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RECORDS AND  
REPORTING

October 26, 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. 981011-TL and 981012-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.

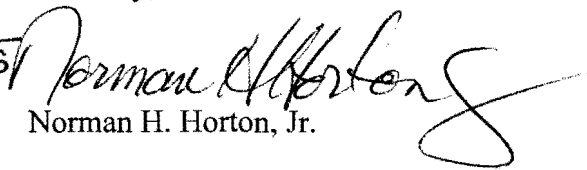
Thank you for your assistance with this filing.

Sincerely,

RECEIVED & FILED

EPSC BUREAU OF RECORDS

Norman H. Horton, Jr.



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Enclosures  
cc: James Falvey, Esq.  
Parties of Record

DOCUMENT NUMBER-DATE

11939 OCT 26 98

EPSC-RECORDS AND 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. 981011-TL  
 Telecommunications Act and the FCC's First )  
 Report and Order, for the for the West Palm )  
 Beach Gardens Central Office )  
 \_\_\_\_\_ )

In re: BellSouth Telecommunications, Inc.'s )  
 Petition for temporary waiver of physical )  
 collocation requirement set forth in the 1996 ) Docket No. 981012-TL  
 Telecommunications Act and the FCC's First ) Filed: October 26, 1998  
 Report and Order, for the for the for the North )  
 Dade Golden Glades 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 August 7, 1998 BellSouth filed Petitions for waiver of the requirement to provide physical collocation space in two separate central offices, West Palm Beach Gardens and North Dade Golden Glades. Thereafter, the Commission published notice of the petitions in the September 24, 1998 edition of the Florida Administrative Weekly. e.spire filed a Petition to Intervene in Docket Nos. 981011-TL and 981012-TL. e.spire's requests are pending.

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.

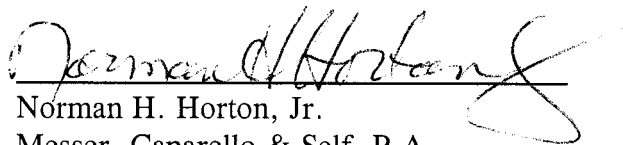
3. Physical collocation is a critical piece of the parts which competitive providers need to develop facilities-based competition in the local market. Without physical collocation, a provider is limited in the services which can be offered to consumers. The absence of physical collocation

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



Norman H. Horton, Jr.  
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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. 981011-TL and 981012-TL has been furnished by Hand Delivery (\*) and/or U.S. Mail to the following parties of record this 26th day of October, 1998:

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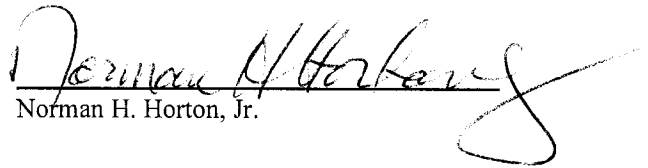
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