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August 4, 2003

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Via Email & Federal Express

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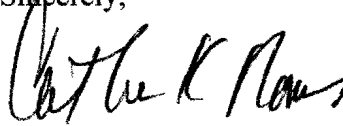
Re: Docket Nos. 981834-TP and 990321-TP (Generic Collocation)

Dear Ms. Bayó:

Enclosed is an original and fifteen copies of Verizon Florida Inc.'s Response to AT&T's Motion for Modification of the Procedural Schedule, which we ask that you file in the captioned docket.

A copy of this letter is enclosed. Please mark it to indicate that the original was filed and return the copy to me. Copies have been served to the parties shown on the attached Certificate of Service.

Sincerely,



Catherine Kane Ronis

cc: All Parties of Record
Charles Schubart

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**BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION**

In re: Petition of Competitive Carriers for)	
Commission action to support local)	
Competition in BellSouth Telecommunications)	Docket No. 981834-TP
Inc.'s service territory)	
_____)	
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)	Docket No. 990321-TP
Florida Incorporated comply with obligation to)	
provide alternative local exchange carriers)	
with flexible, timely, and cost-efficient physical)	
collocation.)	
_____)	

**VERIZON FLORIDA INC.'S RESPONSE TO
AT&T'S MOTION FOR MODIFICATION OF THE PROCEDURAL SCHEDULE**

Verizon Florida Inc. ("Verizon") hereby submits its Response to AT&T's Motion for Modification of the Procedural Schedule ("AT&T Modification Motion"), which was sent to Verizon via regular mail on July 24, 2003:

1. Verizon does not oppose AT&T's request to consolidate the briefing of this proceeding into a single round of briefs to be filed following the conclusion of the November hearing.^{1/} But AT&T's motion does not go far enough: the DC power metering issue is not ripe for consideration and should therefore be removed from the August hearing. The Commission

^{1/} As an initial matter, AT&T only has itself to blame for the fact that the power billing issue is now bifurcated from the cost phase of the proceeding. These issues were bifurcated by the Commission to mitigate the effects of AT&T's filing of an untimely affirmative cost proposal to impose BellSouth's collocation provisioning, accounting, and cost recovery methods on Verizon and Sprint. See *Emergency Joint Motion to Strike, or in the Alternative, for an Extension of Time*, filed in this docket on May 15, 2003.

should instead institute a technical collaborative proceeding to address the question so that the parties' subject matter experts will have an open forum to discuss all of the issues involving DC power metering.

2. It is beyond dispute that the current record lacks any specific proposal from AT&T regarding the rates, terms, or conditions for DC power metering. Indeed, a number of critical issues simply have not been addressed at all, including: (1) whether metering would reduce the CLECs' power costs, as the CLECs presume, given the high fixed costs ILECs incur to provision DC power and the additional labor and materials that would be necessary to measure usage; (2) what equipment would be required to meter DC power; and (3) how the various ILECs' cost models would be affected by a metering structure. Although Staff recently issued data requests intending to develop some of these facts, responses are not due until the first day of the hearings -- August 11, 2003.^{2/} Verizon likewise recently sought discovery from AT&T in an attempt to nail down what AT&T's metering proposal actually is,^{3/} but it is unlikely that AT&T will respond to Verizon's requests before the August 11, 2003 hearing.

3. No other party has developed a record on DC power metering because of AT&T's actions and prior testimony on the issue. As explained in the Joint Motion of Verizon Florida Inc. and Sprint-Florida, Incorporated to Strike the Revised Testimony of Steven E. Turner and the Surrebuttal Testimony of Jeffrey A. King ("Joint Motion to Strike"), after stating in its

^{2/} See Staff's Eighth Set of Interrogatories and Ninth Request for Production of Documents to Sprint; Staff's Tenth Set of Interrogatories and Tenth Request for Production of Documents to Verizon; Staff's Eighth Set of Interrogatories and Ninth Request for Production of Documents to BellSouth; Staff's Fifth Set of Interrogatories and Third Request for Production of Documents to AT&T (all served electronically on July 22, 2003). Because Staff's requests raise complex technical and costs questions, Verizon likely will seek more time to respond to those requests.

^{3/} See Verizon's Fourth Set of Interrogatories and Third Request for Production of Documents to AT&T (served electronically on July 30, 2003).

rebuttal testimony that Verizon's and Sprint's methods of billing for DC power are *appropriate*,^{4/} AT&T abruptly reversed its position on the issue late in this proceeding by filing untimely and unauthorized revised testimony and surrebuttal testimony. Specifically, AT&T revised Mr. Turner's Rebuttal Testimony to substitute "actual usage," which would somehow be determined by metering, for "List 1 Drain" as the standard by which CLECs should be billed for DC power. AT&T also submitted unscheduled Surrebuttal Testimony by Mr. King, which, contrary to his initial filings, stated that List 1 Drain is *not* an appropriate proxy for actual usage and that the List 1 Drain number should instead be reduced by at least 50%.^{5/} Thus, because of AT&T's missteps, the parties must now, late in this proceeding, develop a full record on the issue of DC power metering so that the Commission may consider facts and concrete proposals rather than abstract concepts. Indeed, it appears that even Staff is hurrying to create a record on the issue, recently issuing detailed sets of data requests to all parties.^{6/} Clearly, the power metering issue is not ready to be addressed at the August hearing.

4. In addition, AT&T has now made it clear that it intends to turn Mr. Turner into a technical metering witness at the November hearing, even though he failed to submit technical testimony in either the December direct round or the January rebuttal round, and even though the November hearing is currently supposed to address only cost issues. In its Modification Motion,

^{4/} See King Rebuttal Testimony at page 22, lines 15-16 (discussing one of AT&T's two proposals regarding DC power charges and "not[ing] that this is the methodology used by Sprint-Florida as well as Verizon Florida.").

^{5/} See Joint Motion to Strike at 5-7. Although AT&T withdrew Mr. King's Surrebuttal Testimony at the Prehearing Conference, it made it clear at that time that it nonetheless intends to advocate Mr. King's new position at the hearings and in subsequent filings. Verizon should not be forced to respond on-the-fly to a detailed proposal first put forth by AT&T at the hearings.

^{6/} See *supra* note 2. See also *supra* note 3 (Verizon's first round of Issue 6B discovery on AT&T).

AT&T asserts: “The rebuttal testimony of AT&T’s witness Steven E. Turner, while directed principally at the cost issues, also contains testimony relevant to other issues in the proceeding, specifically Issues 6A-C regarding in what manner the ILECs will be allowed to charge for the consumption of electrical power in their collocation arrangements.”^{7/} AT&T further argues that not allowing Issue 6 to be addressed by both Mr. King in August *and* Mr. Turner in November would be “inappropriate and prejudicial to AT&T and would constitute a denial of due process.”^{8/} AT&T is thus seeking to present testimony on the same issue at both hearings.

5. The Commission should therefore remove Issue 6B (where DC power metering would be considered) entirely from the August and November hearings.^{9/} The power metering questions associated costs should be addressed in the first instance in a focused and time-limited technical collaborative on the following three basic issues: (1) whether, given that the majority of DC power plant costs are fixed and do not vary by usage, DC power metering is even warranted; (2) if so, how such metering should be implemented; and (3) if implemented, how the necessary additional materials and labor costs should be added to the ILECs’ current studies, and how the ILECs’ current rate structures should be altered, to ensure that they recover their costs under any new system. Once the collaborative is completed, the Commission should then set a schedule for submitting further cost studies (if appropriate), testimony and briefs.

^{7/} AT&T Modification Motion at ¶ 5.

^{8/} *Id.* at ¶ 6.

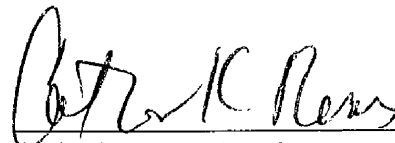
^{9/} Issue 6C, which addresses when an CLEC should begin paying for DC power, should remain in the August hearing and be discussed in conjunction with Issue 1A (“When should an CLEC be required to remit payment for non-recurring charges for collocation space?”). With respect to Issue 6A, Verizon does not bill based on the number of fused amps requested by the CLEC, and therefore has no stake in the issue.

6. The reason a technical collaborative should be commenced is straightforward: neither the ILECs nor Staff should be forced to address in this proceeding some undefined and abstract proposal on power metering vaguely put forth by AT&T. As noted above, no one knows what exactly AT&T is proposing. For example, there are many types of meters (e.g., ammeters, fluke meters) that work in different ways (e.g., spot measurements, cumulative measurements) at different points in a system (e.g., battery distribution frame bays, electric boards). These technologies and configurations all have different strengths and weaknesses. Because metering DC power involves complex engineering design problems and raises serious safety issues, it should be addressed in the first instance by the experts in an open forum, not in this (truncated) adversarial proceeding.

7. In the alternative, for the reasons stated above, the Commission should remove the DC metering issue from the August hearing and address it only in the November hearing. Verizon would proceed, as it currently is permitted to do, to file surrebuttal testimony on September 23, 2003 addressing Mr. Turner's Revised Rebuttal Testimony and any information produced by AT&T in response to discovery requests. The Commission would then have a more fully developed record on the issue to consider at the November hearings. (Of course, if the issue were moved to a technical collaborative, this testimony would be put on hold until further notice.)

WHEREFORE, Verizon respectfully requests that the DC power metering issue (Issue 6B) be removed from the August and November hearings and moved to a technical collaborative phase of this proceeding. In the alternative, the DC power metering should be removed from the August hearing and addressed only in the November hearing.

Respectfully submitted,



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Dated: August 4, 2003

Attorneys for Verizon Florida Inc.

CERTIFICATE OF SERVICE
Docket No. 981834-TP and 990321-TP

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via Electronic Mail this 4th day of August, 2003 (with service via FedEx, First Class U.S. Mail, or Facsimile to follow) to the following:

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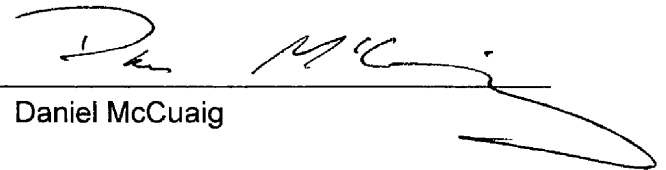
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