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June 29, 1998

VIA HAND DELIVERY

Public Service Commission  
**ATTENTION: LINDA**  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

Re: Docket No. 980000B-SP - Access by Telecommunications  
Companies to Customers in Multi-Tenant Environments

To Whom It May Concern:

The following original is being submitted on behalf of the  
Florida Apartment Association in reference to the captioned docket.

Thank you for your assistance in this matter.

Sincerely,

*Jodi L. Chase*  
Jodi L. Chase (joc)

ACK \_\_\_\_\_ JEC/jsj  
AFA \_\_\_\_\_  
APP \_\_\_\_\_ Enclosure  
CAF \_\_\_\_\_  
CMU \_\_\_\_\_  
CTR \_\_\_\_\_  
EAG \_\_\_\_\_  
LEG \_\_\_\_\_  
LIN \_\_\_\_\_  
QPC \_\_\_\_\_  
RCH \_\_\_\_\_  
SEC \_\_\_\_\_  
WAS \_\_\_\_\_  
OTH \_\_\_\_\_

DOCUMENT NUMBER DATE

06842 JUN 29 98

OTHER OFFICES: BOCA RATON FT. LAUDERDALE MIAMI ORLANDO TAMPA WEST PALM BEACH: REPORTING



**Special Project No. 980000B-SP - Access by Telecommunications  
Companies to Customers in Multi-Tenant Environments**

Submitted by the Florida Apartment Association

**The Florida Apartment Marketplace is Extremely Competitive**

- Apartment owner/managers must compete for residents. Each property is managed in a manner that is most attractive for the residents being sought or retained. Residents have a wide choice of where to live.
- Average annual turnover of residents is more than 40 percent due to the mobility of apartment residents.

**Apartment Properties Vary in Size, Amenities, Style, and Resident Profile**

- A high-rise is different from a garden-style property, which is different from a duplex, which is different from a Low-Income Tax Credit property. Some apartments have swimming pools and health clubs. Some offer high-speed internet. Some residents are more demanding of amenities than other resident profiles. Some residents work from their apartment and some commute.

**Apartment Properties Must Meet Strict Safety and Fire Codes**

- Apartment properties are designed and maintained to comply with very strict fire and safety codes. A situation that would result in the constant wiring and rewiring of buildings would place great stress on the ability of a property manager to adequately address various safety and fire hazards.

**Renters are Not owners**

- The Federal Communications Commission has determined that special rights to demand certain telecommunications type of service or products can not be extended to renters who do not otherwise have a direct or indirect ownership interest in the property in which they reside.
- Various telecommunication court decisions have sided with the rights of private property owners.

### Various Providers Should Not be Given Free Access to a Given Property

- Allowing several or more telecommunications competitors onto a given property will result in damage to the property and chaos as wiring is constantly installed and removed.
- Contracts being written by telecommunications providers should be carefully reviewed by the Public Service Commission to see if they actually enhance competition. The ability of a telecommunications provider to assign a contract to another provider should be of great concern to the PSC as it analyzes the multi dwelling unit market.
- Exclusive contracts on a given property actually work to the benefit of the resident because it allows the property owner to negotiate the best possible contract for both price and level of service. On the other hand, exclusivity in a geographic area results in less competition.

### Economics Play a Big Role in the Telecommunications Market

- The dollar value of the telecommunications market is huge and growing everyday. At the same time, the costs associated with providing service are also large and vary depending upon the service being provided, the affluence of the market being served, and the geographic area to be served. As a result, many telecommunications providers gravitate to the more lucrative areas and properties.

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