

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

NOVEMBER 3, 2003

RE: Docket No. 981834-TP - Petition of Competitive Carriers for Commission action to support local competition in BellSouth Telecommunications, Inc.'s service territory.

Docket No. 990321-TP - 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.

ISSUE 1A: When should an ALEC be required to remit payment for nonrecurring charges for collocation space?

RECOMMENDATION: The nonrecurring application fees should be billed within 30 days of the date when the ILEC provides an application response. Nonrecurring charges associated with processing the firm order for collocation preparation should be billed within 30 days of ILEC confirmation of the CLEC's firm order. All other nonrecurring charges should be billed within 30 days after the product or service is provided. An ILEC should permit a CLEC to subcontract the construction of its collocation space with contractors approved by the ILEC and the ILEC should not unreasonably withhold approval.

MODIFIED

Approved with modification discussed at conference, recognizing that issue was addressed by FCC.

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

[Handwritten signatures of majority commissioners]

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

10923 NOV-3 8

FPSC-COMMISSION CLERK

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ISSUE 3: Should an ALEC (hereafter CLEC) have the option to transfer accepted collocation space to another CLEC? If so, what are the responsibilities of the ILEC and CLECs?

RECOMMENDATION: Yes. A CLEC should be allowed to transfer collocation space to another CLEC under the following conditions: (1) the central office is not at or near space exhaustion; (2) the transfer of space should be contingent upon the ILEC's approval, who will not unreasonably withhold permission; (3) there are no unpaid ^{undisputed} collocation balances between the ILEC and the transferring CLEC; and (4) the transfer of the collocation space is in conjunction with the CLEC's sale of all, or substantially all, of the in-place collocation equipment to the acquiring CLEC.

The responsibilities of the transferring CLEC should include: (1) submitting a letter of authorization to the ILEC for the transfer; (2) entering into a transfer agreement with the ILEC and acquiring CLEC; and (3) returning all access devices to the ILEC. The responsibilities of the acquiring CLEC shall include: (1) submitting an application to the ILEC for transfer of the collocation arrangement; (2) satisfying all ~~legal~~ requirements of its interconnection agreement with the ILEC; (3) submitting a letter to the ILEC for the assumption of services; and (4) entering into a transfer agreement with the ILEC and transferring CLEC. It is the responsibility of the ILEC to ensure that the above responsibilities are completely satisfied and the transfer of space is done as quickly as possible.

MODIFIED

The recommendation was approved with the noted modifications, and with the addition of language concerning bankruptcy, and language indicating disputed bills will be governed by existing interconnection agreements.

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ISSUE 4: Should the ILEC be required to provide copper entrance facilities within the context of a collocation inside the central office?

RECOMMENDATION: An ILEC should be required to allow entrance facilities for a CLEC's copper cable only in those rare instances where the CLEC demonstrates a necessity and that entrance capacity is not at or near exhaustion in the particular central office associated with the collocation.

APPROVED

ISSUE 5: Should an ILEC be required to offer, at a minimum, power in standardized increments? If so, what should the standardized power increments be?

RECOMMENDATION: Yes. Depending on the technical feasibility, commercial availability, and safety limitations, DC power should be provided in 5-amp increments from 5 amps up to 100 amps. Given industry standard fuse sizing, DC power of 70 amps or greater may be provisioned directly from the ILEC main power board.

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ISSUE 6A: Should an ILEC's per ampere (amp) rate for the provisioning of DC power to an ALEC's collocation space apply to amps used or fused capacity?

ISSUE 6B: If power is charged on a per-amp-used basis or on a fused capacity basis, how should the charge be calculated and applied?

RECOMMENDATION: An ILEC's per ampere (amp) rate for DC power provided to a CLEC's collocation space should be based on amps used, not fused. Charges for DC power should be calculated and applied based on the amount of power that the CLEC requests it be allowed to draw at a given time. An ILEC should also allow a CLEC, at the CLEC's option, to order a power feed that is capable of delivering a higher DC power level but to fuse this power feed so as to allow a power level less than the feed's maximum to be drawn by the CLEC; the CLEC must specify the power level it wishes to be able to draw.

APPROVED

ISSUE 6C: When should an ILEC be allowed to begin billing an ALEC for power?

RECOMMENDATION: Billing for power should begin at the same time as the recurring charges as stipulated in Issue 1B.

APPROVED

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ISSUE 7: Should an ALEC have the option of an AC power feed to its collocation space?

RECOMMENDATION: Yes. The CLEC should have the option of obtaining AC power for its collocation arrangement. This includes AC convenience outlets for test equipment, AC powering of collocation equipment, and AC power feeds for converting AC to DC as long as they are in accordance with ~~the National Electric Code and the appropriate local building codes.~~

→ *all applicable electric codes and*

MODIFIED

Approved with noted modification.

ISSUE 8: What are the responsibilities of the ILEC, if any, when an ALEC requests collocation space at a remote terminal where space is not available or space is nearing exhaustion?

RECOMMENDATION: Generally, CLEC requests for collocation space at an ILEC remote terminal in Florida should be treated in the same fashion as central office collocation requests.

APPROVED

ISSUE 11: Should these dockets be closed?

RECOMMENDATION: No. These dockets should remain open to address the pricing issues associated with this proceeding.

APPROVED