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May 10, 1999

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Ms. Blanca S. Bayo, Director
Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Betty Easley Conference Center, Room 110
Tallahassee, Florida 32399-0850

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

Dear Ms. Bayo:

Enclosed herewith for filing in the above-referenced dockets on behalf of Teleport Communications Group Inc./TCG South Florida are the following documents:

- 1. Original and fifteen copies of the Prehearing Statement of TCG; and
- 2. A disk in Word Perfect 6.0 containing a copy of the Prehearing Statement.

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,

John R. Ellis

AFA _____
APP _____
CAF _____
CMU _____
CTR _____
EAG _____
LEG _____
MAS _____
OPC _____
RRR _____
SEC _____
WAW _____
OTH _____

Enclosures
cc: All Parties of Record

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: BellSouth Telecommunications,) Inc.'s Petition for Temporary Waiver for) Daytona Beach/Port Orange Central Office) _____)	Docket No. 980946-TL
In re: BellSouth Telecommunications,) Inc.'s Petition for Waiver for Boca Raton) Boca Teeca Central Office) _____)	Docket No. 980947-TL
In re: BellSouth Telecommunications,) Inc.'s Petition for Waiver for Miami) Palmetto Central Office) _____)	Docket No. 980948-TL
In re: BellSouth Telecommunications,) Inc.'s Petition for Waiver for West Palm) Beach Gardens Central Office) _____)	Docket No. 981011-TL
In re: BellSouth Telecommunications,) Inc.'s Petition for Waiver for North Dade) Golden Glades Central Office) _____)	Docket No. 981012-TL
In re: BellSouth Telecommunications,) Inc.'s Petition for Temporary Waiver for) Lake Mary Main Central Office) _____)	Docket No. 981250-TL
	Filed: May 10, 1999

**PREHEARING STATEMENT OF
TELEPORT COMMUNICATIONS GROUP INC./TCG SOUTH FLORIDA**

Teleport Communications Group Inc. and TCG South Florida (collectively "TCG"), pursuant to Order Nos. PSC-99-0476-PCO-TL and PSC-99-0558-PCO-TL and Rule 25-22.038(2), Florida Administrative Code, respectfully submit the following Prehearing Statement in the above-captioned proceedings.

A. Witnesses

TCG will present the direct and rebuttal testimony of Scott Stinson. Mr. Stinson's direct and rebuttal testimony address Issues 1, 2, 3, and 4 and set forth the grounds supporting TCG's position

that BellSouth's petition for waiver of the requirement to provide physical collocation in the North Dade Golden Glades central office ("Golden Glades") should be denied.

B. Exhibits

TCG intends to present the following exhibit included in the direct testimony of Mr. Stinson:

<u>Exhibit No.</u>	<u>Witness</u>	<u>Description</u>
SS-1 (Direct)	Scott Stinson	North Dade Golden Glades Floor Plan

TCG reserves the right to utilize additional exhibits for purposes of cross-examination.

C. Basic Position

Collocation is essential to the ability of interconnectors to obtain access to BellSouth's transmission facilities. Fulfilling BellSouth's obligation to make space available for physical collocation must take priority over fulfilling BellSouth's desire to maintain all existing uses of administrative space in its central offices, and BellSouth must not be permitted to reduce the amount of space available for physical collocation by reserving excessive amounts of space for equipment for future growth or by reserving space for future equipment for BellSouth affiliates.

The FCC's decision released March 31, 1999 in CC Docket No. 98-147, *In Re: Deployment of Wireline Services Offering Advanced Telecommunications Capability* ("Advanced Services Order"), rejects the policies relied upon by BellSouth as reasons for denying requests for physical collocation in these six central offices. BellSouth must comply with all of the terms of the Advanced Services Order, and BellSouth cannot meet its burden of proof that there is not space available for physical collocation in any central office until it has complied with all such terms.

In Golden Glades, there is 4,075 square feet of space available for physical collocation. This amount includes equivalent space available for cageless collocation pursuant to the Advanced

Services Order, but does not include space available for adjacent collocation although adjacent collocation also is required by the Advanced Services Order. Consequently, BellSouth's petition for waiver of the requirement to provide physical collocation for Golden Glades should be denied.

D. Issues and Positions

Issue 1: What obligation does BellSouth have to make space available at these central offices to permit physical collocation pursuant to the Act and applicable state and federal requirements?

TCG's Position: BellSouth's obligation to make space available for physical collocation in these central offices is set forth in Section 251(c)(6) of the Telecommunications Act of 1996 ("the Act"), in the FCC's Local Competition Order issued August 8, 1996, and in the FCC's Advanced Services Order issued March 31, 1999. The Act requires BellSouth to provide physical collocation unless it can demonstrate to the Commission that the requested physical collocation is not practical because of space limitations. The Local Competition Order and the Advanced Services Order establish national collocation standards and minimum terms and conditions pursuant to which incumbent LECs such as BellSouth must provide physical collocation, and allow state commissions to impose additional physical collocation obligations of incumbent LECs.

Issue 2: What factors should be considered by the Commission in making its determination on BellSouth's Petitions for Waiver and Temporary Waiver of the requirement to provide physical collocation for the following central offices:

- a) **Daytona Beach Port Orange**
- b) **Boca Raton Boca Teeca**
- c) **Miami Palmetto**
- d) **West Palm Beach Gardens**
- e) **North Dade Golden Glades**
- f) **Lake Mary**

TCG's Position: The Commission should examine:

- 1) The amount and arrangement of space occupied or planned for BellSouth affiliates:

- 2) Whether there is non-essential administrative and recreational space that could be reclaimed;
- 3) The terms under which BellSouth reserves space for its own future use;
- 4) The expected use of such reserved space;
- 5) The removal of obsolete unused equipment and the reconfiguration of equipment;
- 6) The reasonableness of BellSouth's projections of future equipment growth/ reductions by equipment categories;
- 7) Floor plans for the central offices which identify all areas and equipment sufficiently to audit usages and projections;
- 8) Plans for building additions or renovations which may affect space availability;
- 9) Results of central office tours in which ALECs have participated, including ALEC testimony and Commission Staff audit reports; and
- 10) BellSouth's compliance with the requirements of the Advanced Services Order.

Issue 3: Should BellSouth's Petitions for Waiver and Temporary Waiver of the requirement to provide physical collocation in the following central offices be granted:

- a) **Daytona Beach Port Orange**
- b) **Boca Raton Boca Teeca**
- c) **Miami Palmetto**
- d) **West Palm Beach Gardens**
- e) **North Dade Golden Glades**
- f) **Lake Mary**

TCG's Position: BellSouth's petition for waiver of the requirement to provide physical collocation in the North Dade Golden Glades central office should be denied. TCG believes that space is available for physical collocation in the other five central offices as well, but takes no position concerning this issue as to those offices.

Issue 4: If the Commission determines that a waiver request should be denied, how should BellSouth effectuate FCC Rule 47 C.F.R. §51.323(f)(1) in processing requests for physical collocation in those central offices?

TCG's Position: In any central office for which BellSouth has denied a request for physical collocation within the preceding three years, any newly available space should first be offered to the carriers whose requests for physical collocation were denied, beginning with the first such denial. Only reasonable space requests should be honored. BellSouth must not require ALECs to reapply for space that becomes available. If BellSouth improperly denied a request for physical collocation, BellSouth should be responsible for all of the costs associated with migrating a virtual collocation arrangement to physical collocation and any additional costs related to BellSouth's improper denial. Because the amounts of space previously requested for collocation in these six central offices were based on BellSouth's since-prohibited policy requiring requests to be made in minimum increments of 100 square feet, the ALECs who have made such requests should now be required to restate the actual and verifiable amounts of space which they reasonably expect to utilize for physical collocation equipment within a twelve-month period, after the Commission has ordered BellSouth to provide all collocation arrangements required by the Advanced Services Order. The process of restatement and verification of ALECs' space requests should not be left to BellSouth to manage alone.

E. STIPULATIONS TO ISSUES

TCG is not a party to any stipulations to issues.

F. PENDING MOTIONS

None.

G. OTHER REQUIREMENTS

TCG believes that this Prehearing Statement is fully responsive to the requirements of the above-stated procedural orders and Rule 25-22.038(2), Florida Administrative Code.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John R. Ellis", is written over a horizontal line.

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the Prehearing Statement of Teleport Communications Group Inc./TCG South Florida was furnished to the following by U. S. Mail this 10th day of May, 1999:

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waiver/prehearing

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