

STATE OF FLORIDA

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Public Service Commission

September 4, 1998

To: All Interested Persons

From: Dan Hoppe, Director of Research and Regulatory Review *DH*
Catherine Bedell, Senior Attorney *C.B. Bedell*

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

To further discussion at the final workshop on September 15, 1998, in the above-referenced special project, staff has prepared some scenarios which are attached to this memo. You are not required to respond to these prior to the workshop; however, you may prepare oral comments for the workshop or written comments following the workshop. The scenarios posed represent a panoply of possibilities for access to tenants in multi-tenant environments. Staff is aware of the various participants' stated positions regarding certain aspects of these scenarios. What we are interested in learning from participants is their perception of the pros and cons to EACH of the possibilities, as well as the practicalities in implementing them. Staff would also appreciate your bringing to our attention any new issues, or any aspect of the issues previously raised, which were not addressed at the earlier workshops. Staff has listed certain objectives which we intend to use to as the framework for our report. We have also listed the terms which we believe should be defined, if any statutory changes are made that use them.

Additionally, staff will be sending out a Staff Data Request in the next few days. Response to that request, if you wish to respond, will be due on October 2, 1998. Staff appreciates your interest, assistance and participation in this project. We look forward to seeing you on the 15th of September. If you should have any questions about this memo or the above-referenced project, please do not hesitate to call Catherine Bedell at (850) 413-6197 or John Cutting at (850) 413-6844.

CB:slh

Attachments

cc: Mary Bane, Deputy Director/Technical
Noreen Davis, Director, Division of Legal Services
John Cutting, Economic Analyst, Division of Research & Regulatory Review
Patti Daniel, Bureau Chief, Research & Policy Analysis, Research & Regulatory Review
Rick Moses, Utility Systems/Communications Engineer Supervisor, Div. of Communications
Martha Brown, Bureau Chief of Communications, Division of Legal Services

EXHIBIT NO.
98-9716
9-4-98

Memo to All Interested Persons: Multi-tenant Environments

Page 2

September 4, 1998

OBJECTIVES

Consistency with the legislative intent and findings set forth in Ch. 364.01 (2) &(3), Florida Statutes
Compliance with the Federal Telecommunications Act of 1996
Insure tenants of MTEs enjoy benefits of competition
Safeguard the property rights of landlords

DEFINITIONS

Access in multi-tenant environments
Multi-tenant environments
Demarcation point
Reasonable non-discriminatory accommodations

SCENARIOS

The following are entities which could control telecommunications facilities in multi-tenant environments: ILEC, ALEC, landlord/property owner, new construction. Please respond to the various situations outlined in A through D below using each of the possible entities.

- A. Leave the demarcation point as defined by Rule 24-4.0345, F.A.C.,
OR
Move demarcation point to FCC MPOE.
- B. All telecommunications companies shall have access to all customers in a multi-tenant environments for resale, i.e., where no additional telecommunications facilities must be installed; all tenants have access to COLR.
OR
Landlord controls access to telecommunications service; customer can ask to be served by the COLR, if other than provided by landlord.
- C. All telecommunications companies requiring facilities installation in order to provide service to customers in multi-tenant environments shall be given access under the following conditions:
- Customer in multi-tenant environment shall be responsible for obtaining authorization from and providing reasonable, non-discriminatory compensation to landlord for all telecommunication facilities installation requirements of a telecommunications company; and landlord shall provide reasonable, non-discriminatory accommodations.
OR
Customers shall be entitled to access to telecommunications service from any certificated telecommunications company; and landlord and telecommunications companies must reach reasonable accommodation for access.
OR
Landlord shall fully control access to any facilities based carriers other than COLR.
- D. Disputes arising out of determination of reasonable accommodations or compensation shall be within the jurisdiction of the PSC.
OR
Circuit Courts.