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January 29, 2001

RECORDS AND  
REPORTING

ORIGINAL

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

010122-TP

RE: Sprint-Florida, Incorporated's Petition for Temporary  
Waiver of Physical Collocation at the Maitland Central Office

Dear Ms. Bayó:

Enclosed for filing are the original and seven copies of  
Sprint-Florida, Incorporated's Petition for Temporary Waiver of  
Physical Collocation at the Maitland Central Office.

A copy is being served on the interested parties pursuant to the attached  
Certificate of Service.

Please acknowledge receipt of this filing by stamping and initialing a copy  
of this letter and returning same to the courier. If you have any  
questions, please do not hesitate to call me at 850/599-1560.

Sincerely,

Susan S. Masterton

Enclosures

DOCUMENT NUMBER-DATE

01285 JAN 29 01

FPSC-RECORDS/REPORTING

CERTIFICATE OF SERVICE  
DOCKET NO. \_\_\_\_\_

I HEREBY CERTIFY that a true and correct copy of the foregoing was served by U.S. Mail or hand-delivery this 29<sup>th</sup> day of January, 2000 to the following:

NorthPoint Communications, Inc.  
Jack Whitley  
222 Sutter Street, 7<sup>th</sup> Floor  
San Francisco, CA 94108

BlueStar Networks, Inc.  
Michelle Seals  
801 Crescent Centre Dr.  
5 Corporate Ctr. Suite 600  
Franklin, TN 37067

Progress Telecommunications Corporation, "PTC"  
Kim Hart  
100 Second Avenue South  
Suite 500 South, CC4A  
St. Petersburg, FL 33701

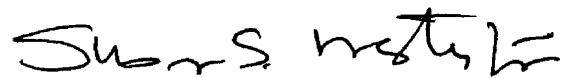
Hyperion Communicaitons of Florida, L.L.C.  
Fran Urbania  
1800 Pembroke Drive  
Orlando, FL 32810

FPL FiberNet  
Brett Bayag  
9250 W. Flagler Street  
Miami, FL 33178

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

BroadRiver Communications  
Rashaan Owens  
13000 Deerfield Parkway, Suite 210  
Alpharetta, GA 30004

Peter M. Dunbar, Esq.  
Karen M. Camechis, Esq.  
Pennington, Moore, Wilkinson, Bell & Dunbar, PA  
Post Office Box 10095  
Tallahassee, Florida 32302-2075

A handwritten signature in black ink, appearing to read "Susan S. Masterton". The signature is written in a cursive style with a horizontal line underneath the name.

Susan S. Masterton

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Request for Temporary Waiver )  
of Collocation Requirements in the )  
Maitland Central Office by Sprint-Florida, )  
Incorporated )

Docket No.

Filed: January 29, 2001

**SPRINT-FLORIDA, INCORPORATED'S**  
**PETITION FOR TEMPORARY WAIVER OF PHYSICAL COLLOCATION**  
**AT THE MAITLAND CENTRAL OFFICE**

Sprint-Florida, Incorporated ("Sprint") files this Petition for Temporary Waiver in accordance with Order No. PSC-99-1744-PAA-TP, issued on September 7, 1999 ("PAA Order"), and Order No. PSC-0941-FOF-TP, issued May 11, 2000 ("Generic Order"), the Telecommunications Act of 1996 (the "Act") and the Federal Communications Commission's ("FCC") First Report and Order (the "FCC Order"). Pursuant to this authority, Sprint requests an exemption from the physical collocation requirements set forth in the Act, in the FCC Order and in the PAA and Generic Orders for the Maitland (MTLDFLXA) Central Office ("CO") located at 501 North Keller Road. Sprint seeks this exemption from the Florida Public Service Commission ("FPSC") on the grounds that it is unable to meet physical collocation requests based on technical infeasibility due to the need to install connectivity to the newly constructed second floor and due to the need to upgrade systems to provide the power necessary for collocation on the second floor. Sprint expects to complete installation of connectivity and power upgrades by May 1, 2001 and can begin provisioning firm orders for collocation at that time.

1. Under the Act, Incumbent Local Exchange Companies (“ILECs) have the following obligation:

The duty to provide, on rates, terms, and conditions that are reasonable, and nondiscriminatory, for physical collocation of equipment necessary for interconnection or access to unbundled elements at the premises of the local exchange carrier, except that the carrier may provide for virtual collocation if the local exchange carrier demonstrates to the State Commission that physical collocation is not practical for technical reasons or because of space limitations.

47 U.S. & 251(c) (b). Thus, an ILEC is required to provide physical collocation unless it is “not practical ...for technical reasons.” *Id.* Due to technical considerations in the Maitland CO, Sprint is unable to provide physical collocation to ALECs until May 1, 2001. Sprint is unable to provision physical collocation until the facilities to establish connectivity between the first floor and newly constructed second floor and necessary power upgrades are completed by May 1, 2001.

2. Currently, two ALECs are physically collocated and three ALECs (including TWTC) are virtually collocated at the Maitland Central Office.
3. Due to a high demand for collocation space and Sprint’s own needs to meet its customer demands for service, Sprint began construction of a second floor addition to the Maitland CO on or about February 1, 2000. Around that time, Sprint reached “informal” agreements with several ALECs who desired collocation at the Maitland CO to leave their applications for collocation pending and place them on a waiting list for provisioning their collocation space until the second floor addition was completed. (These informal agreements were reached

prior to the issuance of the Commission's Generic Collocation Order, establishing the waiting list requirements for ILEC facilities that are closed to collocation.) Because the ALECs agreed to leave their applications pending and delay the provisioning of their collocation space voluntarily, no ALEC was formally denied space, and therefore, the waiver process established in the PAA Order was not initiated by Sprint or the requesting ALECs. There are seven ALECs currently on the waiting list, with initial application dates ranging from September 1999 to November 2000.

4. The construction phase of the second floor addition was completed on July 31, 2000; however, work still remains to be done before the space is available for collocation, including installation of a power upgrade necessary to support collocation scheduled to be completed on March 28, 2001 and installation of DSX-1 and DSX-3 tie panels necessary for connectivity of all equipment installed on the second floor with Sprint equipment on the first floor, which installation is scheduled to be completed on May 1, 2001.
  
5. The second floor addition in Maitland requires a distribution system from the first floor D.C. power room to the second floor. The power distribution system consists of large copper bars, known as a bus, that are routed from the first floor batteries to power distribution bays on the second floor. The bus bars are protected from accidental electrical shorting by a bus duct. The bus bars and ducts are custom fabricated to the exact dimensions of the Maitland site. The bus and ducts are very labor intensive to manufacture and time consuming to install. The measurements are taken only after the building construction is completed. The Maitland

measurements were further delayed when the building contractor omitted the cable riser (a hole in the concrete floor) between the first and the second floor.

6. The installers are adding the power bus to a live system that feeds all of the Maitland central office equipment. This requires extreme care to avoid electrical shock to the workers and any potential power outages from shorting the electrical feeds.
  
7. The new equipment room requires access to existing equipment on the first floor. Sprint will install DSX-1 and DSX-3 tie panels on the second floor and connect to the DSX tie panels on the first floor with tie cables. The lack of an additional two cable risers also delayed the installation of the tie cables.
  
8. On October 23, 2000, TWTC applied for cageless physical collocation at the Maitland CO. Because the physical construction of the second floor addition was completed on July 31, 2000, Sprint personnel inadvertently communicated to TWTC that space was available at the CO and provided a price quote, but informed TWTC that collocation provisioning could not be completed until after second quarter 2001, due to the need to upgrade power systems. (See Attachment 1.)
  
9. TWTC submitted a firm order confirmation for space at the Maitland CO on November 21, 2000. Based on the 90-calendar day provisioning interval for cageless physical collocation established in the Generic Collocation Order, the date for completion of provisioning of the collocation space at this location based on the date TWTC submitted the firm order would be

February 19, 2001. While TWTC did not affirmatively acknowledge the extended provisioning date based on the time required to complete the power upgrade when submitting its firm order, neither did TWTC explicitly indicate its disagreement with the Sprint's projected completion date.

10. On January 12, 2001, TWTC filed a formal complaint with the Commission against Sprint for violation of the Commission's Orders related to collocation application response times and provisioning intervals (Docket #010054-TP).
11. At that time Sprint realized that it had acted in error in providing a positive response concerning space availability and a price quote to TWTC, when there are several other ALECs ahead of TWTC in priority based on the voluntary waiting list established pending the completion of the second floor at the Maitland CO. TWTC is sixth in priority, based on the order of application dates.
12. While the actual construction of the second floor building addition at the Maitland CO is complete, physical collocation cannot be accommodated at the Maitland CO until the facilities have been installed to provide connectivity from the first floor to any equipment on the newly constructed second floor and until power systems have been upgraded and for this reason the Maitland Central Office should be excluded from the collocation requirements.
13. Sixty days prior to the May 1, 2001 date for completion of installation of the facilities to provide connectivity and completion of the power system Sprint proposes to notify all

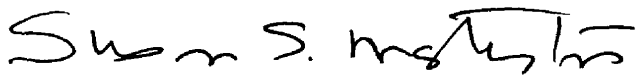


ALECs on the waiting list for space at the Maitland CO, that space is available, consistent with the requirements established by the Commission in the Generic Collocation Order. Sprint proposes to provision the space to ALECs according to their position on the waiting list. Sprint anticipates that all of the outstanding applications for space will be able to be accommodated on the second floor once the technical issues are addressed, including TWTC's application for space.

**WHEREFORE**, having demonstrated good cause for its request, Sprint asks that the Commission grant its Petition for Waiver and exempt Sprint from the obligation to offer physical collocation in the Maitland CO until May 1, 2001, when the technical problems enumerated in this Petition will be resolved.

Respectfully submitted this 29th day of January, 2001.

SPRINT-FLORIDA, INCORPORATED



SUSAN S. MASTERTON

Attorney

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Tallahassee, FL 32316-2214

850-599-1560

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ATTACHMENT 1

**From:** McCulloch, Terry A.  
**Sent:** Wednesday, November 15, 2000 6:01 PM  
**To:** 'mike.siracuse@twtelecom.com'  
**Cc:** Anderson, Paula M.; Maxwell, Janell L.  
**Subject:** Collocation Responses WNPFLXA, MILD, ALSP, LKBR  
Mike - As a follow-up to our conversation today:

For LKBRFLXA -

Cageless physical - pricing estimate was provided on 11/14 - space is available - waiting for Firm Order Commitment from TWC. Sprint will construct the space within 90 days from the date that a Firm Order Commitment is received from TWC.

Virtual augment - 2 choices as follows:

1. TWC can convert the existing virtual to a cageless physical collocation. I would need to provide a new pricing estimate based upon a cageless physical rates (DC power, Electrical Cross Connects, square feet of floor space). Sprint would run the fiber between the existing converted virtual collocation and the future physical cageless collocation. TWC would provide the fiber to Sprint, and Sprint would bill TWC for labor associated with running the fiber. WDM would be provided by TWC and located in TWC's rack. TWC would need to place a firm order commitment once I provide the cageless physical pricing estimate.
2. Virtual collocation arrangement stays the same. To augment it, Sprint would provide the optical patch panel, fiber, and labor to install/run both the panel and the fiber. Sprint would have to develop a price for doing this work as it is not a tariffed service. TWC would pay for tariffed cross connects on both sides of the optical patch panel. I would need to provide a pricing estimate to reflect the augment charges. Sprint would continue to maintain the equipment. Once I provide the pricing estimate, TWC would need to place a firm order commitment.

For ALSPFLXA -

Cageless physical - space is available, but DC power will not be available until after 3/2001. I've attached a pricing estimate for this site. If you desire to place a firm order commitment for this site, just respond to this e-mail telling me that you are placing a firm order commitment and that you understand that DC power will not be available until after 3/2001.

For the virtual augment application - I have not processed it because I am waiting for the virtual augment application fee. However, TWC will have the option of converting the existing virtual to cageless physical. The same issues, as mentioned above for LKBRFLXA, would be applicable. In addition, TWC could choose to leave the virtual as virtual. In either case, I will need to provide a pricing estimate so that you can place a firm order commitment.

For MTLDFLXA -

Cageless physical - space is available, but DC power will not be available until after 2nd quarter 2001. I've attached a pricing estimate for this site. If you desire to place a firm order commitment for this site, just respond to this e-mail telling me that you are placing a firm order commitment and that you understand that DC power will not be available until after 2nd quarter 2001.

For the virtual augment application - I have not processed it because I am waiting for the virtual augment application fee. However, TWC will have the option of converting the existing virtual to cageless physical. The same issues, as mentioned above for LKBRFLXA, would be applicable. In addition, TWC could choose to leave the virtual as virtual. In either case, I will need to provide a pricing estimate so that you can place a firm order commitment.

For WNPFLXA -

Cageless physical - space and DC power is not available today. I will need to gather additional information from our Planning team as to when space will be available. DC power will be available after 2nd quarter 2001. I cannot provide a pricing estimate at this time as I need additional information from the engineering team.

For the virtual augment application - I have not processed it because I am waiting for the virtual augment application fee. Plus, I need additional information from the engineering team.

Please let me know if other questions. Thanks!

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Terry A. McCulloch  
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Apopka, Florida 32703  
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