

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

ORIGINAL

In re: Petition of Competitive Carriers for Commission Action to support local competition in BellSouth Telecommunications, Inc.'s territory § Docket Nos. 981834-TP and 990321-TL
 § (Consolidated)
 §
 §
 In re: Petition of Rhythms Links, Inc. for generic investigation to ensure that BellSouth Telecommunications, Inc., Sprint-Florida, Inc., and GTE Florida Inc., comply with obligation to provide alternative local exchange carriers with flexible, timely, and cost-efficient collocation §
 §
 §
 §
 §
 §
 §
 §
 § Filed: January 7, 2000

RECEIVED-FPSC
 09 JAN -7 PM 3:58
 RECORDS AND REPORTING

OBJECTIONS AND RESPONSES OF COVAD COMMUNICATIONS COMPANY TO STAFF'S FIRST SET OF INTERROGATORIES

Pursuant to Rule 28-106.206 of the Florida Administrative Code, and Rule 1.340 of the Florida Rules of Civil Procedure, Covad Communications Company ("Covad") serves its objections and responses to Staff's First Set of Interrogatories ("First Set").

General Objections

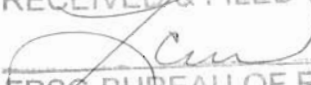
1. Covad objects to these interrogatories to the extent they seek to impose obligations other than those imposed by the Florida Administrative Code or the Florida Rules of Civil Procedures.

2. Covad objects to these interrogatories to the extent they seek trade secrets and/or confidential proprietary information, or information that is protected from disclosure by privilege or immunity, including but not limited to, the attorney-client

privilege and work product doctrine.

3. Covad objects to these interrogatories to the extent they seek information from any entity other than Covad Communications Company or information that is publicly available.

AFA _____
 APP _____
 CAF _____
 CMJ _____
 CTR _____
 EAG _____
 LEG 2 _____
 MAS 3 _____
 OFC _____
 RFR _____
 SEC 1 _____
 WAW _____
 OTH Teach dkt

RECEIVED & FILED

 FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE
 00317 JAN-78
 FPSC-RECORDS/REPORTING

4. Covad's investigation of this matter is continuing. Covad, therefore, reserves the right to supplement its responses and to assert additional objections to these interrogatories, if necessary.

5. Covad incorporates each of these General Objections into its responses to individual interrogatories provided below.

Responses to Individual Interrogatories

INTERROGATORY NO. 1: For purposes of the following interrogatories, please refer to Covad witness Moscaritolo's direct testimony, page 12, lines 16-25.

a. Please define and explain the phrase "wrongfully denying."

RESPONSE: Subject to and without waiver of its General Objections, Covad responds as follows:

The phrase "wrongfully denying" as used in the referenced testimony includes, but is not limited to, situations in which an ILEC's reservation of space for future growth prevents collocation as requested by a ALEC and the ILEC's reservation of space (1) violates 47 C.F.R. § 51.323(f)(4), (2) is unnecessary because of the ILEC's projected expansion of the central office or other structure, (3) is made after a ALEC is notified of space availability, or (4) is made in bad faith.

b. At lines 20 – 22, the witness stated, "Presently, no mechanism exists for an ALEC to verify an ILEC's claim that collocation space is unavailable because of space reservations for future ILEC growth." Please explain, in detail, what type of method(s) or procedures should be developed to identify available collocation space.

RESPONSE: Subject to and without waiver of its General Objections, Covad responds as follows:

Several procedures may be adopted to verify an ILEC's claim that collocation space is unavailable because of an ILEC's reservation of space for future growth.

Overall, an ILEC's request to reserve space for future growth should be governed by the "first-come, first-served" rules applicable to ALEC requests for collocation. Thus, an ILEC should be required to publicly notify ALECs of its plans to reserve space for future growth as soon as such plans are available. If a ALEC has submitted a request for collocation in a particular central office before an ILEC notifies ALECs of its plans for space reservation, the ALEC's application for collocation space must be honored over the ILEC's plans for future growth. This would prevent an ILEC from rejecting a ALEC's request for space after the ILEC has accepted a ALEC's application. This procedure also would reduce bad faith claims of future growth by ILECs.

In addition, if the parties cannot agree about the ILEC's reservation of space, the ILEC should be required to seek a waiver of its collocation requirements under the guidelines promulgated by this Commission. In such a proceeding, the ILEC should have the burden to prove (1) that it properly notified ALECs of its plans for reservation of space, (2) that it has allowed ALECs to reserve space under the same terms and conditions that apply to the ILEC, (3) that its estimations of future growth and the space needed to accommodate such future growth are reasonable, (4) and that no alternative methods for accommodating the ILEC's reasonable estimation of future growth (*i.e.*, methods that would not result in denial of collocation space to ALECs, such as the building of additions to the central office, etc.) are available.

RESPONSE PROVIDED BY: Michael Moscaritolo
Expert Witness for Covad Communications Company

INTERROGATORY NO. 2: Please explain, in detail, whether it is necessary for an ALEC to submit an application if the ALEC wishes to convert from virtual to physical collocation.

RESPONSE: Subject to and without waiver of its General Objections, Covad responds as follows:

An ALEC may need to submit a written request, as opposed to a formal application, for the conversion of a virtual collocation arrangement to a cageless collocation arrangement. This conversion request, however, would only need to inform the ILEC of the ALEC's desire to convert the space and, therefore, would require very little effort on the part of the ILEC to process. As stated in my testimony, if an ALEC already has obtained a virtual collocation arrangement, the issues of space availability, location of equipment, installation of equipment, and necessary ventilation and power requirements, among others, have already been determined.

Essentially, the conversion request would need to provide the ILEC with only the ALEC's desire to convert virtual collocation to cageless. No other information should be necessary. Thus, no additional fee should be required.

RESPONSE PROVIDED BY: Michael Moscaritolo
Expert Witness for Covad Communications Company

INTERROGATORY NO. 3: Please identify what potential problems, if any, could occur when any changes, including conversions from virtual to physical collocation, are made to existing collocation space. For each problem identified, please explain what effect, if any, the problem might have on the response and implementation intervals for the proposed changes.

RESPONSE: Subject to and without waiver of its General Objections, Covad responds as follows:

Of course, the potential problems arising from changes to collocation space would depend upon the nature of the change requested. Generally, however, significant technical and administrative problems should not arise from requests for conversion of virtual collocation to cageless collocation, assuming that the ILEC and its contractors employ reasonably capable technicians and staff. As stated in response to Interrogatory No. 2, if a virtual collocation arrangement already exists, the primary issues requiring time and effort have already been resolved. To complete the conversion, an ILEC merely

needs to allow a ALEC to have access to the collocation space so the ALEC can maintain its own equipment. No other physical work is required. Billing and other administrative adjustments can be made in parallel to avoid any unnecessary delay. Accordingly, in almost all circumstances, an ILEC should be able to complete a request for conversion of virtual collocation to cageless collocation within a maximum of ten (10) calendar days.

As stated above, the potential problems that may arise with other types of changes to collocation space will depend upon the nature of the requested change. It is difficult to address the issues and corresponding intervals arising from such changes in the abstract. However, the Texas Public Utility Commission has approved a collocation tariff specifying reasonable intervals for different types of augment requests. Under this tariff, the following augment intervals apply:

15 Calendar Days

- Up to 28 DS1s (cabling only; panels, relay racks and overhead racking exist)
- Up to 3 DS3s (cabling only; panels, relay racks and overhead racking exist)
- Up to 100 copper (shielded or non-shielded) cable pairs (blocks and cabling only; panels, relay racks and overhead racking exist)
- Duplex AC convenience outlets and/or
- Additional overhead lighting and/or
- Cage to cage interconnection conduit within the same collocation area
- Cable pull within the same collocation area
- DC Power requirements when only a fuse change is required

30 Calendar Days

- Up to 84 DS1s (one interconnect panel) and/or
- Up to 48 DS3s (interconnect panel) and/or
- Up to 200 copper (shielded or non-shielded) cable pairs (2 blocks) up to 400 feet
- Ground cable changes within the DC Power arrangement
- Arrange/install fiber cable through innerduct up to 400 feet
- Arrange/install timing leads up to 400 feet
- Arrange/install fiber interconnections up to 12 fiber pairs up to 400 feet

60 Calendar Days

- Up to 168 DS1s (one interconnect panel) and/or
- Up to 48 DS3s (interconnect panel) and/or
- Up to 400 copper (shielded or non-shielded) cable pairs (2 blocks) up to 400 feet
- Power cables added to accommodate greater DC amperage requests within existing power panels
- ILEC will perform a cage expansion of 300 square feet or less immediately adjacent to a collocator's existing cage within the collocation area as long as the collocation area does not have to be reconfigured and does not involve HVAC work
- Arrange/install bay lighting front and back up to three (3) bays
- Arrange and install fiber interconnection up to 12 fiber pairs up to 400 feet.

Not to exceed 90 Calendar Days

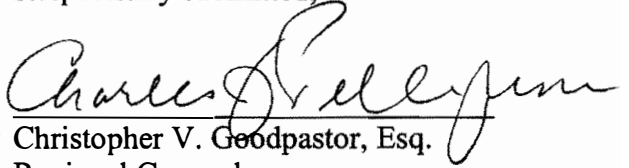
- All other augments.

Local Access Service Tariff for Texas, Southwestern Bell Telephone Company (Effective Oct. 29, 1999).

RESPONSE PROVIDED BY: Michael Moscaritolo
Expert Witness for Covad Communications Company

Dated: January 7, 2000

Respectfully submitted,


for Christopher V. Goodpastor, Esq.

Regional Counsel

Covad Communications Company

9600 Great Hills Trail, Suite 150W

Austin, Texas 78759

Tel: (512) 502-1713

Fax: (419) 818-5568

QUALIFIED REPRESENTATIVE
OF COVAD COMMUNICATIONS
COMPANY

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via facsimile/U.S. Mail this 7th day of January, 2000 to the following:

BellSouth Telecommunications, Inc.
Ms. Nancy H. Sims
150 South Monroe St., Suite 400
Tallahassee, FL 32301-1556
Phone: (850) 224-7798
Fax: (850) 222-8640

AT&T Communications of the
Southern States, Inc.
Ms. Rhonda P. Merritt
101 North Monroe St., Suite 700
Tallahassee, FL 32301-1549
Phone: (805) 425-6342
Fax: (805) 425-6361

ACI Corp.
7337 S. Revere Parkway
Englewood, CO 80112
Phone: (303) 476-4200

Accelerated Connections, Inc.
7337 South Revere Parkway
Englewood, CO 33414
Phone: (303) 476-4200

BellSouth Telecommunications, Inc. (Mia)
Nancy B. White
150 West Flagler St., Suite 1910
Miami, FL 33130
Phone: (305) 347-5558
Fax: (305) 577-4061

BellSouth Telecommunications, Inc.
(Atl)
E. Earl Edenfield, Jr.
675 W. Peachtree St., #4300
Atlanta, GA 30375
Phone: (404) 335-0763
Fax: (404) 614-4054

Blumenfeld & Cohen
Elise Kiely/Jeffrey Blumenfeld
1625 Massachusetts Ave. NW
Suite 300
Washington, DC 20036
Phone: (202) 955-6300
Fax: (202) 955-6460

WorldCom Technologies, Inc.
Donna McNulty, Esq.
325 John Knox Road, Suite 105
Tallahassee, FL 32303
Phone: (850) 422-1254
Fax: (850) 422-2586

e.spire Communications, Inc.
James Falvey
133 National Business Parkway
Suite 200
Annapolis Junction, MD 20701
Phone: (301) 361-4298
Fax: (301) 361-4277

Florida Cable Telecommunications
Assoc., Inc.
Michael A. Gross
310 N. Monroe St.
Tallahassee, FL 32301
Phone: (850) 681-1990
Fax: (850) 681-9676

Florida Competitive Carriers Assoc.
c/o McWhirter Law Firm
Vicki Kaufman
117 S. Gadsden St.
Tallahassee, FL 32301
Phone: (850) 222-2525
Fax: (850) 222-5606

Florida Public Telecommunications
Assoc.
Angela Green, General Counsel
125 S. Gadsden St., #200
Tallahassee, FL 32301-1525
Phone: (850) 222-5050
Fax: (850) 222-1355

GTE Florida Incorporated
Kimberly Caswell
P.O. Box 110, FLTC0007
Tampa, FL 33601-0110
Phone: (813) 483-2617
Fax: (813) 223-4888

Hopping Law Firm
Richard Melson/Gabriel Nieto
P.O. Box 6526
Tallahassee, FL 32314
Phone: (850) 222-7500
Fax: (850) 224-8551

GTE Florida Incorporated
Ms. Beverly Y. Menard
c/o Ms. Margo B. Hammar
106 East College Avenue, Suite 810
Tallahassee, FL 32301-7704
Phone: (813) 483-2526
Fax: (813) 223-4888

Intermedia Communications, Inc.
Scott Sapperstein
3625 Queen Palm Drive
Tampa, FL 33619-1309
Phone: (813) 621-0011
Fax: (813) 829-4923

Lockheed Martin IMS
Anita L. Fourcard
Communications Industry Services
1200 K Street, N.W.
Washington, DC 20005
Phone: (202) 414-3724
Fax: (202) 408-5922

MCImetro Access Transmission
Services LLC
Ms. Donna Canzano McNulty
325 John Knox Road, Suite 105
Tallahassee, FL 32303
Phone: (850) 422-1254
Fax: (850) 422-2586

MediaOne Florida Telecommunications,
Inc.
c/o Laura L. Gallagher
101 E. College Ave., Suite 302
Tallahassee, FL 32301
Phone: (850) 224-2211
Fax: (850) 561-3611

CompTel
Terry Monroe
1900 M Street, N.W.
Suite 800
Washington, DC 20036
Phone: (202) 296-6650

Messer Law Firm
Floyd Self/Norman Horton
P.O. Box 1876
Tallahassee, FL 32302
Phone: (850) 222-0720
Fax: (850) 224-4359

MGC Communications, Inc.
Susan Huther
3301 North Buffalo Drive
Las Vegas, NV 89129
Phone: (702) 310-4272

Pennington Law Firm
Peter Dunbar/Barbara Auger/Marc Dunbar
P.O. Box 10095
Tallahassee, FL 32301
Phone: (850) 222-3533
Fax: (850) 222-2126

Sprint Communications Company
Limited Partnership
Susan Masterton/Charles Rehwinkel
P.O. Box 2214
MC: FLTLHO0107
Tallahassee, FL 32316-2214
Phone: (850) 847-0244
Fax: (850) 878-0777

Sprint-Florida, Incorporated
Mr. F. B. (Ben) Poag
P.O. Box 2214 (MCFLTLHO0107)
Tallahassee, FL 32316-2214
Phone: (850) 599-1027
Fax: (407) 814-5700

Supra Telecommunications &
Information Systems, Inc.
Mark E. Buechele
2620 S. W. 27th Avenue
Miami, FL 33133
Phone: (305) 531-5286
Fax: (305) 476-4282

TCG South Florida
c/o Rutledge Law Firm
Kenneth Hoffman
P.O. Box 551
Tallahassee, FL 32302-0551
Phone: (850) 681-6788
Fax: (850) 681-6515

Telecommunications Resellers Assoc.
Andrew Isar
3220 Uddenberg Lane, Suite 4
Gig Harbor, WA 98335
Phone: (253) 851-6700
Fax: (253) 851-6474

Time Warner Telecom
Ms. Carloyn Marek
233 Bramerton Court
Franklin, TN 37069
Phone: (615) 376-6404
Fax: (615) 376-6405

Time Warner Telecom
2301 Lucien Way, Suite 300
Maitland, FL 32751


Charles J. Pellegrini