

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition of INTERMEDIA COMMUNI- ) DOCKET NO. 921074-TP  
CATIONS OF FLORIDA, INC. for expanded )  
interconnection for AAVs within LEC ) FILED: 07/08/93  
central offices. )  
\_\_\_\_\_ )

STAFF'S PREHEARING STATEMENT

Pursuant to Order No. PSC-93-0811-PCO-TP, the Staff of the Florida Public Service Commission files its Prehearing Statement.

- A. All Known Witnesses: Staff does not intend to sponsor a witness at this time.
- B. All Known Exhibits: Staff has not yet identified a tentative list of exhibits which it intends to utilize in this proceeding. Staff will supply a tentative list of such exhibits at or prior to the Prehearing Conference.
- C. Staff's Statement of Basic Position:

For purposes of this Prehearing Order, Staff is not proposing a basic position. Staff's positions on the issues are preliminary and based on materials filed by the parties and on discovery. The preliminary positions are offered to assist the parties in preparing for the hearing. Staff's final positions will be based upon all the evidence in the record and may differ from the preliminary positions.

D.-G. Staff's Position on the Issues:

ISSUE 1: Is the expanded interconnection for special access and/or private line in the Public Interest?

STAFF POSITION: Expanded interconnection for special access and/or private line is in the public interest. Expanded interconnection with LEC central offices will increase the opportunities for special access/private line competition by permitting customers to choose among alternative providers. Additionally, greater competition will bring new and innovative services and technology to the marketplace from both the LECs and competitive access providers.

DOCUMENT NUMBER-DATE

07339 JUL-93

PSC-RECORDS/REPORTING

**ISSUE 2:** How does the FCC's order on expanded interconnection impact the Commission's ability to impose forms and conditions of expanded interconnection that are different from those imposed by the FCC's order?

**STAFF POSITION:** The FCC's Order on Expanded Interconnection does not restrict the FPSC's ability to impose forms and conditions of expanded interconnection that are different from those imposed by the FCC's order. Expanded interconnection for intrastate special access/private line falls under the FPSC's jurisdiction and the Commission is not bound by any interstate policy. However, staff believes that the Commission should be guided by the decision made the FCC in establishing an intrastate policy for expanded interconnection.

**ISSUE 3:** Under what circumstances should the Commission impose different forms and conditions of expanded interconnection?

**STAFF POSITION:** The FPSC should use the FCC's order to assist in the development of an intrastate expanded interconnection policy. Any variances from the interstate policy should be based on public interest considerations.

**ISSUE 4:** Does Chapter 364 Florida Statutes allow the Commission to require expanded interconnection?

**STAFF POSITION:** No position pending briefs filed by the parties.

**ISSUE 5:** Does a physical collocation mandate raise federal or state constitutional questions about the taking or confiscation of LEC property?

**STAFF POSITION:** No position pending briefs filed by the parties.

**ISSUE 6:** Should the Commission require physical and/or virtual collocation?

**STAFF POSITION:** Yes, the Commission should require all Tier 1 LECs to provide physical collocation. All other LECs should offer either physical or virtual collocation, whatever is most cost effective.

**ISSUE 7:** What LECs should provide expanded interconnection?

**STAFF POSITION:** All LECs should provide expanded interconnection consistent with Staff's position in Issue 6.

**ISSUE 8:** Where should expanded interconnection be offered?

**STAFF POSITION:** No position pending further discovery.

**ISSUE 9:** Who should be allowed to interconnect?

**STAFF POSITION:** All entities such as AVVs, IXC, Cable Television Companies, Information Service Providers should be allowed to interconnect.

**ISSUE 10:** Should the same terms and conditions of expanded interconnection apply to AT&T as apply to other interconnectors?

**STAFF POSITION:** Yes. Staff supports the FCC position that all parties must connect in the same manner. AT&T, while not required to actually route fiber out of the building and back through the same route as the other interconnectors, must compensate the LEC as if the LEC provided those facilities and interconnect exactly like all parties in all remaining respects.

**ISSUE 11:** Should the Commission require standards for physical and/or virtual collocation? If so, what should they be?

**STAFF POSITION:** No position pending further discovery.

**ISSUE 12:** Should collocators be required to allow LECs and other parties to interconnect with their networks?

**STAFF POSITION:** Yes, interconnection should be required on an equal bases with similar terms and conditions.

**ISSUE 13:** What standards should be established for the LECs to allocate space for collocators?

**STAFF POSITION:** No position at this time pending further discovery.

**ISSUE 14:** Should the Commission allow expanded interconnection for non-fiber optic technology?

**STAFF POSITION:** No position pending further discovery.

**ISSUE 15:** If the Commission permits expanded interconnection, what pricing flexibility should the LECs be granted for special access and private line services?

**STAFF POSITION:** No additional pricing flexibility should be granted. Contract service arrangements have been permitted for private line and special access for years. If streamlining this process is necessary, the LECs should propose a method for doing so.

**ISSUE 16:** If the Commission permits collocation, what rates, terms and conditions should be tariffed by the LEC?

**STAFF POSITION:** Staff supports the FCC position, in part, that tariffing requirements must be established to prevent anticompetitive pricing and discrimination. Accordingly, LECs are required, at minimum, to tariff the following interconnection elements:

- a. The cross-connect element (the short cable connection from the LEC distribution frame to the interconnector's electronic equipment);
- b. Any contribution charge that may be permitted in the future;
- c. Charges for central office space which must be tariffed at a uniform charge per square foot;

- d. Labor and materials charges for initial preparation of central office space under physical collocation; and installation, repair and maintenance of central office equipment dedicated to virtual collocation interconnectors;
- e. Other charges that can be reasonably standardized, such as power, environmental conditioning, and the use of riser and conduit space;
- f. Language to reflect that LECs and interconnectors be allowed to negotiate connection charge subelements where different types of central office electronic equipment are dedicated to interconnectors under virtual conditions. These rates, terms and conditions must be available to all similarly situated interconnectors.

**ISSUE 17:** Should all special access and private line providers be required to file tariffs?

**STAFF POSITION:** No.

**ISSUE 18:** What separations impact will expanded interconnections impact have on the LEC?

**STAFF POSITION:** No position pending further discovery.

**ISSUE 19:** Should expanded interconnection be subject to a "net revenue test" requirement in order to avoid possible cross-subsidy concerns?

**STAFF POSITION:** No position.

**ISSUE 20:** How would ratepayers be financially affected by expanded interconnection?

**STAFF POSITION:** No position pending further discovery.

**ISSUE 21:** Should the Commission grant ICI's petition?

**STAFF POSITION:** Staff believes that ICI's petition should be granted based on its position that expanded interconnection for special access and private line is in the public interest. See Issue 1.

H. Stipulation

Staff is not aware of any issues that have been stipulated at this time.

I. Pending Motions:

Staff has no pending motions at this time.

RESPECTFULLY SUBMITTED,

  
\_\_\_\_\_  
CHARLES W. MURPHY  
Staff Counsel

Florida Public Service Commission  
101 E. Gaines Street  
Tallahassee, Florida 32399-0863

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for expanded inter- ) DOCKET NO. 921074-TP  
connection for alternate access vendors )  
within local exchange company central ) FILED: 07/08/93  
offices by INTERMEDIA COMMUNICATIONS OF )  
FLORIDA. )  
\_\_\_\_\_ )

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that copies of STAFF'S PREHEARING STATEMENT have been furnished by U.S. Mail this 8th day of July, 1993, to the following:

Lee L. Willis  
Ausley, McMullen, McGehee,  
Carothers & Proctor  
P. O. Box 391  
Tallahassee, FL 32302

Harriet Eudy  
ALLTEL Florida, Inc.  
P. O. Box 550  
Live Oak, FL 32060

Michael W. Tye  
AT&T  
106 E. College Avenue  
Suite 1410  
Tallahassee, FL 32301

Harris R. Anthony  
J. Phillip Carver  
Southern Bell Telephone and  
Telegraph Company  
c/o Marshall M. Criser III  
150 S. Monroe Street  
Suite 400  
Tallahassee, FL 32301

C. Dean Kurtz  
Central Telephone Company  
of Florida  
P. O. Box 2214  
Tallahassee, FL 32316

C. Everett Boyd, Jr.  
Ervin, Varn, Jacobs,  
Odom & Ervin  
305 S. Gadsden Street  
Tallahassee, FL 32301

Chanthina R. Bryant  
Sprint  
3065 Cumberland Circle  
Atlanta, GA 30339

Peter M. Dunbar  
Haben, Culpepper, Dunbar  
& French, P.A.  
P. O. Box 10095  
Tallahassee, FL 32302

Joseph A. McGlothlin  
Vicki Gordon Kaufman  
McWhirter, Grandoff and Reeves  
315 S. Calhoun Street  
Tallahassee, FL 32301

Joseph P. Gillan  
J. P. Gillan and Associates  
P. O. Box 541038  
Orlando, FL 32854-1038

CERTIFICATE OF SERVICE  
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PAGE 2

Thomas R. Parker  
Kimberly Caswell  
GTE Florida Incorporated  
P. O. Box 110, FLTC0007  
Tampa, FL 33601

David B. Erwin  
Young, van Assenderp, Varnadoe  
& Benton, P.A.  
P. O. Box 1833  
Tallahassee, FL 32302

Charles J. Beck  
Deputy Public Counsel  
Office of Public Counsel  
c/o The Florida Legislature  
111 W. Madison Street  
Room 812  
Tallahassee, FL 32399-1400

Jeff McGehee  
Southland Telephone Company  
P. O. Box 37  
Atmore, AL 36504

Brad E. Mutschelknaus  
Danny E. Adams  
Rachel J. Rothstein  
Wiley, Rein & Fielding  
1776 K Street, N.W.  
Washington, DC 20006

John A. Carroll, Jr.  
Northeast Florida Telephone Co.  
P. O. Box 485  
Macclenny, FL 32063-0485

Daniel V. Gregory  
Quincy Telephone Company  
P. O. Box 189  
Quincy, FL 32351

Jodie L. Donovan  
Regulatory Counsel  
Teleport Communications  
Group, Inc.  
1 Teleport Drive  
Suite 301  
Staten Island, NY 10311

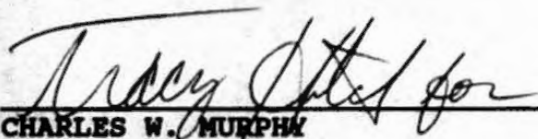


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**Paul Jones  
Time Warner Cable  
Corporate Headquarters  
300 First Stamford Place  
Stamford, CT 06902-6732**

**Charles Dennis  
Indiantown Telephone System,  
Inc.  
P. O. Box 277  
Indiantown, FL 34956**

**F. Ben Poag  
United Telephone Company  
of Florida  
P. O. Box 16500  
Altamonte Springs, FL 32716-5000**

  
**CHARLES W. MURPHY  
Staff Counsel**

**Florida Public Service Commission  
101 E. Gaines Street - Room 226  
Tallahassee, FL 32399-0863  
(904) 487-2740**