

ORIGINAL

DOCKET NOS. 980946-TL, 980947-TL, 980948-TL, 981011-TL, 981012-TL, 981250-TL: Petitions for temporary waiver of physical collocation requirements set forth in the 1996 Telecommunications Act and the FCC's First Report and Order, for the Daytona Beach Port Orange Central Office, the Boca Raton Boca Teeca Central Office, the Miami Palmetto Central Office, the West Palm Beach Gardens Central Office, the North Dade Golden Glades Central Office, and the Lake Mary Main Central Office, by BellSouth Telecommunications, Inc.

WITNESS: Supplemental Direct Testimony Of Kathy L. Welch, Appearing On Behalf Of Staff

DATE FILED: April 29, 1999

|     |       |
|-----|-------|
| AFA | _____ |
| APP | _____ |
| CAF | _____ |
| CMU | _____ |
| CTR | _____ |
| EAG | _____ |
| LEG | _____ |
| MAS | 5 day |
| OPC | _____ |
| RRR | _____ |
| SEC | 1     |
| WAW | _____ |
| OTH | _____ |

DOCUMENT NUMBER - DATE  
**05449 APR 29 99**  
 FPSC-RECORDS/REPORTING

1 SUPPLEMENTAL DIRECT TESTIMONY OF KATHY L. WELCH

2 Q. Please state your name and business address.

3 A. My name is Kathy L. Welch and my business address is 3625 NW 82nd  
4 Ave, Suite 400, Miami, Florida, 33166.

5 Q. Are you the same Kathy L. Welch that previously filed testimony in  
6 these dockets?

7 A. Yes.

8 Q. Are you aware that on March 31, 1999, the FCC released its First  
9 Report and Order and Further Notice of Proposed Rulemaking, FCC Order 98-  
10 48, issued in CC Docket No. 98-147?

11 A. Yes.

12 Q. Have you had an opportunity to review that Order?

13 A. Yes.

14 Q. Does the FCC Order 99-48 have an impact on your previously filed Direct  
15 Testimony?

16 A. Yes. I am not an attorney and, therefore, have drawn no conclusions  
17 with regard to the legal analyses in the FCC's Order. Based on my reading  
18 of the Order, I would, however, have incorporated certain information about  
19 FCC Order 99-48 into the audit reports. These changes affect KLV-1, KLV-2,  
20 and KLV-3. The following sentences would have been inserted or deleted in  
21 all three audit reports.

22 On page 5, Audit Disclosure 1, after paragraph two, insert:

23 In FCC Order 99-48, at Paragraphs 41, 42, and 43,  
24 the FCC ". . . requires incumbent LECs to make  
25 shared collocation cages available to new

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

entrants, . . . to make cageless collocation arrangements available to requesting carriers," and ". . . also ensure that cageless collocation arrangements do not place minimum space requirements on collocating carriers." The FCC has also stated that incumbent LECs should "make collocation space available in single-bay increments, meaning that a competing carrier can purchase space in increments small enough to collocate a single rack, or bay, of equipment."

On page 5, Audit Disclosure 1, after paragraph 4, insert:

FCC Order 99-48, Paragraphs 46, 47, 48, and 49 address security arrangements. The FCC has concluded that ". . . incumbent LECs may not impose more stringent security requirements. . ." than their own requirements. The FCC states that they ". . . permit incumbent LECs to install, for example, security cameras or other monitoring systems, or to require competitive LEC personnel to use badges with computerized tracking systems."

The FCC also concluded that ". . . incumbent LECs must allow collocating parties to access their equipment 24 hours a day, seven days a week, without requiring either a security escort of any kind or delaying a competitor's employees'

1 entry....”

2 On page 5, Audit Disclosure 1, paragraph 5, I would delete the entire  
3 paragraph.

4 On page 7, Audit Disclosure 1, after paragraph 3 insert:

5 FCC Order 99-48, Paragraph 60 states “. . .  
6 incumbent LECs must remove obsolete unused  
7 equipment from their premises upon reasonable  
8 request by a competitor or upon the order of a  
9 state commission.”

10 On page 7, Audit Disclosure 1, in paragraph 4, after the first  
11 sentence, I would add the following sentence:

12 FCC Order 99-48 addresses obsolete equipment, but  
13 does not address non-critical offices.

14 On page 8, Audit Disclosure 1, I would delete the last paragraph and  
15 insert, “Security measures are now addressed in FCC Order 99-48.”

16 On page 11, Disclosure 3, paragraph 1, I would delete the phrase  
17 “which would not be conducive for physical collocation”.

18 On page 12, Disclosure 4, paragraph 4 should be removed. In its  
19 place, I would insert the following:

20 At Paragraph 60 of FCC Order 99-48, the FCC states  
21 that, “We conclude that in order to increase the  
22 amount of space available for collocation,  
23 incumbent LECs must remove obsolete unused  
24 equipment from their premises upon reasonable  
25 request by a competitor or upon the order of a

1 state commission.”

2 On page 13, Disclosure 5, after paragraph 6, I would add the  
3 following paragraph:

4 In FCC Order 99-48, at Paragraphs 41, 42, and 43,  
5 the FCC “. . . requires incumbent LECs to make  
6 shared collocation cages available to new  
7 entrants. . . . to make cageless collocation  
8 arrangements available to requesting carriers,” and  
9 “. . . . also ensure that cageless collocation  
10 arrangements do not place minimum space  
11 requirements on collocating carriers.” The FCC has  
12 also stated that incumbent LECs should “make  
13 collocation space available in single-bay  
14 increments, meaning that a competing carrier can  
15 purchase space in increments small enough to  
16 collocate a single rack, or bay, of equipment.”

17 Had we had the opportunity to review the FCC’s Order prior to  
18 conducting our field work, we would have looked at the total number of bays  
19 available and the bays forecasted more closely.

20 In addition, in the Golden Glades audit report (KLW-2), I would make  
21 the following changes.

22 On page 21, Disclosure 9, paragraph 1, I would delete the phrase, “of  
23 the reasons these areas were not considered possible areas follows.” I  
24 would replace that phrase with the word “follows.”

25 On page 21, Disclosure 9, paragraph 2 of the Opinion, the phrase,

1 | "Leaving space for walls and room to work on the bay on each side, there  
2 | would barely be room for one line up" should be deleted. On the same page,  
3 | in the same Disclosure and paragraphs, I would also delete the sentence,  
4 | "Even if the monitoring equipment were cut in half, there would not be  
5 | space for a common area."

6 |         Also on page 21, Disclosure 9, paragraph 4 of the Opinion, I would  
7 | delete the sentence, "Again after fire aisles, walls and work space on each  
8 | side of the bay, the space would barely fit one line up."

9 |         On page 21, Disclosure 9, paragraph 5 of the Opinion, I would delete  
10 | the sentence, "The space that is left would not be large enough."

11 |         In the Lake Mary audit report (KLW-3), on page 16, Disclosure 7,  
12 | paragraph 2, I would delete the sentence, "It would not be accessible  
13 | without an escort."

14 |         I would not make any additional changes in the Boca Teeca audit  
15 | report (KLW-1).

16 | Q.     Does this conclude your testimony?

17 | A.     Yes, it does.

18 |

19 |

20 |

21 |

22 |

23 |

24 |

25 |

*DOCKET NOS. 980946-TL, 980947-TL, 980948-TL, 981011-TL, 981012-TL, 981250-TL: Petitions for temporary waiver of physical collocation requirements set forth in the 1996 Telecommunications Act and the FCC's First Report and Order, for the Daytona Beach Port Orange Central Office, the Boca Raton Boca Teeca Central Office, the Miami Palmetto Central Office, the West Palm Beach Gardens Central Office, the North Dade Golden Glades Central Office, and the Lake Mary Main Central Office, by BellSouth Telecommunications, Inc.*

**WITNESS: Supplemental Direct Testimony Of Ruth K. Young,**  
Appearing On Behalf Of Staff

*DATE FILED: April 29, 1999*

1 SUPPLEMENTAL DIRECT TESTIMONY OF RUTH K. YOUNG

2 Q. Please state your name and business address.

3 A. My name is Ruth K. Young and my business address is 3625 NW 82nd Ave,  
4 Suite 400, Miami, Florida, 33166.

5 Q. Are you the same Ruth K. Young that previously filed testimony in  
6 these dockets?

7 A. Yes.

8 Q. Are you aware that on March 31, 1999, the FCC released its First Report  
9 and Order and Further Notice of Proposed Rulemaking, FCC Order 98-48,  
10 issued in CC Docket No. 98-147?

11 A. Yes.

12 Q. Have you had an opportunity to review that Order?

13 A. Yes.

14 Q. Does the FCC Order 99-48 have an impact on your previously filed Direct  
15 Testimony?

16 A. Yes. I am not an attorney and, therefore, have drawn no conclusions  
17 with regard to the legal analyses in the FCC's Order. Based on my reading  
18 of the Order, I would, however, have incorporated certain information about  
19 FCC Order 99-48 into the audit reports. These changes affect RKY-1, RKY-2,  
20 and RKY-3. The following sentences would have been inserted or deleted in  
21 all three audit reports.

22 On page 5, Audit Disclosure 1, after paragraph two, insert:

23 In FCC Order 99-48, at Paragraphs 41, 42, and 43,  
24 the FCC ". . . requires incumbent LECs to make  
25 shared collocation cages available to new



1 entrants, . . . to make cageless collocation  
2 arrangements available to requesting carriers," and  
3 ". . . also ensure that cageless collocation  
4 arrangements do not place minimum space  
5 requirements on collocating carriers." The FCC has  
6 also stated that incumbent LECs should "make  
7 collocation space available in single-bay  
8 increments, meaning that a competing carrier can  
9 purchase space in increments small enough to  
10 collocate a single rack, or bay, of equipment."

11 On page 5, Audit Disclosure 1, after paragraph 4, insert:

12 FCC Order 99-48, Paragraphs 46, 47, 48, and 49  
13 address security arrangements. The FCC has  
14 concluded that ". . . incumbent LECs may not impose  
15 more stringent security requirements. . ." than  
16 their own requirements. The FCC states that they  
17 ". . . permit incumbent LECs to install, for  
18 example, security cameras or other monitoring  
19 systems, or to require competitive LEC personnel to  
20 use badges with computerized tracking systems."

21 The FCC also concluded that ". . . incumbent LECs  
22 must allow collocating parties to access their  
23 equipment 24 hours a day, seven days a week,  
24 without requiring either a security escort of any  
25 kind or delaying a competitor's employees'

1 entry...."

2 On page 5, Audit Disclosure 1, paragraph 5, I would delete the entire  
3 paragraph.

4 On page 7, Audit Disclosure 1, after paragraph 3 insert:

5 FCC Order 99-48, Paragraph 60 states ". . .  
6 incumbent LECs must remove obsolete unused  
7 equipment from their premises upon reasonable  
8 request by a competitor or upon the order of a  
9 state commission."

10 On page 7, Audit Disclosure 1, in paragraph 4, after the first  
11 sentence, I would add the following sentence:

12 FCC Order 99-48 addresses obsolete equipment, but  
13 does not address non-critical offices.

14 On page 8, Audit Disclosure 1, I would delete the last paragraph and  
15 insert, "Security measures are now addressed in FCC Order 99-48."

16 On page 11, Disclosure 3, paragraph 1, I would delete the phrase  
17 "which would not be conducive for physical collocation".

18 On page 12, Disclosure 4, paragraph 4 should be removed. In its  
19 place, I would insert the following:

20 At Paragraph 60 of FCC Order 99-48, the FCC states  
21 that, "We conclude that in order to increase the  
22 amount of space available for collocation,  
23 incumbent LECs must remove obsolete unused  
24 equipment from their premises upon reasonable  
25 request by a competitor or upon the order of a

1 state commission."

2 On page 13, Disclosure 5, after paragraph 6, I would add the  
3 following paragraph:

4 In FCC Order 99-48, at Paragraphs 41, 42, and 43,  
5 the FCC "... requires incumbent LECs to make  
6 shared collocation cages available to new  
7 entrants, . . . to make cageless collocation  
8 arrangements available to requesting carriers," and  
9 "... also ensure that cageless collocation  
10 arrangements do not place minimum space  
11 requirements on collocating carriers." The FCC has  
12 also stated that incumbent LECs should "make  
13 collocation space available in single-bay  
14 increments, meaning that a competing carrier can  
15 purchase space in increments small enough to  
16 collocate a single rack, or bay, of equipment."

17 Had we had the opportunity to review the FCC's Order prior to  
18 conducting our field work, we would have looked at the total number of bays  
19 available and the bays forecasted more closely.

20 In addition, in the West Palm Beach Gardens audit report (RKY-3), I  
21 would make the following changes.

22 On page 14, Disclosure 6, paragraph 5, I would delete the following:

23 Fire rated walls would have to be built. There is  
24 an outside wall. However, if no door to the outside  
25 were built, the issue of security would have to be

1 | addressed.

2 | On page 17, disclosure 7, paragraph 1, I would delete the phrase,  
3 | "... and interpretation of security issues in FCC Order 96-325, Paragraph  
4 | 598." In its place, I would insert the phrase, "and interpretation of  
5 | security issues in FCC Order 99-48."

6 | On page 17, Disclosure 7, paragraph 3, the following should be  
7 | deleted:

8 | A physical barrier would require a fire rated wall  
9 | which would require one foot for the wall and 4'  
10 | fire aisle around BellSouth equipment. This would  
11 | leave an area of 13' by 25'.

12 | On page 19, Disclosure 9, paragraph 1, I would delete the phrase,  
13 | "... and do not appear to have enough space for collocation." In its  
14 | place, I would insert the following:

15 | In FCC Order 99-48, Paragraphs 38 through 43, the  
16 | FCC states that "... a competing carrier can  
17 | purchase space in increments small enough to  
18 | collocate a single rack, or bay, of equipment."

19 | In addition, in the Daytona Beach Port Orange audit report (RKY-1), I  
20 | would make the following changes.

21 | On page 14, Disclosure 6, paragraph 10, I would delete the phrase,  
22 | "requires fire rated walls and four foot fire aisles next to BellSouth  
23 | equipment."

24 | On page 15, Disclosure 6, paragraph 2, I would delete the phrase  
25 | "requires fire rated walls." I would also delete the following:

1                   The space would be 11' x 6' wide. The bottom of  
2                   the area is 6' wide. The 4' fire aisle requirement  
3                   would leave a 2' area in which to work.

4                   On page 18, Disclosure 8, paragraph 5, the following sentence should  
5 be deleted:

6                   If able to obtain a permit, a caged area in area 6  
7                   may be possible since this is an integrated ground  
8                   plane.

9                   On page 18, Disclosure 8, paragraph 6, I would delete the entire  
10 paragraph.

11                  On page 20, Audit Disclosure 9, paragraph 2, I would delete the  
12 entire opinion.

13                  On page 21, Audit Disclosure 10, paragraph 1, I would delete the  
14 phrase, ". . .and do not appear to be viable for collocation." In its  
15 place, I would insert:

16                  In FCC Order 99-48, at Paragraphs 38 through 43,  
17                  the FCC states that ". . . a competing carrier can  
18                  purchase space in increments small enough to  
19                  collocate a single rack, or bay, of equipment."

20                  On page 22, Audit Disclosure 11, paragraph 3, I would delete the  
21 entire opinion.

22                  In addition, in the Miami Palmetto audit report (RKY-2), I would make  
23 the following changes.

24                  On page 14, Audit Disclosure 6, paragraph 1, the following phrase, "A  
25 discussion of the reasons these areas were not considered possible areas

1 follows" should be deleted. In its place, I would insert the phrase, "They  
2 are as follows."

3 On page 14, Audit Disclosure 6, paragraph 7, after "physical  
4 collocation," I would insert the phrase, "adhering to the 100 square foot  
5 minimum assumption." Likewise, after the phrase "families of equipment," I  
6 would insert the following:

7 However, in FCC Order 99-48, at Paragraphs 38  
8 through 43, the FCC states that ". . . a competing  
9 carrier can purchase space in increments small  
10 enough to collocate a single rack, or bay, of  
11 equipment."

12 On page 14, Audit Disclosure 6, paragraph 9, after the phrase "space  
13 would be narrow," I would insert the phrase, "based on the 100 square foot  
14 minimum assumption."

15 On page 18, Audit Disclosure 7, paragraph 1, the following sentence  
16 should be deleted:

17 The collocator would have to be escorted to and  
18 from the space unless the company can get  
19 permitting to have a door on the front of the  
20 building.

21 Q. Does this conclude your testimony?

22 A. Yes, it does.

23

24

25

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for temporary waiver of physical collocation requirements set forth in the 1996 Telecommunications Act and the FCC's First Report and Order, for the Daytona Beach Port Orange Central Office, by BellSouth Telecommunications, Inc.

DOCKET NO. 980946-TL

In re: 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 Boca Raton Boca Teeca Central Office, by BellSouth Telecommunications, Inc.

DOCKET NO. 980947-TL

In re: Petition for waiver of physical collocation requirements set forth in the 1996 Telecommunications Act and the FCC's First Report and Order, for the Miami Palmetto Central Office, by BellSouth Telecommunications, Inc.

DOCKET NO. 980948-TL

In re: 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 West Palm Beach Gardens Central Office, by BellSouth Telecommunications, Inc.

DOCKET NO. 981011-TL

CERTIFICATE OF SERVICE

DOCKET NO. 980946-TL, 980947-TL, 980948-TL, 981011-TL  
981012-TL, AND 981250-TL

In re: 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, by BellSouth Telecommunications, Inc.

DOCKET NO. 981012-TL

In re: Petition for temporary waiver of physical collocation requirements set forth in the 1996 Telecommunications Act and the FCC's First Report and Order, for the Lake Mary Main Central Office, by BellSouth Telecommunications, Inc.

DOCKET NO. 981250-TL  
FILED: APRIL 29, 1999

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that copies of the Supplemental Direct Testimony of Kathy L. Welch and the Supplemental Direct Testimony of Ruth K. Young, have been furnished by Express Mail or by hand delivery (\*), this 29th day of April, 1999, to the following:

\* Nancy B. White, Esquire  
c/o Nancy H. Sims  
BellSouth Telecommunications,  
Inc.  
150 South Monroe Street  
Suite 400  
Tallahassee, FL 32301-1556

David Dimlich, Esquire  
Supra Telecommunications &  
Information Systems, Inc.  
2620 S.W. 27th Avenue  
Miami, FL 33432



CERTIFICATE OF SERVICE

DOCKET NO. 980946-TL, 980947-TL, 980948-TL, 981011-TL  
981012-TL, AND 981250-TL

\*Charles J. Pellegrini,  
Esquire  
Patrick K. Wiggins, Esquire  
Wiggins & Villacorta, P.A.  
2145 Delta Boulevard  
P.O. Drawer 1657  
Tallahassee, FL 32302

\*Floyd R. Self, Esquire  
Messer, Caparello & Self, P.A.  
215 South Monroe Street  
Suite 701  
Tallahassee, FL 32301-1876

\*Richard D. Melson, Esquire  
Gabriel E. Nieto, Esquire  
Hopping Green Sams & Smith  
P.O. Box 6526  
Tallahassee, FL 32314

Monica M. Barone, Esquire  
Sprint Communications Company  
Limited Partnership  
3100 Cumberland Circle  
Mailstop GAATLN0802  
Atlanta, GA 30339

Steve Brown  
Intermedia Communications,  
Inc.  
3625 Queen Palm Drive  
Tampa, FL 33619-1309

James C. Falvey, Esquire  
e.spire Communications, Inc.  
133 National Business Parkway  
Suite 200  
Annapolis Junction, MD 20701

\*Kenneth A. Hoffman, Esquire  
John R. Ellis, Esquire  
Rutledge Law Firm  
215 South Monroe Street  
P.O. Box 551  
Tallahassee, FL 32301-0551

\*Norman H. Horton, Esquire  
Messer, Caparello & Self, P.A.  
215 South Monroe Street  
Suite 701  
Tallahassee, FL 32301-1876

James D. Earl, Esquire  
Covad Communications, Inc.  
700 13th Street NW  
Suite 950  
Washington, DC 20005

Brian Sulmonetti  
WorldCom Technologies, Inc.  
1515 South Federal highway  
Suite 400  
Boca Raton, FL 33432

Amanda Grant  
BellSouth Telecommunications,  
Inc.  
Regulatory & External Affairs  
675 West Peachtree Street, NE  
Room 38L64  
Atlanta, GA 30375

\*Peter M. Dunbar, Esquire  
Pennington, Moore, Wilkinson,  
& Dunbar, P.A.  
P.O. Box 10095  
Tallahassee, FL 32302-2095

CERTIFICATE OF SERVICE

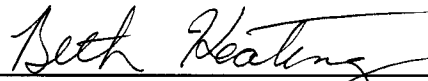
DOCKET NO. 980946-TL, 980947-TL, 980948-TL, 981011-TL  
981012-TL, AND 981250-TL

Steven Gorosh  
V.P. and General Counsel  
NorthPoint Communications,  
Inc.  
222 Sutter Street, 7th Floor  
San Francisco, CA 94108

Charles A. Hudak, Esquire  
Jeremy D. Marcus, Esquire  
Gerry, Friend & Sapronov, LLP  
Three Ravinia Drive  
Suite 1450  
Atlanta, GA 30346-2131

Carolyn Marek  
V.P. Regulatory Affairs  
Time Warner Communications  
233 Bramerton Court  
Franklin, TN 37069

Jeffrey Blumenfeld, Esquire  
Elise P.W. Kiely, Esquire  
Blumenfeld & Cohen  
1615 M Street, NW  
Suite 700  
Washington, DC 20036

  
\_\_\_\_\_

BETH KEATING  
WILLIAM P. COX  
STAFF COUNSEL

FLORIDA PUBLIC SERVICE COMMISSION  
Gerald L. Gunter Building  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850  
(850) 413-6199