

ORIGINAL



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June 30, 2003

Ms. Blanca S. Bayó, Director
Division of the Commission Clerk and
Administrative Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

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Re: Docket No. 981834-TP & 990321-TP Sprint's Prehearing Statement

Dear Ms. Bayó:

Enclosed for filing on behalf of Sprint are the original and fifteen (15) copies of Sprint's Prehearing Statement.

Copies are being served on the parties in this docket pursuant to the attached Certificate of Service.

Please acknowledge receipt of this filing by stamping and initialing a copy of this letter and returning same to the courier. If you have any questions, please do not hesitate to call me at 850/599-1560.

Sincerely,

Susan S. Masterton

Enclosure

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**CERTIFICATE OF SERVICE
DOCKET NO. 981834-TP & 990321-TP**

I HEREBY CERTIFY that a true and correct copy of the foregoing was served by Electronic mail & U.S. Mail this 30th day of June, 2003 to the following:

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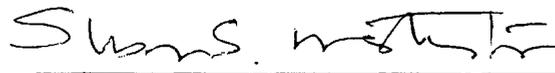
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Susan S. Masterton

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition of Competitive Carriers for
Commission action to support local
competition in BellSouth
Telecommunications, Inc.'s service territory.

DOCKET NO. 981834-TP

In re: Petition of ACI Corp. d/b/a Accelerated
Connections, Inc. for generic investigation to
ensure that BellSouth Telecommunications,
Inc., Sprint-Florida, Incorporated, and GTE
Florida Incorporated comply with obligation to
provide alternative local exchange carriers
with flexible, timely, and cost-efficient
physical collocation.

DOCKET NO. 990321-TP

Filed: June 30, 2003

SPRINT'S PREHEARING STATEMENT

Pursuant to the Order Establishing Procedure, Order No. PSC-02-1513-PCO-TP, Sprint-Florida, Incorporated and Sprint Communications Company Limited Partnership (collectively "Sprint") file this Prehearing Statement.

A. **WITNESSES:** Sprint proposes to call the following witnesses to offer testimony in this docket:

WITNESS:

Edward Fox
(Direct and Rebuttal)

Jimmy R. Davis
(Direct and Rebuttal)

ISSUES:

1A, 1B, 2A-D, 3, 4, 6A, 7 and 8

1A, 1B, 1C, 5, 6A, 6B and 6C

Sprint has listed the witnesses for whom Sprint believes testimony will be filed, but reserves the right to supplement that list if necessary. *

B. EXHIBITS:

Jimmy R. Davis

JRD-1 (Rebuttal)

Analysis of BellSouth's Fuse Amp
Billing Versus Load Amp Billing

Sprint has listed the exhibits Sprint believes will be introduced, but reserves the right to introduce additional exhibits at the hearing or other appropriate points.

C. BASIC POSITION: Sprint is both an ILEC and an ALEC in Florida. Sprint's positions on the issues in this proceeding reflect a balance of the needs of ALECs and the legitimate concerns of ILECs relating to collocation implementation and cost recovery. Sprint's positions on the individually numbered issues in this docket are consistent with the Telecommunications Act of 1996 (the "Act") and the pertinent rulings of the Federal Communications Commission ("FCC") and this Commission. Each of Sprint's positions should be adopted by this Commission.

D-F. ISSUES AND POSITIONS:

ISSUE 1A: When should an ALEC be required to remit payment for non-recurring charges for collocation space?

Position: The ALEC should pay the non-recurring application fee and space report fee up front. The ALEC should be required to remit 50% of the nonrecurring charges for all remaining elements at the time the firm order is placed and 50% upon acceptance of the collocation arrangement.

ISSUE 1B: When should billing of monthly recurring charges begin?

Position: Billing of monthly recurring charges should begin at the earlier of either acceptance of the collocation space by the ALEC or 15 days after the ILEC notifies the ALEC that their space is ready for use.

ISSUE 1C: What cancellation charges should apply if an ALEC cancels its request for collocation space?

Position: Sprint interprets the term “cancellation” to include situations in which an ALEC cancels a request for space prior to acceptance and situations in which an ALEC withdraws from (i.e., “decommissions”) a completed, accepted collocation arrangement. When an ALEC cancels a request for collocation space prior to completion, the ALEC should reimburse the ILEC for any actual expenses incurred and not already paid. When an ALEC decommissions the use of collocation space, the ALEC should submit a new application requesting the decommissioning, along with the remittance of the appropriate application and project management fees.

ISSUE 2A: Should an ALEC be required to justify its space reservation needs to the ILEC when an ILEC is forced to consider a building addition to accommodate future space requirements?

Position: Yes. Floor space is a valuable resource and its availability impacts all parties. Both parties have responsibility for efficient use of space and each party must be required to justify its space reservation requirements when the reservation of space is affecting space availability. This situation includes the need for a building addition, as well as when the ILEC must deny subsequent collocation requests.

ISSUE 2B: Under what conditions should an ILEC be allowed to reclaim unused collocation space?

Position: The ILEC should be allowed to reclaim unused collocation space when, without the space, the ILEC is forced to consider a building addition or a major renovation and the ALEC cannot adequately justify its future need for the space within the 18-month reservation period.

ISSUE 2C: What obligations, if any, should be placed on the ALEC that contracted for the space?

Position: Consistent with the Commission’s Generic Collocation Order, the ALEC should provide the ILECs with two-year forecasts, on an annual basis, to assist the ILECs in CO

planning. If it is determined that space may be reclaimed, the ALEC should review its space requirements with the ILEC to attempt to come to mutual agreement on the reservation of space. If mutual agreement cannot be reached, then the parties should resolve the issue with the Commission through the dispute resolution process.

ISSUE 2D: What obligations, if any, should be place on the ILEC?

Position: Both parties should have similar obligations to justify space needs. The ILEC should justify the necessity of a building expansion or a major renovation. The ILEC should have the right, for good cause shown and upon 30 days prior notice to the ALEC, to request that the ALEC allow the ILEC to reclaim unused collocation space or any portion thereof in order for the ILEC to fulfill its common carrier obligations, to satisfy any order or rule of the commission or the FCC, or to fulfill the ILEC's carrier of last resort requirements. The party initiating the space reclamation process should be responsible for any costs incurred as a result of space reclamation.

ISSUE 3: Should an ALEC have the option to transfer accepted collocation space to another ALEC? If so, what are the responsibilities of the ILEC and ALECs?

Position: No. If the ALEC has accepted the space from the ILEC but is not going to use the space, the ALEC must relinquish that space and the ILEC will provide the space to the next ALEC on the waiting list for that site. If there is no waiting list, the ALEC should still relinquish to the ILEC any space it is not going to use. This approach prevents an ALEC from speculating in collocation space.

ISSUE 4: Should the ILEC be required to provide copper entrance facilities within the context of a collocation inside the central office?

Position: Whether or not an ILEC provides copper entrance facilities within the context of a central office collocation should be at the discretion of the ILEC.

ISSUE 5: Should an ILEC be required to offer, at a minimum, power in standardized increments? If so, what should the standardized power increments be?

Position: ILECs should offer power consumption on a load amp basis in single amp increments in an amount equal to what the ALEC orders. DC power connection charges can fairly and reasonably be offered in standardized increments. Sprint offers DC power cable connections for the fuse sizes of 30 amps and below, for fuse sizes between 35 and 60 amps, for fuse sizes between 70 and 100 amps, and for fuse sizes between 125 and 200 amps.

ISSUE 6A: Should an ILEC's per ampere (amp) rate for the provisioning of DC power to an ALEC's collocation space apply to amps used or fused capacity?

Position: The most feasible method of billing for DC power consumption is to bill based on the amount of power the ALEC declares on its application that it needs to power its equipment in the collocation space. This ensures that the ILEC appropriately recovers its costs to provide the power requested by the ALEC. In addition, this approach equates to billing on the basis of amps "used" without the added cost for the ILEC to meter or otherwise estimate power usage on a monthly basis.

ISSUE 6B: If power is charged on a per-amp-used basis or on a fused capacity basis, how should the charge be calculated and applied?

Position: A monthly recurring charge representing the ILEC's cost to produce one load amp of DC power should be applied to load amps ordered. The cost of a load amp is comprised of two components: the cost of the DC power plant itself, including the cost of a generator for providing backup power and the cost of the commercial AC power, which is converted to DC power within the power plant.

ISSUE 6C: When should an ILEC be allowed to begin billing an ALEC for power?

Position: An ILEC should be allowed to begin billing an ALEC for power after acceptance of the collocation space, the same as for any other collocation element. On that date, the ALEC

has the capability of drawing power. Beginning to bill at the time the space is accepted is consistent with how the costs have been incurred.

ISSUE 7: Should an ALEC have the option of an AC power feed to its collocation space?

Position: An ALEC should be allowed to use AC power only for equipment testing purposes.

Issue 8: What are the responsibilities of the ILEC, if any, when an ALEC requests collocation space at a remote terminal where space is not available or space is nearing exhaustion?

Position: If Sprint owns or controls the property or easement upon which the remote terminal (RT) is collocated, the ALEC has the option of adjacent collocation. If space is not available on the property or easement, then the ALEC has the option to establish interconnection between the RT and an equipment location that the ALEC has separately procured.

G. STIPULATIONS: None.

H. PENDING MOTIONS: Joint Motion of Verizon Florida Inc. and Sprint-Florida, Incorporated to Strike the Revised Rebuttal Testimony of Steven E. Turner and the Surrebuttal Testimony of Jeffrey A. King, filed June 25, 2003.

I. PENDING CONFIDENTIALITY REQUESTS: Sprint's Requests for Confidential Classification Pursuant to Section 364.183(1), Florida Statutes, for Responses to Staff's POD 15 and POD 21, both filed on April 23, 2003.

Sprint's Request for Confidential Classification Pursuant to Section 364.183(1), Florida Statutes, for portions of Sprint's Collocation Cost Study, filed on February 4, 2003.

J. COMPLIANCE WITH ORDER ON PREHEARING PROCEDURE: Sprint does not know of any requirement of the Order on Prehearing Procedure with which it cannot comply.

K. **DECISIONS THAT MAY IMPACT COMMISSION'S RESOLUTION OF ISSUES:**

The following FCC decisions and related court cases may impact the Commission's resolution of the issues in this docket:

1. *In the Matters of Deployment of Wireline Services Offering Advanced Telecommunications Capability and Implementation of the Local Competition Provisions of the Telecommunications Act of 1996*, First Report And Order, 14 FCC Rcd 4761 (March 31, 1999 Released)
2. *In the Matters of Deployment of Wireline Services Offering Advanced Telecommunications Capability Capability and Implementation of the Local Competition Provisions of the Telecommunications Act of 1996*, Order On Reconsideration, 15 FCC Rcd 17806 (August 10, 2000 Released)
3. *In the Matter of Deployment of Wireline Services Offering Advanced Telecommunications Capability*, Fourth Report And Order, 16 FCC Rcd 15435 (August 8, 2001 Released)
4. *In the Matter of Deployment of Wireline Services Offering Advanced Telecommunications Capability*, Order On Reconsideration Of Fourth Report And Order, And Fifth Report And Order, 17 FCC Rcd 16960 (September 4, 2002 Released)
5. *GTE v. FCC*, 205 F.3d 416 (D.C. Cir. 2000)
6. *Verizon v. FCC*, 292 F.3d 903 (D.C. Cir. 2002)

RESPECTFULLY SUBMITTED this 30th day of June 2003.



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