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This is in reference to the request from the Public Service Commission TRO Data Request in Docket Nos. 030851-TP and 030852-TP.

Enclosed you will find the FPSC Staff General Questions FCC Rules, Section 51.319 (d) (2) as well as the affidavit form.

Sincerely,
Susan R. Mulhall



- AUS _____
- CAF _____
- CMP _____
- CDM _____
- CTR _____
- ECR _____
- GCL _____
- OPC _____
- MMS _____
- SEC _____
- OTH _____

ACTEL WIRELESS WHERE CUSTOMER SATISFACTION IS TOP PRIORITY

key to each docket

DOCUMENT NUMBER-DATE

12292 DEC-3 03

FPSC-COMMISSION CLERK

STATE OF FLORIDA

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DIVISION OF COMPETITIVE MARKETS &
ENFORCEMENT
BETH W. SALAK
DIRECTOR
(850) 413-6600

Public Service Commission

November 12, 2003

RESPONSE IS REQUIRED

At the outset, please note that if you are NOT providing telecommunications services in Florida, you may simply check the following box and fax this letter to (850) 413-6454.

TX695
Susan R. Mulhall
President
Actel Wireless, Inc.
1101 North Woodland Blvd.
Deland, FL 32720-2248

Re: Data Request Regarding Implementation of Requirements Arising From Federal Communication Commission's Triennial Unbundled Network Element Review - Local Circuit Switching for Mass Market Customers (Docket No. 030851-TP) and High-Capacity Loops and Transport (Docket No. 030852-TP) (Responses due by December 3, 2003)

On February 20, 2003, the Federal Communications Commission (FCC) adopted new rules concerning an incumbent telecommunications exchange carrier's (ILEC) obligations to make unbundled network elements (UNEs) available to competing carriers. The *Triennial Review Order*³⁷⁹ adopts rules which establish a new standard for determining the existence of impairment under section 251(d)(2) of the 1996 Telecommunications Act and sets forth a new list of UNEs. Additionally, the FCC requires state commissions to conduct a granular analysis within 9 months of the effective date of the order (i.e., July 2, 2004) to determine whether ILECs in that state must continue to provide access to certain network elements. To this end, the Florida Public Service Commission must determine whether ILECs in Florida must continue to provide competing carriers in all markets with access to: (1) high-capacity loops; (2) mass market switching; and (3) dedicated transport.

On August 22, 2003, the Commission opened two dockets to address the implementation of the *Triennial Review Order*. The attached data request addresses targeted trigger-related information, pursuant to the unbundling requirements specified in 47 CFR §51.319. Providing the

³⁷⁹ *Review of the Section 251 Unbundling Obligations of Incumbent Local Exchange Carriers*, CC Docket No. 01-338, Report and Order (rel. Aug. 21, 2003)(FCC 03-36), as corrected by errata, FCC 03-227 issued on September 17, 2003 (*Triennial Review Order* or *TRO*).

DOCUMENT NUMBER 001
12292 DEC-3 03
FPSC-COMMISSION CLERK

November 10, 2003

INFORMATION REQUESTS

FPSC Staff General Questions

FCC Rules, Section 51.319 (d) (2)

Complete the electronic spreadsheet "general_questions_FL.xls" with the following information in reference to your company. The LERG refers to the Local Exchange Routing Guide.

1. The FPSC code refers to your company's certificate number as registered with FPSC. This number is available from the FPSC website and should appear on the address label on the envelope in which this was mailed. TX695
2. Your company name as it appears on your provider's certificate and appears on the address label on the envelope in which this was mailed. Actel Wireless, Inc.
3. OCN refers to your LERG company code. 8019
4. The OCN_NAME refers to your company's name in the LERG. n/a
5. CATEGORY refers to the type of company according to the LERG, such as CLEC or WIRELESS. CLEC
6. AOCN refers to the administrative company code according to the LERG. n/a
7. AFFILIATIONS refer to any other companies with whom your company might have ~~none~~ affiliations. Please list the FPSC CODE and separate each new company in a new column.
8. DBA NAMES refer to other names of your company by which you are also known. Different names should be placed in additional columns. none
9. If you do not provide service or are providing service only via resale in Florida, please enter "No Service," stop here and return this information. No Service

FPSC Staff Switching Questions

FCC Rules, Section 51.319 (d) (2)

Complete the electronic spreadsheet "switching_questions_FL.xls" with the following information for each Florida wire center in which you provide service, either to end users or carriers.

1. If you use a switch to provide qualifying service¹ in the given wire center, please provide the 11-digit COMMON LANGUAGE® Location Identifier (CLLI™) for the switch that provides

such service to the given wire center anywhere in the state of Florida, regardless of whether the switch itself is located in Florida. Do not include ILEC unbundled local switching utilized by you in the ILEC's service territory or through the resale of the incumbent's services at wholesale rates. If there are additional wire centers that are not listed, please include them at the bottom of the list. *(Column B)*

2. Type of switch. Check each applicable category with an "X." For those categories that do not apply to the given wire center, leave blank. (End Office, Tandem Office, Multi-Function, Remote Line, Packet, Broadband, Cellular, Other). *(Columns C - I)*
3. The maximum number of voice-grade equivalent lines that you have the capacity to provide to customers through this switch. *(Column J)*
4. Number of DS-0/voice grade equivalent access lines in use for this wire center. *(Column K)*
5. Switch processor capacity in Centum Call Seconds (CCS). *(Column L)*
6. Indicate the number of residential customers in this wire center served by the given switch. *(Column M)*
7. Indicate the number of customer locations with 3 or fewer lines served by this switch in this wire center. *(Column N)*
8. Indicate the number of customer locations with at least 4 lines, but no more than 8 lines served by this switch in this wire center. *(Column O)*
9. Indicate the number of customer locations served by this switch in this wire center with 9 lines or more. *(Column P)*
10. The number of voice only customers. *(Column Q)*
11. The number of data service only customers. *(Column R)*
12. The number of voice and data customers. *(Column S)*
13. OWNER: Do you own the switch that serves this wire center? *(Column T)*
 - a. If you answered yes, then answer the following questions:
 - i. WHOLESALER: Do you lease it to another company? *(Column U)*
 - ii. SELF-PROVIDER: Do you use this switch to provide service to end users? *(Column V)*
 - b. If you answered no, then answer the following questions:
 - i. Please provide the FPSC code for the owner of the switch. If unknown,

requested data is essential to ensure that each carrier's facilities are considered in conclusions reached regarding UNE obligations. Company responses are due to the Commission by **December 3, 2003**. The data request is similar to the October 3, 2003, data request of the New York Department of Public Service in Case 03-C-0821, modified by a few additional questions.

The trigger-related information is to be provided on electronic spreadsheets: (1) `general_questions_FL.xls`, (2) `switching_questions_FL.xls`, (3) `transport_questions_FL.xls`, and (4) `loop_questions_FL.xls`. Hard copies of the spreadsheets are attached to the data request and spreadsheet files can also be downloaded from the Commission's website to use in providing responses (<http://www.floridapsc.com>). The number of spreadsheet rows to which each CLEC will be required to respond depends upon the number of switches, transport routes, or customer locations for which each company has provisioned facilities. Detailed instructions are included in the data request as well as attached to the spreadsheets.

If your company holds a certificate but is not currently active in the marketplace, you may simply check the box at the top of this page and return it.

To the extent you are a party to either Docket No. 030851-TP or Docket No. 030852-TP and information requested has already been provided through responses to interrogatories or document requests, there is no need to provide a full response again. Simply respond by identifying the particular interrogatory or document request (serving party, item number, filing date) where the information can be found.

Once the spreadsheets are completed, they should be saved electronically using the company name in the saved file name; i.e., `general_Company Name_FL.xls`. A cover letter along with a hard copy of each spreadsheet and an electronic version of each spreadsheet saved on a 3.5-inch diskette or compact disk (CD) should be mailed to:

Blanco S. Bayo
Division of the Commission Clerk
and Administrative Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

and

Pat Lee
Division of Competitive Markets & Enforcement
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

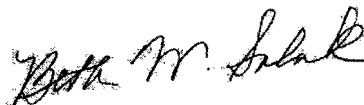
For proper identification of the data request responses, your cover letter should reference "2003 TRO Data Request in Docket Nos. 030851-TP and 030852-TP". Additionally, your response should include a notarized statement signed by the responding individual and attesting to the accuracy of the information.

Once the completed data request is received by the Commission, the information will be public record. If you believe your response contains confidential information, you can request that your response be exempt from FS 119.07(1), General State Policy on Public Records. If you are claiming confidential classification, a written request for the specific material to which the confidentiality relates should be filed with the Division of the Commission Clerk and Administrative Services with a copy to Pat Lee, Division of Competitive Markets & Enforcement. Enclosed is a copy of Florida Public Service Commission Rule 25-22.006, Florida Administrative Code, which provides the necessary information for submitting confidential information to be exempt from FS 119.07(1). Please note that a claim of confidentiality does not alleviate the obligation to respond to the data request in a timely manner. In addition, claims of confidentiality should not be made for information that is publicly available from other sources (switch locations, for example, are available from the Local Exchange Routing Guide).

In order to meet the 9-month federal requirements, it is essential that we obtain this information in a timely manner, as required by Florida Public Service Commission Rule 25-4.043, Florida Administrative Code, Response to Commission Staff Inquiries. Failure to comply with this rule can result in the Commission assessing penalties of up to \$25,000 per offense, with each day of non-compliance constituting a separate offense per FS 364.285(1). We encourage you to retain a record confirming delivery of your company's response to the data request, such as a certified mail receipt, a fax log, or a copy of an e-mail.

Responses to the enclosed data request are due no later than **December 3, 2003**. If you have any questions, please contact Pat Lee at (850) 413-6453 (plee@psc.state.fl.us).

Sincerely,



Beth W. Salak
Director, Division of Competitive Markets
& Enforcement

cc: Sally Simmons, Division of Competitive Markets & Enforcement
David Dowds, Division of Competitive Markets & Enforcement
Adam Teitzman, Office of General Counsel

AFFIDAVIT

By my signature below, I, Susan R Mulhall, attest to the accuracy of the information contained herein and the attached documents. I have reviewed the foregoing and declare that, to the best of my knowledge and belief, the information is true and correct. I attest that I have the authority to sign on behalf of _____.

Further, I am aware that, pursuant to Chapter 837.06, Florida Statutes, "Whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his official duty shall be guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 and s. 775.083."

Susan R Mulhall
Print Name

[Signature]
Signature

Owner
Title

12-1-03
Date

386 734 0057
Telephone No.

386 822 4775
Fax No.

Utility

Address: _____

STATE OF Florida

COUNTY OF Volusia

Sworn to (or affirmed) and subscribed before me this 1st day of Dec, 2003, by Susan Mulhall

(NOTARY SEAL)



Amy Adair
MY COMMISSION # DD218584 EXPIRES
June 2, 2007
BONDED THRU TROY FAIN INSURANCE, INC

[Signature]
(Signature of Notary Public)

Amy Adair
(Name of Notary Typed, Printed, or Stamped)

Personally Known _____ OR Produced Identification X Type of Identification Produced FL. DL.