

BEFORE THE  
FLORIDA PUBLIC SERVICE COMMISSION

IN RE: BELLSOUTH )  
TELECOMMUNICATIONS INC.'S )  
PETITION FOR WAIVER OF PHYSICAL )  
COLLOCATION REQUIREMENTS SET )  
FORTH IN THE TELECOMMUNICATIONS )  
ACT OF 1996 AND THE FCC'S FIRST )  
REPORT AND ORDER, FOR THE NORTH )  
DADE GOLDEN GLADES CENTRAL )  
OFFICE )  
\_\_\_\_\_ )

Docket No. 981012

Filed:

PETITION TO INTERVENE OF ACI CORP.

COMES NOW ACI Corp. ("ACI"), through its undersigned counsel, and hereby files its  
Petition to Intervene ("Petition") and participate as a full party of record in the above-captioned  
docket (the "Docket"). As grounds for this Petition, ACI states as follows:

1. Petitioner's name, address and telephone number are:

ACI Corp.  
7337 S. Revere Parkway  
Englewood, CO 80112  
(303) 476-4200

2. All notices, pleadings, orders, and documents in this proceeding should be  
provided to:

Charles A. Hudak, Esq.  
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and

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3. ACI is certificated by the Florida Public Service Commission (the "Commission") to provide both local exchange and long distance telecommunications services.

4. ACI intends to provide high-speed data communications, including high-speed local access, initially through the deployment of digital subscriber line ("DSL") services to business and residential consumers in the State of Florida in 1999.

5. On or about August 7, 1998, BellSouth Telecommunications, Inc. ("BellSouth") filed a Petition for Waiver of Physical Collocation Requirements Set Forth in the Telecommunications Act of 1996 and the FCC's First Report and Order, for the North Dade Golden Glades Central Office, (Docket No. 981012), requesting the Commission to temporarily exempt BellSouth from its obligation under Section 251(c)(6) of the Telecommunications Act of 1996 to offer physical collocation in its North Dade Golden Glades Central Office.

6. In order to obtain a temporary waiver of its physical collocation obligations, BellSouth is required under Section 251(c)(6) of the Telecommunications Act of 1996 "to demonstrate[] to the State commission that physical collocation is not practical for technical reasons or because of space limitations."

7. As a future provider of facilities-based, high-speed data communications services, ACI has a substantial interest in this proceeding because it intends to submit applications for physical collocation space from BellSouth in the North Dade Golden Glades Central Office. In


order for ACI, or any other carrier including BellSouth, to provide DSL services, that carrier must be able to place equipment in BellSouth central offices.

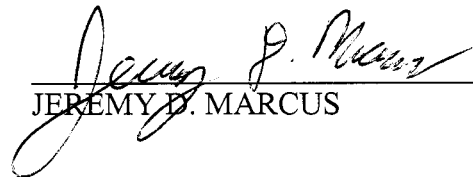
8. ACI requests intervention as a full party of record. ACI's rights and interests in this matter will not be adequately represented by any other party, and ACI's participation herein will not unduly delay this proceeding.

**WHEREFORE**, ACI respectfully requests that the Commission grant this Petition and allow ACI to become a full party of record in the Docket.

Respectfully submitted this 22<sup>nd</sup> day of December 1998.

GERRY, FRIEND & SAPRONOV, LLP

  
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COUNSEL FOR ACI CORP.

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a copy of the foregoing Petition to Intervene, by depositing same in the United States mail in a properly addressed envelope with adequate postage thereon to insure delivery to the following parties:

BellSouth Telecommunications, Inc.  
Ms. Nancy H. Sims  
150 South Monroe Street, Suite 400  
Tallahassee, FL 32301-1556

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Donna Canzano/Patrick Wiggins  
P.O. Drawer 1657  
Tallahassee, FL 32302

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James C. Falvey  
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Annapolis Junction, MD 20701

NorthPoint Communications, Inc.  
Steven Gorosh  
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Intermedia Communications of Florida, Inc.  
Steven Brown  
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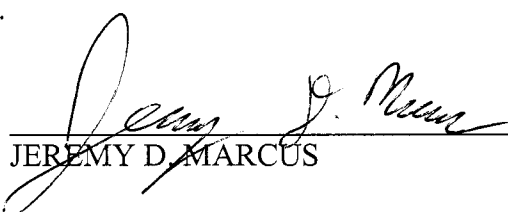
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This the 22<sup>nd</sup> day of December, 1998.

  
\_\_\_\_\_  
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