

ORIGINAL

Legal Department

NANCY B. WHITE
Assistant General Counsel-Florida

BellSouth Telecommunications, Inc.
150 South Monroe Street
Room 400
Tallahassee, Florida 32301
(305) 347-5558

August 7, 1998

Mrs. Blanca S. Bayó
Director, Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Re: **Docket No.** 951011-TL
Waiver for West Palm Beach Gardens Central Office

Dear Ms. Bayó:

Enclosed is an original and fifteen copies of BellSouth Telecommunication's Inc.'s Petition for Waiver, which we ask that you file in the captioned matter.

A copy of this letter is enclosed. Please mark it to indicate that the original was filed and return the copy to me. Copies have been served to the parties shown on the attached Certificate of Service.

Sincerely,

Nancy B. White (use)
Nancy B. White

Enclosures

cc: All parties of record
A. M. Lombardo
R. G. Beatty
William J. Ellenberg II

RECEIVED & FILED
[Signature]
FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE
08434 AUG-7 8
FPSC-RECORDS/REPORTING

**CERTIFICATE OF SERVICE
WAIVER FOR WEST PALM BEACH GARDENS CENTRAL OFFICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via
U.S. Mail this 7th day of August, 1998 to the following:

Staff Counsel
Florida Public Service
Commission
Division of Legal Services
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

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

Nancy B. White (kr)
Nancy B. White

DOCUMENT NUMBER-DATE

08434 AUG-7 98

FPSC-RECORDS/REPORTING

ORIGINAL

In re: BellSouth Telecommunications,) Docket No.: 981011-TL
 Inc. 's Petition for Waiver for the)
 West Palm Beach Gardens Central)
 Office)
 _____) Filed: August 7, 1998

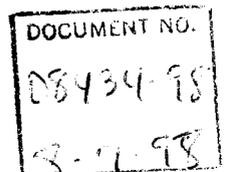
**BELLSOUTH TELECOMMUNICATIONS, INC.'S
PETITION FOR WAIVER**

BellSouth Telecommunications, Inc. ("BellSouth"), pursuant to Rule 25-22.036, Florida Administrative Code, files this Petition for Waiver in accordance with the Telecommunications Act of 1996 (the "Act") and the Federal Communications Commission's ("FCC") First Report and Order (the "Order").¹ Pursuant to this authority, BellSouth requests an exemption from the physical collocation requirements set forth in the Act and in the Order for the West Palm Beach Gardens Central Office ("CO") located at 3700 RCA Blvd., West Palm Beach, Florida 33410². BellSouth seeks this exemption on the grounds that it is unable to meet physical collocation requests due to space limitations in the CO. BellSouth does not expect to construct an addition to the building nor does BellSouth expect to retire equipment thus creating additional space within the CO in the foreseeable future.³

¹ 1996 Telecommunications Act, Section 251(c)(6); FCC's First Report and Order, Implementation of the Local Competition Provisions of the Telecommunications Act of 1996, CC Docket No. 96-98, Released August 8, 1996, Paragraphs 602-607.

² BellSouth filed a Petition for Waiver for exemption from providing physical collocation for this CO with the FCC on November 18, 1993. The Petition for Waiver was granted by FCC Memorandum Opinion and Order, Released February 14, 1994.

³ Pursuant to the FCC directive, BellSouth will consider collocation requirements in any future construction undertaken.



1. The West Palm Beach Gardens CO building houses DMS switches providing local dial tone, tandem toll calling, operator services as well as signal transfer equipment. Circuit equipment also located in the CO consists of fiber optic terminals, digital cross-connect systems, multiplexers, digital channel banks, subscriber carrier terminals, and digital cross connect panels and provides connectivity to other COs and local customers. Rectifiers and battery strings provide power to the above equipment.

2. The area served by the West Palm Beach Gardens CO is growing rapidly and thus the facility is under enormous space constraints. The lines in service in this CO will exceed 126,000 in 1998. To meet the demands of the expanding customer base, BellSouth currently has on order from the manufacturer an addition to the local and tandem switches, as well as additional transmission equipment, such as video, fiber optic terminals, sonet multiplexers, miscellaneous circuits for alarms and monitoring.

3. Under the Act, Incumbent Local Exchange Companies ("ILECs") have the following obligation:

The duty to provide, on rates, terms, and conditions that are just, reasonable, and nondiscriminatory, for physical collocation of equipment necessary for interconnection or access to unbundled network elements at the premises of the local exchange carrier, except that the carrier may provide for virtual collocation if the local exchange carrier demonstrates to the State Commission that physical collocation is not practical for technical reasons or because of space limitations.

47 U.S. § 251(c)(b). Thus, an ILEC is required to provide physical collocation unless it is “not practical...because of space limitations.” Id. The term “space limitations” encompasses two factors: first, ILECs are entitled to consider space already in use by the ILEC at the time the collocation request is made; second, ILECs are entitled to “retain a limited amount of floor space for defined future uses” (Order, Par. 604). Without the latter element, competitive entrants “could prevent incumbent LECs from serving their customers effectively.” Id.

4. Due to space limitations in the West Palm Beach Gardens CO, BellSouth is unable to provide physical collocation. The space limitations with which BellSouth is faced are the result of the use of space by the amount of existing BellSouth equipment, and the planned installation of additional equipment essential to the effective service of BellSouth customers. BellSouth is submitting in conjunction with this Petition a floor plan evidencing both the current equipment and the areas set aside for defined future uses. (Exhibit 1).

5. In an effort to identify space currently available for physical collocation, BellSouth employed the following procedure:

1. BellSouth determined in the total square footage within the facility;
2. BellSouth determined the unavailable space (i.e., restrooms, hallways, stairs, etc.);
3. BellSouth determined assigned space currently occupied by the BellSouth switch, transmission, power and other equipment, as well as necessary administrative space;

4. BellSouth determined the space reserved for future defined uses necessary to adequately serve BellSouth customers, including consideration given to BellSouth's future switch growth plans;
5. BellSouth identified any unusable space (such as basements subject to flooding); and
6. BellSouth determined available collocation space by subtracting Items 2-5 from item 1.

6. As previously stated, BellSouth's thorough assessment of the facility confirmed that there is no space available for physical collocation. The facility currently has 20,314 square feet. A total of 17,117 square feet is occupied as follows:

<u>Sq. Ft.</u>	<u>DESCRIPTION</u>
605	Air Conditioning Room
1,659	House Service Panel, Air Conditioning Room, Lobby, Janitor Room and Restrooms
644	Administrative
2,930	Toll/Transmission Equipment
6,955	Switch
2,188	Power and Engine Room
2,136	Frame

7. The remaining 3,197 square feet in the facility is reserved for defined future use essential for BellSouth to meet the growing needs of its customers through the year 2000. The projects include incremental additions to the existing switching system, power and transmission equipment. These

projects will use the remaining space in the facility. As previously stated, BellSouth has provided the Commission with a detailed floor plan indicating the space constraints under which BellSouth is currently operating at the West Palm Beach Gardens CO, as well as the areas designated for defined future use. (Exhibit 1).

8. The West Palm Beach Gardens CO presently contains no available space for physical collocation and for this reason should be excluded from the collocation requirements. BellSouth will, of course, offer virtual collocation in the West Palm Beach Gardens CO.

WHEREFORE, having demonstrated good cause for its request, BellSouth asks that the Commission grant its Petition for Waiver and exempt BellSouth from the obligation to offer physical collocation in the West Palm Beach Gardens CO.

Respectfully submitted this 7th day of August, 1998.

BELLSOUTH TELECOMMUNICATIONS, INC.

Robert G. Beatty (KR)

ROBERT G. BEATTY

NANCY B. WHITE

c/o Nancy Sims

150 South Monroe Street, #400

Tallahassee, Florida 32301

(305) 347-5555

William J. Ellenberg II (KR)

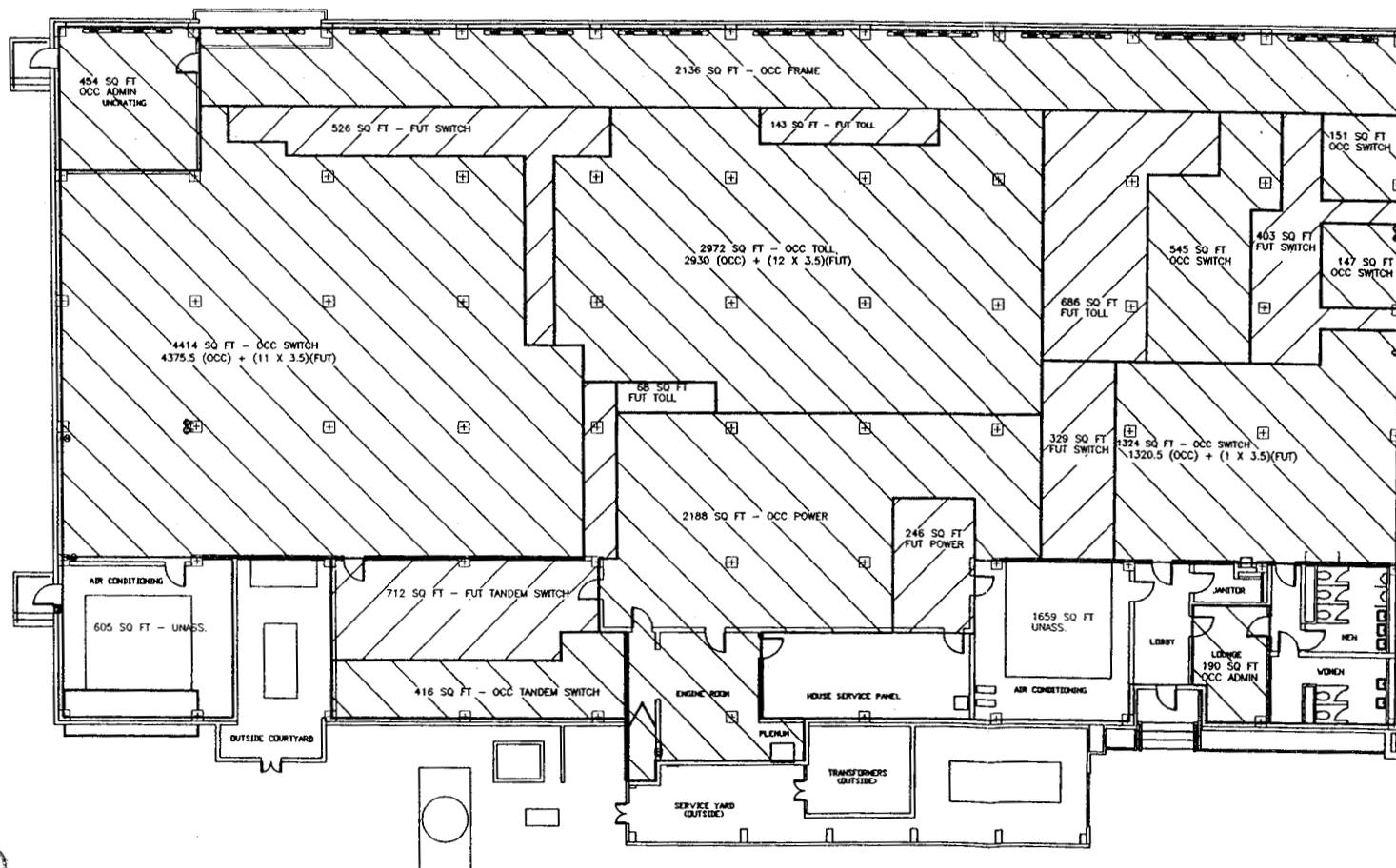
WILLIAM J. ELLENBERG II

675 West Peachtree Street, #4300

Atlanta, Georgia 30375

(404) 335-0711

EXHIBIT I



A TOTAL GROSS SQ FT 20,314

AIR CONDITIONING ROOM 605
 HOUSE SERVICE PANEL, AIR CONDITIONING ROOM, LOBBY, JANITOR AND RESTROOMS 1659
 B TOTAL UNASSIGNABLE SPACE 2264

SWITCH 4375.5 + 416 + 545 + 151 + 147 + 1320.5 = 8955
 TOLL 2930
 POWER AND ENGINE 2136
 ADMIN 2188
 C TOTAL OCCUPIED SPACE 454 + 190 = 844 14,853

SWITCH 526 + 712 + 329 + 403 + (12 X 3.5) = 2012
 TOLL 143 + 66 + 686 + (12 X 3.5) = 939
 POWER 246
 D TOTAL RESERVED SPACE 3197

E8519 WEST PALM BEACH GARDENS FIRST FLOOR PLAN