

STIS

Phone: (305) 443-3710
Fax: (305) 443-1078
2620 S.W. 27th Avenue
Miami, FL 33133
Email: sales@stis.com
www.stis.com

RECEIVED FPSC

90 MAY -7 AM 4:45

May 7, 1999

RECORDS AND
REPORTING

ORIGINAL

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

Re: Docket Nos. 980946-TP, 980947-TP, 980948-TP
981011-TP, 981012-TP, 981250-TP

Dear Mrs. Bayo:

Enclosed for filing in the above referenced dockets are an original and fifteen copies of the Rebuttal Testimony of Dave Nilson. Copies have been served on the parties listed on the attached Certificate of Service.

Sincerely,

Dave Dimlich / DAS

Dave Dimlich
Legal Counsel
Supra Telecom

RECEIVED & FILED

[Signature]
FPSC-BUREAU OF RECORDS

Enclosures

cc: All Parties of Record

AFA	<u>2</u>
APP	_____
CAF	_____
CMU	_____
CTR	_____
EAG	_____
LEG	<u>2</u>
MAS	<u>5 + 08</u>
OPC	_____
RRR	_____
SEC	<u>1</u>
WAW	_____
OTH	_____

DOCUMENT NUMBER-DATE

05809 MAY-7 99

FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

Petition for Temporary Waiver of Physical)
Collocation Requirements Set Forth in the) Docket No. 980946-TL
1996 Telecommunications Act and the FCC's)
First Report and Order, for the Daytona Beach)
Port Orange Central Office, by BellSouth)
Telecommunications, Inc.)

Petition for Temporary Waiver of Physical)
Collocation Requirements Set Forth in the) Docket No. 980947-TL
1996 Telecommunications Act and the FCC's)
First Report and Order, for the Boca Raton)
Boca Teeca Central Office, by BellSouth)
Telecommunications, Inc.)

Petition for Temporary Waiver of Physical)
Collocation Requirements Set Forth in the) Docket No. 980948-TL
1996 Telecommunications Act and the FCC's)
First Report and Order, for the Miami)
Palmetto Central Office, by BellSouth)
Telecommunications, Inc.)

Petition for Temporary Waiver of Physical)
Collocation Requirements Set Forth in the) Docket No. 981011-TL
1996 Telecommunications Act and the FCC's)
First Report and Order, for the West Palm)
Beach Gardens Central Office, by BellSouth)
Telecommunications, Inc.)

Petition for Temporary Waiver of Physical)
Collocation Requirements Set Forth in the) Docket No. 981012-TL
1996 Telecommunications Act and the FCC's)
First Report and Order, for the North Dade)
Golden Glades Central Office, by BellSouth)
Telecommunications, Inc.)

Petition for Temporary Waiver of Physical)
Collocation Requirements Set Forth in the) Docket No. 981250-TL
1996 Telecommunications Act and the FCC's)
First Report and Order, for the Lake Mary)
Main Central Office, by BellSouth)
Telecommunications, Inc.)

**Notice of Filing of Supra Telecommunications and Information Systems,
Inc.'s Rebuttal Testimony of David Nilson**

Notice is hereby given that on May 7th, 1999, Supra Telecommunications and Information Systems, Inc. filed its rebuttal testimony of David Nilson in the above-captioned dockets.

Respectfully submitted this 7th day of May, 1999.

Handwritten signature of David V. Dimlich in cursive script.

DAVID V. DIMLICH, ESQ.

Legal Counsel

Supra Telecommunications & Information Services, Inc.

2620 S.W. 27th Avenue

Miami, Florida 33133

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that Supra Telecommunications and Information Systems, Inc.'s notice of filing rebuttal testimony of David Nilson has been sent via U.S. Mail this 7th of May, 1999 to:

Beth Keating, Esq.
Staff Counsel
Florida Public Service Commission
Division of Legal Services 2540
Shumard Oak Boulevard
Tallahassee, FL 32301

Kenneth Hoffman, Esq.
TCG South Florida
c/o Rutledge Law Firm
P.O. Box 551
Tallahassee, FL 32302-0551

Monica Barone
Counsel for Sprint
3100 Cumberland Circle, #802
Atlanta, GA 30339

Nancy B. White, Esq.
BellSouth Telecommunications, Inc.
c/o Nancy H. Sims
150 South Monroe Street, Suite 400
Tallahassee, FL 32301-1556

Floyd Self, Esq.
Messer Law Firm
P.O. Box 1876
Tallahassee, FL 32302

Patrick Wiggins, Esq.
Wiggins Law Firm
P.O. Drawer 1657
Tallahassee, FL 32302

Peter M. Dunbar, Esq.
Barbara D. Auger, Esq.
Pennington, Moore, et al.
P.O. Box 10095
Tallahassee, FL 32302-2095

Jeremy D. Marcus, Esq.
Gerry, Friend & Saprnov, LLP
Three Ravinia Drive
Suite 1450
Atlanta, GA 30346-2131


Carolyn Marek
V.P. of Regulatory Affairs
Southeast Region
Time Warner Communications
233 Brambleton Ct.
Franklin, TN 37069

e.spire Communications, Inc.
Mr. James C. Falvey, Esq.
133 National Business Pkwy., #200
Annapolis Junction, MD 20701

Richard D. Melson, Gabriel Nieto
Hopping Green Sams & Smith
123 South Calhoun St.
P.O. Box 6526
Tallahassee, FL 32314

Blumemfeld & Cohen
Elise Kiely, Jeffrey Blumenfeld
1615 M. St., NW, Suite 700
Washington, DC 20036

Covad Communications Company
James D. Earl
6849 Old Dominion Dr., Suite 220
McLean, VA 22101


DAVID V. DIMLICH
Supra Telecommunications and
Information Systems, Inc.

1 SUPRA TELECOMMUNICATIONS & INFORMATION SYSTEMS, INC.
2 BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION
3 REBUTTAL TESTIMONY OF DAVID A. NILSON
4 DOCKET NOS. 980946-TL, 980947-TL, 980948-TL, 981011-TL,
5 981012-TL, AND 981250-TL
6 MAY 7, 1999

7
8 Q. PLEASE STATE YOUR NAME, BUSINESS ADDRESS, AND
9 POSITION WITH SUPRA TELECOMMUNICATIONS AND
10 INFORMATION SYSTEMS, INC.

11
12 A. My name is David A. Nilson. My address is 2620 SW 27th
13 Avenue, Miami, Florida 33133. I am the Vice President of
14 Systems Design and Interconnection of Supra
15 Telecommunications and Information Systems, Inc. ("Supra").

16
17 Q. ARE YOU THE SAME DAVID NILSON WHO PROVIDED
18 DIRECT TESTIMONY IN THIS PROCEEDING?

19
20 A. Yes.

21
22 Q. WHAT IS THE PURPOSE OF YOUR REBUTTAL TESTIMONY?

23
24 A. I will rebut the direct testimony of BellSouth witnesses Keith
25 Milner, James Bloomer and George Mainer.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

Q. DO YOU AGREE WITH MR. MILNER'S EXPLANATION OF "CAGELESS" COLLOCATION?

A. No, I do not. It is important that the Commission realize that the FCC's definition of cageless collocation does not allow a walled structure to separate BellSouth's equipment from the equipment of other collocators. There is no FCC mandated requirement of structural separation between the equipment of collocators and an incumbent LEC's equipment. In his summary of the FCC's recent collocation order (FCC 99-48) on pages 6-7 of his direct testimony, Mr. Milner clearly shows how BellSouth is taking a position different than what the FCC has ordered. On page 7, lines 4-8, he states as summary point number 9:

Permit a collocator direct access to its equipment without the requirement for a physical separation between the collocator's equipment and the equipment of other collocators or the equipment of the ILEC.

The FCC's First Report and Order, CC Docket No. 98-147, released March 31, 1999, states in paragraph 42:

1 ...incumbent LECs must allow competitors to
2 collocate in any unused space in the incumbent
3 LEC's premises, without requiring the construction
4 of a room, cage, or similar structure, and without
5 requiring the creation of a separate entrance to the
6 competitor's collocation space access to their
7 equipment.

8
9 From this it is apparent that BellSouth's unenclosed
10 physical collocation arrangement is not the same as the
11 FCC's cageless collocation definition.

12
13 Q. ON PAGE 11 AND 12 OF HIS DIRECT TESTIMONY, MR.
14 MILNER EXPLAINS THAT THE FCC'S RECENT RULES AND
15 ORDER WILL CREATE A CONFLICT WITH STATE OR LOCAL
16 BUILDING CODE ORDINANCES. DO YOU AGREE WITH MR.
17 MILNER'S COMMENTS?

18
19 A. I do not in one particular aspect. On page 12, lines 6-10, Mr.
20 Milner states that neither the FCC nor building code officials can
21 expect BellSouth to knowingly violate applicable rules or codes.
22 However, the party that applies for the construction permit must
23 take the responsibility of informing the local building officials of
24 what the FCC's requirements are. The Commission should not
25 allow BellSouth or any incumbent LEC to dismiss its

1 responsibilities to the carrier requesting collocation. If BellSouth
2 applies for the building permit, then the Commission should
3 require BellSouth to fully inform the local building officials of the
4 FCC's requirements. In other words, if an application for a building
5 permit is made for cageless collocation by BellSouth and the local
6 building officials deny such request, then BellSouth must prove
7 that the officials were made aware of the FCC's requirements.
8 BellSouth cannot be silent when it is aware of the FCC's
9 requirements and its responsibilities to requesting collocators.

10

11 Q. ARE THERE ANY EXAMPLES OF MULTI-TENANT
12 OCCUPANCY WHERE DADE COUNTY ZONING OFFICIALS
13 HAVE ALLOWED THE MULTI-TENANCY TO EXIST WITHOUT
14 FIRE-RATED WALLS SEPARATING THE TENANTS?

15

16 A. Yes. In shopping mall "food courts", the absence of fire-rated
17 walls is in the best interests of the mall owner, and such walls
18 have not been required. Under these circumstances, permitting
19 has clearly been established to allow such tenancy despite the fact
20 that grills, stoves and other open fire sources are used to prepare
21 food in these areas. The Commission should require BellSouth to
22 work with zoning officials and educate them about the unoccupied
23 nature of collocation rather than BellSouth blindly accepting an
24 arbitrary ruling that is applied nowhere else in the country.

25

1 Q. MR. MILNER STATES ON P. 14 OF HIS TESTIMONY THAT THE
2 CITY OF PLANTATION WILL BE REQUIRING FIRE-RATED
3 SEPARATION BETWEEN ALL COLLOCATORS INCLUDING
4 THOSE NOT REQUESTING ENCLOSED SPACE. DO YOU
5 AGREE WITH THIS STATEMENT?

6
7 A. No. While it is true that initially the City of Plantation rejected
8 welded wire cage construction for collocation spaces, when the
9 contractors involved met with the City of Plantation and made
10 them aware that the collocation spaces were unmanned, the City
11 of Plantation asked that the rejected applications be re-submitted
12 for application. This is a good example of how direct dialog
13 between the parties involved will lead to a more reasonable set of
14 rules for collocation.

15
16 Q. MR. MILNER STATES ON PAGES 23 AND 24 OF HIS DIRECT
17 TESTIMONY THAT THE FCC DOES NOT REQUIRE THE
18 "COMMINGLING" OF EQUIPMENT. WHAT DOES THE FCC
19 REQUIRE?

20
21 A. In this part of his testimony, Mr. Milner explains that BellSouth
22 does not permit physical collocation of ALEC equipment that is
23 commingled with BellSouth's equipment for security and reliability
24 reasons. BellSouth's position does not comply with the FCC's

1 order. The FCC states in paragraph 42 of its recent collocation
2 order:

3 In addition, an incumbent LEC must give competitors
4 the option of collocating equipment in **any** unused
5 space within the incumbent's premises, to the extent
6 technically feasible, and may not require competitors
7 to collocate in a room or **isolated space separate**
8 **from the incumbent's own equipment.** (emphasis
9 added)

10

11 I interpret this to mean that both ALEC and ILEC equipment can
12 be placed side by side. It is clear that the FCC's intent is to make
13 all usable space available for collocation. As far as security
14 measures, the FCC concluded in its recent order that security
15 escorts are deemed adequate security for the purposes of the
16 Telecommunications Act of 1996. The FCC further permits ILECs
17 to require security training of an ALEC's employees at the same
18 level as required for its own employees and third party contractors
19 who work in ILEC central offices. The Commission should not
20 allow BellSouth to waste usable collocation space, and hinder the
21 movement towards competition, under the guise of safety
22 concerns.

23

24 Q. ON PAGES 27 AND 28 OF HIS DIRECT TESTIMONY, MR.
25 MILNER STATES THAT NEITHER THE ACT OR THE FCC'S

1 RULES REQUIRE BELLSOUTH TO RELINQUISH
2 ADMINISTRATIVE SPACE IN ITS CENTRAL OFFICES. WOULD
3 YOU COMMENT ON THIS?

4
5 A. I do not agree with Mr. Milner because the Act and the FCC do
6 not specifically mention by name any type of space. Section 251
7 (c)(6) of the Act does state that ILECs have the duty to provide
8 physical collocation, and may provide virtual collocation if the
9 ILEC demonstrates to the State commission that physical
10 collocation is not practical for technical reasons or because of
11 space limitations. The FCC further states in its Local
12 Interconnection Order (96-325, ¶606), that an ILEC is required to
13 relinquish any space held for future use before denying virtual
14 location due to a lack of space. Therefore, BellSouth will have to
15 give up all reserved space, not just space it has allocated
16 specifically for virtual collocation.

17
18 It is not Supra's position that BellSouth be required to relinquish
19 space used as an employee breakroom. However, any space,
20 whether administrative or other space, that is not actually being
21 used should be made available for collocation. The Commission
22 agreed with Supra in Order No. PSC-99-0060-FOF-TP (see p. 9),
23 that BellSouth's administrative space in both the Golden Glades
24 and West Palm Beach Gardens offices is used inefficiently. The

1 Commission further encouraged BellSouth to look into current
2 technology that could improve efficiency of space and operations.

3

4 A perfect example of inefficient use of central office space is the
5 second floor of the Boca Raton Boca Teeca central office. The
6 entire floor is being used for administrative and office space.

7 When BellSouth exhausts all usable space on the first floor, it will
8 not construct additional space to house telecommunications
9 equipment. It will begin placing its own equipment on the second
10 floor. It is far more cost effective for BellSouth to move its
11 personnel and office equipment into a traditionally constructed
12 building, then it is to build or add onto the current building in the
13 manner that this central office is constructed. The Commission
14 should not allow BellSouth to keep other carriers from collocating
15 in this building until BellSouth decides it will place its own
16 equipment on the second floor.

17

18 Q. AT PAGE 21 OF MR. MILNER'S DIRECT TESTIMONY, HE
19 STATES THAT PARAGRAPH 30 OF THE FCC'S RECENT
20 ORDER DOES NOT REQUIRE COLLOCATION OF EQUIPMENT
21 USED SOLELY TO PROVIDE ENHANCED SERVICES. DO YOU
22 AGREE WITH THIS STATEMENT?

23

24 A. No. In the FCC's recent order, the FCC states, "[w]e reiterate that
25 incumbent LECs are obligated, pursuant to section 251(c)(6), to

1 permit competitors to collocate multi-functional equipment, even
2 equipment that includes switching or enhanced services
3 functionalities, if such equipment is necessary for access to UNES
4 or for interconnection with the incumbent LEC's network." The
5 scope of this statement covers remote access modems which
6 connect directly with UNEs such as 4-wire ISDN switching ports,
7 in addition to many other such examples.

8

9 Q. WHEN EXPLAINING THE PROCESS USED TO IDENTIFY THE
10 CENTRAL OFFICE SPACE AVAILABLE FOR PHYSICAL
11 COLLOCATION, BELLSOUTH WITNESS JIM BLOOMER
12 STATES ON PAGE 5 OF HIS TESTIMONY THAT THERE IS AN
13 EXCEPTION TO BELLSOUTH'S POLICY REGARDING
14 RESERVED SPACE FOR 2-YEAR FORCASTED NEEDS. THIS
15 EXCEPTION IS FOR THE TYPES OF EQUIPMENT THAT
16 REQUIRE FIXED LAYOUTS. DO YOU AGREE THAT
17 BELLSOUTH'S NEED FOR THIS EXCEPTION JUSTIFIES THE
18 RESULTING PRECLUSION OF SPACE FOR COLLOCATORS?

19

20 A. No, I do not agree with Mr. Bloomer's rationale for this exception
21 to the 2-year forecasted needs policy. Mr. Bloomer explains that
22 this "fixed layout" equipment cannot be split up into several
23 different locations in the central office without degrading service or
24 capping the size of customer service levels for that type of
25 equipment. One example why this policy should not be

1 maintained is the operator services (TOPS) switch in Palm Beach
2 Gardens. BellSouth seeks to hold expansion space for that switch
3 because there is no other suitable space in that central office to
4 locate expansion bays for that switch. However, in testimony
5 brought out in Docket No. 98-0800, it was made clear that
6 forecasted growth for that particular switch remains insignificant
7 and flat for the next 25 years. Surely BellSouth does not expect
8 the Commission to hold valuable floor space for 25 years in
9 anticipation that at that time it would be either economically
10 feasible or even necessary to perform an upgrade. A limit must
11 be placed on these time intervals, and the Telecommunications
12 Act of 1996 clearly states that an ALEC is not allowed to reserve
13 space for itself on terms more favorable than those allowed to
14 other collocators. The wording of that requirement is
15 unambiguous and should be enforced by the Commission.

16
17 Although Mr. Bloomer justifies this exception by stating that
18 BellSouth keeps these equipment types together to provide the
19 best service, once again this rationale is insufficient to justify this
20 usage in light of the insignificant and flat growth that will take
21 place over the next 25 years. BellSouth cannot hold this space for
22 longer than they would allow Supra to hold a similar amount of
23 space.

24

1 Q. WHEN EXPLAINING THE PROCESS USED TO IDENTIFY THE
2 CENTRAL OFFICE SPACE AVAILABLE FOR PHYSICAL
3 COLLOCATION, BELLSOUTH WITNESS JIM BLOOMER
4 STATES ON PAGE 6 OF HIS TESTIMONY THAT OFFICE
5 SPACE UNDER 100 SQUARE FEET IS CONSIDERED "NOT
6 USABLE" AND THAT SQUARE FOOTAGE IS SUBTRACTED
7 FROM BELLSOUTH'S CALCULATION OF AVAILABLE SPACE.
8 DO YOU AGREE WITH THIS ASPECT OF BELLSOUTH'S
9 CALCULATION OF AVAILABLE OFFICE SPACE?

10

11 A. No, I do not agree with this aspect of BellSouth's calculation of
12 available office space. A collocator can make beneficial, effective
13 use of central office space under 100 square feet. Allowing use of
14 office space that is less than 100 square feet is technically
15 feasible, will not affect BellSouth's quality of service, and is
16 consistent with the purposes of the Telecommunications Act of
17 1996. Supra has filed numerous collocation applications prepared
18 in full compliance with BellSouth's instruction document BSTEI-1-
19 P Ins. for less than 100 square feet of collocation space, and
20 BellSouth has accepted these applications and issued Supra
21 quotations on building out the collocation space.

22

23 Q. DO YOU AGREE THAT BELLSOUTH HAS EFFICIENTLY
24 ALLOCATED ADMINISTRATIVE SPACE IN THEIR CENTRAL
25 OFFICES?

1

2 A. No, Mr. Bloomer has ignored the issue of the additional

3 maintenance terminals located at their network operations center

4 in the overall count of workstations per central office. BellSouth

5 offices involved are typically manned only 8 hours a day. During

6 the remaining 16 hours all maintenance is performed by operators

7 at the remote network operations center. Additionally, Mr.

8 Bloomer states that each work station automatically includes a

9 printer. I fail to understand the justification of why each central

10 office has more than one workstation per employees when it has

11 been stated that each employee first prints out their work

12 instructions before taking them to work on. I feel that all

13 discussion on this issue is intended to rationalize the need for

14 what currently exists rather than to address any need for

15 modernization in these areas. The following chart provides a

16 graphic example of the unreasonable ratio of workstations to

17 employees in BellSouth's central offices:

CENTRAL OFFICE	# of switches	# of work-stations	# of Eees	work-stations per Eee
NORTH DADE GOLDEN GLADES	5	65	10	6.5
MIAMI PALMETTO	2	51	13	3.9
WEST PALM BEACH GARDENS	9	60	9	6.7
BOCA RATON BOCA TEECA	3	26	7	3.7
DAYTONA BEACH PORT ORANGE	1	23	5	4.6
LAKE MARY	1	28	2	14

1

2 Q. DO YOU AGREE WITH MR. BLOOMER'S ASSESSMENT THAT
3 THERE IS NO CENTRAL OFFICE SPACE AVAILABLE FOR
4 COLLOCATION IN THE NORTH DADE GOLDEN GLADES
5 CENTRAL OFFICE?

6

7 A. No, no more than I did when Mr. Bloomer made the same
8 statement in Docket No. 98-0800, where the Commission ruled
9 that space is available for collocation in the North Dade Golden
10 Glades central office. Specifically, there are still 25 bays of
11 unpowered, out of service Nortel STP equipment that is obsolete
12 and should be removed from the office. BellSouth common
13 systems capacity management seeks to reserve that space for the
14 expansion of the 04T and 02T tandem switches, predicting 6
15 years' growth space in that area, which is clearly more favorable
16 terms than what Supra has been allowed in that central office.

17

18 Q. DO YOU AGREE WITH MR. BLOOMER'S ASSESSMENT THAT
19 THERE IS NO CENTRAL OFFICE SPACE AVAILABLE FOR
20 COLLOCATION IN THE WEST PALM BEACH GARDENS
21 CENTRAL OFFICE?

22

23 A. No, no more than I did when Mr. Bloomer made the same
24 statement in Docket No. 98-0800, where the Commission ruled
25 that space is available for collocation in the West Palm Beach

1 Gardens central office. Specifically, the issue of 25 years' growth
2 reserved for the top switch and an estimated 6 years' growth on
3 the tandem switch in the area of the central office reclaimed from
4 the power room. BellSouth's reserving space for 6 and 25 years'
5 growth is clearly on more favorable terms than what Supra has
6 been allowed in that central office.

7

8 Q. DO YOU AGREE WITH MR. BLOOMER'S ASSESSMENT THAT
9 THERE IS NO CENTRAL OFFICE SPACE AVAILABLE FOR
10 COLLOCATION IN THE LAKE MARY CENTRAL OFFICE?

11

12 A. I do not agree that there is no central office space available for
13 collocation in the Lake Mary central office. Mr. Bloomer's
14 testimony in this office leaves out numerous issues pertinent to
15 the issues of overall space. First, during the walkthrough of this
16 central office it was obvious that major sections of equipment bays
17 were populated with blank cards. These pieces of equipment,
18 while taking up floor space in the central office, are not currently
19 being used to deliver service to customers. The equipment
20 involves the Nortel DMS switch, estimated at 35% of the space
21 taken not being used to deploy service, fiber distribution frames
22 and space identified as future toll on the drawing that is currently
23 being used as a lunchroom. Additionally, no mention is made of
24 the extremely high presence of fiber in this office. Lake Mary
25 central office was used in BellSouth's unsuccessful trial of fiber to

1 the curb. No mention has been made of equipment still currently
2 in place in the lake Mary central office that was used in that
3 aborted trial and has not been removed to make additional space
4 available in the central office. Nor has any explanation been
5 made as to the effect of the fiber entrance or wiring has had on
6 cable and rack space congestion in the building.

7

8 Q. DO YOU AGREE WITH MR. BLOOMER'S ASSESSMENT THAT
9 THERE IS NO CENTRAL OFFICE SPACE AVAILABLE FOR
10 COLLOCATION IN THE BOCA RATON BOCA TEECA CENTRAL
11 OFFICE?

12

13 A. No, the fact that over 12,000 feet of floor space in this central
14 office is being used for office space indicates BellSouth's
15 unwillingness to comply with the requirements of the
16 Telecommunications Act of 1996. A central office is a purpose-
17 built facility, therefore design for heavier than normal floor-to-
18 ceiling requirements, environmental security, etc. BellSouth
19 cannot justify why they desire to spend more housing office space
20 in this area than it would cost them to put the same office space in
21 a building originally constructed for offices. On a monthly basis,
22 BellSouth is paying extra for this office space so that
23 telecommunications equipment is not placed there. I cannot
24 imagine why BellSouth would make this business choice.

25

1 Q. WHAT ARE YOUR OPINIONS OF MR. BLOOMER'S
2 COMMENTS REGARDING THE PLANNED USE OF THE
3 SECOND FLOOR OF THE BOCA RATON BOCA TEECA
4 CENTRAL OFFICE?

5
6 A. Mr. Bloomer's statement that BellSouth has no other space in that
7 area to re-locate the personnel currently on the second floor is
8 unacceptable and calls into question BellSouth's motivation and
9 desire to comply with the collocation requirements of the
10 Telecommunications Act of 1996.

11
12 Q. DO YOU AGREE WITH MR. BLOOMER'S ASSESSMENT THAT
13 THERE IS NO CENTRAL OFFICE SPACE AVAILABLE FOR
14 COLLOCATION IN THE MIAMI PALMETTO CENTRAL OFFICE?

15
16 A. No. There are numerous issues of concern regarding this office.
17 Supra was offered 100 square feet of collocation space in this
18 office on a "take it or leave it" basis. After reviewing the
19 collocation space, it appears that it would have been more
20 reasonable for BellSouth to extend that collocation space to the
21 outside west wall rather than using the hallway thus formed for
22 storage that could easily be placed on the outside wall of the
23 collocation space. No clear explanation could be given as to why
24 that original decision was made. Having done that would have
25 provided an additional 200 square feet of collocation space at no

1 additional cost to BellSouth. Of more serious concern is an issue
2 raised during the walkthrough and exhibited by exhibit JDB 19,
3 page 22. During the walkthrough, it was clearly identified that
4 approximately 300-400 square feet of collocation space was set
5 aside for a virtual collocation of a subsidiary of BellSouth. The
6 equipment in this area was clearly identified as video distribution
7 equipment. We can only assume this subsidiary is BellSouth
8 entertainment. Exhibit JDB 19 clearly shows dozens of boxes of
9 cable TV distribution equipment stacked in an uncrating area
10 within the Palmetto central office.

11

12 Q. Does this conclude your rebuttal testimony?

13

14 A. Yes.

15

16

17

18

19

20

21

22

23

24

25

RECEIVED-PPSC

Legal Department

J. PHILLIP CARVER
General Attorney

99 MAY -7 AM 4:44

BellSouth Telecommunications, Inc.
150 South Monroe Street
Room 400
Tallahassee, Florida 32301
(404) 335-0710

RECORDS AND
REPORTING

ORIGINAL

May 7, 1999

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

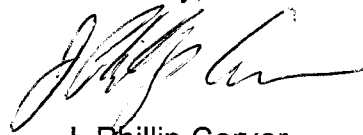
Re: Docket Nos. 980946-TL, 980947-TL, 980948-TL,
981011-TL, 981012-TL and 981250-TL

Dear Mrs. Bayo:

Enclosed are an original and 15 copies of BellSouth Telecommunications, Inc.'s Rebuttal Testimony of W. Keith Milner, James D. Bloomer, Barbara Cruit, George Mainer, and Common Systems Capacity Panel (Miguel F. Rodriguez, Guy Ream, Robert Cook, Louis Caban). Please file these documents in the captioned docket.

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 on the parties shown on the attached Certificate of Service.

Sincerely,



J. Phillip Carver

Enclosures

cc: All Parties of Record
M. M. Criser, III
N. B. White
W. J. Ellenberg

AFA _____
APP _____
CAF _____
CMU _____
CTR _____
EAG _____
LEG _____
MAS _____
OPC _____
RRR _____
SEC _____
NAW _____
DTH _____

Milner
DOCUMENT NUMBER-DATE
05810 MAY-7 99

Bloomer
DOCUMENT NUMBER-DATE
05811 MAY-7 99

Cruit
DOCUMENT NUMBER-DATE
05812 MAY-7 99

Mainer DOCUMENT NUMBER-DATE 05813 MAY-7 99
Panel DOCUMENT NUMBER-DATE 05814 MAY-7 99
PPSC-RECORDS/REPORTING

CERTIFICATE OF SERVICE
Docket Nos. 980946-TL, 980947-TL, 980948-TL, 981011-TL
981012-TL, and 981250-TL

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via

U.S. Mail this 7th day of April, 1999 to the following:

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

Charles J. Pellegrini *
Wiggins & Villacorta, P.A.
2145 Delta Boulevard
Suite 200
P.O. Drawer 1657
Tallahassee, FL 32302
Tel. No. (850) 385-6007
Fax. No. (850) 385-6008

Steve Brown
Intermedia Communications, Inc.
3625 Queen Palm Drive
Tampa, FL 33619-1309
Tel. No. (813) 829-0011
Fax. No. (813) 829-4923

Floyd R. Self, Esq. *
Messer, Caparello & Self, P.A.
215 South Monroe Street
Suite 701
Tallahassee, FL 32301-1876
Tel. No. (850) 222-0720
Fax. No. (850) 224-4359

Mr. Brian Sulmonetti *
MCI WorldCom, Inc.
Concourse Corporate Center Six
Six Concourse Parkway, Suite 3200
Atlanta, GA 30328

David V. Dimlich, Esq. *
Legal Counsel
Supra Telecommunications &
Information Systems, Inc.
2620 S.W. 27th Avenue
Miami, FL 33133
Tel. No. (305) 476-4235
Fax. No. (305) 443-1078

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

Norman H. Horton, Jr. *
Messer, Caparello & Self, P.A.
215 S. Monroe Street
Suite 701
Tallahassee, Florida 32301-1876
Tel. No. (850) 222-0720
Fax. No. (850) 224-4359
Represents e.spire

James C. Falvey, Esq.
e.spire™ Communications, Inc.
133 National Business Parkway
Suite 200
Annapolis Junction, Maryland 20701
Tel. No. (301) 361-4298
Fax. No. (301) 361-4277

Kenneth A. Hoffman, Esq. *
John R. Ellis, Esq.
Rutledge, Ecenia, Underwood,
Purnell & Hoffman, P.A.
P.O. Box 551
Tallahassee, FL 32301
Tel. No. (850) 681-6788
Fax. No. (850) 681-6515

Steven Gorosh
Vice President and General Counsel
NorthPoint Communications, Inc.
222 Sutter Street, 7th Floor
San Francisco, CA 94108
Tel. No. (415) 659-6518
Fax. No. (415) 658-4190

Charles A. Hudak, Esq.
Jeremy D. Marcus, Esq.
Gerry, Friend & Sapronov, LLP
Three Ravinia Drive, Suite 1450
Atlanta, GA 30346-2131
Tel. No. (770) 399-9500
Fax. No. (770) 395-0000
Attys. for ACI Corp.

Jeffrey Blumenfeld, Esq.
Elise P.W. Kiely, Esq.
Blumenfeld & Cohen
1615 M Street, NW
Suite 700
Washington, DC 20036
Tel. No. (202) 955-6300
Fax. No. (202) 955-6460
Attys. for ACI Corp.

Peter M. Dunbar, Esq. *
Marc Dunbar, Esq. *
Pennington, Moore, Wilkinson
Bell & Dunbar, P.A.
Post Office Box 10095
Tallahassee, FL 32302-2095
Tel. (850) 222-3533
FAx (850) 222-2126
Attys for Time Warner Telecom

Carolyn Marek *
VP of Reg. Affairs
Time Warner Communications
233 Bramerton Court
Franklin, TN 37069
Tel. (615) 376-6404
Fax (615) 376-6405

Monica M. Barone *
Sprint Communications Company
Limited Partnership
3100 Cumberland Circle
Mailstop GAATLN0802
Atlanta, GA 30339

James D. Earle, Esq. *
Covad Communications, Inc. d/b/a
DIECA Communications
700 Thirteenth Street NW
Suite 950
Washington, DC 20005
Tel: (202) 434-8902
Fax: (202) 434-8932

Richard D. Melson *
Gabriel E. Nieto
Hopping Green Sams & Smith
Post Office Box 6526
Tallahassee, FL 32314
Attys. for ACI Corp.

* Protective Agreements


J. Phillip Carver