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Re: Collocation--Docket No. 981834-TP and 990321-TP

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Dear Ms. Bayó:

Enclosed for filing on behalf of MCI WorldCom, Inc. are the original and fifteen copies of its Direct Testimony of Ron Martinez.

By copy of this letter, this document is being furnished to the parties on the attached service list.

Very truly yours,

Richard D. Melson

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I HEREBY CERTIFY that a copy of the foregoing was furnished to the following parties by U.S. Mail or Hand Delivery (*) this 28th day of October, 1999.

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1 **BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

2 **PREFILED DIRECT TESTIMONY OF**

3 **RON MARTINEZ**

4 **ON BEHALF OF MCI WORLDCOM, INC.**

5 **DOCKET NOS. 981834-TP AND 990321-TP**

6 **October 28, 1999**

7

8 **Q: Please state your name and business address.**

9 A: My name is Ron Martinez. My address is MCI WorldCom, Inc., Concourse
10 Corporate Center Six, Six Concourse Parkway, Suite 3200, Atlanta, GA
11 30328.

12

13 **Q: By whom are you employed and in what capacity?**

14 A: I am employed by MCI WorldCom, Inc. in the Law and Public Policy Group
15 as an Executive Staff Member II. The responsibilities of my current position
16 include working with the MCI WorldCom business units to ensure timely
17 introduction of products and services. This position is a continuation of the
18 duties that I had with MCI Telecommunications Corporation prior to its merger
19 with WorldCom.

20

21 **Q: Please describe your education and employment experience.**

22 A: Prior to my current position, I managed the business relationships between the
23 former MCI and approximately 500 independent local exchange companies in
24 twenty-one states. I have experience in network engineering, administration

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1 and planning; facilities engineering, management and planning; network sales;
2 and technical sales support. Prior to joining MCI, I was the Director of Labs
3 for Contel Executone for several years. Before that, I worked for sixteen years
4 in the Bell system in numerous engineering, sales, and sales support functions.
5 I have a Master of Science degree in Operations Research and a Bachelor of
6 Science Degree in Electrical Engineering from the University of New Haven.

7

8 **Q: Have you testified before this Commission before?**

9 A: Yes, I have previously appeared as a witness in several other proceedings
10 before this Commission. My most recent appearance before the Commission
11 was in Docket No. 981121-TP, regarding UNE combinations.

12

13 **Q: On whose behalf are you appearing in these proceedings?**

14 A: I am appearing on behalf of MCI WorldCom Communications, Inc. and
15 MCImetro Access Transmission Services, LLP which are the two subsidiaries
16 of MCI WorldCom, Inc. that provide alternative local exchange service in
17 Florida. MCI WorldCom Communications, Inc. includes the former
18 operations of MFS Communications, which was one of the first ALECs to
19 begin operations in Florida. For convenience, I will refer to these two ALECs
20 collectively as MCI WorldCom.

21

22 **Q: What is the purpose of your testimony?**

23 A: My testimony addresses what I consider to be the key issues identified by the
24 Commission in these dockets. In general, my testimony discusses various

1 standards and guidelines that should govern the incumbent local exchange
2 companies' (ILECs') obligation to provide timely physical collocation on
3 reasonable terms and conditions. These standards and guidelines are needed to
4 ensure that ALECs have reasonable access to the arrangements they need to
5 enter and begin to compete in the local markets in Florida. In my testimony I
6 will refer to collocation obligations created by the Telecommunications Act of
7 1996 ("Act"), the FCC's Rules, and various FCC Orders, including the First
8 Report and Order and Further Notice of Proposed Rulemaking released on
9 March 31, 1999 in CC Docket 98-147, FCC 99-48 (the "Advanced Services
10 Order"). I will also refer to a recent decision of the Public Utilities
11 Commission of Texas which imposed various requirements on SouthWestern
12 Bell Telephone Company ("SWBT") relating to physical collocation.
13 Investigation of SWBT's Entry Into the Texas InterLATA Telecommunications
14 Market, Project No. 16251, Order Nos. 52 and 54, including the Collocation
15 Tariffs Matrix and Supplemental Collocation Tariffs Matrix, respectively.

16

17 **Response to Collocation Application (Issues 1 and 2)**

18 **Q: When should an ILEC be required to respond to a complete and correct**
19 **application for collocation?**

20 **A:** Under the Advanced Services Order, an ILEC is required to respond to an
21 application for collocation within 10 days. MCI WorldCom is willing to
22 accept the Commission's ruling in the PAA Order in this docket that the ILEC
23 can provide the initial response within 15 calendar days from receipt of a
24 complete and correct application, provided that the initial response includes the

1 information necessary for the ALEC to place a firm order for collocation.

2

3 **Q. What information is necessary in the initial response in order for the**
4 **ALEC to make a decision to place a firm order?**

5 **A.** The initial response should indicate whether or not the requested space is
6 available. If space is available, the initial response should also include all the
7 following information:

8 • **PRICE QUOTE:** A firm price quote for the requested space (see Issue
9 13).

10 • **DIMENSIONS:** The physical size and shape of the space.

11 • **OBSTRUCTIONS:** The physical location of lighting, ventilation, power,
12 heat, air conditioning, and other environmental equipment for collocater's
13 space and equipment.

14 • **DIVERSITY:** The availability of dual fiber entrance to the central office.
15 Where dual entrance is available, the ILEC should provide all ingress and
16 egress dimensions for cabling to collocation space. This information
17 should be provided on telephone equipment drawings depicting the exact
18 path, with dimensions, for Outside Plant Fiber ingress and egress into
19 collocated space.

20 • **POWER CONSIDERATIONS:** The ILEC should provide power cabling
21 connectivity information including the sizes and number of power feeders
22 as well as footage of cables.

23 • **HAZARDS:** Environmental hazards present (e.g., asbestos).

24 • **ENGINEERING INFORMATION:** The target date for the release of

1 BellSouth engineering documents which should include, but not be limited
2 to, connector type, number and type of pairs, and naming convention.

3 • DUE DATE: The target commencement date, which is the date that the
4 collocator's equipment space will be turned up and operational.

5 As discussed under Issue 18, if there is some space available, but not
6 enough to fully satisfy the ALEC's request, the ILEC should provide
7 information on the amount of space that is available, and all the information
8 necessary for the ALEC to place a firm order for the smaller space if it so
9 chooses.

10
11 **Q: Should all of the information you have just listed be provided as part of**
12 **the initial 15-day response, or can some of it be furnished at a later time?**

13 A: I believe it all can and should be furnished as part of the initial response.
14 However, if furnishing the Engineering Information and Due Date information
15 would delay the initial response, MCI WorldCom could agree to defer this
16 information for a short time.

17
18 **Q: If the information provided by an ILEC in its initial response is**
19 **insufficient to place a firm order, when should the ILEC provide**
20 **information, or should an alternative procedure be implemented?**

21 A: MCI WorldCom agrees with the FCC, which said at paragraph 54 of the
22 Advanced Services Order that "we encourage the state commissions to ensure
23 that incumbent LECs are given specific time intervals within which they must
24 respond to collocation requests." As stated above, it is important that the initial

1 response include sufficient information for the ALEC to place a firm order for
2 collocation space. MCI WorldCom does not believe that this requirement is
3 overly burdensome, and therefore sees need for an alternate procedure. The
4 introduction of an alternative to a mandated date is, in my view, nothing more
5 that a license to avoid the mandate.

6

7 **"On-Premises" and "Off-Premises" Physical Collocation (Issues 3 and 4)**

8 **Q: Has the FCC provided any guidance on how the term "premises" should**
9 **be construed?**

10 A: Yes. In the FCC's First Report and Order in CC Docket No. 96-98, FCC 96-
11 325 (Released August 8, 1996) (FCC Rcd 15499) (the "Local Competition
12 Order"), the FCC at paragraph 573 concluded that:

13 In light of the 1996 Act's procompetitive purposes, we find
14 that a broad definition of the term "premises" is appropriate in
15 order to permit new entrants to locate at a broad range of
16 points under the incumbent LEC's control. A broad definition
17 will allow collocation at points other than those specified for
18 collocation under the existing Expanded Interconnection
19 requirements.

20 Thus, at paragraph 573 of the Local Competition Order the FCC specifically
21 said:

22 We therefore interpret the term "premises" broadly to include
23 LEC central offices, serving wire centers and tandem offices,
24 as well as all buildings or similar structures owned or leased

1 by the incumbent LEC that house LEC network facilities. We
2 also treat as incumbent LEC premises any structures that
3 house LEC network facilities on public-rights-of way, such as
4 vaults containing loop concentrators or similar structures.

5 This broad definition of the term "premises" has been further reinforced by the
6 recent Advanced Services Order. In paragraphs 39 to 45 of this Order, the
7 FCC specifically authorized collocation in any available space inside or
8 outside of the central office.

9
10 **Q: What areas does MCI WorldCom believe should be considered as ILEC**
11 **"premises" for purpose of the ILEC's obligation to permit physical**
12 **collocation?**

13 **A: In MCI WorldCom's view, consideration of the term "premises" must begin**
14 **with the FCC's definition at 47 C.F.R. section 51.5:**

15 51.5 Terms and definitions

16 *Premises. Premises* refers to an incumbent LEC's central
17 offices and serving wire centers, as well as all buildings or
18 similar structures owned or leased by an incumbent LEC that
19 house its network facilities, and all structures that house
20 incumbent LEC facilities on public rights-of-way, including but
21 not limited to vaults containing loop concentrators or similar
22 structures.

23 MCI WorldCom also agrees with the Texas Commission that "when space is
24 legitimately exhausted in a particular LEC premises" (see Advanced Services

1 Order at paragraph 44), space in nearby ILEC buildings which house
2 administrative functions should be available for physical collocation at the
3 ALEC's option. In this regard, the Texas Commission applied a broad
4 definition of premises to conclude:

5 The Commission also finds that, to the extent space in an
6 Eligible Structure is "legitimately exhausted" and the SWBT
7 property also has within close proximity an "administrative
8 office" where network facilities could be housed, that space
9 should be looked at as a possible adjacent on-site collocation
10 location. (Texas Matrix at page 8)

11

12 **Q: Do the ILECs have any obligations to interconnect with ALEC physical**
13 **collocation facilities located "off-premises"?**

14 **A.** Yes, in the Advanced Services Order at paragraph 45 the FCC said:

15 [W]e now conclude that the deployment by any incumbent LEC of
16 a collocation arrangement gives rise to a rebuttable presumption in
17 favor of a competitive LEC seeking collocation in any incumbent
18 LEC premises that such an arrangement is technically feasible. . .

19 We believe this "best practices" approach will promote
20 competition.

21 The Texas Commission has concluded that the FCC's March 31, 1999 order
22 did not restrict collocation to ILEC premises. The Texas Commission said:

23 The Commission finds that the tariff should be amended to
24 include off-site adjacent collocation within the definition of

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“Adjacent Structure.” The FCC’s March 31, 1999 Order does not restrict collocation to the premises of the ILEC. Specifically, the Order provides that collocation is authorized “in adjacent controlled environmental vaults or similar structures to the extent technically feasible.” FCC Order at ¶ 44. The term “adjacent” is not defined or restricted to the premises or property of the ILEC. This is a critical point because SWBT may not have appropriate space on its property adjacent to the Eligible Structure conducive to collocation, while an adjacent non-SWBT property would provide an opportunity for collocation. Limiting adjacent collocation to SWBT property could therefore have the effect of precluding a ALEC from collocating adjacent to an eligible structure.

(Texas Matrix at 7)

Under this method established in Texas, the ILEC's UNEs would be extended to the adjacent off-premises location. The ALEC would then provide the collocation facilities and the power and HVAC necessary to operate these facilities. While this Commission is not limited to the definition of adjacent premises provided by the Texas Commission, it would appear that under the “best practices” approach outlined in the Advanced Services Order, there is a requirement for the incumbent to provide extend UNEs to adjacent “off-premises” buildings.

1 **Converting Virtual Collocation to Physical Collocation (Issue 5)**

2 **Q: What terms and conditions should apply to converting virtual collocation**
3 **to physical collocation?**

4 A: An ALEC should have the option, but not an obligation, to convert virtual
5 collocation arrangements to physical collocation arrangements, including
6 either caged or cage-less physical collocation. Any request to change from one
7 form of collocation to another should be initiated by the ALEC. This will
8 greatly minimize the ability of the incumbent LEC to inconvenience the ALEC
9 and its customer base by requiring untimely and costly moves of equipment.
10 Of course, if the ALEC chose to convert a virtual collocation arrangement to a
11 cage-less arrangement, no equipment move would be required.

12 In addition, the ILEC should not impose any greater restrictions on the
13 ALEC's conversion than those that ordinarily apply to the collocation method
14 that the ALEC is migrating to. Further, a migration plan should be agreed to
15 and followed to ensure that there is minimum interruption to the ALEC's
16 services being migrated.

17
18 **Changes to Existing Collocation Space (Issue 6)**

19 **Q: What are the appropriate response and implementation intervals for**
20 **ALEC changes to existing collocation space?**

21 A: First and foremost, MCI WorldCom believes strongly that most changes made
22 by an ALEC *within* its collocation space do not warrant either implementation
23 intervals or additional applications or application fees. When an ALEC such
24 as MCI WorldCom submits its initial request for collocation, it provides the

1 ILEC with information about the ultimate power requirements and equipment
2 configuration for the collocation space. These represent the ALEC's best view
3 of equipment it intends to place in the collocation space, and the maximum
4 power that this location will use. So long as changes to the use of the space do
5 not cause the ALEC to exceed its initial forecast of space and power
6 requirements, there should be no obligation to obtain the ILEC's permission,
7 through subsequent applications and their associated fees, for the ALEC to
8 self-install equipment in its leased space. At most, the ALEC should be
9 required to make an informational notification to the ILEC to enable the ILEC
10 to update its records regarding the types of equipment actually installed.

11 In situations where an ALEC legitimately requires the space to be
12 modified with respect to space, power or HVAC, then the standard intervals
13 for collocation would apply. However, the subsequent request forms and their
14 associated fees would apply.

15

16 **Subleasing or Sharing Collocation Space and Cross-Connections (Issue 7)**

17 **Q: What should be the obligations of the ALEC and the ILEC with respect to**
18 **the sharing or subleasing of a physical collocation space?**

19 **A:** The ALEC who initially leased the space should be responsible for notifying
20 the ILEC that it has agreed to sublease the space to, or share it with, another
21 ALEC. In addition, the initial ALEC is responsible for establishing the terms
22 and conditions upon which its sublessee can utilize the space, provided the
23 terms and conditions are not inconsistent with the Advanced Services Order or
24 the underlying arrangement with the ILEC.

1 The ILEC's obligation in these situations should be (i) to honor the
2 terms and conditions established by the two ALECs; (ii) to prorate the charges
3 for site conditioning and preparation undertaken by the ILEC to construct the
4 shared collocation space if such charges have not already been paid; (iii) to
5 permit each ALEC to order UNEs and provision service from that space,
6 regardless of which competitive ALEC was the original collocator; and (iv) not
7 to place unreasonable restrictions on a subsequent collocator's use of the space.

8

9 **Q: What should be the obligations of the ILEC and the ALEC with respect to**
10 **one collocator cross-connecting with another collocator?**

11 **A:** If the ALEC chooses to install the cross-connections itself, as it is clearly
12 permitted to do under the Advanced Services Order, it should be required only
13 to notify the ILEC that it is performing the work. Since the ILEC is
14 performing no service and providing no additional facilities in this situation, it
15 should not be permitted to require an application or to charge any fees with
16 respect to the cross-connection.

17 In this regard, FCC Rule 51.323 provides:

18 (h) An incumbent LEC shall permit a collocating
19 telecommunications carrier to interconnect its network with
20 that of another collocating telecommunications carrier at the
21 incumbent LEC's premises and to connect its collocated
22 equipment to the collocated equipment of another
23 telecommunications carrier within the same premises provided
24 that the collocated equipment is also used for interconnection

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with the incumbent LEC or for access to the incumbent LEC's unbundled network elements.

(1) An incumbent LEC shall provide, at the request of a collocating telecommunications carrier, the connection between the equipment in the collocated spaces of two or more telecommunications carriers. *The incumbent LEC must permit any collocating telecommunications carrier to construct its own connection between the carrier's equipment and that of one or more collocating carriers, if the telecommunications carrier does not request the incumbent LEC's construction of such facilities.* The incumbent LEC must permit the requesting carrier to construct such facilities using copper or optical fiber equipment.

(2) *An incumbent LEC shall permit collocating telecommunications carriers to place their own connecting transmission facilities within the incumbent LEC's premises outside of the actual physical collocation space, subject only to reasonable safety limitations.*

(Emphasis added.)

Q: What has been BellSouth's position on this issue?

A: BellSouth's position has been that if an ALEC wishes to make a connection to another ALEC, it is required to submit a subsequent application request and pay the associated fees. Based on BellSouth's ex parte filing dated March 8,

1 1999 in CC Docket No. 98-121, it appears that the subsequent application fee
2 would be \$1,600 or more. This type of fee would have the net effect of all but
3 eliminating the self-construction option for the ALEC community. Under this
4 pricing, it would not be cost-effective for an ALEC to exercise its right to
5 perform the cross-connection itself unless it required a substantial number of
6 connections to the other ALEC.

7 To avoid this unwarranted result, BellSouth should, as the FCC has
8 ordered, allow collocating ALECs construct (i.e. run cable) and interconnect
9 their equipment. The ALEC should, as a courtesy, be required to inform
10 BellSouth that this work will be done. As BellSouth is not required, in this
11 scenario, to perform any work functions whatsoever, BellSouth should not be
12 allowed to require a subsequent application or to charge an ALEC for the right
13 to perform its own cabling.

14

15 **Reservation of Space for Future Use (Issue 10)**

16 **Q: What are reasonable parameters for reserving space for future use?**

17 **A:** The ILECs and the ALECs should be at parity with respect to the ability to
18 reserve central office space for future use. The maximum time frame that
19 should be allowed for reservations is 2 years.

20 In addition, if modifications or additions are planned to a central office
21 to make additional space available (or if obsolete equipment is scheduled for
22 removal), any space designated by the ILEC for "future use" that extends
23 beyond the expected building relief date should be released for use by ALECs
24 who have a current need for the space.

1 **Parameters for Use of Administrative Space (Issue 11)**

2 **Q: What are reasonable parameters for reserving central office space for**
3 **administrative use by the ILEC?**

4 **A:** There is no need to restrict an ILEC's use of central office space for
5 administrative purposes so long as it is able to accommodate all requests for
6 physical collocation. When an ILEC claims that physical collocation space is
7 no longer available, MCI WorldCom believes that this comes down to a
8 question of what personnel are essential for the operation of the wire center.
9 A denial of physical collocation due solely to the presence of non-essential
10 personnel (i.e. personnel whose work functions have nothing to do with the
11 day-to-day operation of the wire center), would clearly be discriminatory in
12 that these personnel would be required to leave if the ILEC needed the space
13 for its own equipment needs.

14 With respect to the space requirements for essential personnel, MCI
15 WorldCom recommends that minimum office force, work area and floor space
16 guidelines should be identified for each class of wire center (i.e. manned,
17 unmanned, line size, etc). The ILEC should be required to have these
18 guidelines approved by the Commission and these minimum space
19 requirements should be clearly indicated on the floor plans for each central
20 office so as to avoid confusion in the future.

21 As long as space is available in a central office, the ILEC should be
22 allowed to allocate space for administrative functions which exceeds these
23 standards. However, if space becomes scarce then (i) non-essential personnel
24 would be required to find new quarters; and (ii) essential personnel would be

1 restricted to the guideline levels for wire center staffing.

2

3 **Equipment Permitted in Collocation Space (Issue 12)**

4 **Q: What types of equipment are the ILECs obligated to allow in a physical**
5 **collocation space?**

6 A: The FCC has addressed this issue, both in paragraph 28 of the Advanced
7 Services Order and in the rules adopted at 47 C.F.R. section 51.323(b),(c).
8 Under these rules and guidelines, the ILEC must permit the collocation of any
9 equipment that is "used and useful" for either interconnection or access to
10 unbundled network elements, regardless of the other functionalities inherent in
11 such equipment. The FCC Rules specifically include digital subscriber line
12 access multiplexers (DSLAMs), routers, asynchronous transfer mode (ATM)
13 multiplexers and remote switching modules on the list of permitted equipment.
14 (Rule 51.323(b)(3)) While the ILEC is not required to permit collocation of
15 equipment used *solely* for switching or to provide enhanced services, the ILEC
16 cannot place any limitations on the ALEC's ability to use all the features,
17 functions and capabilities of equipment that is used or useful for
18 interconnection or access to UNEs.

19 In addition, the ILEC cannot impose safety or engineering requirements
20 on ALEC equipment that are more stringent than the standards that the ILEC
21 applies to its own equipment located on the premises in question.

22

23 **Price Quotations (Issue 13)**

24 **Q: What obligation should an ILEC have to provide an ALEC with price**

1 **quotes prior to the ALEC's submittal of a firm order for collocation**
2 **space?**

3 A: An ILEC should be required to provide a firm price quote as part of its initial
4 response to an ALEC's application for collocation. An ALEC is making a
5 substantial business decision when it makes the determination to place a firm
6 order for collocation space. As such, the ILEC should provide a price quote
7 which represents a "Firm Price" for the space requested at the same time the
8 ILEC responds to the ALEC's request for space.

9

10 **Certified Contractors (Issue 15)**

11 **Q: Should an ALEC be permitted to hire an ILEC-certified contractor to**
12 **perform space preparation, racking and cabling, and power work?**

13 A: Yes. In addition, MCI WorldCom should have the right to train and obtain
14 certification for other contractors, and for MCI WorldCom employees, so as to
15 broaden the available work force. This work force should be able to perform
16 any function (i.e. site preparation, equipment installation, equipment
17 maintenance, etc.) that is required within the collocation space.

18

19 **Extension of Provisioning Intervals (Issue 16)**

20 **Q: Can you think of any reasons that the Commission-established**
21 **provisioning intervals should be extended without either an agreement by**
22 **the applicant or a filing by the ILEC of a request for extension of time?**

23 A: No. Other than a written agreement from the ALEC that the interval should be
24 extended, the interval for completing the collocation space should not be

1 changed without formal Commission action on an ILEC waiver request. As the
2 FCC recognized at paragraph 55 of the Advanced Services Order:

3 Even with a timely response to their applications, however,
4 new entrants cannot compete effectively unless they have
5 timely access to provisioned collocation space. We urge the
6 states to ensure that collocation space is available in a
7 timely and pro-competitive manner that gives new entrants
8 a full and fair opportunity to compete.

9

10 **Q. Do you agree with BellSouth's position that the time for provisioning**
11 **collocation should be tolled during the period of time it takes to obtain**
12 **building permits?**

13 **A:** No. It is MCI WorldCom's opinion that BellSouth should be held to meeting
14 the 90-day interval established by this Commission unless and until it proves
15 the need for an exception in a specific factual situation. An automatic
16 extension for the time required to obtain a building permit could encourage an
17 ILEC to be less than diligent in managing the permitting process. In cases
18 where there are legitimate delays that are not the fault of the ILEC, either the
19 applicant could agree to an extension, or the Commission could rule on a
20 waiver request.

21

22 **Allocation of Costs of Security Arrangements and Equipment Removal (Issue 17)**

23 **Q: How should the costs for security arrangements imposed by the ILEC be**
24 **allocated and recovered?**

1 A: The Advanced Services Order recognizes that reasonable security
2 arrangements to protect both the ILEC and the ALEC are important to
3 encourage the deployment of advanced services. (Paragraph 46) The Order
4 therefore permits an ILEC to "impose security arrangements that are as
5 stringent as the security arrangements that incumbent LECs maintain at their
6 own premises either for their own employees or for authorized contractors."
7 (Paragraph 47) Examples of the permitted security arrangements include
8 installation of security cameras or other monitoring systems, requiring ALECs
9 to use badges with computerized tracking systems, or requiring security
10 training. In general, the ILEC cannot impose any security requirements that
11 are more stringent than those it applies to its own employees or contractors.
12 (Paragraph 47)

13 In light of these security standards, there should rarely be any security
14 costs to be allocated among ALECs. The costs to install and maintain a
15 reasonable central office security system should have already been present and
16 included in a forward-looking cost model used to set collocation rates.

17 MCI WorldCom shares the concern expressed by the Texas
18 Commission that the ILECs may attempt to provide additional security
19 measures that are designed to protect the ILEC, not the ALEC. For example,
20 the Texas Commission specifically prohibited SWBT from charging
21 collocators for the cost of interior partitions around SWBT's equipment, unless
22 SWBT proved that cost of constructing such a partition was lower than the cost
23 of other reasonable security measures. In addition, the Texas Commission
24 stated that the burden of proof should rest with the ILEC to justify any security

1 system that the ILEC claims is required over and above the systems it already
2 has in place for their own employees and contractors.

3 MCI WorldCom believes that if any additional systems are found to be
4 justified, the costs for these additional requirements should be spread over both
5 the ILEC and the ALECs on a square foot basis. Further, any ALEC that may
6 have paid for security systems that are not required or permitted under the
7 Advanced Services Order (i.e. dedicated entrances) should be reimbursed for
8 those costs.

9

10 **Q. How should the cost of removing obsolete equipment be allocated?**

11 A. The entire cost of removing obsolete equipment should be borne by the ILEC.
12 That equipment will have to be removed eventually, and there is no
13 justification for using claims of "early removal" to shift costs to the ALECs. If
14 the ILEC were allowed to allocate such costs to ALECs, then the ILEC would
15 have the incentive to leave the equipment in place for as long as possible,
16 hoping that it would get a collocation request which would enable it to impose
17 its costs on some other party.

18

19 **Notification if Insufficient Space is Available (Issue 18)**

20 **Q: If sufficient space is not available at the time of an ALEC request for**
21 **space to satisfy the entire request, should the ILEC be required to advise**
22 **the ALEC as to the amount of space that is available?**

23 A: Yes. In addition, the ALEC should be provided the opportunity to modify its
24 request, without penalty, in order to obtain the space that is available.

1 **Notification of Space Availability (Issue 19)**

2 **Q: If space for physical collocation becomes available in a central office for**
3 **which an ILEC has previously been granted a waiver, when should**
4 **ALECs and the Commission be informed of the availability of space in**
5 **that office?**

6 **A:** The ALECs and the Commission should be notified of the availability of space
7 as soon as the ILEC knows the approximate date on which such space will
8 become available. As part of obtaining a waiver, the ILEC presumably will
9 have shown what its plans are for relieving the central office and will have
10 established some timetable for removing obsolete unused equipment,
11 constructing additional space, etc. Since all of this type of relief work will
12 have to start in advance, the ILEC should be able to provide estimated space
13 availability dates well before the date the space actually becomes available.

14 This notification should be handled by a letter to the Commission and
15 to all ALECs who have filed requests for collocation in the central office. In
16 addition, this information should be posted for viewing on the Internet as part
17 of the FCC-required document indicating which ILEC premises are full. As
18 the FCC stated in paragraph 59 of the Advanced Services Order, each new
19 entrant cannot be required to apply for collocation space in every central office
20 in order to find out if there is space available in that office, when such
21 information is readily available to the incumbent LEC that occupies that office.
22 In addition, at paragraph 58, the FCC requires the incumbent to maintain a
23 publicly available document, posted for viewing on the Internet, which
24 indicates which premises are full and must be updated within 10 days of the

1 date at which a premises runs out of physical collocation space. The
2 Commission should require Florida ILECs to update this report, as close to real
3 time as possible, when the ILEC determines the date on which a previously full
4 central office will have additional space available.

5

6 **"First-Come, First-Served" Rule (Issue 21)**

7 **Q: When space becomes available in a central office because a waiver request**
8 **is denied, or because modifications are made to a previously full central**
9 **office, how should the "first-come, first-served" rule be applied?**

10 **A:** MCI WorldCom believes that the ILECs should always maintain a list of "firm
11 orders" and the date on which they were received. When the need arises to
12 invoke the "first-come, first-served" rule, the ALECs with the oldest "firm
13 orders" for space should be given priority by the date in which those orders
14 were received. This prioritized list should be used as the basis for contacting
15 ALECs and offering them space when space becomes available in an office
16 where physical collocation had previously been denied. This process is
17 extremely important to ensure that each entity is treated fairly.

18

19 **Q. Should an ALEC that originally requested physical collocation but was**
20 **forced to accept virtual collocation keep its place in line?**

21 **A.** Yes. The first-come, first-served rule should continue to apply based on the
22 date that the ALEC's initial order for physical collocation was received. The
23 fact that the ALEC accepted virtual collocation should not affect its priority
24 when space for physical collocation becomes available.

1 **Q: Does that conclude your testimony?**

2 **A: Yes.**

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