



Public Service Commission

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RECORDS AND REPORTING

DATE: DECEMBER 7, 2000

TO: DIRECTOR, DIVISION OF RECORDS AND REPORTING (BAYO)

FROM: DIVISION OF COMPETITIVE SERVICES (T. WATTS) *ALW*
DIVISION OF LEGAL SERVICES (KNIGHT) *WPK*

RE: DOCKET NO. 001558-TL - REQUEST FOR WAIVER OF COLLOCATION REQUIREMENTS IN THE TALLAHASSEE-THOMASVILLE ROAD CENTRAL OFFICE BY SPRINT-FLORIDA, INCORPORATED.

AGENDA: DECEMBER 19, 2000 - REGULAR AGENDA - PROPOSED AGENCY ACTION - INTERESTED PERSONS MAY PARTICIPATE

CRITICAL DATES: NONE

SPECIAL INSTRUCTIONS: NONE

FILE NAME AND LOCATION: S:\PSC\LEG\WP\001558.RCM

CASE BACKGROUND

On September 7, 1999, the Commission issued Proposed Agency Action (PAA) Order No. PSC-99-1744-PAA-TP, which established procedures by which incumbent local exchange companies (LECs) would process alternative local exchange companies' (ALECs) requests for collocation and also established procedures for demonstrating space depletion for physical collocation in LEC central offices. On September 28, 1999, BellSouth Telecommunications, Inc. (BellSouth) filed a Protest/Request for Clarification of Proposed Agency Action. That same day, Rhythms Links, Inc. (Rhythms) filed a Motion to Conform Order to Commission Decision or, in the Alternative, Petition on Proposed Agency Action. Because motions for clarification/conformity are not contemplated by the PAA process, the motions were treated as protests to the PAA Order. On December 7, 1999, the Commission issued Order No. PSC-99-2393-FOF-TP, the Final Order Approving Stipulated Modifications to Collocation Guidelines, Amendatory Order, and Consummating Order.

DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING

These Orders established the procedures by which a LEC could request a waiver from this Commission of the physical collocation requirements. In establishing these procedures, the Commission set forth its belief that the handling of collocation waiver requests would be expedited, and that the number and scope of collocation disputes might be limited because the Commission's expectations would be defined.

These procedures clearly outline the LEC, ALEC, and Commission responsibilities in processing waiver requests. In brief, these Orders require that once an ALEC files a completed application for physical collocation with a LEC, and the LEC does not believe that space is available for physical collocation in that particular central office, the LEC must file, within fifteen days of the application, a Notice of Intent to Request a Waiver of the Physical Collocation Requirements with this Commission. The LEC is to file its actual Petition for Waiver of the Physical Collocation Requirements for this central office within twenty days of filing its Notice of Intent. Further, the LEC, ALEC(s) denied space, and the Commission staff will conduct a tour of the central office within ten days of the filing of the Notice of Intent. While the LEC must allow both the ALEC(s) denied space and the Commission staff to tour the premises, the ALEC(s) do so at their option. Twenty days after the central office tour the LEC must file a post-tour report containing certain specific information and other information that it believes to be relevant. The ALEC(s) may also file a post-tour report outlining their findings within twenty days of the tour. Commission staff will then use this information to evaluate whether the LEC's Petition for Waiver should be granted.

Pursuant to Orders Nos. PSC-99-1744-PAA-TP and PSC-99-2393-FOF-TP, on October 16, 2000, Sprint-Florida, Incorporated ("Sprint") filed a Notice of Intent to Request Temporary Waiver of Physical Collocation Requirements in the Tallahassee-Thomasville Road central office. On October 25, 2000, Sprint, Commission staff and one of the ALECs denied space, Tallahassee Telephone Exchange, conducted a tour of this central office. Broadslate Networks Inc, the second ALEC denied space, did not participate in the tour.

Sprint filed its Petition for Waiver of Physical Collocation Requirements in the Tallahassee-Thomasville Road central office on November 6, 2000. In accord with the above-mentioned orders, Sprint filed its Post-Tour Report for this central office on November 14, 2000. Tallahassee Telephone Exchange did not file a Post-Tour Report.

DISCUSSION OF ISSUES

ISSUE 1: Should Sprint's Request for Temporary Waiver of Physical Collocation Requirements in the Tallahassee-Thomasville Road central office be granted?

RECOMMENDATION: Yes, Sprint's Request for Temporary Waiver of Physical Collocation Requirements in the Tallahassee-Thomasville Road central office should be granted until December 31, 2001. (T. WATTS)

STAFF ANALYSIS: The central issue before the Commission is to determine whether Sprint should be granted a Temporary Waiver of the Physical Collocation Requirements for the Tallahassee-Thomasville Road central office. Section 251(c)(6) of the Telecommunications Act of 1996 (Act) places upon incumbent LECs:

COLLOCATION.-The duty to provide, on rates, terms, and conditions that are just, reasonable, and nondiscriminatory, for physical collocation of equipment necessary for interconnection or access to unbundled network elements at the premises of the local exchange carrier, except that the carrier may provide for virtual collocation if the local exchange carrier demonstrates to the State commission that physical collocation is not practical for technical reasons or because of space limitations.

Thus, the Act clearly acknowledges that state commissions will make the determination of whether there is sufficient space in a LEC's central office for physical collocation. Accordingly, the Commission established procedures for handling physical collocation waiver requests in Orders Nos. PSC-99-1744-PAA-TP and PSC-99-2393-FOF-TP.

Sprint states in its Notice of Intent that it is currently unable to provide physical collocation in the Tallahassee-Thomasville Road central office due to lack of space. (Notice, p.1) Sprint explains that the space limitations it faces are a result of the space being used for existing Sprint equipment, space previously allocated to ALECs, and the planned installation of additional equipment. (Petition, p.3) Sprint further states that it has plans to complete a building addition to this central office by the second half of 2001. (Notice, p.1)

Sprint states that the Tallahassee-Thomasville Road central office building houses a DMS-100 digital switch providing local dial tone, circuit equipment that consists of fiber optic terminals, multiplexers, digital channel banks, digital pair gain central office terminals, and digital cross-connect panels. Sprint also states that this central office also provides connectivity to other central offices and local customers. (Petition, pp.1-2)

In its Petition for Temporary Waiver, Sprint states that the area served by the Tallahassee-Thomasville Road central office is growing rapidly and thus the facility is under enormous space constraints. Currently, Sprint reports that this central office serves approximately 27,500 access lines and 4,100 T1 circuits. (Petition, p.2)

Sprint states that it used the following procedure to identify space currently available for physical collocation in the Tallahassee-Thomasville Road central office:

- a. Sprint determined the total square footage within the facility;
- b. Sprint determined the unavailable space (i.e., restrooms, hallways, stairs, etc.);
- c. Sprint determined assigned space currently occupied by the Sprint switch, transmission, power and other equipment, as well as necessary administrative space;
- d. Sprint determined the space reserved for future defined uses necessary to adequately serve Sprint customers, including consideration given to Sprint's future switch growth plans;
- e. Sprint identified physical collocation space previously allocated to requesting ALECs;
- f. Sprint identified any unusable space (such as basements subject to flooding); and
- g. Sprint determined available collocation space by subtracting Items b-f from item a. (Petition, p. 3)

Sprint alleges in its Post-Tour Report that it lacks sufficient room in the Tallahassee-Thomasville Road central office to provide physical collocation. (Post-Tour Report, p.1) Sprint states that there is space reserved for defined future use for

Sprint to meet the growing needs of its customers for the next 18 months. The scheduled projects include incremental additions to the existing switching system and transmission equipment. Sprint reiterates that it currently has plans to build an addition to the facility in 2001. (Petition Report, p.4)

POST-TOUR REPORT

Staff will summarize the relevant information contained in Sprint's post-tour report of the Tallahassee-Thomasville Road central office.

Sprint reports that the Tallahassee-Thomasville Road central office contains 5,655 gross square feet, 2,852.9 square feet in the basement and 2,802.1 square feet on the first floor. There are 2,685.4 square feet occupied by Sprint's equipment. There are 695.5 square feet of administrative space. (Post-Tour Report, p.4) Sprint considers as administrative space any space not directly supporting the installation and repair of telephone equipment or for customer service. Examples include storerooms, lounges, shipping-receiving rooms and training areas. (Post-Tour Report, p.2) Sprint also reports that there are 1,824.1 square feet of unavailable space in this central office. (Post-Tour Report, p.4) Unavailable space consists of building support components required to support the building and its occupancies such as air handling rooms, pump rooms, transformer and cable vaults, restrooms, stair towers, janitor closets, main corridors, vestibules, and light shafts. (Post-Tour Report, p.1) Sprint did not report any unusable space due to configuration problems, lack of exits, the fact that the building will be demolished, etc. (Post-Tour Report, p.2) Sprint further reports that there are 84 square feet of assigned physical collocation space in this office. (Post-Tour Report, p.5)

Sprint reports that it has 366 square feet reserved for its own future use. There are 126 square feet reserved for the growth of its switching equipment, 40 square feet reserved for the growth of its circuit equipment, 0 square feet reserved for the growth of its frame equipment, and 200 square feet reserved for the growth of its power equipment. (Post-Tour Report, Attachment 2) Staff notes that the FCC allows a LEC to reserve space for its own future use:

Incumbent LECs are allowed to retain a limited amount of floor space for its own future uses. Allowing competitive entrants to claim space that incumbent LECs had specifically planned to use could prevent incumbent LECs from serving their customers effectively.

DOCKET NO. 001558-1
DATE: December 7, 2000

ISSUE 2: Should this docket be closed?

RECOMMENDATION: Yes. If the Commission approves staff's recommendation in Issue 1, this docket should be closed. **(KNIGHT)**

STAFF ANALYSIS: Yes. If the Commission approves staff's recommendation in Issue 1, this docket should be closed.