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RECORDS AND REPORTING

Re: CONFIDENTIAL TESTIMONY --  
Docket Nos. 980946-TL, 980947-TL, 980948-TL,  
981011-TL, 981012-TL, 981250-TL

Dear Ms. Bayó:

Enclosed for filing on behalf of ACI Corp. in the above dockets is one copy of the direct testimony of James D. Cuckler. This testimony is subject to a request for confidential classification previously filed by BellSouth in these dockets.

In accordance with an agreement between the Commission staff and the parties regarding the handling of potentially confidential information, this testimony is being filed in a sealed envelope. We understand that BellSouth will review this testimony and advise the Commission and the parties of any portions of the testimony that it believes constitute proprietary confidential business information of BellSouth.

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AFA \_\_\_\_\_ the attached service list. A copy of Mr. Cuckler's testimony is  
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CAF \_\_\_\_\_ with which BellSouth has an executed confidentiality agreement.

CMU \_\_\_\_\_ If you have any questions about this filing, please give me  
CTR \_\_\_\_\_ a call at (850) 425-2313.

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Very truly yours,

*Richard D. Melson*

Richard D. Melson

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## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing letter was served via U.S.

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**DECLASSIFIED**

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Very truly yours,

*Richard D. Melson*

Richard D. Melson

Per DN 06052-99

DOCUMENT NUMBER-DATE

04617 APR-99

FPSC-RECORDS/REPORTING

1                                   **BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

2                                   **DIRECT TESTIMONY OF JAMES D. CUCKLER**

3                                   **ON BEHALF OF ACI CORP.**

4                                   **APRIL 9, 1999**

5  
6   **Q.     Please state your name and business address.**

7   A.     My name is James D. Cuckler. My business address is 790 Old Spring Way, Sugar  
8           Hill, GA 30518.

9  
10 **Q.     By whom are you employed and in what capacity?**

11 A.     I am employed by ACI Corp. as the Carrier Program Manager for the Southeast.

12  
13 **Q.     What are your duties and responsibilities in that position?**

14 A.     I am responsible for completing and submitting collocation applications to the  
15           incumbent local exchange carriers (ILECs) for those central offices in which ACI  
16           intends to collocate. After completing and submitting the applications, I oversee  
17           the installation of ACI's network equipment into that space.

18  
19 **Q.     Please describe your background and experience.**

20 A.     I have been employed by ACI Corp. in my current position since February, 1999.  
21           From July, 1998 to January, 1999, I was employed by BellSouth Business Systems  
22           as a systems designer. Prior to that, I had approximately 30 years of experience  
23           with AT&T both as a technician and in management. During my last ten years  
24           with AT&T, I had close contact with the Regional Bell Operating Companies  
25           (RBOCs) and Competitive Access Providers (CAPs), first in my capacity as a

1 Project Manager for large network installations, and then as a Technical Staff  
2 Member in Access Product Management. During my last five years at AT&T, I  
3 technically assured, priced and assisted in the sale of AT&T's SONET-based access  
4 product, ACCU-Ring.

5

6 **Q. What is the purpose of your testimony?**

7 A. Through this testimony, I intend to:

- 8 I. describe the nature of ACI's business and its need for physical collocation;  
9 II. describe the Palmetto central office, in which ACI has applied for  
10 collocation space;  
11 III. discuss the different space maximizing options for the Palmetto central  
12 office; and  
13 IV. discuss the procedures that BellSouth should be required to follow in  
14 processing requests for physical collocation in its central offices.

15

16 **Q. Are you sponsoring any exhibits in this proceeding?**

17 A. No. However, I will refer to various photographs contained in an exhibit being  
18 sponsored by Sprint witness Michael West (the "Photo Exhibit") and to the staff's  
19 audit report for the Miami Palmetto Office (the "Palmetto Audit Exhibit"), which I  
20 understand will be sponsored by a staff witness.

21

22 **Q. Is your testimony based on the FCC's March 18, 1999 "First Report and  
23 Order" in CC Docket No. 98-147?**

24 A. No. While I am aware that the FCC recently issued an order on collocation, I am  
25 not a lawyer, and I am not familiar with the details of that order. My testimony is

1 based on my own knowledge and experience, and it deals with technical and  
2 practical issues, not legal issues.

3

4 **I. THE NATURE OF ACI'S BUSINESS AND ACI'S NEED FOR PHYSICAL**  
5 **COLLOCATION**

6 **Q. Please describe the nature of ACI's business.**

7 A. ACI is a nationwide provider of high-speed data services, primarily using digital  
8 subscriber line (DSL) technology for high-speed local access to and from the end  
9 users' desktops. Our business plan is to provide highly reliable data networking  
10 solutions at a reasonable cost to residential and business consumers in Florida and  
11 elsewhere. Unlike other data service providers, ACI does not focus solely on the  
12 Internet service provider market, but instead has broad market coverage, offering a  
13 full range of services. ACI's services will be used for: (1) the networking of  
14 remote locations for, among other things, telecommuting or work-at-home  
15 applications; (2) dedicated access to the Internet; and (3) dedicated access to  
16 intranet-type networking solutions. ACI intends to deploy its data networking  
17 services in Florida markets during 1999.

18 ACI's business plan calls for the provision of data services in entire  
19 metropolitan areas (including the suburbs), not just the downtown business  
20 districts. In fact, ACI has already identified approximately 40 central offices in  
21 Florida, in both downtown and suburban areas, where ACI intends to provide its  
22 services. This broad deployment allows ACI to serve both business and residential  
23 customers with tailored high-speed data services in their homes or offices. In fact,  
24 the essence of ACI's business plan is the offering of "downtown performance" to  
25 residential and other distributed desktops throughout the areas.

- 1 **Q. What is DSL service?**
- 2 A. "DSL" is an acronym for Digital Subscriber Line, which is a transmission  
3 technology provided over copper loops. This technology employs the same copper  
4 loop ordinarily used for local telephone service to provide high speed data  
5 transmission of up to 7 million bits per second.  
6
- 7 **Q. What must ACI obtain from the ILEC in order to provide DSL services?**
- 8 A. In order to provide DSL services, ACI is dependent on the ILECs for two primary  
9 components. First, ACI must lease copper loops that are unfettered with any  
10 intervening equipment such as load coils and bridge taps. Second, ACI needs to be  
11 able to collocate and maintain equipment at the central office end of the loop.  
12
- 13 **Q. What type of equipment does ACI need to collocate and how much space does  
14 that equipment occupy?**
- 15 A. ACI intends to collocate network equipment primarily consisting of Digital  
16 Subscriber Line Access Multiplexers ("DSLAMs"). While the size of the DSLAM  
17 will depend on the number of end users being served out of a particular central  
18 office, the DSLAMs that ACI will initially install require five standard 22-inch  
19 bays. This installation requires less than 20 square feet of central office floor  
20 space.  
21
- 22 **Q. Where ACI is denied physical collocation, is virtual collocation an acceptable  
23 alternative?**
- 24 A. No. Traditional virtual collocation is unacceptable. In a traditional virtual  
25 collocation environment, ACI leases its equipment to the ILEC for a nominal fee



1 and the equipment is placed in line with the incumbent's network equipment.  
2 Because it can be installed in line with the ILEC's equipment and there are no  
3 placement restrictions on virtually collocated facilities, it is very rare that a central  
4 office would not have sufficient space for virtual collocation.

5 The biggest problem with virtual collocation is the fact that BellSouth will  
6 not allow ACI physical access to its virtually collocated equipment. ACI needs to  
7 be able to access the virtually collocated equipment to conduct repair and  
8 maintenance on the equipment. If ACI is unable to access its equipment and is  
9 forced to rely on BellSouth or unaffiliated third-party technicians, who may not be  
10 sufficiently familiar with ACI's DSL equipment, ACI cannot be sure that its  
11 equipment will be properly repaired and maintained. Because of the stringent  
12 service guarantees that ACI's business customers require, we cannot depend on  
13 BellSouth or third parties for maintenance and service. It is therefore critical that  
14 ACI be allowed to conduct its own repair and maintenance. Traditional virtual  
15 collocation is not an acceptable alternative to physical collocation for ACI's  
16 business.

17  
18 **Q. Even though virtual collocation is an unacceptable alternative to physical**  
19 **collocation, has ACI applied for virtual collocation in Florida?**

20 A. Yes. In those central offices where BellSouth has denied ACI physical collocation,  
21 ACI has been forced to apply for virtual collocation. Since BellSouth does not  
22 offer any alternatives to traditional physical collocation in those central offices  
23 where it claims to be out of space, ACI is forced into a virtual environment. It is  
24 ACI's hope that, once collocated, ACI will be able to negotiate the right to access  
25 the collocated equipment. To date, however, BellSouth has been unwilling to

1 negotiate for such access.

2

3 **Q. What is the impact on ACI's ability to provide service if physical collocation is**  
4 **not available in a particular end office?**

5 A. If BellSouth is able to shut ACI out of a particular central office, ACI will not be  
6 able to serve the residential and business customers served out of that central office.  
7 Moreover, because our business plan involves telecommuting applications, ACI  
8 will need to collocate in numerous central offices surrounding each market to  
9 insure complete coverage for a client company's workforce. The inability to  
10 physically collocate in even a single central office that we have targeted will place  
11 ACI at a significant disadvantage.

12 For example, if ACI is not able to collocate in a key central office, which  
13 serves a significant percentage of a company's employees, that company is less  
14 likely to use ACI's DSL service for telecommuting. Because the attractiveness of  
15 telecommuting to an employer depends on ability of employees throughout the area  
16 to use the service, the inability to collocate in even one end office is a significant  
17 barrier to ACI's ability to compete.

18

19 **II. DESCRIPTION OF THE PALMETTO CENTRAL OFFICE**

20 **Q. Did you participate in any of the tours of the central offices at issue in this**  
21 **proceeding?**

22 A. Yes, I toured BellSouth's Miami Palmetto, Boca Raton Boca-Teeca, West Palm  
23 Beach Gardens, and North Dade Golden Glades central offices.

24

25 **Q. Does ACI have applications pending with BellSouth for physical collocation at**

1           **any of the central offices at issue in these dockets?**

2    A.    Yes. ACI has filed for, and been denied, physical collocation in the Miami  
3           Palmetto central office. ACI submitted its application for physical collocation for  
4           the Palmetto central office on January 22, 1999.

5

6    **Q.    What did you see during the tour of the Palmetto central office?**

7    A.    I saw several things that are important for this proceeding. First, I saw that the  
8           existing collocators were in a segregated collocation area that was walled-off from  
9           BellSouth's space and that had a separate building entrance. Within this segregated  
10          space, there were more interior walls separating each ALEC's space from the  
11          others. Second, I saw a number of areas that were used for equipment storage or  
12          administrative purposes that could be eliminated or consolidated in order to make  
13          space available for collocation. Third, I saw areas where equipment could be  
14          collocated if ALEC equipment did not have to be physically segregated from  
15          BellSouth equipment. Finally, I saw several areas of unused space that BellSouth  
16          said were reserved for future growth.

17

18   **Q.    Did BellSouth indicate the number of years of future growth for which it was**  
19          **reserving unused space in the Palmetto central office?**

20   A.    No. But, from a review of the Palmetto Audit Exhibit, it appears that BellSouth is  
21          reserving room for at least two years of growth, and in some cases more.

22

23   **Q.    Assuming that BellSouth is using a 2-year growth plan in its reservation of**  
24          **space, can you describe how this would affect ACI's business plan?**

25   A.    Yes. It is not an exaggeration to say that two years in this business could easily

1 represent the difference between the life and death of a competitive provider like  
2 ACI. If ACI is going to survive in the highly competitive DSL market, we must be  
3 able to provide our service now. In order to provide our service, we must gain  
4 access to the central office end of our loops. We can only do this through  
5 collocation. If we are not allowed to collocate this year we will be out of the  
6 running in the high-speed access business in those particular locations, and Florida  
7 consumers will be denied an alternative provider of advanced services.

8  
9 **III. SPACE MAXIMIZING OPTIONS FOR THE PALMETTO CENTRAL**  
10 **OFFICE**

11 **Q. Based on your central office walk-throughs, did you see any opportunity for**  
12 **maximizing the amount of available space?**

13 A. Yes. There are numerous ways in which BellSouth could maximize the amount of  
14 available collocation space. To date, BellSouth has refused to offer any alternatives  
15 to maximize space.

16  
17 **Q. How could BellSouth maximize its collocation space in the Palmetto central**  
18 **office?**

19 A. There are several things that BellSouth could do to maximize the space available  
20 for collocation in the Palmetto central office. For example, BellSouth could, and  
21 should, consolidate functions that are scattered across the central office, thereby  
22 freeing up space for collocation. In addition, BellSouth should eliminate certain  
23 structural collocation requirements that are unnecessary and only serve to limit the  
24 space available for collocation. Finally, BellSouth should broaden its  
25 interpretation of physical collocation to include common collocation, shared and

1 subleasing collocation, parking lot collocation and adjacent collocation.

2

3 **A. CONSOLIDATION**

4 **Q. Let's take each of these space-maximizing options in turn. First, please**  
5 **describe how consolidating functions will increase the amount of collocation**  
6 **space.**

7 A. In each of the central offices that I visited, including the Miami Palmetto central  
8 office, space was being used for administrative functions that could be performed  
9 elsewhere and the administrative space which did exist was not consolidated and  
10 often redundant in nature. The end result was an inefficient use of space.

11 For example, in the Golden Glades central office BellSouth had a computer  
12 training room of approximately 100 square feet within the central office. Such a  
13 room could be located anywhere; there is no technological need for it to be within a  
14 central office and thereby consuming valuable potential collocation space.

15 Similarly, in the Boca Teeca central office, BellSouth was maintaining  
16 administrative offices for its engineering staff on the second floor of the central  
17 office. There is no technological reason to have these administrative functions  
18 located in the central office. If these offices were relocated, the entire second floor  
19 of that central office could be used for collocation space.

20

21 **Q. Could additional space be made available in the Palmetto central office by the**  
22 **more efficient use of administrative space?**

23 A. Yes. In the Miami Palmetto Central Office, several steps could be taken to  
24 maximize available space. First, there is a large amount of spare equipment being  
25 stored in the central office as shown on the Photo Exhibit (see Photos 99-2X-08,

1 99-2Y-02, and 99-2Y-19). BellSouth owns a building adjacent to the central office  
2 where this storage space could be relocated. Additionally, there is an approximate  
3 270 square foot break room in the central office that could be relocated to the  
4 adjacent building, freeing up even more potential collocation space. There is also  
5 a large amount of space suitable for collocation occupied by file tubs and file  
6 cabinets. (See Photo Exhibit, Photo 99-2Z-12.) There is no reason that these files  
7 cannot be moved to other areas of the central office or to the adjacent BellSouth  
8 building. Finally, the administrative areas in the office are scattered and  
9 disorganized. By consolidating these administrative functions, BellSouth could  
10 free up space for collocation.

11

12 **B. ELIMINATE UNNECESSARY STRUCTURAL REQUIREMENTS**

13 **Q. What other ways could BellSouth maximize the amount of collocation space?**

14 A. BellSouth could quickly make more collocation space available by eliminating  
15 some of the unnecessary structural requirements that only serve to take up space  
16 that could otherwise be used for physical collocation.

17

18 **Q. What are some of these structural requirements?**

19 A. BellSouth uses a very narrow and restrictive definition of physical collocation that  
20 requires certain structures and pieces of equipment that are not necessary. For  
21 example, BellSouth has required that physical collocators be segregated into a  
22 separate collocation room surrounded by walls or cages. It then requires that each  
23 individual ALEC's equipment be further separated from the equipment of other  
24 ALEC's in a walled or caged enclosure within the larger segregated collocation  
25 room. Even if though there is space available in other parts of the central office or

1 premises, BellSouth will not allow physical collocation in these areas, because of  
2 its requirement that physical collocators be segregated from BellSouth's and each  
3 other's equipment.

4  
5 **Q. Is BellSouth's requirement of a segregated room technologically necessary?**

6 A. No. From a technological viewpoint, an ALEC can locate its equipment wherever  
7 space is available.

8  
9 **Q. Is BellSouth's requirement for a segregated room consistent with any long  
10 standing industry practice?**

11 A. No. In fact, BellSouth's segregation requirement is inconsistent with its own  
12 practice immediately after divestiture. At divestiture, BellSouth's equipment and  
13 AT&T's equipment were both housed in central offices. The equipment was  
14 identified, not by segregating out AT&T's equipment into a separate area, but by  
15 marking the respective space by red and green tape. This type of boundary  
16 identification did not cause any network or other technological problems.

17  
18 **Q. What other structural requirements should BellSouth eliminate to maximize  
19 collocation space?**

20 A. BellSouth requires that the loops leased by collocators coming into the central  
21 office terminate at a Single Point of Termination ("SPOT") bay. The room  
22 containing the SPOT bay in the Palmetto central office can be seen on the floor  
23 plan contained in the Palmetto Audit Exhibit. By requiring loops to terminate in a  
24 SPOT bay, BellSouth is requiring the installation of an additional piece of  
25 equipment which takes up space that could otherwise be used for collocation.

1 **Q. Is the presence of a SPOT bay technologically necessary for collocation?**

2 A. No. Incoming ALEC traffic terminates at the Main Distribution Frame (“MDF”)  
3 when it first enters the central office. There is no technological reason why this  
4 traffic should also terminate at a SPOT bay. The SPOT only serves to take up  
5 additional space that could be used for collocation and to unnecessarily increase  
6 collocation costs.

7

8 **Q. Do you recommend that the Commission eliminate these requirements?**

9 A. Yes. In order to maximize the amount of collocation space available, I recommend  
10 that the Commission eliminate any requirement of segregating collocation areas, as  
11 well as the SPOT bay requirement.

12

13 **Q. How much additional space would be made available in the Palmetto central  
14 office if the SPOT bay were eliminated?**

15 A. Based on the floor plan in the Palmetto Audit Report, the elimination of the SPOT  
16 bay would free up approximately 200 square feet of space for potential collocation.

17

### 18 **C. OPTIONS FOR PHYSICAL COLLOCATION**

19 **Q. What options for physical collocation should the Commission consider in  
20 determining whether collocation space is available in a particular central  
21 office?**

22 A. In considering the availability of space for physical collocation, the Commission  
23 should require BellSouth to broaden its interpretation of physical collocation to  
24 include options such as common collocation, shared and subleasing collocation,  
25 parking lot collocation and adjacent collocation.



1 **Q. Please describe how broadening the definition of physical collocation could**  
2 **maximize space.**

3 A. It is very important to understand that BellSouth's limited definition of physical  
4 collocation is not the only physical collocation arrangement that is technologically  
5 feasible. In fact, BellSouth's definition of physical collocation substantially limits  
6 the number of ALECs who can collocate in a particular central office. If the  
7 Commission wants to foster facilities-based competition for the benefit of Florida's  
8 consumers, it should develop and implement creative collocation arrangements.

9 There are many different types of physical collocation arrangements that  
10 can be used, and in fact are being used across the country. In determining the  
11 availability of space, the Commission should take into account any and all  
12 collocation arrangements that (i) are technically feasible, (ii) allow ALECs ready  
13 access to their collocated equipment, and (iii) maximize the number of competitors  
14 able to collocate.

15 At a minimum, the Commission should order BellSouth to make available  
16 collocation arrangements that are being offered by other incumbents both in the  
17 Southeast and in other parts of the country. For example, other incumbents offer  
18 common collocation, shared or subleasing collocation, as well as adjacent physical  
19 collocation.

20  
21 **1. COMMON COLLOCATION**

22 **Q. Describe what you mean by common collocation.**

23 A. Common collocation is the same as traditional physical collocation without the  
24 required separate room and allows ALECs to collocate their equipment wherever  
25 there is space. It would be the same as BellSouth's virtual collocation offer, except

1 the ALEC would retain ownership and have ready access to its equipment for  
2 maintenance and repair purposes. In a common collocation arrangement, ALECs  
3 would lease space on a bay-by-bay arrangement.

4 Whereas segregated collocation severely limits the amount of space  
5 available for physical collocation and artificially increases ALECs' costs due to the  
6 need to construct a separate room, common collocation maximizes the  
7 opportunities for competitors to install equipment in central offices.

8

9 **Q. How would common collocation maximize collocation space in the Palmetto**  
10 **central office?**

11 A. BellSouth could make substantially more space available in the Palmetto central  
12 office if it were to offer common collocation. There currently is available a  
13 significant amount of space scattered around the central office that could be used  
14 for common physical collocation. For example, the Palmetto Audit Report states  
15 that BellSouth appears to have reserved 24 bays in Area 3 for future growth,  
16 although forecasts show the need for one bay in 1999 and one bay in 2000. If  
17 ALECs placed their equipment in the same line-up with BellSouth equipment, this  
18 could make up to 22 bays available for collocation.

19 As I noted previously, there is a large amount of central office space  
20 currently being used for storage of equipment. This is described as Area 4 in the  
21 Palmetto Audit Exhibit and is shown on Photo 99-2Y-02 of the Photo Exhibit.  
22 Common collocation would enable CLECs to place equipment in this area.

23

24 **Q. Are there any other areas that would provide space for common collocation?**

1 A. Yes. The large empty space designated as Area 10 in the Palmetto Audit Exhibit  
2 could be used for common collocation, as could the approximate 300 square foot  
3 room designated as Area 11 that is currently used as a receiving and uncrating area.  
4

5 **Q. How will common collocation maximize the amount of space available for**  
6 **physical collocation?**

7 A. Common collocation involves lower costs and a more efficient use of available  
8 space. There is no need to spend the time or resources to construct a separate  
9 collocation room, thereby reducing the time required to make collocation space  
10 available to competitors. Because ALECs can take advantage of small increments  
11 of space that are located throughout the premises, rather than having to fit within a  
12 designated area, the use precious central office space is maximized.  
13

14 **Q. Do you know of any other ILECs offering common collocation?**

15 A. Yes. US West is currently offering, and ACI is currently using, common  
16 collocation through the US West region. ACI also uses common collocation in the  
17 Bell Atlantic region. Common collocation has caused no technological problems  
18 and the incumbents have not had any complaints with the arrangement. In fact,  
19 were it not for the availability of common collocation in many of these central  
20 offices, ALECs would not be able to install their network equipment and  
21 consumers would be denied the opportunity to select from alternative providers.

22 Moreover, common collocation is consistent with the experience of other  
23 collocation providers. Several IXCs and ALECs, who offer collocation in their  
24 premises, provide common collocation as a way to maximize the collocation space  
25 that they can make available. When long distance competition began, AT&T

1 initially required collocated companies to have their equipment in segregated areas,  
2 just as BellSouth does now. Later, as space became more scarce, AT&T began to  
3 place equipment wherever space was available. This use of common collocation  
4 greatly increased the capacity of the AT&T facilities to accommodate collocation.  
5 Notably, there has not been any major security issue growing out of this practice.  
6 Simple security measures such as locking cabinets and video surveillance  
7 monitoring have proven more than sufficient to protect AT&T and competitor  
8 equipment. Moreover, this approach allowed AT&T and other IXC wholesalers to  
9 provide collocation space on a rack-by-rack basis, rather than in wasteful 100  
10 square foot increments.

11

12 **Q. Does BellSouth offer common collocation in the Palmetto central office?**

13 A. No.

14

15 **Q. Do you know why BellSouth does not offer common collocation in the  
16 Palmetto central office?**

17 A. While I do not know BellSouth's specific reasons, one potential reason is that  
18 BellSouth might be concerned with the security of its network equipment.

19

20 **Q. Are there ways to alleviate BellSouth's security concerns while still  
21 maximizing space through common collocation?**

22 A. Yes. There are several rather simple ways in which BellSouth could resolve its  
23 security concerns and still offer common collocation. For example, BellSouth  
24 could use locked cabinets, clear labeling of equipment, entry logs, pass cards, or  
25 security cameras as a means of providing security. In fact, as previously discussed,

1 these types of security safeguards are being used by IXC's currently providing  
2 collocation and have proven successful at protecting the equipment of the various  
3 parties involved.

4

5 **2. SHARING AND SUBLEASING COLLOCATION SPACE**

6 **Q. You identified subleasing and sharing collocation as a mechanism for**  
7 **maximizing physical collocation space. Please describe what you mean by**  
8 **subleasing and sharing.**

9 A. Subleasing and sharing collocation is another mechanism by which BellSouth  
10 could maximize the number of collocators in a central office. Subleasing here is  
11 meant in the same sense as subleasing an apartment: one ALEC will sublease a  
12 particular section of a collocation space from another during the period that the  
13 space is not in use. Sharing collocation space simply refers to the combined  
14 tenancy of two or more ALECs in a particular central office space. Currently,  
15 BellSouth refuses to make either sharing or subleasing available. There is no  
16 legitimate technological or policy reason for this prohibition.

17

18 **Q. How could sharing and subleasing collocation maximize collocation space in**  
19 **the Palmetto central office?**

20 A. Allowing sharing and subleasing collocation will allow collocators to take  
21 advantage of any unused space in a current collocation area. There may be  
22 instances where two, or even more, collocators could share existing collocation  
23 space.

24 Allowing sharing of collocation spaces will not affect BellSouth's security  
25 or otherwise negatively affect BellSouth's operations. In addition, permitting

1 sharing and subleasing of collocation space would maximize the use of any new  
2 space that becomes available.

3

4 **Q. Do you know of any other ILECs that permit sharing or subleasing of**  
5 **collocation space?**

6 A. Yes. Bell Atlantic-North and Bell Atlantic-South are both offering shared  
7 collocation. In addition, SouthWestern Bell offers subleasing collocation. Because  
8 these other ILECs are offering collocation on a sharing and subletting basis, this  
9 requirement should be deemed presumptively feasible unless BellSouth is able to  
10 prove otherwise.

11

### 12 3. PARKING LOT COLLOCATION

13 **Q. What other types of space maximizing collocation arrangements are available**  
14 **in the Palmetto central office?**

15 A. Collocation space could be enhanced through the use of parking lot collocation.

16

17 **Q. Please explain what you mean by "parking lot" collocation.**

18 A. Parking lot collocation is the nickname that ACI uses to describe physical  
19 collocation space that is outside the four walls of the central office but on the same  
20 parcel of property where the central office is located. ACI refers to this type of  
21 collocation as "parking lot" because one of the obvious areas that could be  
22 converted to collocation space is the central office parking lot.

23 To make parking lot collocation available, BellSouth simply needs to install  
24 a secure, environmentally conditioned structure to house the ALECs' network  
25 equipment. These structures are available on a prefabricated basis so it would not

1 require a substantial amount of time to make this available. Moreover, ACI is  
2 certainly willing to pay its fair share of the reasonable costs of constructing such a  
3 building, as well as the reasonable costs associated with connecting its equipment  
4 to the loops it orders from BellSouth. All that is required is for BellSouth to run  
5 the ALECs' copper loops from the MDF in the central office to the ALECs'  
6 collocated equipment in the "parking lot." This type of collocation clearly is  
7 technologically feasible.

8 The "parking lot" solution merely takes the segregated collocation room  
9 and puts it outside the wall of the central office.

10

11 **Q. How would parking lot collocation maximize collocation space?**

12 A. Parking lot collocation would maximize space by opening space for collocation in  
13 central office buildings that are truly full. In addition, this type of collocation  
14 resolves any security concerns that BellSouth may have with competitors entering  
15 the central office. Under this arrangement, ALECs would only need to enter the  
16 new structure to access their equipment.

17

18 **Q. From your inspection of the Palmetto central office, is there space available  
19 for parking lot collocation?**

20 A. Yes. There is space available outside the central office building to place one or  
21 more prefabricated structures. Moreover, on the same premises, but next to the  
22 Palmetto central office building, is a BellSouth building that could be made  
23 available for collocation. This facility is currently used by BellSouth's outside  
24 work force. There is no technological reason why the outside work force has to be  
25 located on the same premises as the central office building. While I was not

1 permitted to inspect this building during the Palmetto central office tour, from the  
2 outside it appeared to provide more than enough room for several ALECs to  
3 physically collocate. This space could, and should, be made available to  
4 competitors such as ACI for collocation.

5 In fact, this collocation space would be even better than the traditional  
6 parking lot collocation that I described above. In this case, the building is already  
7 built and sufficiently close to the central office that it will not cause technological  
8 complications for an ALEC to install its equipment. Making this building available  
9 to collocators is a workable and simple solution to the alleged space problem in the  
10 Palmetto central office.

11

12 **4. ADJACENT COLLOCATION**

13 **Q. What other forms of physical collocation could be used to maximize**  
14 **collocation space?**

15 A. The provision of adjacent collocation would significantly increase the amount of  
16 collocation space available.

17

18 **Q. Explain what you mean by "adjacent" physical collocation.**

19 A. Adjacent collocation is identical to the parking lot option, except the ALEC would  
20 locate its equipment in a space obtained from a third party near the central office.  
21 The ALEC could sublet space from this third party and collocate its equipment  
22 there. Like with parking lot collocation, the ALEC would need to purchase some  
23 type of connection, albeit a longer one than that used in the parking lot situation, to  
24 connect its loop to its collocated equipment.

25



1 **Q. How would adjacent collocation maximize space?**

2 A. Once again, adjacent collocation substantially expands the opportunity for more  
3 ALECs to physically collocate their network equipment. With adjacent  
4 collocation, the ability to collocate is not dependent upon BellSouth, but rather on  
5 the availability of space near the central office. Moreover, as with parking lot  
6 collocation, adjacent collocation resolves any security concerns that BellSouth may  
7 have with competitors entering the central offices.

8 The disadvantage, however, is that this type of arrangement increases the  
9 length of the loop between the end users' premises and the ALECs' network  
10 equipment. DSL services are somewhat dependent on loop length. Because of the  
11 additional length caused by adjacent collocation, DSL providers using this form of  
12 collocation will not be able to serve as many consumers out of that central office.  
13 However, while less than ideal, adjacent collocation is vastly superior to not being  
14 able to collocate at all and not being able to serve end users out of a particular  
15 central office.

16

17 **Q. Based on your tour of the Palmetto central office, could adjacent collocation  
18 be deployed in this central office?**

19 A. Yes.

20

21 **Q. Please explain how adjacent collocation would maximize collocation in the  
22 Palmetto central office.**

23 A. The beauty of adjacent collocation is that it requires only a minimal amount of  
24 space in the central office. ACI, and other adjacent collocators, would not need to  
25 install equipment within the central office or otherwise take up any sizeable amount

1 of floor space. Rather, the only central office space that ACI would require is the  
2 very small space necessary to extend the copper loops for ACI's customers from the  
3 MDF to the perimeter of the building. These extended copper loops would then  
4 terminate in a nearby building where ACI would install its networking equipment.  
5 ACI would obtain the right to occupy this adjacent equipment space directly from  
6 the property owner or landlord. Given the minimal space requirements involved, it  
7 is hard to imagine any central office not having enough space for adjacent  
8 collocation. As for the Palmetto central office, there is no doubt that there was  
9 enough space to install the necessary loops from the MDF to an appropriate  
10 perimeter wall.

11

12 **Q. Is any other ILEC providing adjacent collocation?**

13 A. Yes. ACI is currently using adjacent collocation with both PacBell and GTE.  
14 Adjacent collocation has proven very successful and is allowing ACI to serve  
15 customers that it would otherwise not have been able to serve.

16

17 **Q. Based on your tours of the central offices, and the Palmetto central office in  
18 particular, should the Commission grant BellSouth's petitions for waiver?**

19 A. No. BellSouth is using an overly restrictive definition of physical collocation.  
20 Based on my inspection of several of the central offices during the walk-throughs,  
21 if the Commission would consider some of the options that I have presented, I am  
22 certain that the central offices would be able to accommodate more collocators. In  
23 other words, collocation space is available, it is just a matter of maximizing the  
24 space for collocation.

25

1 **IV. PROCEDURE TO ALLOCATE ADDITIONAL COLLOCATION SPACE**  
2 **Q. If the Commission denies BellSouth's waiver request for any or all of these**  
3 **central offices, how should BellSouth process requests for physical collocation**  
4 **in those central offices?**  
5 **A.** If additional collocation space becomes available, BellSouth should distribute this  
6 space on a "first-come-first-served" basis. In other words, the ALEC with the  
7 earliest application date should be the first in line to get the new space. To ensure  
8 that this process is fair and efficient to all parties, ACI recommends that the  
9 Commission require BellSouth to keep all physical collocation applications for five  
10 years. As soon as space becomes available, or BellSouth knows that space will  
11 become available, it should notify each ALEC who has previously applied for  
12 space. The ALECs should then have three business days to affirm their desire for  
13 the new space. Of these ALECs, the one with the earliest application date should  
14 get priority in terms of gaining access to the space. All ALECs, including any  
15 BellSouth subsidiaries, should be subject to the same process. This process treats  
16 all ALECs fairly.  
17  
18 **Q. Does that conclude your testimony?**  
19 **A.** Yes.  
20  
21  
22  
23  
24  
25