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RECORDS AND REPORTING

October 5, 1998

BY HAND DELIVERY

Ms. Blanca Bayo, Director
Division of Records and Reporting
Room 110, Easley Building
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850

Re: Docket Nos. 980946-TL, 980947-TL, and 980948-TL

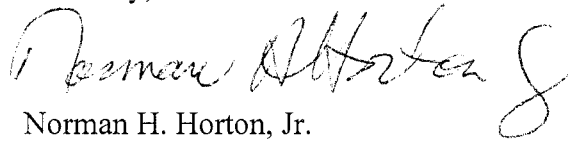
Dear Ms. Bayo:

Enclosed for filing in the above captioned dockets are an original and fifteen copies of e.spire Communications, Inc.'s Comments.

Please acknowledge receipt of these documents by stamping the extra copy of this letter "filed" and returning the same to me.

Thank you for your assistance with this filing.

Sincerely,



Norman H. Horton, Jr.

ACK _____

AFA _____

APP _____

CAF _____

CMU Favor

NHH/amb

CTR _____

Enclosures

EAG _____

cc: James C. Falvey, Esq.

LEG 1

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SEC 1

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DOCUMENT NUMBER-DATE

10902 OCT-5 98

PPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: BellSouth Telecommunications, Inc.'s)
 Petition for temporary waiver of physical)
 collocation requirement set forth in the 1996) Docket No. 980946-TL
 Telecommunications Act and the FCC's First)
 Report and Order, for the Daytona Beach Port)
 Orange Central Office)
 _____)

In re: BellSouth Telecommunications, Inc.'s)
 Petition for temporary waiver of physical)
 collocation requirement set forth in the 1996) Docket No. 980947-TL
 Telecommunications Act and the FCC's First)
 Report and Order, for the for the Boca Raton)
 Boca Teeca Central Office)
 _____)

In re: BellSouth Telecommunications, Inc.'s)
 Petition for temporary waiver of physical)
 collocation requirement set forth in the 1996) Docket No. 980948-TL
 Telecommunications Act and the FCC's First) Filed: October 5, 1998
 Report and Order, for the Miami Palmetto)
 Central Office)
 _____)

COMMENTS OF e.spire COMMUNICATIONS, INC.

American Communication Services of Jacksonville, Inc. d/b/a e.spire Communications ("e.spire") herewith submits comments on BellSouth's Petition for Waivers filed in the captioned dockets and for its comments states:

1. On or about July 27, 1998 BellSouth filed Petitions for waiver of the requirement to provide physical collocation space in three separate central offices, Daytona Beach Port Orange, Boca Raton Boca Teeca, and Miami Palmetto. Thereafter, the Commission published notice of the petitions in the September 4, 1998 edition of the Florida Administrative Weekly. e.spire filed a

DOCUMENT NUMBER-DATE

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FED. RECORDS/REPORTING

Petition to Intervene in Docket Nos. 980947-TL and 980948-TL and on October 1, 1998, e.spire was granted intervention in Docket No. 980947-TL with the request pending in Docket No. 980948-TL

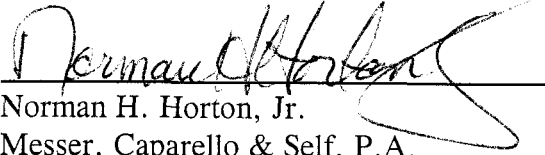
2. In the Petitions, BellSouth requests that the Commission grant an exception from the requirement to provide physical collocation in the named central offices asserting that there is no available space in these offices. These assertions and the relief requested should be fully and carefully analyzed by the Commission in disposing of the requests.

3. Physical collocation is a critical piece of the parts which competitive providers need to develop facilities-based competition in the local market. Without physical collocation, a provider is limited in the services which can be offered to consumers. The absence of physical collocation severely impairs the ability to develop a viable facilities-based alternative to incumbent LECs. The importance of physical collocation is demonstrated by the language in §251(c)(6) of the 1996 Telecommunications Act which includes the “duty to provide physical collocation” as one of the enumerated requirements imposed on ILECs. Section 251(c)(6) of the Act and rules of the Federal Communications Commission require BellSouth to provide physical collocation unless it can demonstrate that physical collocation is “not practical for technical reasons or because of space limitations.” BellSouth is permitted to retain a “limited amount of floor space” for its own future needs (47 CFR §51.323) but it cannot “hold back” space and thereby interfere with the ability of competitive providers to acquire the needed space.

4. BellSouth has not shown to this Commission that it does not have the space in these central offices but has merely requested a waiver. Based on the significance of the issue, the Commission should require BellSouth not only to prove that there is no space available but to show that all necessary actions have been taken to make space available.

5. These comments are submitted in response to the Florida Administrative Weekly notice and are preliminary in nature. e.spire reserves the right to expand on these and other points as more information is obtained in these dockets.

Respectfully submitted

A handwritten signature in black ink, appearing to read "Norman H. Horton, Jr.", written over a horizontal line.

Norman H. Horton, Jr.
Messer, Caparello & Self, P.A.
215 S. Monroe Street, Suite 701
P.O. Box 1876
Tallahassee, FL 32302-1876
(850) 222-0720

Attorneys for e.spire Communications, Inc.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of e.spire Communications, Inc.'s Comments in Docket Nos. 980946-TL, 980947-TL, and 980948-TL has been furnished by Hand Delivery (*) and/or U.S. Mail to the following parties of record this 5th day of October, 1998:

Beth Keating, Esq.*
Division of Legal Services
Room 370, Gunter Building
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

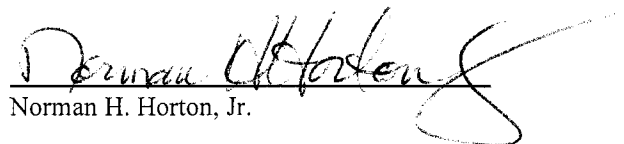
Nancy B. White
c/o Ms. Nancy H. Sims
BellSouth Telecommunications, Inc.
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Tallahassee, FL 32301

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Norman H. Horton, Jr.