

BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

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RECORDS AND
REPORTING

In re: Petition of Competitive Carriers for
Commission Action to Support Local Competition
In BellSouth Telecommunications, Inc.'s Service
Territory)

DOCKET NO. 981834-TP

In re: Petition of ACI Corp. d/b/a Accelerated
Connections, Inc. for Generic Investigation to Ensure
That BellSouth Telecommunications, Inc.,
Sprint-Florida, Incorporated, and GTE Florida
Incorporated Comply with Obligation to Provide
Alternative Local Exchange Carriers with Flexible,
Timely, and Cost-Efficient Collocation)

DOCKET NO. 990321-TP

**INTERMEDIA COMMUNICATIONS INC.'S
REVISED PREHEARING STATEMENT**

INTERMEDIA COMMUNICATIONS INC. ("Intermedia") hereby files its prehearing
statement pursuant to Rule 25-22.038(3), Florida Administrative Code, and Order No. PSC-99-
1991-PCO-TP/

A. WITNESSES

ISSUES

Julia O. Strow

All

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

B. EXHIBITS

None.

C. BASIC POSITION

In the federal Telecommunications Act of 1996 (the "1996 Act"), Congress created a procompetitive national policy framework for telecommunications, opening all telecommunications markets to competition. At the heart of the 1996 Act's market-opening provisions is Section 251 which, among other things, requires incumbent local exchange carriers ("ILECs") to provide collocation to competing telecommunications carriers. To implement the 1996 Act's market-opening mandates, the Federal Communications Commission (the "FCC") has promulgated a number of procompetitive rules. The FCC also has charged the state commissions with the unenviable task of ensuring that the procompetitive mandates of the 1996 Act are implemented in their respective jurisdictions. It is, therefore, this Commission's responsibility to promote Congress' goal by ensuring that alternative local exchange carriers ("ALECs") have an unencumbered ability to interconnect and collocate with the ILECs, including BellSouth, GTE, and Sprint.

For many competitive carriers, the need to collocate with the ILECs in order to provide ubiquitous service is paramount. Collocation, however, is expensive and resource-intensive. Further, the amount of collocation space is not unlimited. Consequently, the Commission must establish a procompetitive regulatory framework that maximizes the ability of the ALECs to collocate without undue delay, and minimizes the ability of the ILECs to act anticompetitively. More specifically, the Commission should carefully craft rules that would allow ALECs to obtain collocation with the least expense and in the shortest time possible, while ensuring that valuable collocation space is put to productive use.

D. QUESTION OF FACT: None.

**E & F. STATEMENT OF EACH QUESTION OF LAW AND POLICY AT ISSUE
AND INTEREMDIA'S POSITION ON EACH SUCH ISSUE**

Issue 1: When should an ILEC be required to respond to a complete and correct application for collocation and what information should be included in that response?

Position: The ILEC should inform the requesting ALEC that a space is available/not available within 10 calendar days of the date of the application. The ILEC should provide a complete response, containing detailed cost-estimates and other information sufficient to permit the ALEC to complete a firm order, within 30 calendar days from the date of the initial application.

Issue 2: If the information included in the ILEC's initial response is not sufficient to complete a firm order, when should the ILEC provide such information or should an alternative procedure be implemented.

Position: If the information provided by the ILEC is incomplete, the ILEC should be required to provide additional or corrected information within five calendar days of the ALEC's request for additional information.

Issue 3: To what areas does the term "premises" apply, as it pertains to physical collocation and as it is used in the Act, the FCC's Orders, and FCC Rules?

Position: The term premises should be interpreted broadly to include all areas, including areas adjacent to ILEC central offices, which are under the control of the ILEC.

Issue 4: What obligations, if any, does an ILEC have to interconnect with ALEC physical collocation equipment located "off-premises."

Position: The ILEC has an obligation to interconnect with the ALEC whether the equipment is located off-premises or on-premises.

Issue 5: What terms and conditions should apply to converting virtual collocation to physical collocation?

Position: Conversion from virtual collocation to physical collocation should be seamless. Because the Federal Communications Commission's ("FCC") rules allow the commingling of ILEC and ALEC equipment, conversion from virtual collocation to physical collocation should not necessitate equipment relocation even if the virtually collocated equipment is in the same line-up as the ILEC equipment.

Issue 6: What are the appropriate response and implementation intervals for ALEC request for changes to existing collocation space?

Position: For minor changes, the ALEC should be allowed to perform the change without a formal application; the ALEC should give the ILEC one calendar day's notice prior to the planned change. For intermediate or augmentation changes, the ILEC should provide a response to an application within five calendar days, and should implement the change within 45 calendar days from the date of the application. For major changes, the ILEC should provide a response to an application within ten calendar days, and should implement the change within 60 calendar days from the date of the application.

Issue 7: What are the responsibilities of the ILEC and collocators when:

- A. a collocator shares space with, or subleases space to, another collocator;
- B. a collocator cross-connects with another collocator.

Position: Rules 51.323(k)(1) and 51.323(h) of the FCC's rules clearly define the ALEC and ILEC obligations with respect to shared collocation and cross-connections between collocators.

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

Position: The ILECs should provision cageless physical collocation within 60 calendar days from the date of the collocation application.

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

Position: No position at this time.

Issue 10: What are reasonable parameters for reserving space for future LEC and ILEC use?

Position: ILECs should have enough space for at least two collocators in every CO. When the amount of available space falls below that which would be required to accommodate at least two collocators, the ILEC should be required to surrender the space it has reserved for future growth. Rules 51.323(f)(4), 51.323(f)(5), and 51.323(f)(6) of the FCC's rules provide additional guidance.

Issue 11: Can generic parameters be established for the use of administrative space by an ILEC, when the ILEC maintains that there is insufficient space for physical collocation? If so, what are they?

Position: Generic parameters can, and should be, established. If the use of the administrative space is unnecessary, or the activity for which the space is reserved can be performed equally effectively elsewhere, the administrative space must be surrendered.

Issue 12: What types of equipment are the ILECs obligated to allow in a physical collocation arrangement?

Position: Rule 51.323(b) of the FCC's rules provide explicit guidelines on what types of equipment are allowed to be collocated.

Issue 13: If space is available, should the ILEC be required to provide price quote 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?

Position: ILECs should provide complete and detailed price quotes sufficient to permit an ALEC to complete a firm order, within 30 calendar days of a collocation request.

Issue 14: Should an ALEC have the option to participate in the development of the ILEC's price quote, and if so, what time frames should apply?

Position: No position at this time.

Issue 15: Should an ALEC be permitted to hire an ILEC certified contractor to perform space preparation, racking and cabling, and power work?

Position: Rule 51.323(j) of the FCC's rules requires ILECs to permit (but not require) a collocator to use an ILEC-approved subcontractor to perform the construction of physical collocation arrangements.

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?

Position: The provisioning interval may not be extended unilaterally by the ILEC. Rather, the ILEC should be required to file an application for an extension of the provisioning deadline at least thirty calendar days prior to the end of the deadline.

Issue 17: How should the costs of security arrangements, site preparation, collocation space reports, and other costs necessary to the provisioning of collocation space, be allocated between multiple carriers?

Position: Costs directly attributable to individual collocators should be allocated on a *pro rata* basis.

Issue 18: If insufficient space is available to satisfy the collocation request, should the ILEC be required to advise the ALEC as to what space is available?

Position: The ILEC should inform the requesting ALEC if the available space is insufficient to address the collocator's requirements. The ALEC should then have the option of changing its request to accommodate the available space.

Issue 19: If an ILEC has been granted a waiver from the physical collocation requirements for a particular CO, and the ILEC later makes modifications that create space that

would be appropriate for collocation, when should the ILEC be required to inform the Commission and any requesting ALECs of the availability of space in that office?

Position: The ILECs should be required to maintain a waiting list of ALECs that have requested collocation space and have been denied. When additional space becomes available, the ILECs should immediately inform both the Commission and the ALECs on the waiting list. Priority (*i.e.*, right of first refusal) should be given to the ALECs based on the dates on which the ALECs submitted their collocation requests (see Intermedia’s position in response to issue no. 21 below).

Issue 20: What process, if any, should be established for forecasting collocation demand for CO additions or expansions?

Position: The ILECs should maintain a forecast that incorporates a three-year horizon.

Issue 21: Applying the FCC’s “first-come, first-served” rule, if space becomes available in a central office because a waiver is denied or a modification is made, who should be given priority?

Position: Priority should be based on the dates on which the ALECs submitted their initial collocation requests (*i.e.*, the oldest collocation request comes first, followed by the next oldest, and so on).

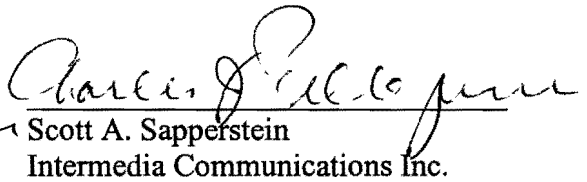
G. STIPULATED ISSUES: None.

H. PENDING MOTIONS: None.

I. REQUIREMENTS THAT CANNOT BE COMPLIED WITH: None.

Respectfully submitted this 13th day of January 2000.

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By: 
for Scott A. Sapperstein

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Its Attorney

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I **HEREBY CERTIFY** that a true and correct copy of the foregoing was served via U.S.

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