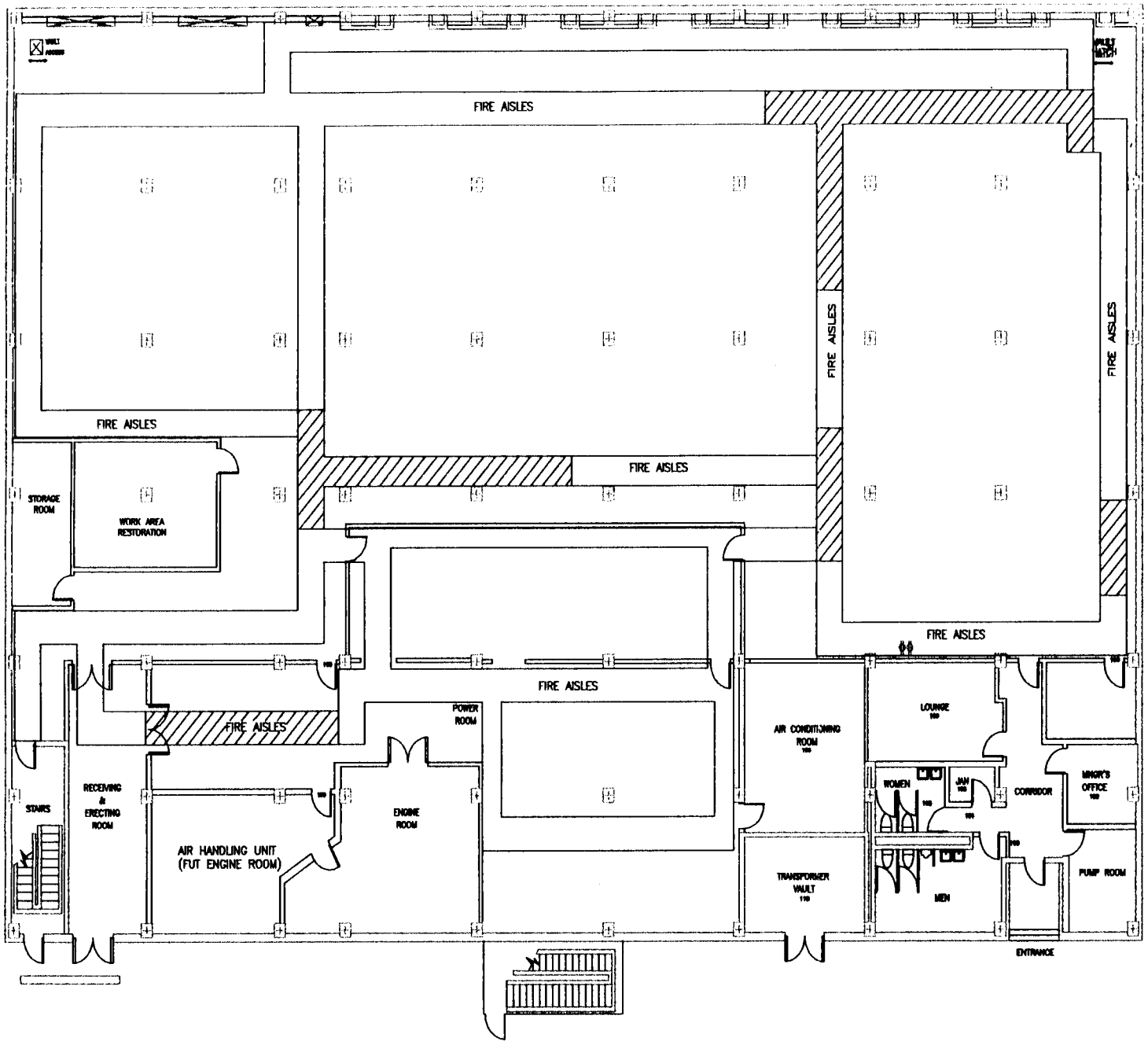
DOCUMENT NUMBER-DATE
10302 SEP 18 98
FPSC-RECORDS/REPORTING



M6506 NORTH DADE GOLDEN GLADES SECOND FLOOR PLAN

FIRE AISLES – OCCUPIED EQUIPMENT AREA: 1218 SQ FT

FIRE AISLES – FUTURE EQUIPMENT AREA: 140 SQ FT



M6506 NORTH DADE GOLDEN GLADES FIRST FLOOR PLAN

FIRE AISLES – OCCUPIED EQUIPMENT AREA: 3129 SQ FT

FIRE AISLES – FUTURE EQUIPMENT AREA: 711 SQ FT

Supra Telecommunications & Information Systems, Inc.

FPSC Docket No. 980800-TP
Exhibit No. _____

INCONSISTENCIES IN INVENTORY OF THE NORTH DADE GOLDEN GLADES CENTRAL OFFICE

(Stated in Sq. Ft.)	Total Space	Occupied Space	Reserved for future use	Space used by BellSouth
Response to Supra's First Set of Interrogatories, item Nos. 2,3,& 4	26,255	18,989	4,035	23,024
Response to Supra's First Request for PODs, item No. 1	23,115	15,992	3,544	19,536
Response to Supra's Second Request for PODs, item No. 31	27,968	25,456	Nil	25,456
EIS, Petition for Waiver, CC Docket No. 91-141	27,764	23,073	1,000	24,073
Response to Supra's First Request for PODs, item No. 3	27,305	N/A	N/A	N/A

FLORIDA PUBLIC SERVICE COMMISSION
DOCKET NO. 980800 EXHIBIT NO. 32
COMPANY/ WITNESS: Supra
DATE: 10-21-98

General Description of Permit Routing

1) Boca Raton
2) Ft. Lauderdale (Cypress)
3) Ft. Lauderdale (Main Relief)
4) Ft. Lauderdale (Plantation)
5) Hollywood
6) Hollywood (Pembroke Pine)
7) Hollywood (West)
8) Miami (Alhambra)
9) Miami (Biscayne)
10) Miami (Grande)
11) Miami (Hialeah)
12) Miami (Perrine)
13) Orlando (Magnolia)
14) Melbourne
15) West Palm Beach (Greenacres)

980800-TP-EXH 33
Mayer 10-21-98

DOCUMENT NUMBER-DATE
09941 SEP 10 98
FPSC-RECORDS/REPORTING

Boca Raton

Municipality: West Palm
Building Department: City of Boca Raton Building Department

Permitting Process

• Plans then go to Department of Natural Resources Protection for Review
(Processing Time: Varies 2 to 3 days average)
• Once approve by the above:

Plans then go to the Building Department

Forms/signed and sealed plans are dropped off at front counter
Process/Permit number is assigned
Insurance, licenses of General Contractor are verified
Plans routed through
- Building
- Fire
- Zoning
- Landscaping
- Mechanical
- Electrical
- Plumbing

(Processing Time: 6 to 8 weeks)

• Once reviewed by each department, sent to front counter
• If there are comments, plans go back to Architectural and Engineering firms for corrections
• If no comments, plans are ready for permit
• Fill out and file with Clerk of the County Court "The Notice of Commencement"

Ft. Lauderdale (Cypress)

Municipality: City of Ft. Lauderdale
Building Department: City of Cypress Building Department

Permitting Process

• Plans are submitted to Broward County Health Department if no sewer connection.
(Processing Time: Varies 1 to 2 days average)
• Plans then go to Department of Natural Resources Protection for Review
(Processing Time: Varies 2 to 3 days average)
• Once approve by the above:

Plans then go to the Building Department
(All plans have to be submitted at the same time)

- Forms/signed and sealed plans are dropped off at front counter
- All plans are submitted at the same time. Mechanical, Electrical & Fire Alarm must submit applications at the same time as the architectural
- Must submit a copy of the contract with the owner
- Must provide copies of contracts between contractors and sub-contractors
- Process/Permit number is assigned
- Insurance, licenses of General Contractor are verified
- Plans routed through
    - Building
    - Fire
    - Zoning
    - Landscaping
    - Mechanical
    - Electrical
    - Plumbing

(Processing Time: 6 to 8 weeks)

Ft. Lauderdale (Cypress) cont'd

- Once reviewed by each department, sent to front counter
- If there are comments, plans go back to Architectural and Engineering firms for corrections
- If no comments, plans are ready for permit
- Fill out and file with Clerk of the County Court "The Notice of Commencement"

Ft. Lauderdale (Main)

Municipality: City of Ft. Lauderdale
Building Department: City of Ft. Lauderdale Building Department

Permitting Process

• Plans are submitted to Broward County Health Department if no sewer connection.
(Processing Time: Varies 1 to 2 days average)
• Plans then go to Department of Natural Resources Protection for Review
(Processing Time: Varies 2 to 3 days average)
• Once approve by the above:

Plans then go to the Building Department
(All plans have to be submitted at the same time)

- Forms/signed and sealed plans are dropped off at front counter
- All plans are submitted at the same time. Mechanical, Electrical & Fire Alarm must submit applications at the same time as the architectural
- Must submit a copy of the contract with the owner
- Must provide copies of contracts between contractors and sub-contractors
- Process/Permit number is assigned
- Insurance, licenses of General Contractor are verified
- Plans routed through
    - Building
    - Fire
    - Zoning
    - Landscaping
    - Mechanical
    - Electrical
    - Plumbing

(Processing Time: 6 to 8 weeks)

Ft. Lauderdale (Main) cont'd

- Once reviewed by each department, sent to front counter
- If there are comments, plans go back to Architectural and Engineering firms for corrections
- If no comments, plans are ready for permit
- Fill out and file with Clerk of the County Court "The Notice of Commencement"

Ft. Lauderdale (Plantation)

Municipality: City of Ft. Lauderdale
Building Department: City of Plantation Building Department

Permitting Process

• Plans are submitted to Broward County Health Department if no sewer connection.
(Processing Time: Varies 1 to 2 days average)
• Plans then go to Department of Natural Resources Protection for Review
(Processing Time: Varies 2 to 3 days average)
• Once approve by the above:

Plans then go to the Building Department
(All plans have to be submitted at the same time)

- Forms/signed and sealed plans are dropped off at front counter
- All plans are submitted at the same time. Mechanical, Electrical & Fire Alarm must submit applications at the same time as the architectural
- Must submit a copy of the contract with the owner
- Must provide copies of contracts between contractors and sub-contractors
- Process/Permit number is assigned
- Insurance, licenses of General Contractor are verified
- Plans routed through
    - Building
    - Fire
    - Zoning
    - Landscaping
    - Mechanical
    - Electrical
    - Plumbing

(Processing Time: 6 to 8 weeks)

Ft. Lauderdale (Plantation) cont'd

- Once reviewed by each department, sent to front counter
- If there are comments, plans go back to Architectural and Engineering firms for corrections
- If no comments, plans are ready for permit
- Fill out and file with Clerk of the County Court "The Notice of Commencement"

Hollywood

Municipality: City of Hollywood
Building Department: City of Hollywood Building Department

Permitting Process

- Plans are submitted to Broward County Health Department if no sewer connection.

(Processing Time: Varies 1 to 2 days average)

- Plans then go to Department of Natural Resources Protection for Review

(Processing Time: Varies 2 to 3 days average)

- Once approve by the above:

Plans then go to the Building Department

Forms/signed and sealed plans are dropped off at front counter
Process/Permit number is assigned
Insurance, licenses of General Contractor are verified
Plans routed through
- Building
- Fire
- Zoning
- Landscaping
- Mechanical
- Electrical
- Plumbing

(Processing Time: 6 to 8 weeks)

- Once reviewed by each department, sent to front counter
- If there are comments, plans go back to Architectural and Engineering firms for corrections
- If no comments, plans are ready for permit
- Fill out and file with Clerk of the County Court "The Notice of Commencement"

Hollywood (Pembroke Pines)

Municipality: City of Hollywood
Building Department: City of Pembroke Pines Building Department

Permitting Process

- Plans are submitted to Broward County Health Department if no sewer connection.

(Processing Time: Varies 1 to 2 days average)

- Plans then go to Department of Natural Resources Protection for Review

(Processing Time: Varies 2 to 3 days average)

- Once approve by the above:

Plans then go to the Building Department

Forms/signed and sealed plans are dropped off at front counter
Process/Permit number is assigned
Insurance, licenses of General Contractor are verified
Plans routed through

- Building
- Fire
- Zoning
- Landscaping
- Mechanical
- Electrical
- Plumbing

(Processing Time: 4 to 6 weeks)

- Once reviewed by each department, sent to front counter
- If there are comments, plans go back to Architectural and Engineering firms for corrections
- If no comments, plans are ready for permit

- Fill out and file with Clerk of the County Court "The Notice of Commencement"

Hollywood (West)

Municipality: City of Hollywood
Building Department: City of Hollywood Building Department

Permitting Process

• Plans are submitted to Broward County Health Department if no sewer connection.
(Processing Time: Varies 1 to 2 days average)
• Plans then go to Department of Natural Resources Protection for Review
(Processing Time: Varies 2 to 3 days average)
• Once approve by the above:

Plans then go to the Building Department

Forms/signed and sealed plans are dropped off at front counter
Process/Permit number is assigned
Insurance, licenses of General Contractor are verified
Plans routed through
- Building
- Fire
- Zoning
- Landscaping
- Mechanical
- Electrical
- Plumbing

(Processing Time: 6 to 8 weeks)

• Once reviewed by each department, sent to front counter
• If there are comments, plans go back to Architectural and Engineering firms for corrections
• If no comments, plans are ready for permit
• Fill out and file with Clerk of the County Court "The Notice of Commencement"

Miami (Alhambra)

Municipality: City of Coral Gables
Building Department: City of Coral Gables Building Department

Permitting Process

• Plans are submitted to the Department of Environmental Resources Management for review
(Process Time: Varies 2 to 3 days average)
• Once approved by the above:

Plans then go to the Building Department

Forms/signed and sealed plans are dropped off at front counter
Process/Permit number is assigned
Insurance, licenses of General Contractor are verified
Plans routed through
- Building
- Fire
- Zoning
- Landscaping
- Mechanical
- Electrical
- Plumbing

(Processing Time: 3 to 4 weeks)

• Once reviewed by each department, sent to front counter
• If there are comments, plans go back to Architectural and Engineering firms for corrections
• If no comments, plans are ready for permit
• Fill out and file with Clerk of the County Court "The Notice of Commencement"

Miami (Biscayne)

Municipality: City of Coral Gables
Building Department: City of Coral Gables Building Department

Permitting Process

• Plans are submitted to the Department of Environmental Resources Management for review
(Process Time: Varies 2 to 3 days average)
• Once approved by the above:

Plans then go to the Building Department

Forms/signed and sealed plans are dropped off at front counter
Process/Permit number is assigned
Insurance, licenses of General Contractor are verified
Plans routed through
- Building
- Fire
- Zoning
- Landscaping
- Mechanical
- Electrical
- Plumbing

(Processing Time: 3 to 4 weeks)

• Once reviewed by each department, sent to front counter
• If there are comments, plans go back to Architectural and Engineering firms for corrections
• If no comments, plans are ready for permit
• Fill out and file with Clerk of the County Court "The Notice of Commencement"

Miami (Grande)

Municipality: City of Miami
Building Department: City of Miami Building Department

Permitting Process

• Plans are submitted to the Department of Environmental Resources Management for review
(Process Time: Varies 2 to 3 days average)
• Once approved by the above:

Plans then go to the Building Department

Forms/signed and sealed plans are dropped off at front counter
Process/Permit number is assigned
Insurance, licenses of General Contractor are verified
Plans routed through
- Building
- Fire
- Zoning
- Landscaping
- Mechanical
- Electrical
- Plumbing

(Processing Time: 3 to 4 weeks)

• Once reviewed by each department, sent to front counter
• If there are comments, plans go back to Architectural and Engineering firms for corrections
• If no comments, plans are ready for permit
• Fill out and file with Clerk of the County Court "The Notice of Commencement"

Miami (Hialeah)

Municipality: City of Hialeah
Building Department: City of Hialeah Building Department

Permitting Process

• Plans are submitted to the Department of Environmental Resources Management for review
(Process Time: Varies 2 to 3 days average)
• Once approved by the above:

Plans then go to the Building Department

Forms/signed and sealed plans are dropped off at front counter
Process/Permit number is assigned
Insurance, licenses of General Contractor are verified
Plans routed through
- Building
- Fire
- Zoning
- Landscaping
- Mechanical
- Electrical
- Plumbing

(Processing Time: 5 to 7 weeks)

• Once reviewed by each department, sent to front counter
• If there are comments, plans go back to Architectural and Engineering firms for corrections
• If no comments, plans are ready for permit
• Fill out and file with Clerk of the County Court "The Notice of Commencement"

Miami (Perrine)

Municipality: Dade County
Building Department: City of Perrine Building Department

Permitting Process

• Plans are submitted to the Department of Environmental Resources Management for review
(Process Time: Varies 2 to 3 days average)
• Once approved by the above:

Plans then go to the Building Department

Forms/signed and sealed plans are dropped off at front counter
Process/Permit number is assigned
Insurance, licenses of General Contractor are verified
Plans routed through
- Building
- Fire
- Zoning
- Landscaping
- Mechanical
- Electrical
- Plumbing

(Processing Time: 6 to 8 weeks)

• Once reviewed by each department, sent to front counter
• If there are comments, plans go back to Architectural and Engineering firms for corrections
• If no comments, plans are ready for permit
• Fill out and file with Clerk of the County Court "The Notice of Commencement"

Orlando (Magnolia)

Municipality: City of Orlando
Building Department: City of Orlando Building Department

Permitting Process

- Plans then go to the Building Department

  Forms/signed and sealed plans are checked in off at front counter
  Process/Permit number is assigned
  Insurance, licenses of General Contractor are verified
  Plans routed through
  - Building
  - Fire
  - Zoning
  - Landscaping
  - Mechanical
  - Electrical
  - Plumbing

  (Processing Time: 6 to 8 weeks)

- Once reviewed by each department, sent to front counter
- If there are comments, plans go back to Architectural and Engineering firms for corrections
- If no comments, plans are ready for permit
- Fill out and file with Clerk of the County Court "The Notice of Commencement". Owner or a representative of the owner has to sign this form. Has to be posted at the job site.

Orlando (Melbourne)

Municipality: Brevard
Building Department: City of Melbourne Building Department

Permitting Process

- Plans then go to the Building Department

  Forms/signed and sealed plans are dropped off at front counter
  Process/Permit number is assigned
  Insurance, licenses of General Contractor are verified
  Plans routed through
  - Building
  - Fire
  - Zoning
  - Landscaping
  - Mechanical
  - Electrical
  - Plumbing

  (Processing Time: 5 to 7 weeks)

- Once reviewed by each department, sent to front counter
- If there are comments, plans go back to Architectural and Engineering firms for corrections
- If no comments, plans are ready for permit
- Fill out and file with Clerk of the County Court "The Notice of Commencement"

West Palm Beach

Municipality: West Palm
Building Department: City of West Palm Beach Building Department

Permitting Process

- Plans then go to the Building Department

  Forms/signed and sealed plans are dropped off at front counter
  Process/Permit number is assigned
  Insurance, licenses of General Contractor are verified
  Plans routed through
  - Building
  - Fire
  - Zoning
  - Landscaping
  - Mechanical
  - Electrical
  - Plumbing

  (Processing Time: 4 weeks, generally)

- Once reviewed by each department, sent to front counter
- If there are comments, plans go back to Architectural and Engineering firms for corrections
- If no comments, plans are ready for permit
- Fill out and file with Clerk of the County Court "The Notice of Commencement"

Forms Needed for Permitting Process

DNRP Forms Needed
Land Use Permit - Development review procedure
Statement of Responsibility regarding Asbestos
Land User and Permit - Infomration for Approval
Application for approval of construction plans
Industrial review application

Health Department
Health Department permit application

INTERVALS FOR OBTAINING PERMITS IN FLORIDA

FACILITY/PROJECT	PERMIT INTERVAL (AS OF 9/9/98)	BUILDING DEPT.
Boca Raton Main /Co. A	have been waiting for permit ~~52~~ 56 days	Boca Raton
Ft. Lauderdale Main/Co. B	permit interval: 55 days	Ft. Lauderdale
Ft. Lauderdale Main/Co. C	have been waiting for permit ~~65~~ 55 days	Ft. Lauderdale
Ft. Lauderdale-Cypress/Co. D	have been waiting for permit 98 days	Cypress
Ft. Laud-Plantation/Co. E	have been waiting 79	Ft. Lauderdale
Perrine Main/Co. F	have been waiting 47 days	Perrine
West Hollywood/Co. G	permit interval: 71 days	Hollywood
West Hollywood/Co. H	permit interval: 62 days	Hollywood
Pembroke Pines/Co. I	have been waiting ~~78~~ 72 days	Pembroke Pines
Miami-Alhambra/Co. J	have been waiting 42 days	Coral Gables
Miami-Biscayne	no other collocation requests	Miami
Miami-Grande/Co. K	have been waiting 40 days	Miami
Miami-Grande/Co. L	permit interval 46 days	Miami
Miami-Hialcah/Co. M	have been waiting 40 days	Hialeah
Melbourne Main	no other collocation requests	Melbourne
Orlando-Magnolia/Co. N	permit interval: 49 days	Orlando
Orlando-Magnolia/Co. O	permit interval 35 days	Orlando
Orlando-Magnolia/Co. P	permit interval 35 days	Orlando
West Palm Bch-Greenacres	no other collocation requests	West Palm Beach

FLORIDA PUBLIC SERVICE COMMISSION
DOCKET NO. 980800-WU EXHIBIT NO. 34
COMPANY/
WITNESS: Milnes
DATE: 10-21-98

BELLSOUTH

BellSouth Interconnection Services
9th Floor
600 North 19th Street
Birmingham, Alabama 35203

205 321-4908
Fax 205 321-4334
Pager 1 800 946-4646 PIN 7295861
Internet
Marcus.B.Cathey@bridge.bst.bls.com

Marcus B. Cathey
Sales Assistant Vice President
CLEC Interconnection Sales

July 14, 1998

Olukayode A. Ramos
President and CEO
Supra Telecom & Information Systems, Inc.
2620 S.W. 27th Avenue
Miami, Florida 33133

Re: Equipment in Collocation Arrangements

Dear Kay:

The purpose of this letter is to respond to your letter to me dated July 1, 1998 and to clarify BellSouth's position regarding the placement of equipment in collocation arrangements. In the interest of moving the issues before our two companies forward, I will not focus on the obvious disagreement between BellSouth and Supra as to the substance of the conversations on June 8th or 9th, 1998 regarding the placement of equipment in Supra's collocation arrangements. Neither I, nor the other BellSouth representatives in attendance concur in your recollection of what was stated by you in that meeting. It remains my understanding from that meeting that Supra was planning to offer enhanced services from a location outside of the physical collocation arrangement on BellSouth premises.

BellSouth is very aware of the language of the section of the physical collocation arrangement agreement dealing with nature of use as well as the specific CFR regulation cited in your letter. These cites, as well as additional language found in the FCC's First Report and Order, issued August 8, 1996, support BellSouth's policies regarding collocation arrangements.

Clearly stated, BellSouth's policy is as follows:

BellSouth offers physical collocation arrangements to telecommunications service providers for the purposes of interconnection as well as for the purposes of the telecommunications carrier gaining access to BellSouth's unbundled network elements. BellSouth will permit the placement of equipment in the physical collocation arrangement where such equipment is utilized for the purposes of providing telecommunication services through interconnection or through access to unbundled network elements. Where that equipment can also provide information services, the telecommunications carrier may offer information services through the same arrangement, so long as it is also offering telecommunications services through the same arrangement.

DOCUMENT NUMBER-DATE
09942 SEP 10 98
FPSC-RECORDS/REPORTING

BellSouth is not required to provide for collocation of equipment that can only provide enhanced services or information services. In addition, BellSouth will not permit collocation of equipment that will be used only to provide enhanced services or information services. Further, BellSouth will not accept collocation requests from entities that are not telecommunications carriers.

BellSouth offers virtual collocation arrangements pursuant to the rates, terms and conditions set forth in BellSouth's FCC Tariff No. 1. BellSouth has not been required to provide virtual collocation arrangements for the placement of switching equipment.

I hope that the foregoing will resolve the collocation issues before us.

Sincerely,

Marcus B. Cathey

cc: Nancy B. White
Pat Finlen

Exh. 34 cont'd.

STIS

Supra Telecom & Information Systems, Inc.

August 17, 1998

VIA FAX: (305) 577-4491

Nancy B. White, Esq.
and Mary Jo Peed, Esq.
c/o Ms. Nancy Sims
BellSouth Telecommunications, Inc.
150 South Monroe Street, Suite 400
Tallahassee, Florida 32301

Dear Nancy and Mary Jo:

I wish to address several matters that are pending between Supra Telecommunications & Information Systems, Inc., and BellSouth Telecommunications, Inc., that need to be resolved.

1. Regarding the issue of Supra's desire to physically collocate in the North Dade Golden Glades and the West Palm Beach Gardens' central offices, it is Supra's position that there is adequate space for Supra to physically collocate its Class 5 switches and other necessary equipment. I would like to set up a meeting to discuss the results of the walk-throughs and the revised central office maps and Supra's specific desires regarding space in each of these central offices.

In addition, when you and I met a few weeks ago, you stated you would obtain specific information regarding any problems with meeting the Florida Public Service Commission's three month deadline for each of Supra's applications for physical collocation. We need to have specific information regarding whether BellSouth intends to meet the deadline for each application or exactly why the deadline cannot be met for each application.

2. Regarding the issue of what equipment Supra intends to physically collocate in the 17 BellSouth central offices that Supra has applied for, it is Supra's intention to physically collocate equipment that will provide information services as well as basic telecommunications services. The "information services" equipment that Supra intends to physically collocate includes equipment that can provide anything traditionally considered "information services," as well as anything considered an "enhanced service," Internet services, etc. The specific equipment has been identified on the physical collocation applications that have already been approved by BellSouth. It is Supra's position that the Telecommunications Act and the FCC's

First Report and Order provide legal support for Supra's right to physically collocate this type of equipment in BellSouth's central offices. Supra would like an immediate clarification from BellSouth regarding whether BellSouth intends to object to any of Supra's equipment being physically collocated on the basis of any theory so that Supra may apply for a decision on this matter at the Florida Public Service Commission.

3. Regarding the issue of Supra's right to obtain combinations of unbundled network elements from BellSouth, it is Supra's position that Supra's interconnection agreement provides authority for Supra to obtain these combinations. The attached Section from Supra's interconnection agreement specifically provides Supra this right. To the extent BellSouth intends to rely on the fact that the version of the Interconnection Agreement filed by BellSouth with the Florida Public Service Commission does not include this particular section, Supra wishes to inform BellSouth that the draft agreement that Mr. Finlen provided Mr. Ramos and which Mr. Ramos signed immediately (according to Mr. Finlen's testimony), and that Mr. Finlen provided Supra by e-mail immediately prior to producing the final version for signing, included this provision. If there is a difference between the draft version agreed to and the version filed with the Commission (other than the removal of the Collocation and Resale Agreements which had been entered into separately and the insertion of Supra's name in appropriate spaces), Supra suggests that any such difference should not exist and BellSouth may wish to inquire internally as to how that might have happened.

Therefore, Supra would like to be informed immediately as to the prices for the combinations of unbundled network elements set out in Supra's Interconnection Agreement and the time frames in which they can be provided.

You will note that this letter is not being copied to the Commission Staff at this time to permit BellSouth and Supra the opportunity to work these matters out. However, this is a very narrow window of opportunity. If we do not hear from you on these issues within the next day or two, Supra will be forced to pursue relief at the Commission. Thank you for your attention to these matters.

Sincerely,

Suzanne F. Summerlin

SFS:ss

ACCESS TO UNBUNDLED NETWORK ELEMENTS

1. Introduction

1.1.1 BellSouth shall, upon request of Supra Telecommunications and Information Systems, Inc. , and to the extent technically feasible, provide to Supra Telecommunications and Information Systems, Inc. access to its unbundled network elements for the provision of Supra Telecommunications and Information Systems, Inc. 's telecommunications service.

1.1.2 Access to unbundled Network Elements provided pursuant to this Agreement may be connected to other Services and Elements provided by BellSouth or to any Services and Elements provided by CLEC itself or by any other vendor.

1.1.3 CLEC may purchase unbundled Network Elements for the purpose of combining Network Elements in any manner that is technically feasible, including recreating existing BellSouth services.

1.1.4 In all states of BellSouth's operation, when CLEC recombines unbundled Network Elements to create services identical to BellSouth's retail offerings, the prices charged to CLEC for the rebundled services shall be computed at BellSouth's retail price less the wholesale discount established by the Commission and offered under the same terms and conditions as BellSouth offers the service.

1.1.5 CLEC will be deemed to be "recombining elements to create services identical to BellSouth's retail offerings" when the service offered by CLEC contains the functions, features and attributes of a retail offering that is the subject of properly filed and approved BellSouth tariff. Services offered by CLEC shall not be considered identical when CLEC utilizes its own switching or other substantive functionality or capability in combination with unbundled Network Elements in order to produce a service offering. For example, CLEC's provisioning of purely ancillary functions or capabilities, such as Operator Services, Caller ID, Call Waiting, etc., in combination with unbundled Network Elements shall not constitute a "substantive functionality or capability" for purposes of determining whether CLEC is providing "services identical to BellSouth's retail offering."

2. Unbundled Service Combinations (USC)

2.1.1 Where BellSouth offers to Supra Telecommunications and Information Systems, Inc. , either through a negotiated arrangement or as a result of an effective Commission order, a combination of network elements priced as individual unbundled network elements, the following product combination will be made available. All other requests for unbundled element combinations will be evaluated via the Bona Fide Request Process, as set forth in Attachment 9.

2.1.2 2-Wire Analog Loop with 2-Wire Analog Port - Residence

2.1.3 2-Wire Analog Loop with 2-Wire Analog Port - Business

2.1.4 2-Wire Analog Loop with 2-Wire Analog Port - PBX

2.1.5 2-Wire Analog Loop with 2-Wire DID or 4-Wire DID

2.1.6 BellSouth will conform to the technical references contained in this Attachment 2 to the extent these requirements are implemented by equipment vendors and consistent with the software generic releases purchased and installed by BellSouth.

3. Unbundled Loops

3.1.1 BellSouth agrees to offer access to unbundled loops pursuant to the following terms and conditions and at the rates set forth in Attachment 11.

3.2 Definition

3.2.1 The loop is the physical medium or functional path on which a subscriber's traffic is carried from the MDF, DSX, LGX or DCS in a central office or similar environment up to the termination at the NID at the customer's premise. Each unbundled loop will be provisioned with a NID.

3.2.2 The provisioning of service to a customer will require cross-office cabling and cross-connections within the central office to connect the loop to a local switch or to other transmission equipment in co-located space. These cables and cross-connections are considered a separate element.

3.2.3 BST will offer voice loops in two different service levels - Service Level One (SL1) and Service Level Two (SL2). SL1 loops will be non-designed, will not have test points, and will not come with any Order Coordination (OC) or Engineering Information/circuit make-up data (EI). Since SL1 loops do not come standard with OC, these loops will be activated on the due date in the same manner and time frames that BST normally activates POTS-type loops for its customers.

NANCY B. WHITE
Assistant General Counsel - Florida

BellSouth Telecommunications, Inc.
150 South Monroe Street
Room 400
Tallahassee, Florida 32301
(305) 347-5558

August 21, 1998

Via Facsimile and Federal Express

Suzanne Fannon Summerlin, Esq.
1311-B Paul Russell Rd., #201
Tallahassee, Florida 32301

RE: **Docket No. 980800-TP (Collocation)**

Dear Ms. Summerlin:

Pursuant to your letter of August 17, 1998, this is BellSouth's response to Issue 1 delineated therein. As I advised you, Mary Jo Peed will be responding to your Issues 2 and 3.

With regard to Issue 1, it remains BellSouth's position that there is inadequate space in the North Dade Golden Glades and West Palm Beach Gardens central offices for Supra to physically collocate. I will, however, be happy to meet with you further regarding this matter.

With regard to the three month time frame for completing physical collocation work by BellSouth, please be advised that BellSouth individually negotiates the specific interval for each collocation request based on a number of factors. BellSouth, cannot, however guarantee a three month time period. As we discussed, several mitigating factors that are outside BellSouth's control, such as permitting interval, local building code interpretation and unique construction requirements, affect the provision interval. BellSouth believes it is operating within the parameters of the Florida Commission's guidelines by negotiating time periods on a per request basis. Indeed, the Commission in Order No. PSC-98-0595-PCO-TP, issued on April 27, 1998, stated that:

"As stated in the Order, the parties may reach an agreement as to the time for a particular request. The purpose of the three month time frame is to serve as a guideline of what we consider reasonable. We find that our Order is clear as to our intent that the parties to a request for collocation would attempt to resolve any problems with that time frame on a case by case basis, and would only come to use if they were unable to resolve their problems." (p. 6).

A permit is required by each municipality involved for any construction work that modifies mechanical, electrical, architectural or safety factors. Specific permitting requirements and timelines vary from municipality to municipality. Each municipality, however, requires the submittal of a set of signed and sealed construction documents that have been prepared by a registered architect. Each municipality has their own interpretation of the building code requirements. For example, one municipality refused to issue a Certificate of Occupancy until BellSouth agreed to replace the high voltage fire alarm systems within the central office within two years. Another municipality refused to issue a Certificate of Occupancy until BellSouth agreed to replace a sidewalk at the central office.

In addition, all South Florida municipalities have indicated that physical collocation makes the central office a multi-tenant environment. There is a difference of opinion, however, between the municipalities on the method of treating the "tenant" space. Some municipalities require a minimum one-hour fire rated wall around the collocator enclosure and not the common area, while others require the rated wall around just the common area. The majority require enclosures around both the common area and the collocator enclosure. With rated walls, more complex mechanical and electrical systems must be constructed.

Attached hereto is a list of the offices involved in Supra's collocation request which contains a description of the permitting process for each locale, as well as the average length of time encountered in the permitting process by BellSouth.

For all these reasons, BellSouth cannot guarantee that collocation can be completed in a given central office within three months of a collocation application. If you have any further questions, please contact me.

Sincerely,

Nancy B. White

NBW/vf
Attachments

General Description of Permit Process

1) Boca Raton
2) Ft. Lauderdale (Cypress)
3) Ft. Lauderdale (Main)
4) Ft. Lauderdale (Plantation)
5) Hollywood
6) Hollywood (Pembroke Pine)
7) Hollywood (West)
8) Miami (Alhambra)
9) Miami (Biscayne)
10) Miami (Grande)
11) Miami (Hialeah)
12) Miami (Perrine)
13) Orlando (Magnolia)
14) Melbourne
15) West Palm Beach (Greenacres)

Boca Raton

Municipality: West Palm
Building Department: City of Boca Raton Building Department

Permitting Process

- Plans go to Department of Natural Resources Protection for Review (Processing Time: Varies 2 to 3 days average)
- Once approved by the above:

Plans then go to the Building Department

Forms/signed and sealed plans are dropped off at front counter
Process/Permit number is assigned
Insurance, licenses of General Contractor are verified
Plans routed through
- Building
- Fire
- Zoning
- Landscaping
- Mechanical
- Electrical
- Plumbing

(Average Processing Time: 6 to 8 weeks)

- Once reviewed by each department, sent to front counter
- If there are comments, plans go back to Architectural and Engineering firms for corrections
- If no comments, plans are ready for permit
- Fill out and file with Clerk of the County Court "The Notice of Commencement"

Ft. Lauderdale (Cypress)

Municipality: City of Ft. Lauderdale
Building Department: City of Cypress Building Department

Permitting Process

- Plans are submitted to Broward County Health Department if no sewer connection.
  (Processing Time: Varies 1 to 2 days average)
- Plans then go to Department of Natural Resources Protection for Review
  (Processing Time: Varies 2 to 3 days average)
- Once approved by the above:

Plans then go to the Building Department
(All plans have to be submitted at the same time)

- Forms/signed and sealed plans are dropped off at front counter
- All plans are submitted at the same time. Mechanical, Electrical & Fire Alarm must submit applications at the same time as the architectural
- Must submit a copy of the contract with the owner
- Must provide copies of contracts between contractors and sub-contractors
- Process/Permit number is assigned
- Insurance, licenses of General Contractor are verified
- Plans routed through
  - Building
  - Fire
  - Zoning
  - Landscaping
  - Mechanical
  - Electrical
  - Plumbing

(Average Processing Time: 6 to 8 weeks)

Ft. Lauderdale (Cypress) cont'd

- Once reviewed by each department, sent to front counter
- If there are comments, plans go back to Architectural and Engineering firms for corrections
- If no comments, plans are ready for permit
- Fill out and file with Clerk of the County Court "The Notice of Commencement"

Ft. Lauderdale (Main)

Municipality: City of Ft. Lauderdale
Building Department: City of Ft. Lauderdale Building Dept.

Permitting Process

- Plans are submitted to Broward County Health Department if no sewer connection.
  (Processing Time: Varies 1 to 2 days average)
- Plans then go to Department of Natural Resources Protection for Review
  (Processing Time: Varies 2 to 3 days average)
- Once approved by the above:

Plans then go to the Building Department
(All plans have to be submitted at the same time)

- Forms/signed and sealed plans are dropped off at front counter
- All plans are submitted at the same time. Mechanical, Electrical & Fire Alarm must submit applications at the same time as the architectural
- Must submit a copy of the contract with the owner
- Must provide copies of contracts between contractors and sub-contractors
- Process/Permit number is assigned
- Insurance, licenses of General Contractor are verified
- Plans routed through
  - Building
  - Fire
  - Zoning
  - Landscaping
  - Mechanical
  - Electrical
  - Plumbing

(Average Processing Time: 6 to 8 weeks)

Ft. Lauderdale (Main) cont'd

- Once reviewed by each department, sent to front counter
- If there are comments, plans go back to Architectural and Engineering firms for corrections
- If no comments, plans are ready for permit
- Fill out and file with Clerk of the County Court "The Notice of Commencement"

Ft. Lauderdale (Plantation)

Municipality: City of Ft. Lauderdale
Building Department: City of Plantation Building Department

Permitting Process

- Plans are submitted to Broward County Health Department if no sewer connection.
  (Processing Time: Varies 1 to 2 days average)
- Plans then go to Department of Natural Resources Protection for Review
  (Processing Time: Varies 2 to 3 days average)
- Once approved by the above:

Plans then go to the Building Department
(All plans have to be submitted at the same time)

- Forms/signed and sealed plans are dropped off at front counter
- All plans are submitted at the same time. Mechanical, Electrical & Fire Alarm must submit applications at the same time as the architectural
- Must submit a copy of the contract with the owner
- Must provide copies of contracts between contractors and sub-contractors
- Process/Permit number is assigned
- Insurance, licenses of General Contractor are verified
- Plans routed through
  - Building
  - Fire
  - Zoning
  - Landscaping
  - Mechanical
  - Electrical
  - Plumbing

(Average Processing Time: 6 to 8 weeks)

Ft. Lauderdale (Plantation) cont'd

- Once reviewed by each department, sent to front counter
- If there are comments, plans go back to Architectural and Engineering firms for corrections
- If no comments, plans are ready for permit
- Fill out and file with Clerk of the County Court "The Notice of Commencement"

Hollywood

Municipality: City of Hollywood
Building Department: City of Hollywood Building Department

Permitting Process

- Plans are submitted to Broward County Health Department if no sewer connection.
  (Processing Time: Varies 1 to 2 days average)
- Plans then go to Department of Natural Resources Protection for Review
  (Processing Time: Varies 2 to 3 days average)
- Once approved by the above:

Plans then go to the Building Department

Forms/signed and sealed plans are dropped off at front counter
Process/Permit number is assigned
Insurance, licenses of General Contractor are verified
Plans routed through
- Building
- Fire
- Zoning
- Landscaping
- Mechanical
- Electrical
- Plumbing

(Average Processing Time: 6 to 8 weeks)

- Once reviewed by each department, sent to front counter
- If there are comments, plans go back to Architectural and Engineering firms for corrections
- If no comments, plans are ready for permit
- Fill out and file with Clerk of the County Court "The Notice of Commencement"

Hollywood (Pembroke Pines)

Municipality: City of Hollywood
Building Department: City of Pembroke Pines Building Dept.

Permitting Process

- Plans are submitted to Broward County Health Department if no sewer connection.
  (Processing Time: Varies 1 to 2 days average)
- Plans then go to Department of Natural Resources Protection for Review
  (Processing Time: Varies 2 to 3 days average)
- Once approved by the above:

  Plans then go to the Building Department

  Forms/signed and sealed plans are dropped off at front counter
  Process/Permit number is assigned
  Insurance, licenses of General Contractor are verified
  Plans routed through
  - Building
  - Fire
  - Zoning
  - Landscaping
  - Mechanical
  - Electrical
  - Plumbing

  (Average Processing Time: 4 to 6 weeks)

- Once reviewed by each department, sent to front counter
- If there are comments, plans go back to Architectural and Engineering firms for corrections
- If no comments, plans are ready for permit
- Fill out and file with Clerk of the County Court "The Notice of Commencement"

Hollywood (West)

Municipality: City of Hollywood
Building Department: City of Hollywood Building Department

Permitting Process

- Plans are submitted to Broward County Health Department if no sewer connection.
  (Processing Time: Varies 1 to 2 days average)
- Plans then go to Department of Natural Resources Protection for Review
  (Processing Time: Varies 2 to 3 days average)
- Once approved by the above:

  Plans then go to the Building Department

  Forms/signed and sealed plans are dropped off at front counter
  Process/Permit number is assigned
  Insurance, licenses of General Contractor are verified
  Plans routed through
  - Building
  - Fire
  - Zoning
  - Landscaping
  - Mechanical
  - Electrical
  - Plumbing

  (Average Processing Time: 6 to 8 weeks)

- Once reviewed by each department, sent to front counter
- If there are comments, plans go back to Architectural and Engineering firms for corrections
- If no comments, plans are ready for permit
- Fill out and file with Clerk of the County Court "The Notice of Commencement"

Miami (Alhambra)

Municipality: City of Coral Gables
Building Department: City of Coral Gables Building Dept.

Permitting Process

- Plans are submitted to the Department of Environmental Resources Management for review
  (Process Time: Varies 2 to 3 days average)
- Once approved by the above:

  Plans then go to the Building Department

  Forms/signed and sealed plans are dropped off at front counter
  Process/Permit number is assigned
  Insurance, licenses of General Contractor are verified
  Plans routed through
  - Building
  - Fire
  - Zoning
  - Landscaping
  - Mechanical
  - Electrical
  - Plumbing

  (Average Processing Time: 3 to 4 weeks)

- Once reviewed by each department, sent to front counter
- If there are comments, plans go back to Architectural and Engineering firms for corrections
- If no comments, plans are ready for permit
- Fill out and file with Clerk of the County Court "The Notice of Commencement"

Miami (Biscayne)

Municipality: City of Coral Gables
Building Department: City of Coral Gables Building Dept.

Permitting Process

- Plans are submitted to the Department of Environmental Resources Management for review
  (Process Time: Varies 2 to 3 days average)
- Once approved by the above:

  Plans then go to the Building Department

  Forms/signed and sealed plans are dropped off at front counter
  Process/Permit number is assigned
  Insurance, licenses of General Contractor are verified
  Plans routed through
  - Building
  - Fire
  - Zoning
  - Landscaping
  - Mechanical
  - Electrical
  - Plumbing

  (Average Processing Time: 3 to 4 weeks)

- Once reviewed by each department, sent to front counter
- If there are comments, plans go back to Architectural and Engineering firms for corrections
- If no comments, plans are ready for permit
- Fill out and file with Clerk of the County Court "The Notice of Commencement"

Miami (Grande)

Municipality: City of Miami
Building Department: City of Miami Building Department

Permitting Process

- Plans are submitted to the Department of Environmental Resources Management for review
  (Process Time: Varies 2 to 3 days average)
- Once approved by the above:

  Plans then go to the Building Department

  Forms/signed and sealed plans are dropped off at front counter
  Process/Permit number is assigned
  Insurance, licenses of General Contractor are verified
  Plans routed through
  - Building
  - Fire
  - Zoning
  - Landscaping
  - Mechanical
  - Electrical
  - Plumbing

  (Average Processing Time: 3 to 4 weeks)

- Once reviewed by each department, sent to front counter
- If there are comments, plans go back to Architectural and Engineering firms for corrections
- If no comments, plans are ready for permit
- Fill out and file with Clerk of the County Court "The Notice of Commencement"

Miami (Hialeah)

Municipality: City of Hialeah
Building Department: City of Hialeah Building Department

Permitting Process

- Plans are submitted to the Department of Environmental Resources Management for review
  (Process Time: Varies 2 to 3 days average)
- Once approved by the above:

  Plans then go to the Building Department

  Forms/signed and sealed plans are dropped off at front counter
  Process/Permit number is assigned
  Insurance, licenses of General Contractor are verified
  Plans routed through
  - Building
  - Fire
  - Zoning
  - Landscaping
  - Mechanical
  - Electrical
  - Plumbing

  (Average Processing Time: 5 to 7 weeks)

- Once reviewed by each department, sent to front counter
- If there are comments, plans go back to Architectural and Engineering firms for corrections
- If no comments, plans are ready for permit
- Fill out and file with Clerk of the County Court "The Notice of Commencement"

Miami (Perrine)

Municipality: Dade County
Building Department: City of Perrine Building Department

Permitting Process

- Plans are submitted to the Department of Environmental Resources Management for review
  (Process Time: Varies 2 to 3 days average)
- Once approved by the above:

  Plans then go to the Building Department

  Forms/signed and sealed plans are dropped off at front counter
  Process/Permit number is assigned
  Insurance, licenses of General Contractor are verified
  Plans routed through
  - Building
  - Fire
  - Zoning
  - Landscaping
  - Mechanical
  - Electrical
  - Plumbing

  (Average Processing Time: 6 to 8 weeks)

- Once reviewed by each department, sent to front counter
- If there are comments, plans go back to Architectural and Engineering firms for corrections
- If no comments, plans are ready for permit
- Fill out and file with Clerk of the County Court "The Notice of Commencement"

Orlando (Magnolia)

Municipality: City of Orlando
Building Department: City of Orlando Building Department

Permitting Process

- Plans go to the Building Department

  Forms/signed and sealed plans are checked in off at front counter
  Process/Permit number is assigned
  Insurance, licenses of General Contractor are verified
  Plans routed through
  - Building
  - Fire
  - Zoning
  - Landscaping
  - Mechanical
  - Electrical
  - Plumbing

  (Average Processing Time: 6 to 8 weeks)

- Once reviewed by each department, sent to front counter
- If there are comments, plans go back to Architectural and Engineering firms for corrections
- If no comments, plans are ready for permit
- Fill out and file with Clerk of the County Court "The Notice of Commencement". Owner or a representative of the owner has to sign this form. Has to be posted at the job site.

Orlando (Melbourne)

Municipality: Brevard
Building Department: City of Melbourne Building Department

Permitting Process

- Plans go to the Building Department

  Forms/signed and sealed plans are dropped off at front counter
  Process/Permit number is assigned
  Insurance, licenses of General Contractor are verified
  Plans routed through
  - Building
  - Fire
  - Zoning
  - Landscaping
  - Mechanical
  - Electrical
  - Plumbing

  (Average Processing Time: 5 to 7 weeks)

- Once reviewed by each department, sent to front counter
- If there are comments, plans go back to Architectural and Engineering firms for corrections
- If no comments, plans are ready for permit
- Fill out and file with Clerk of the County Court "The Notice of Commencement"

West Palm Beach

Municipality: West Palm
Building Department: City of West Palm Beach Building Dept.

Permitting Process

- Plans go to the Building Department

  Forms/signed and sealed plans are dropped off at front counter
  Process/Permit number is assigned
  Insurance, licenses of General Contractor are verified
  Plans routed through
  - Building
  - Fire
  - Zoning
  - Landscaping
  - Mechanical
  - Electrical
  - Plumbing

  (Average Processing Time: 4 weeks, generally)

- Once reviewed by each department, sent to front counter
- If there are comments, plans go back to Architectural and Engineering firms for corrections
- If no comments, plans are ready for permit
- Fill out and file with Clerk of the County Court "The Notice of Commencement"

Forms Needed for Permitting Process

DNRP Forms Needed

Land Use Permit - Development review procedure
Statement of Responsibility regarding Asbestos
Land User and Permit - Information for Approval
Application for approval of construction plans
Industrial review application

Health Department

Health Department permit application

Mary Jo Peed
General Attorney

BellSouth Telecommunications, Inc.
Legal Department - Suite 4300
675 West Peachtree Street
Atlanta, Georgia 30375-0001
Telephone: 404-335-0705
Facsimile: 404-525-5360

August 21, 1998

Via Facsimile

Suzanne Fannon Summerlin, Esq.
1311-B Paul Russell Road, #201
Tallahassee, Florida 32301

Re: Your letter of August 17, 1998

Dear Ms. Summerlin:

Pursuant to your letter of August 17, 1998, this is BellSouth's response to Issues 2 and 3 delineated therein. As I stated in my voice mail earlier this week, Nancy White will be responding to your Issue 1 under separate cover.

With regard to Issue 2 and the type of equipment that may be placed in physical collocation space occupied by Supra, you and I had a detailed conversation regarding this matter at the end of July. Contrary to your assertion, BellSouth has never approved the placement of the equipment listed in Supra's applications for physical collocation space.

Supra's physical collocation applications request that Supra be allowed to place ATM nodes (Cisco Systems Model No. IGX-16-RM); Digital switches (Lucent Tech Model No. 5ESS); Digital Loop Carrier equipment (Lucent Tech Model No. SLC2000); and Cisco Systems equipment Model No. AS5248-56K-CH (identified by Supra as Remote Access Concentrators). Section III(A) of Supra's Collocation Agreement, executed by Mr. Ramos on July 21, 1998, states that "BellSouth shall permit Interconnector to place, maintain, and operate in the Collocation Space any equipment that Interconnector is authorized by BellSouth and by Federal or State regulators to place, maintain and operate in collocation space and that is used by Interconnector to provide services which Interconnector has the legal authority to provide." In an effort to be perfectly clear and to finally put this issue to rest, **BellSouth does not authorize the placement of the remote access concentrators in the physical collocation space occupied by Supra. BellSouth does, however, authorize the placement of the ATM nodes, the digital switches, and the digital loop carrier equipment identified by the model**

numbers in Supra's applications in the physical collocation space occupied by Supra.

BellSouth's position regarding Supra's equipment requests is consistent with the BellSouth policy sent to Mr. Ramos from Marc Cathey on July 14, 1998 and is consistent with our discussions at the end of July and the portions of the FCC's First Report and Order that I cited in those discussions.[1] ATM nodes, digital switches and digital loop carrier equipment are all capable of providing telecommunications services and information services through the same arrangement. The remote access concentrator equipment is not. BellSouth administers its policy regarding equipment placed by Interconnectors in physical collocation arrangements in a non-discriminatory manner.

With regard to Issue 3, I have researched the issue of the language regarding network element combinations cited in Mr. David Nilson's letter to Marc Cathey dated August 3, 1998. That language was not contained in the interconnection agreement executed by BellSouth and Mr. Ramos and filed with the Florida Public Service Commission. The language was contained in the e-mailed agreement sent to Mr. Ramos by Pat Finlen. Mr. Finlen did not know of the inconsistencies between the two documents when he prepared the final version of the agreement to be executed and did not become aware of the inconsistency until Mr. Nilson's letter of August 3rd. I am enclosing an amendment to the filed agreement to be executed by Mr. Ramos so that the language may be incorporated within the filed and approved document. On behalf of BellSouth, I apologize to Supra for this error.

As to the intent of the language of sections 2.1.1 through 2.1.6, this language does not give Supra authority to obtain these combinations. The language of section 2.1.1 is conditional upon two discreet events, neither of which have occurred. As you know section 2.1.1 states the following:

> Where BellSouth offers to Supra Telecommunications and Information Systems, Inc., either through a negotiated arrangement or as a result of an effective Commission order, a combination of Network elements priced as individual unbundled network elements, The following product combination will be made available. All other requests for unbundled element combinations will be evaluated via the Bona Fide Request Process, as set forth in Attachment 9.

(Emphasis added). This language is consistent with BellSouth's position in regards to providing combinations of network elements to new entrants. At present, there is no effective Commission order that requires BellSouth to offer to Supra a combination of

[1] In the recently issued Memorandum Opinion and Order and Notice of Proposed Rulemaking in CC Docket No. 98-147 et. al., the FCC "tentatively concluded that we should decline to require collocation of equipment used to provide enhanced services." FCC 98-188 at para. 132.

network elements. BellSouth is willing, however, to negotiate with Supra and, if negotiations are successful, to provide such combinations for the price of the network elements and a negotiated professional service fee, commonly referred to as "a glue charge." If Mr. Ramos is interested in negotiating such an arrangement, Mr. Finlen would be happy to discuss this with him. In any event, the language of sections 1.3, 1.4 and 1.5 of Attachment 2 that sets forth the price of combinations of network elements where Supra does the combining and duplicates a service identical to a BellSouth retail offering will continue to apply. In those circumstances the price paid by Supra would be the retail price of the duplicated service less the wholesale discount.

Lastly, at the end of July, I sent to you, at your request, both electronically and through hand delivery, the documents necessary for Supra to adopt the MCImetro agreement. I have never received any further communication from you regarding this matter. Could you please let me know what Supra intends to do regarding the adoption of another agreement?

If you have further questions or would like to discuss the matters contained within this correspondence, please feel free to call me.

Sincerely,

Mary Jo Peed

Cc: Nancy White
Pat Finlen

Attachment

2. The Parties agree that all of the other provisions of the Interconnection Agreement. dated October 23, 1997, shall remain in full force and effect.

3. The Parties further agree that either or both of the Parties is authorized to submit this Amendment to the Florida Public Service Commission or other regulatory body having jurisdiction over the subject matter of this Amendment, for approval subject to Section 252(e) of the federal Telecommunications Act of 1996.

IN WITNESS WHEREOF, the Parties hereto have caused this Amendment to be executed by their respective duly authorized representatives on the date indicated below.

SUPRA TELECOMMUNICATIONS and INFORMATION SYSTEMS, INC.	BELLSOUTH TELECOMMUNICATIONS, INC.
By:_____	By:_____
DATE:_____	DATE:_____