

ORIGINAL

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RECORDS AND REPORTING

May 10, 1999

Mrs. Blanca S. Bayó
Director, Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

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

Dear Ms. Bayó:

Enclosed are an original and 15 copies of the Prehearing Statement of BellSouth Telecommunications, Inc. Please file this document in the captioned matter.

A copy of this letter is enclosed. Please mark it to indicate that the original was filed and return the copy to me.

Sincerely,

J. Phillip Carver (cc)

J. Phillip Carver

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

Enclosures

cc: All parties of record
M. M. Criser, III
N. B. White
William J. Ellenberg II (w/o enclosures)

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FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE

05889 MAY 10 99

REC-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

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* Protective Agreements


J. Phillip Carver

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for temporary waiver of)
Physical collocation requirements set forth)
In the 1996 Telecommunications Act and)
The FCC's First Report and Order, for the)
Daytona Beach Port Orange Central Office)
By BellSouth Telecommunications, Inc.)
_____)

Docket No. 980946-TL

In re: Petition for temporary waiver of)
Physical collocation requirements set forth)
In the 1996 Telecommunications Act and)
The FCC's First Report and Order, for the)
Boca Raton Boca Teeca Central Office, by)
BellSouth Telecommunications, Inc.)
_____)

Docket No. 980947-TL

In re: Petition for Waiver of Physical)
Collocation Requirements Set Forth)
In the Telecommunications Act of 1996)
And the FCC's First Report and Order,)
for the Miami Palmetto Central)
Office, By BellSouth Telecommunications, Inc.)
_____)

Docket No. 980948-TL

In re: Petition for waiver of physical)
Collocation requirements set forth in the)
Telecommunications Act of 1996 and the)
FCC's First Report and Order, for the)
West Palm Beach Gardens Central Office,)
By BellSouth Telecommunications, Inc.)
_____)

Docket No. 981011-TL

In re: Petition for waiver of physical)
Collocation requirements set forth in the)
Telecommunications Act of 1996 and the)
FCC's First Report and Order, for the)
North Dade Golden Glades Central Office, by)
BellSouth Telecommunications, Inc.)
_____)

Docket No. 981012-TL

DOCUMENT NUMBER-DATE

05889 MAY 10 88

FPSC-RECORDS/REPORTING

In re: Petition for temporary waiver of)
 Physical collocation requirements set forth)
 In the 1996 Telecommunications Act and)
 The FCC's First Report and Order, for the)
 Lake Mary Main Central Office, by)
 BellSouth Telecommunications, Inc.)
 _____)

Docket No. 981250-TL

Date: May 10, 1999

PREHEARING STATEMENT OF BELL SOUTH TELECOMMUNICATIONS, INC.

BellSouth Telecommunications, Inc. ("BellSouth"), in compliance with the Order Establishing Procedure and Consolidating Dockets for Hearing (Order No. PSC-99-0476-PCO-TL), issued March 8, 1999, hereby submits its Prehearing Statement for the above-styled matter.

A. Witnesses

BellSouth proposes to call the following witnesses to offer testimony on the issues in this docket:

	<u>Witness</u>	<u>Issue(s)</u>
1.	W. Keith Milner (Direct and Rebuttal)	1, 2, 5, 6
2.	Thomas E. Fortenberry (Direct)	2
3.	SCM Panel – Shakur Bolden, William Perez, and Thomas Forness (Direct)	2
4.	CCM Panel – Susan E. Smith, Alan S. Levak, and Kenneth Krick (Direct)	2
5.	PCM Panel – John N. MacDonald and Robert Neil Fisher (Direct)	2
6.	Barbara Cruik (Direct and Rebuttal)	2
7.	CSCM Panel – Miguel F. Rodriguez, Louis A. Caban, Robert Cook, and Guy Ream (Direct and Rebuttal)	2

- | | | |
|----|--|---------|
| 8. | George Mainer (Direct and Rebuttal) | 2 |
| 9. | James D. Bloomer (Direct and Rebuttal) | 2, 3, 4 |

BellSouth reserves the right to call additional witnesses, witnesses to respond to Commission inquiries not addressed in direct or rebuttal testimony and witnesses to address issues not presently designated that may be designated by the Prehearing Officer at the prehearing conference to be held on May 17, 1999. BellSouth has listed the witnesses for whom BellSouth believes testimony will be filed, but reserves the right to supplement that list if necessary.

B. Exhibits

W. Keith Milner	WKM-1	Letter from Mr. Marta to Mr. Chubb, dated July 6, 1998; Letter from Mr. Chubb to Mr. Marta, dated September 25, 1998.
	WKM-2	Interconnection Agreements
SCM Panel (Bolden, Perez and Forness)	SCM Panel-1	Demand and Facility Charts
PCM Panel (MacDonald and Fisher)	PCM Panel-1	Miami Palmetto Central Office: Power Room
	PCM Panel-2	Miami Palmetto Central Office: Engine/Alternator Room
	PCM Panel-3	North Dade Golden Glades Central Office: First Floor Power Room and Engine Alternator Room
	PCM Panel-4	North Dade Golden Glades Central Office: Second Floor Power Room
	PCM Panel-5	Boca Raton Boca Teeca Central Office: Power Room

	PCM Panel-6	Boca Raton Boca Teeca Central Office: Engine/Alternator Room
	PCM Panel-7	West Palm Beach Gardens Central Office: Power Area
	PCM Panel-8	West Palm Beach Gardens Central Office: Engine/Alternator Room
CSCM Panel (Rodriguez, Caban, Cook And Ream)	CSCM Panel-1	North Dade Golden Glades First Floor Plan and Second Floor Plan
	CSCM Panel-2	Miami Palmetto, First Floor Plan
	CSCM Panel-3	Boca Raton Boca Teeca, First Floor Plan
	CSCM Panel-4	Daytona Beach Port Orange, First Floor Plan
	CSCM Panel-5	Lake Mary, First Floor Plan
	CSCM Panel-6	West Palm Beach Gardens, First Floor Plan
James D. Bloomer	JDB-1	Space Assessment Work Sheet Form
	JDB-2	North Dade Golden Glades Central Office: Building Sketch
	JDB-3	North Dade Golden Glades Central Office: Space Assessment Worksheet
	JDB-4	West Palm Beach Gardens Central Office: Building Sketch
	JDB-5	West Palm Beach Gardens Central Office: Space Assessment Worksheet
	JDB-6	Lake Mary Central Office: Building Sketch
	JDB-7	Lake Mary Central Office: Space

Assessment Worksheet

JDB-8	Daytona Beach Port Orange Central Office: Building Sketch
JDB-9	Daytona Beach Port Orange Central Office: Space Assessment Worksheet
JDB-10	Boca Raton Boca Teeca Central Office: Building Sketch
JDB-11	Boca Raton Boca Teeca Central Office: Space Assessment Worksheet
JDB-12	Miami Palmetto Central Office: Building Sketch
JDB-13	Miami Palmetto Central Office: Space Assessment Worksheet
JDB-14	North Dade Golden Glades Central Office: Photos of Areas from Staff Audit
JDB-15	West Palm Beach Central Office: Photos of Areas from Staff Audit
JDB-16	Lake Mary Central Office: Photos of Areas from Staff Audit
JDB-17	Daytona Beach Port Orange Central Office: Photos of Areas from Staff Audit
JDB-18	Boca Raton Boca Teeca Central Office: Photos of Areas from Staff Audit
JDB-19	Miami Palmetto Central Office: Photos Of Areas from Staff Audit
JDB-20	North Dade Golden Glades Central Office: Building Sketch of Areas from Staff Audit
JDB-21	West Palm Beach Gardens Central Office: Building Sketch of Areas from Staff Audit

JDB-22	Lake Mary Central Office: Building Sketch of Areas from Staff Audit
JDB-23	Daytona Beach Port Orange Central Office: Building Sketch of Areas from Staff Audit
JDB-24	Boca Raton Boca Teeca Central Office: Building Sketch of Areas from Staff Audit
JDB-25	Miami Palmetto Central Office: Building Sketch of Areas from Staff Audit
JDB-26	South Florida Building Code, Standard Building Code and Other Related Documentation

BellSouth reserves the right to file exhibits to any testimony that may be filed under the circumstances identified in Section "A" above. BellSouth also reserves the right to introduce exhibits for cross-examination, impeachment, or any other purpose authorized by the applicable Florida Rules of Evidence and Rules of this Commission.

C. Statement of Basic Position

Because the overall purpose of the 1996 Act is to open telecommunications markets to competition, facilities (such as collocation) are available as a result of the obligations imposed upon BellSouth under Sections 251 and 252 and as a result of this Commission's orders in the arbitration proceedings between BellSouth and certain Alternative Local Exchange Carriers (ALECs). BellSouth has worked in good faith to fulfill its obligations. BellSouth has provided 51 physical collocation arrangements and 85 virtual collocation arrangements to ALECs in Florida, all of them in a non-

discriminatory fashion, by following consistent and well-established policies. Contrary to any assertion by ALECs, BellSouth's treatment of ALECs' collocation requests has been nondiscriminatory and consistent with all state and federal rules and regulations.

BellSouth stands ready to provide all of the items in both its interconnection agreements and collocation agreements with ALECs.

D. BellSouth's Position on the Issues

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?

Position: Neither the Telecommunications Act of 1996 ("Act") nor the rules of the Federal Communications Commission (FCC) require BellSouth to make relocations and renovations to accommodate requests for physical collocation arrangements. The Federal Communications Commission has stated that "An incumbent LEC shall not be required to provide for physical collocation of equipment necessary for interconnection or access to unbundled network elements at the incumbent LEC's premises if it demonstrates to the state commission that physical collocation is not practical for technical reasons or because of space limitations." (47 CFR Chapter 1, 51.321(e)). This requirement has been met in the central offices at issue.

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) North Dade Golden Glades

e) Lake Mary

Position: The factors include: (1) existing building configuration such as the building outline and physical capacity of the structure; (2) space usage and forecasted demand. Other factors include Code and regulatory factors at the national, state, and local level (such as the National Fire Protection Act, the Southern Building Code, and local county and municipal codes), as well as space design practices.

Issue 3: Based on the factors identified in Issue 2, how much space should be considered available in the following central offices:

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

Position: (a) Daytona Beach Port Orange: none.

(b) Boca Raton Boca Teeca: none.

(c) Miami Palmetto: none.

(d) West Palm Beach Gardens: none.

(e) Lake Mary: none.

Issue 4: If space is considered available in any of these central offices, is the space sufficient for physical collocation?

Position: No. If the Commission determines that space is available in any of the six central offices at issue, this space would not be sufficient for physical collocation.

Issue 5: 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**

Position: Yes. No available space exists in any of the identified central offices for physical collocation. Therefore, BellSouth's Petitions should be granted.

Issue 6: If the Commission determines 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?

Position: If the Commission determines that space is available for physical collocation in a given central office for which BellSouth has filed a waiver, the Commission should specify the amount of space it has determined is available. Once the Commission's Order is final and unappealable, BellSouth would allocate the available space to requesting carriers on a "first come, first served" basis. BellSouth would offer the space to requesting carriers in the same order and for the same amount of floor space as had been originally requested.

E. Stipulations

None.

F. Pending Motions

None.

G. Other Requirements

None.

Respectfully submitted this 10th day of May, 1999.

BELLSOUTH TELECOMMUNICATIONS, INC.

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