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VIA HAND DELIVERY

October 28, 1999

RECORDS AND REPORTING

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

Re: Docket Nos. 981834-TP and 990321-TP

Dear Ms. Bayo:

Enclosed for filing in the above docket are the original and fifteen (15) copies of Sprint Communications Company L.P. and Sprint-Florida, Incorporated's Direct Testimonies of Michael R. Hunsucker and Melissa L. Cloz.

*Only Melissa Cloz filed on 10/28/99
Jan*

Please acknowledge receipt and filing of the above by stamping the duplicate copy of this letter and returning the same to this writer.

Thank you for your assistance in this matter.

Sincerely,

Susan S. Masterton

Susan S. Masterton

Enclosures

cc: Parties of Record

- AFA _____
- APP _____
- CAF _____
- CMU *Simon*
- CTR _____
- EAG _____
- LEG *2*
- MAS *3 + orig*
- OPC _____
- PAI _____
- SEC *1*
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1 **BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

2 **DIRECT TESTIMONY**

3 **OF**

4 **MELISSA L. CLOSZ**

5
6 **Q. Please state your name and business address.**

7
8 **A. My name is Melissa L. Cloz. My business address is 555**
9 **Lake Border Drive, Apopka, Florida 32703.**

10
11 **Q. By whom are you employed and in what capacity?**

12
13 **A. I am employed by Sprint as Director-Local**
14 **Market Development.**

15
16 **Q. Please describe your educational background and work**
17 **experience.**

18
19 **A. I have a Master of Business Administration degree from**
20 **Georgia State University in Atlanta, Georgia and a Bachelor**
21 **of Business Administration degree from Texas Christian**
22 **University in Fort Worth, Texas. I have been employed by**
23 **Sprint for over eight years and have been in my current**
24 **position since February, 1997. I began my telecommunications**
25 **career in 1983 when I joined AT&T Long Lines progressing**

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1 through various sales and sales management positions. In
2 1989, I joined Sprint's Long Distance Division as Group
3 Manager, Market Management and Customer Support in Sprint's
4 Intermediaries Marketing Group. In this capacity, I was
5 responsible for optimizing revenue growth from products and
6 promotions targeting association member benefit programs,
7 sales agents and resellers. I owned and operated a consumer
8 marketing franchise in 1991 and 1992 before accepting the
9 General Manager position for Sprint's Florida unit of United
10 Telephone Long Distance ("UTLD"). In this role, I directed
11 marketing and sales, operational support and customer service
12 for this long distance resale operation. In Sprint's Local
13 Telecommunications Division, in 1993, I was charged with
14 establishing the Sales and Technical Support organization for
15 Carrier and Enhanced Service Markets. My team interfaced
16 with interexchange carriers, wireless companies and
17 competitive access providers. After leading the business
18 plan development for Sprint Metropolitan Networks, Inc.
19 ("SMNI", now a part of Sprint Communications Company Limited
20 Partnership), I became General Manager in 1995. In this
21 capacity, I directed the business deployment effort for
22 Sprint's first alternative local exchange company ("ALEC")
23 operation, including its network infrastructure, marketing
24 and product plans, sales management and all aspects of
25 operational and customer support.

1 Q. What are your present responsibilities?

2

3 A. My present responsibilities include representation of Sprint
4 in interconnection negotiations with BellSouth
5 Telecommunications, Inc. ("BellSouth"). In addition, I am
6 responsible for coordinating Sprint's entry into the local
7 markets within BellSouth states. I also interface with the
8 BellSouth account team supporting Sprint to communicate
9 service and operational issues and requirements.

10

11 Q. Have you testified previously before state regulatory
12 commissions?

13

14 A. Yes, I have testified before state regulatory commissions in
15 Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi,
16 New York, North Carolina, South Carolina and Tennessee.

17

18 Q. What is the purpose of your testimony in this proceeding?

19

20 A. The purpose of my testimony is to provide input to the
21 Florida Public Service Commission ("FPSC") that is relevant
22 to its consideration of the collocation issues identified in
23 Dockets 98-1834-TP & 990321-TP. Specifically, I will address
24 issues 1,2,5,6,8,9,12,13,14,15, 16 and 18. Michael Hunsucker
25 is also presenting testimony on behalf of Sprint and will be

1 addressing Sprint's overall policy positions in this
2 proceeding as well as the remaining identified issues.

3

4 ISSUE 1

5

6 When should an ILEC be required to respond to a complete and
7 correct application for collocation and what information
8 should be included in that response?

9

10 Q. What responses should the ILEC provide upon receipt of a
11 complete and correct application for collocation?

12

13 A. There are two specific responses that the ILEC should
14 provide. The first tells the collocation applicant whether
15 or not there is space available to accommodate their request.
16 The second response gives the applicant a price quote and
17 provides technical information relevant to the collocation
18 arrangement requested.

19

20 Q. When should the ILEC be required to notify the applicant
21 whether or not space is available to accommodate their
22 request?

23

24 A. An ILEC should respond within ten (10) calendar days of
25 receipt of an application for collocation to inform the

1 requesting carrier whether space is available or not. This
2 is consistent with paragraph 55 of the FCC's First Report and
3 Order in Docket 98-147, "We view ten days as a reasonable
4 time period within which to inform a new entrant whether its
5 collocation application is accepted or denied." This timely
6 response is critical to enabling new entrants to quickly
7 reassess collocation deployment plans such that impacts to
8 the new entrants' marketing plans are minimized.

9

10 **Q. What information should be included with the ILEC's response**
11 **to inform the requesting carrier whether or not space is**
12 **available?**

13

14 **A. The ILEC's response should indicate whether or not space is**
15 **available to accommodate the collocation request. If space**
16 **is not available, the ILEC is required, pursuant to FCC Rule**
17 **51.321 (f), to "submit to the state commission, subject to**
18 **any protective order as the state commission may deem**
19 **necessary, detailed floor plans or diagrams of any premises**
20 **where the incumbent LEC claims that physical collocation is**
21 **not practical because of space limitations." The ILEC should**
22 **also submit this information to the collocation applicant**
23 **along with this initial response.**

24

1 Q. When should additional response information be provided and
2 what should be included in that response?

3
4 A. A two-step process for providing additional information
5 should apply depending on whether collocation prices are
6 tariffed or covered by the ALEC's interconnection agreement
7 or whether they must be developed on a Individual Case Basis
8 (ICB). To the extent that collocation price elements are
9 tariffed or covered by the ALEC's interconnection agreement,
10 the ILEC should provide price quotes to requesting
11 collocators within fifteen (15) calendar days of receipt of
12 a complete and correct collocation application. The price
13 quote should include an itemized description of the
14 applicable recurring and non-recurring costs associated with
15 the collocation configuration.

16
17 If collocation price elements, including space preparation
18 costs, are not tariffed or covered by the ALEC's
19 interconnection agreement and are instead quoted on an
20 "ICB", the ILEC should provide price quotes to requesting
21 collocators within 30 calendar days from receipt of a
22 complete and correct collocation application.

23
24 In addition, the ILEC should provide all equipment lay-out,
25 cabling, power, and engineering information that is relevant

1 to the requested collocation within thirty (30) calendar days
2 from receipt of a complete and correct collocation
3 application. This will enable the requesting carrier to
4 fully evaluate the collocation deployment parameters and make
5 decisions regarding moving forward with a firm order.

6 ISSUE 2

7
8 If the information included in the ILEC's initial response is
9 not sufficient to complete a firm order, when should the ILEC
10 provide such information or should an alternative procedure
11 be implemented?

12
13 Q. What does sprint believe are the key concerns that issue
14 2 seeks to address?

15
16 A. Sprint's understanding is that this issue seeks to address
17 whether "traditional" collocation application processes
18 provide an opportunity for ALECs to move to the "firm order"
19 stage more quickly than current timeframes will allow, or
20 whether an alternative procedure should be implemented that
21 would permit ALECs to more quickly enter the firm order stage
22 of the collocation deployment process. Sprint's current
23 collocation application process provides for ALEC submission
24 of the collocation application, a "space or no space"
25 response within ten (10) calendar days of that submission,

1 and price quotes within fifteen (15) calendar days of
2 submission where collocation prices are tariffed or covered
3 by the ALEC's interconnection agreement and within thirty
4 (30) calendar days of submission when ICB pricing is
5 required. Technical information including floor plan, power
6 and engineering information relevant to the requested
7 collocation would also be provided within the thirty (30) day
8 interval. ALEC submission of a firm order for collocation
9 space, according to this process, would follow receipt of the
10 price quote and technical information.

11

12 Q. To address the specific question raised by issue 2, would the
13 information included in the ILEC's initial response be
14 sufficient to complete a firm order?

15

16 A. From an ILEC standpoint, if there is space available to
17 accommodate the collocation requested, the ILEC has the
18 information that is needed to proceed with a firm order. The
19 question of whether the information provided in the initial
20 "space or no space" response is adequate to proceed is really
21 dependent upon the ALEC's willingness to accept the
22 provisioning configuration of the ILEC without having
23 detailed cost or provisioning information. For example, an
24 ALEC may determine that it is willing to move forward
25 immediately upon being advised that there is space available

1 and may be willing to accept the uncertainty of not having
2 final price quote and provisioning information. Other ALECs
3 may wish to have a firm price quote and specific equipment
4 layout and engineering information before they are willing to
5 proceed.

6

7 Q. Should an alternative procedure be implemented that would
8 enable ALECs to place firm orders after being advised only
9 that space is available?

10

11 A. Sprint is supportive of a procedure that would allow ALECs
12 to proceed with a firm order once they have been advised that
13 space is available to accommodate their collocation request.
14 Standard ILEC practices for collocation application
15 cancellation or modification would also apply.

16

17

18

ISSUE 5

19

20 What terms and conditions should apply to converting virtual
21 collocation to physical collocation?

22

23 Q. Are there different types of conversions from virtual
24 collocation to physical collocation that an ALEC might
25 request?

1

2 A. Yes. ALECs might request conversion from virtual collocation
3 to either physical caged or physical cageless collocation.
4 Each type of conversion would require substantially different
5 handling by the ILEC and as such, the terms and conditions
6 for these conversions should be differentiated accordingly.

7

8 Q. What terms and conditions should apply to converting virtual
9 collocation to cageless physical collocation?

10

11 A. When requesting a conversion from virtual collocation to
12 cageless physical collocation, the ALEC should be required to
13 submit an application to the ILEC for cageless physical
14 collocation. The application should specifically state that
15 the request is for conversion of existing space. If the
16 request is for a "like for like" conversion, meaning that no
17 changes to the collocation configuration are being requested,
18 the conversion to physical cageless collocation will only
19 involve ILEC administrative changes , billing changes and
20 engineering record updates. Accordingly, the application fee
21 should reflect only the work directly involved in reviewing
22 the conversion request and will likely be substantially less
23 than standard collocation application fees. In these
24 instances the ILEC should provide the ALEC with a record
25 change notification within 30 calendar days of receipt of a

1 complete and correct application for conversion to physical
2 cageless collocation. However, if the virtual collocation
3 that the ALEC is requesting be converted is less than a full
4 bay, the ILEC may choose to remove it to another bay, in which
5 case the provisions for conversions necessitating changes to
6 the collocation arrangement discussed below will apply.

7

8 **Q. Are there any special requirements that the commission should**
9 **place on ILECs relative to conversions from virtual**
10 **collocation to cageless physical collocation?**

11

12 **A. Yes.** If no changes are required the Commission should
13 specifically require that ILECs provision such changes as
14 "conversions", meaning that the collocators's existing space
15 would be utilized to accommodate the "new" cageless physical
16 collocation arrangement. Without such a provision, ILECs
17 could potentially require collocators to relinquish their
18 existing virtual collocation space and reapply for cageless.
19 If this were the case, collocators could be forced to choose
20 between keeping their virtual collocation or foregoing
21 collocation altogether if the central office at issue has
22 reached space exhaustion or there are other competitors on
23 the waiting list to obtain collocation at that office.
24 Requiring ILECs to convert existing virtual collocation to
25 cageless collocation upon request will ensure that ALECs may

1 choose from the collocation options that are now available
2 pursuant to the FCC's collocation Order in Docket No. 98-147.

3

4 **Q. What terms and conditions should apply in the conversion from**
5 **virtual collocation to physical cageless collocation if the**
6 **ALEC has requested changes in the collocation arrangement?**

7

8 **A. If there are changes requested, the ILEC's standard**
9 **provisioning terms, conditions and intervals for physical**
10 **cageless collocation should be followed. This process**
11 **appropriately reflects the additional review that must take**
12 **place in assessing the changes requested and their potential**
13 **impact on the existing configuration. For example, an ILEC**
14 **may not be able to accommodate a requested change that**
15 **involves expanding the current configuration in the existing**
16 **space and the collocator's equipment may need to be moved in**
17 **order to satisfy the request. The cageless physical**
18 **collocation processes would appropriately address such a**
19 **review.**

20

21 **Q. What terms and conditions should apply to converting virtual**
22 **collocation to caged physical collocation?**

23

24 **A. Requests for conversion from virtual collocation to caged**
25 **physical collocation should be handled according to the**

1 terms, conditions and intervals associated with the ILEC's
2 standard physical collocation processes. Clearly, this sort
3 of modification involves additional space and construction
4 considerations, and must be differentiated from a simple
5 conversion from virtual collocation to cageless physical
6 collocation.

7

8

ISSUE 6

9

10 What are the appropriate response and implementation
11 intervals for ALEC requests for changes to existing
12 collocation space?

13

14 Q. WHAT TYPES OF CHANGES TO EXISTING COLLOCATION SPACE MIGHT
15 ALECs request?

16

17 A. Collocation space changes will likely involve the addition of
18 equipment to the collocation arrangement and/or changing the
19 existing equipment. Equipment additions or changes to the
20 existing configuration are typically referred to as
21 "augmentations" to existing collocation arrangements.

22

23 Q. Will the type of change requested make a difference in the
24 ILEC's response and implementation intervals for changes?

25

1 A. Yes. For example, simple change-outs of a particular type of
2 equipment may not necessitate any changes on the part of the
3 ILEC other than record updates. Other changes may impact the
4 power or other infrastructure requirements such as air
5 conditioning or cabling and may even require expansion of
6 existing cages.

7

8 Q. Given the varied nature of change requests, what are the
9 appropriate response and implementation intervals for ALEC
10 requests for changes to existing collocation space?

11

12 A. When the change requested requires no physical work on the
13 part of the ILEC other than record updates, ALECs should only
14 be required to advise the ILEC of the changes that will be
15 made. The ILEC should respond to the ALEC with a
16 notification that the ILEC's records have been updated to
17 reflect the change. This response should be provided within
18 fifteen (15) calendar days of receipt of the ALEC's change
19 notification.

20

21 Provisioning intervals when changes are required should be
22 reflective of the actual work involved, but should not exceed
23 30 calendar days from receipt of the ALEC's request for a
24 change. Longer intervals are warranted only in cases where
25 ILEC infrastructure improvements and/or upgrades requiring

1 additional time are required but in these cases the interval
2 should not exceed 90 calendar days from receipt of the change
3 request.

4

5

ISSUE 8

6

7 What is the appropriate provisioning interval for cageless
8 physical collocation?

9

10 Q. Should the interval for cageless physical collocation
11 provisioning be different than the interval for caged
12 physical collocation?

13

14 A. Yes. A reduced interval appropriately reflects that the time
15 required to construct cages is not needed for the
16 provisioning of cageless arrangements. Logically, the
17 interval should be reflective of the actual work required.

18

19 Q. What is the appropriate provisioning interval for cageless
20 physical collocation?

21

22 A. The appropriate interval for the provisioning of cageless
23 physical collocation is 60 calendar days. The interval
24 starts when the ILEC has received a complete and correct firm
25 order from the requesting carrier and ends when the ILEC

1 notifies the collocator that the space is ready to be
2 accepted.

3

4

ISSUE 9

5

6 What is the appropriate demarcation point between ILEC and
7 ALEC facilities when the ALEC's equipment is connected
8 directly to the ILEC's network without an intermediate point
9 of interconnection?

10

11 Q. In the context of this issue, what is meant by an
12 "intermediate point of interconnection"?

13

14 A. Sprint's understanding of this issue is that the "intermediate
15 point of interconnection" being referenced is a Point of
16 Termination Bay, or POT bay. This is essentially a piece of
17 equipment designed to serve as a connecting point for the
18 facilities of the ILEC and ALEC collocators.

19

20 Q. What is the appropriate demarcation point between ilec and
21 ALEC facilities when the ALEC's equipment is connected
22 directly to the ILEC's network without an intermediate point
23 of interconnection?

24

1 A. The ALEC collocation site is the appropriate demarcation
2 point. This serves as the point at which the ALEC and ILEC
3 facilities meet and serves as the point for which maintenance
4 and provisioning responsibilities are split with each party
5 assuming accountability on its side of the demarcation point.
6

7 Q. Should the ALEC have the option to utilize an intermediate
8 point of interconnection, such as a pot bay?
9

10 A. Yes. The ALEC should have the option to use or not use an
11 intermediate point of interconnection, such as a POT bay as
12 an intermediate point of interconnection. If an intermediate
13 point of interconnecton is used, the demarcation point would
14 be at the intermediate frame which would be located, at the
15 ALEC's option, either inside or outside of the ALEC's
16 collocation space.
17

18 ISSUE 12

19 What types of equipment are the ILECs obligated to allow in a
20 physical collocation arrangement?
21

22 Q. Do the FCC rules address ILECs' obligations regarding the
23 types of equipment that must be allowed in a physical
24 collocation arrangement?
25

1 A. Yes. As stated in Michael Hunsucker's testimony, FCC Rule
2 51.323 (b) delineates the obligations of ILECs with respect
3 to the use of equipment in physical collocation arrangements.
4 This Rule specifies that an ILEC "shall permit the
5 collocation of any type of equipment used for interconnection
6 or access to unbundled network elements." Such equipment
7 includes, but is not limited to, transmission equipment,
8 optical terminating equipment and multiplexers, equipment
9 collocated to terminate basic transmission facilities,
10 digital subscriber line access multiplexers ("DSLAMs"),
11 routers, asynchronous transfer mode multiplexers ("ATMs") and
12 remote switching modules.

13

14 Q. Are there any limitations in the FCC rules regarding the
15 ILEC's obligations to allow collocation of equipment?

16

17 A. The only limitation is stated in FCC Rule 51.323 (c), which
18 states that ILECs are not required to "permit collocation of
19 equipment used solely for switching or solely to provide
20 enhanced services".

21

22 Q. What is the importance of the wide range of equipment allowed
23 for collocation by these FCC rules to sprint?

24

1 A. Sprint is in the process of deploying advanced services such
2 as its revolutionary ION service, which will bring Sprint's
3 long-haul ATM network all the way to a customer's premises
4 and will accommodate the entirety of a customer's
5 communications needs, including voice, data and Internet
6 access, through a single broadband connection. Collocation
7 will serve as a critical component of the network
8 infrastructure required to provision broadband services to
9 customer's premises.

10 The FCC Rules, requiring ILECs to permit a broad range of
11 telecommunications equipment deployment within collocation
12 arrangements, provide flexibility to ALECs seeking to provide
13 advanced telecommunications services. Equipment such as
14 routers, DSLAMs, packet switches, remote switching modules
15 and asynchronous transfer mode multiplexers will all play
16 critical roles in enabling ALECs to establish and control
17 their network infrastructures in order to extend the reach of
18 competitive broadband services to consumers.

19
20 In addition, the "including but not limited to" language in
21 the FCC Rules with respect to the types of equipment
22 permitted appropriately recognizes the evolving nature of
23 equipment technologies and should provide for the deployment
24 of future generations of equipment needed for advanced
25 telecommunications services.

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ISSUE 13

If space is available, should the ILEC be required to provide price quotes to an ALEC prior to receiving a firm order for space in a central office (CO)?

A. IF AN ILEC SHOULD PROVIDE PRICE QUOTES TO AN ALEC PRIOR TO RECEIVING A FIRM ORDER FROM THAT ALEC, WHEN SHOULD THE QUOTE BE PROVIDED?

B. IF AN ILEC SHOULD PROVIDE PRICE QUOTES TO AN ALEC PRIOR TO RECEIVING A FIRM ORDER FROM THAT ALEC, SHOULD THE QUOTE PROVIDE DETAILED COSTS?

Q. WHAT IS SPRINT'S UNDERSTANDING OF THE ALEC concerns being addressed by issue 13?

A. It appears that this issue is being raised to address the desire of ALECs to move forward with the provisioning of collocation arrangements at the earliest possible date. The concern is the amount of time that elapses between the submission of a collocation request and the provision of a price quote and then the additional time involved for the ALEC to respond to the quote provided. The assumption is that provisioning may be expedited by condensing the

1 application steps and moving directly to the firm order stage
2 of the process.

3

4 Q. Should the ILEC be required to provide price quotes to an alec
5 prior to receiving a firm order for space in the central
6 office (CO)?

7

8 A. The ILEC should accept a firm order at anytime in the process
9 after receiving an application and determining that space is
10 available. Put another way, the ALEC should be permitted to
11 submit a firm order to the ILEC for collocation space after
12 it receives notification from the ILEC that space is
13 available to accommodate the request. This notification
14 should occur within ten (10) calendar days of the ILEC's
15 receipt of a complete and correct application.

16 Notwithstanding the ability of the ALEC to submit the firm
17 order, the ILEC should provide its price quote to the ALEC
18 within fifteen (15) calendar days if the rates are
19 established by tariff or the ALEC's interconnection
20 agreement, or 30 days if ICB rates need to be developed.

21

22 If collocation prices, however, are not tariffed, additional
23 uncertainty regarding the costs exist for both ALECs and
24 ILECs since quotes may include components developed on an
25 Individual Case Basis. In these cases, using standard

1 collocation application procedures, the ALEC may decide that
2 it is necessary for the ILEC to provide price quotes prior to
3 the ALEC's placement of a firm order. Such price quotes
4 should be provided within thirty (30) calendar days of
5 receipt of the collocation application.

6

7 **Q. Does sprint support the filing of tariffs for collocation by**
8 **ILECS?**

9

10 **A. Yes.** Sprint believes that the ILEC's prices should be
11 contained in a tariff and should also be made available on
12 the Internet so that ALECs can retrieve the information and
13 have a good estimate of the ILEC's actual collocation
14 charges. Tariffing of these prices benefits ALECs in terms
15 of providing additional certainty regarding costs and
16 benefits ILECs in terms of reducing the burden of producing
17 ICB pricing for every collocation request.

18

19

ISSUE 14

20

21 **Should an ALEC have the option to participate in the**
22 **development of the ILEC'S price quote, and if so, what time**
23 **frames should apply?**

24

1 Q. What concerns might exist that would cause an alec to want to
2 be involved in the development of the ILEC's price quote for
3 collocation space provisioning?
4

5 A. The most likely concern of ALECs would be that the total cost
6 to provision the space is perceived to be higher than
7 appropriate. Sprint's assumption would be that the ALEC may
8 believe that they could provide suggestions or alternatives
9 that would serve to reduce the provisioning costs. Another
10 concern might be that there is insufficient documentation of
11 the costs available to gain a complete understanding of the
12 price quote in instances where the price quoted exceeds what
13 was expected for a particular collocation.
14

15 Q. Given these concerns, should an ALEC have the option to
16 participate in the development of the ILEC's price quote?
17

18 A. Yes, but only to the extent of providing specific requests or
19 development parameters along with the collocation request.
20 For example, the requesting collocator may wish to suggest
21 efficient provisioning configurations or cost-effective
22 equipment manufacturers or installation providers. Sprint
23 believes that upon request, the ALEC should be provided cost
24 support data sufficient to provide an empirical breakdown of
25 the costs involved. However, Sprint believes that further

1 involvement by ALECs in the actual price quote development
2 would be cumbersome and would seriously impede the ILEC's
3 ability to provide timely price quote responses. ALECs
4 should be permitted to request that a particular price quote
5 be re-worked, but in these situations, the ILEC's standard
6 interval for providing the quote should apply since the
7 underlying inputs would need to be examined and alternatives
8 explored.

9
10 **Q. Would a requirement to tariff collocation pricing address**
11 **ALEC concerns regarding excessive price quotes?**

12
13 **A. Yes.** Sprint believes that ILEC tariffing of collocation
14 prices would not only expedite the price quote process, but
15 would give ALECs much greater certainty with respect to
16 anticipated collocation costs.

17
18 **ISSUE 15**

19
20 **Should an ALEC be permitted to hire an ILEC certified**
21 **contractor to perform space preparation, racking and cabling,**
22 **and power work?**

23

1 Q. Do the FCC's rules address the obligation of ILECs to permit
2 ALECs to use certified or approved contractors to perform
3 space preparation, racking and cabling, and power work?
4

5 A. Yes. FCC Rule 323(j) states, "An incumbent LEC shall permit a
6 collocating telecommunications carrier to subcontract the
7 construction of physical collocation arrangements with
8 contractors approved by the incumbent LEC, provided, however,
9 that the incumbent LEC shall not unreasonably withhold
10 approval of contractors. Approval by an incumbent LEC shall
11 be based on the same criteria it uses in approving
12 contractors for its own purposes."
13

14 Q. Should the ILEC be permitted to require contractors to be
15 "certified" before they are permitted to perform work for
16 ALEC's?
17

18 A. Consistent with the FCC's Rule, a requirement that contractors
19 be "certified" by an ILEC is acceptable only if such
20 certification process is the same process that the ILEC uses
21 for approving contractors for its own purposes. However, in
22 no instance should ILEC certification process requirements or
23 constraints unduly delay collocation work completion.
24
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ISSUE 16

For what reasons, if any, should the provisioning intervals be extended without the need for an agreement by the applicant ALEC or filing by the ILEC of a request for an extension of time?

Q. For what reasons should the provisioning intervals be extended automatically?

A. Sprint's perspective is that there are no reasons that should provide the ILEC with an opportunity to unilaterally extend collocation provisioning intervals. Rather, Sprint believes that an open dialogue regarding collocation provisioning scenarios will in most cases lead to mutual agreement between the parties regarding the appropriate provisioning interval. In such instances where the ILEC and the requesting collocator are unable to reach agreement, the ILEC may seek an extension from the Commission. As stated in the Commission's Proposed Agency Action regarding extensions of time, the applicant carrier should have an opportunity to respond to the ILEC's request, and the Commission should rule upon the ILEC's request as a procedural matter at an Agenda Conference.

1

2 Q. For what reasons may the ILEC appropriately seek an extension
3 of the provisioning intervals from either the requesting
4 collocator or the FPSC?

5

6 A. Major infrastructure upgrades and other factors beyond the
7 control of the ILEC are appropriate reasons for the ILEC to
8 seek an extension of the provisioning intervals from either
9 the requesting collector or the FPSC. Examples include power
10 plant upgrades, vendor shipments beyond the ILEC's control
11 and other acts of God.

12

13

ISSUE 18

14

15 If insufficient space is available to satisfy the collocation
16 request, should the ILEC be required to advise the ALEC as to
17 what space is available?

18

19 Q. Do the FCC's rules address the obligation of ILECs to provide
20 information regarding space available in central offices?

21

22 A. Yes. FCC Rule 51.321 (h) states as follows:

23 "Upon request, an incumbent LEC must submit to the requesting
24 carrier within ten days of the submission of the request a
25 report indicating the incumbent LEC's available collocation

1 space in a particular LEC premises. This report must specify
2 the amount of collocation space available at each requested
3 premises, the number of collocators, and any modifications in
4 the use of the space since the last report. This report must
5 also include measures that the incumbent LEC is taking to
6 make additional space available for collocation. The
7 incumbent LEC must maintain a publicly available document,
8 posted for viewing on the incumbent LEC's publicly available
9 Internet site, indicating all premises that are full, and
10 must update such a document within ten days of the date at
11 which a premises runs out of physical collocation space."

12

13 **Q. Should the ILEC be further required to advise the ALEC as to**
14 **what space is available if insufficient space is available to**
15 **satisfy the requested collocation application?**

16

17 **A. Yes, A dialogue should be created between the ILEC and the**
18 **ALEC to explore options that are specifically relevant to**
19 **that ALEC's request. For example, if an ALEC applicant**
20 **requests 100 square feet of space and 96 square feet is**
21 **available, then a discussion should ensue regarding the**
22 **acceptability to the ALEC of the reduced amount of space**
23 **within the established time frames for responding to an**
24 **application for collocation.**

25

1 Q. In addition to the ILEC advising the ALEC on the amount of
2 space available, should additional information be required if
3 an ILEC contends that sufficient space is not available?

4
5 A. Yes. If there is insufficient space in a particular
6 office, the ALEC has the right to tour the entire premises
7 consistent with the FCC rules. If the ALEC requests to tour
8 the premises, the ILEC should be required to provide the ALEC
9 with detailed Engineering Floor plans, prior to the tour.
10 The detailed Engineering Floor plans should contain detailed
11 information sufficient to allow the ALEC to review and make
12 its determination on the lack of available space. In
13 addition, this information should be provided to the state
14 commission concomitant with the closing of an office by the
15 ILEC along with supporting information used by the ILEC to
16 justify the closing of an office.

17

18 Q. Does this conclude your testimony?

19

20 A. Yes, it does.

21

22

23

24