



Public Service Commission

-M-E-M-O-R-A-N-D-U-M-

DATE: SEPTEMBER 2, 1999
TO: RECORDS AND REPORTING (MOSES)
FROM: DIVISION OF LEGAL SERVICES (CLEMONS, KEATING)
RE: DOCKET NO. 990969-TP - INVESTIGATION INTO SPACE AVAILABILITY FOR PHYSICAL COLLOCATION AT GTE FLORIDA INCORPORATED'S BRADENTON OFFICE.

Handwritten initials: DMC, BK, CB

On May 27, 1999, GTE Florida Incorporated (GTE) filed a copy of floor plans for its Bradenton Bay Central Office with the Commission's Division of Records and Reporting with a letter stating that Sprint Communications Company Limited Partnership (Sprint) had been denied physical collocation. The floor plans and accompanying documents were placed in a generic docket. On June 15, 1999, Sprint filed a Complaint against GTE, and Docket No. 990772-TP was established. In its Complaint, Sprint alleges that GTE denied its request for physical collocation in GTE's Bradenton Bay Central Office on the basis of space availability and failed to provide Sprint with a tour and detailed floor plans of said location within a timely manner and as provided by law. The parties subsequently resolved their dispute, and on July 21, 1999, Sprint filed a Notice of Withdrawal of Complaint, wherein it stated that it had toured GTE's Bradenton Bay Central Office and reviewed the associated floor plans. Accordingly, Docket No. 990772-TP was closed.

On July 27, 1999, however, the above referenced docket, Docket No. 990969-TP, was established to investigate GTE's claim that no space was available in its Bradenton Bay Central Office for physical collocation. The floor plans previously provided by GTE were transferred into this new docket from the generic docket.

On August 30, 1999, GTE submitted a letter, wherein it states:

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As a result of the FCC's March 31, 1999, collocation ruling . . . GTE began to reassess the space available for collocation in each of its central offices. As a result of this process, GTE has determined that there is physical collocation space available in the Bradenton Bay central office. . . . As such, GTE has changed its position that there is no space for physical collocation in the Bradenton Bay central office.

GTE also states that based upon its changed position, there is no need for an investigation, and therefore, it requests that the docket be closed. Staff agrees with GTE that there is no longer a need for an investigation. The matter was never set for hearing, no prehearing officer has been assigned, and no official action of the Commission has been taken.

DOCUMENT NUMBER-DATE

10737 SEP-7 99

FPSC-RECORDS/REPORTING

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Based on the foregoing, this docket should be closed administratively, pursuant to Section 2.07-2(6)(a), Administrative Procedures Manual.

Thank you.

DMC

cc: Division of Communications (Favors)

OK  
SM  
9/8/99