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October 6, 2003

**VIA HAND DELIVERY**

Blanca S. Bayo, Director  
Division of Records and Reporting  
Betty Easley Conference Center  
4075 Esplanade Way  
Tallahassee, Florida 32399-0870

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COMMISSION  
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Re: Docket No.: 981834-TP and 990321-TP


Dear Ms. Bayo:

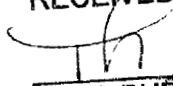
On behalf of DIECA Communications, Inc. d/b/a Covad Communications Company (Covad), enclosed for filing and distribution are the original and 15 copies of the following:

- ▶ Prehearing Statement of DIECA Communications, Inc. d/b/a Covad Communications Company.

Please acknowledge receipt of the above on the extra copy of each and return the stamped copies to me. Thank you for your assistance.

Sincerely,

  
Timothy J. Perry

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TJP/bae  
Enclosure

AUS	_____
CAF	_____
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GCL	_____
OPC	_____
MMS	_____
SEC	<u>1</u>
OTH	_____

McWHIRTER, REEVES, MCGLOTHLIN, DAVIDSON, KAUFMAN & ARNOLD, P.A.

DOCUMENT NUMBER-DATE

09669 OCT -6 8

FPSC-COMMISSION CLERK

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

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  
physical collocation.

Docket No. 990321-TP

Filed: October 6, 2003

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**PREHEARING STATEMENT OF DIECA COMMUNICATIONS, INC.  
D/B/A COVAD COMMUNICATIONS COMPANY**

DIECA Communications, Inc. d/b/a Covad Communications Company (Covad), pursuant  
to Order Establishing Procedure, Order No. PSC-02-1513-PCO-TP, files its Prehearing  
Statement.

**A. APPEARANCES:**

**CHARLES (GENE) WATKINS**, Senior Counsel, Covad Communications Co., 1230  
Peachtree Street, NE, 19<sup>th</sup> Floor, Atlanta, Georgia 30309

**VICKI GORDON KAUFMAN**, McWhirter Reeves McGlothlin Davidson Kaufman &  
Arnold, P.A., 117 South Gadsden Street, Tallahassee, Florida 32301

**On Behalf of DIECA Communications, Inc. d/b/a Covad Communications Company**

**B. WITNESSES:**

None.

**C. EXHIBITS:**

Covad has no exhibits at this time. However, Covad reserves the right to use appropriate  
exhibits on cross-examination.

DOCUMENT NUMBER-DATE

09669 OCT-6 8

FPSC-COMMISSION CLERK

**D. STATEMENT OF BASIC POSITION:**

Covad supports the basic positions of AT&T Communications of the Southern States, LLC. (AT&T) and FDN Communications (FDN).

**E. STATEMENTS OF ISSUES AND POSITIONS:**

**ISSUE 9A:** For which collocation elements should rates be set for each ILEC?

**COVAD:** Covad supports the position of AT&T provided in its Prehearing Statement, with one caveat: Covad respectfully asks that the Commission separate the DC portion of the power charge for power provided to a CLEC's collocation space from the infrastructure portion of the power charge and provide the infrastructure charge as either a Monthly Recurring Charge (MRC) or as an alternative Non-Recurring Charge (NRC).

**ISSUE 9B:** For those collocation elements for which rates should be set, what is the proper rate and the appropriate application of those rates:

**COVAD:** Covad supports the position of AT&T provided in its Prehearing Statement. With regard to the separate infrastructure charge proposed by Covad, Covad respectfully requests that the ILECs be ordered to establish a credit toward the MRC or NRC for that portion of the infrastructure charge for which the ILECs have already been compensated in order to avoid a double recovery of the ILECs' infrastructure costs.

**ISSUE 10:** What are the appropriate definitions, and associated terms and conditions for the collocation elements to be determined by the Commission?

**COVAD:** Covad supports the position of AT&T provided in its Prehearing Statement.

**F. STIPULATED ISSUES:**

No issues have been stipulated at this time.

**G. PENDING MOTIONS:**

Covad has no motions pending at this time.

**H. PENDING CONFIDENTIALITY REQUESTS:**

Covad has no confidentiality requests pending at this time.

**I. OTHER MATTERS:**

There are no other matters which Covad is aware of or that can not be complied with..

**J. DECISIONS WHICH MAY IMPACT OR PREEMPT THE COMMISSION'S ABILITY TO RESOLVE THE ISSUES IN THIS CASE.**

None at this time.

  
for Charles Watkins  
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Attorneys for DIECA Communications, Inc.  
d/b/a Covad Communications, Company

## CERTIFICATE OF SERVICE

I **HEREBY CERTIFY** that a true and correct copy of the foregoing Prehearing Statement of DIECA Communications, Inc. d/b/a Covad Communications Company has been furnished by (\*) hand delivery, (\*\*) electronic mail and U.S. Mail this 6<sup>th</sup> day of October, 2003, to the following:

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for Vicki Gordon Kaufman