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BELLSOUTH TELECOMMUNICATIONS, INC.  
DIRECT TESTIMONY OF DAVID L. THIERRY  
BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION  
DOCKET NO. 990750-TP  
AUGUST 16, 1999

**Q. PLEASE STATE YOUR NAME, YOUR POSITION WITH BELLSOUTH TELECOMMUNICATIONS, INC. ("BELLSOUTH") AND YOUR BUSINESS ADDRESS.**

**A. My name is David Thierry. I am employed by BellSouth Telecommunications, Inc. ("BellSouth") as Manager - Interconnection Services. My business address is 675 West Peachtree Street, Atlanta, Georgia 30375.**

**Q. PLEASE GIVE A BRIEF DESCRIPTION OF YOUR BACKGROUND AND EXPERIENCE.**

**A. My education includes a Bachelor of Arts in Economics from Emory University, Atlanta, Georgia in June of 1985. My professional career with BellSouth spans over eleven years and includes experience in the development of service cost studies, the development of tariffs, and physical collocation contract negotiations. In my current position, I manage our physical collocation contract negotiator and work with subject matter experts**

1 within BellSouth to ensure that our physical collocation contract reflects  
2 current regulations and BellSouth policies.

3

4 Q. HAVE YOU PREVIOUSLY TESTIFIED BEFORE A STATE  
5 COMMISSION?

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7 A. Yes. I testified before the Florida Public Service Commission in Docket  
8 980800-TP.

9

10 Q. WHAT IS THE PURPOSE OF YOUR TESTIMONY?

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12 A. My testimony provides BellSouth's position on a number of collocation issues  
13 raised by ITC^DeltaCom ("DeltaCom") in its Petition for Arbitration filed  
14 with the Florida Public Service Commission ("Commission"). Specifically, I  
15 am responding to Issues 36 and 37 [ITC^DeltaCom Issues 4(a) and 4(c)].

16

17 **Issue 36 [ITC^DeltaCom No. 4(a)]: Should BellSouth provide cageless**  
18 **collocation to ITC^DeltaCom 30 days after a firm order is placed?**

19

20 Q. IS BELLSOUTH REQUIRED BY THE FEDERAL COMMUNICATIONS  
21 COMMISSION'S (FCC) RECENT ADVANCED SERVICES ORDER TO  
22 MAKE CAGELESS COLLOCATION AVAILABLE 30 DAYS AFTER A  
23 COMPLETE APPLICATION IS FILED, AS ITC^DELTACOM ASSERTS  
24 IN ITS PETITION?

25

1 A. No. BellSouth is not required by the FCC's Advanced Services Order to  
2 provide cageless collocation within 30 days. In fact, in paragraph 54 of the  
3 Order, the FCC states, "[w]e do not adopt specific provisioning intervals at  
4 this time. We have adopted several new collocation rules in this Order, and  
5 we do not yet have sufficient experience with the implementation of these  
6 new collocation arrangements to suggest time frames for provisioning." (§ 54  
7 First Report and Order and Further Notice of Proposed Rulemaking, CC  
8 Docket 98-147)

9  
10 Q. IS BELLSOUTH REQUIRED BY THE FLORIDA PUBLIC SERVICE  
11 COMMISSION TO PROVIDE PHYSICAL COLLOCATION WITHIN 30  
12 DAYS OF RECEIPT OF A BONA FIDE FIRM ORDER?

13  
14 A. No. The Florida Public Service Commission has issued guidelines regarding  
15 the time frames to provide physical collocation space in Florida (Order No.  
16 PSC-96-1579-FOFTP). Although the Commission's Order was an arbitration  
17 order between parties that did not include ITC^DeltaCom, BellSouth uses the  
18 Commission's Order as a guideline when providing physical collocation space  
19 to all collocators in Florida. BellSouth believes it is operating within the  
20 parameters of the Commission's guidelines by negotiating time periods on a  
21 per request basis. The Commission, in Order No. PSC-98-0595-PCO-TP,  
22 issued on April 27, 1998, stated that:

23 "As stated in the Order, the parties may reach an agreement as to the  
24 time for a particular request. The purpose of the three month time  
25 frame is to serve as a guideline of what we consider reasonable. We

1 find that our Order is clear as to our intent that the parties to a request  
2 for collocation would attempt to resolve any problems with that time  
3 frame on a case by case basis, and would only come to us if they were  
4 unable to resolve their problems.”

5  
6 BellSouth uses its best efforts to complete ITC^DeltaCom's collocation  
7 installations, and indeed all collocation installations in Florida, as soon as  
8 possible and, when feasible, within the three month interval prescribed in the  
9 Florida Commission's Order.

10

11 Q. SHOULD BELLSOUTH BE REQUIRED TO MAKE CAGELESS  
12 COLLOCATION AVAILABLE 30 DAYS AFTER ITC^DELTACOM'S  
13 SUBMISSION OF A BONA FIDE FIRM ORDER?

14

15 A. No. BellSouth's has found that its provisioning interval is not controlled by  
16 the time required to construct an arrangement enclosure. When BellSouth has  
17 performed the construction of an arrangement enclosure, the activities  
18 required to design and construct the enclosure were a relatively minor portion,  
19 and certainly not the controlling factor, in the provisioning interval for  
20 collocation. Included in the overall provisioning interval is the time required  
21 to complete the space conditioning, add to or upgrade the heating, ventilation,  
22 and air conditioning system for that area, add to or upgrade the power plant  
23 capacity and power distribution mechanism, and build out network  
24 infrastructure components such as the number of cross-connects requested.  
25 When the construction of an arrangement enclosure is not required or is not

1 performed by BellSouth, all other collocation area and network infrastructure  
2 work must still take place. The absence of enclosure construction has little, if  
3 any, bearing on the overall provisioning interval. BellSouth commits to  
4 complete its construction and provisioning activities as soon as possible but,  
5 at a maximum, within the intervals specified in the agreement BellSouth has  
6 proposed to ITC^DeltaCom. Because space preparation and network  
7 infrastructure work must be completed regardless of the type of arrangement  
8 selected, BellSouth's provisioning intervals of 90 business days under normal  
9 conditions or 130 business days under extraordinary conditions are  
10 appropriately applied to either enclosed (caged) or unenclosed (cageless)  
11 physical collocation.

12

13 **Issue 37: [ITC^DeltaCom No. 4(c)] Should ITC^DeltaCom and its agents be**  
14 **subject to stricter security requirements than those applied to BellSouth's agents**  
15 **and third party outside contractors?**

16

17 Q. ARE BELLSOUTH'S SECURITY REQUIREMENTS IMPOSED UPON  
18 ITC^DELTACOM MORE STRICT THAN THOSE APPLIED TO ITS  
19 EMPLOYEES OR THIRD PARTY VENDORS?

20

21 A. No. BellSouth imposes the same level of security on ALEC employees given  
22 access to BellSouth's central offices as it imposes on its own employees,  
23 agents or approved third party vendors.

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1 Q. WHAT ARE THE SECURITY MEASURES BELLSOUTH UTILIZES  
2 WITH ALEC EMPLOYEES GIVEN ACCESS TO BELLSOUTH  
3 CENTRAL OFFICES?

4  
5 A. These security measures are as follows: (1) BellSouth requires the use of card  
6 reader and/or key access to its central office premises. For this access,  
7 BellSouth requires submission of an application containing the social security  
8 number or drivers license number and CLEC-provided employee  
9 identification number of the individual to which the card/key will be assigned;  
10 (2) BellSouth has developed security training that it requires ALECs to  
11 provide to its employees prior to their being given access to BellSouth central  
12 offices; and (3) BellSouth requires the ALEC to perform a criminal  
13 background check of each ALEC employee being considered for access to a  
14 BellSouth central office. In the event there is a misdemeanor conviction, then  
15 the ALEC should provide a copy of the background check to BellSouth for  
16 review.

17  
18 Q. ARE BELLSOUTH'S SECURITY REQUIREMENTS IN COMPLIANCE  
19 WITH THE FCC'S ORDER?

20  
21 A. Yes. BellSouth has a right and an obligation to put in place security  
22 requirements to protect its network and the networks of other collocated  
23 carriers. The FCC expressly recognized the importance of an ILEC's security  
24 obligations in its recent Order 99-48. In pertinent part, the FCC states:

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“We conclude, based on the record, that incumbent LECs may impose security arrangements that are as stringent as the security arrangements that incumbent LECs maintain at their own premises either for their own employees or for authorized contractors. To the extent existing security arrangements are more stringent for one group than for the other, the incumbent may impose the more stringent requirements” (FCC 99-48, ¶ 47).

Q. DOES THIS CONCLUDE YOUR TESTIMONY?

A. Yes.