



# Public Service Commission

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## -M-E-M-O-R-A-N-D-U-M-

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COMMISSION CLERK

**DATE:** DECEMBER 26, 2001

**TO:** DIRECTOR, DIVISION OF THE COMMISSION CLERK & ADMINISTRATIVE SERVICES (BAYÓ)

**FROM:** DIVISION OF LEGAL SERVICES (BANKS) *REB* *DL*  
DIVISION OF COMPETITIVE SERVICES (FULWOOD) *LEW* *FW*

**RE:** DOCKET NO. 000779-TL - REQUEST FOR TEMPORARY WAIVER OF PHYSICAL COLLOCATION IN THE PERDIDO BAY CENTRAL OFFICE BY BELLSOUTH TELECOMMUNICATIONS, INC.

**AGENDA:** 01/08/02 - REGULAR AGENDA - INTERESTED PERSONS MAY PARTICIPATE

**CRITICAL DATES:** NONE

**SPECIAL INSTRUCTIONS:** NONE

**FILE NAME AND LOCATION:** S:\PSC\LEG\WP\000779R2.RCM

### CASE BACKGROUND

Pursuant to Order Nos. PSC-99-1744-PAA-TP and PSC-99-2393-FOF-TP, BellSouth filed a Notice of Intent to Request Temporary Waiver of Physical Collocation Requirements in the Perdido Bay Central Office on June 27, 2000. On July 10, 2000, BellSouth and Commission staff conducted a tour of this central office.

BellSouth filed its Petition for Temporary Waiver of Physical Collocation Requirements in the Perdido Bay Central Office on July 18, 2000. In accordance with the above-mentioned Orders, BellSouth timely filed its Post-Tour Report for this central office on July 26, 2000. On September 18, 2000, the Commission issued Order No. PSC-00-1651-FOF-TL, granting BellSouth a Temporary Waiver of Physical Collocation Requirements in the Perdido Bay central office until December 31, 2002, or until the construction of the building addition is completed.

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

On October 29, 2001, BellSouth filed a Notice of Withdrawal of its Petition for Temporary Waiver of Physical Collocation in the Perdido Bay Central Office.

The Commission is vested with jurisdiction in this matter pursuant to Section 251 of the Telecommunications Act of 1996.

#### DISCUSSION OF ISSUES

**ISSUE 1:** Should Order No. PSC-00-1651-FOF-TL, issued September 18, 2000, granting BellSouth a Temporary Waiver of Physical Collocation Requirements in the Perdido Bay central office, be vacated in part?

**RECOMMENDATION:** Yes. Staff recommends that, Order No. PSC-00-1651-FOF-TL, be vacated in part, in regards to the time which remains in BellSouth's temporary waiver of physical collocation requirements in the Perdido Bay central office. The waiver should terminate upon issuance of an Order resulting from this recommendation.  
**(BANKS, FULWOOD)**

**STAFF ANALYSIS:** Pursuant to Order No. PSC-00-1651-FOF-TL, BellSouth was granted a Temporary Waiver of Physical Collocation Requirements in the Perdido Bay central office until December 31, 2002, or until completion of the construction of the building addition. As stated in the case background, BellSouth filed a Notice of Withdrawal of its Petition for Temporary Waiver of Physical Collocation Requirements in the Perdido Bay central office (Notice) on October 29, 2001. In its Notice, BellSouth states that it is withdrawing its petition because all alternative local exchange companies on the waiting list have either been served or no longer desire space in the Perdido Bay central office. Therefore, staff recommends that Order No. PSC-00-1651-FOF-TL, be vacated in part, in regards to the time which remains in BellSouth's temporary waiver of physical collocation requirements in the Perdido Bay central office. The waiver should terminate upon issuance of an Order resulting from this recommendation.

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**ISSUE 2:** Should this docket be closed?

**RECOMMENDATION:** Yes. This docket should be closed upon issuance of the Commission's order. (BANKS)

**STAFF ANALYSIS:** Since no further Commission action is necessary, this docket should be closed when the Commission's order is issued.