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Ms. Blanca S. Bayó
Director, Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Re: Collocation--Docket Nos. 981834-TP and 990321-TP

Dear Ms. Bayó:

Enclosed for filing on behalf of Rhythms Links Inc. are the original and fifteen copies of its:

- 1) Prehearing Statement 14361-99
- 2) Rebuttal Testimony of Robert Williams 14362-99

By copy of this letter, these documents are being furnished to the parties on the attached service list.

Very truly yours,

Richard D. Melson

Richard D. Melson

AFA _____
APP _____
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CMU _____
CTR _____
EAG _____
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing was furnished to the following parties by U.S. Mail or Hand Delivery (*) this 19th day of November, 1999.

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Attorney

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: November 19, 1999
)	
)	

RHYTHMS' PREHEARING STATEMENT

Rhythms Links Inc., f/k/a/ ACI Corp. (Rhythms) hereby files its prehearing statement in accordance with the requirements of Order No. PSC-99-1991-PCO-TP.

A. Appearances. Richard D. Melson, Hopping Green Sams & Smith, P.A., P.O. Box 6526, Tallahassee, FL 32314 and Jeremy Marcus and Kristin Smith, Blumenfeld & Cohen, 1625 Massachusetts Avenue N.W., Suite 300, Washington, D.C. 20036 appearing on behalf of Rhythms Links Inc.

B. Known Witnesses. Rhythms will present the direct and rebuttal testimony of the following witness:

DOCUMENT NUMBER-DATE

14361 NOV 19 99

FPSC-R

Witness	Testimony	Issues
Robert Williams	Direct	1-5, 7a, 8-9, 13, 16-19
	Rebuttal	1-5, 7a, 8-9, 13, 16

C. Known Exhibits. Rhythms intends to offer the following direct and rebuttal exhibits for Mr. Williams:

Robert Williams	RW-1	Correspondence from BellSouth regarding collocation agreement amendment to address demarcation point issue
	RW-2	Description of Rhythms' Business

Rhythms reserves the right to identify additional exhibits for purposes of cross-examination.

D. Basic Position. Rhythms is a provider of high-speed services using various forms of digital subscriber line (xDSL) technology. Because xDSL service requires that Rhythms' equipment be directly connected to copper loop facilities, Rhythms is dependent on physical collocation at ILEC premises in order to make its service broadly available to Florida consumers. It is essential for the Commission to establish guidelines to ensure that the ILECs provide the entire range of collocation arrangements in a predictable, timely and cost-effective manner.

E. Issues. Rhythms' positions on the issues identified in Order No. PSC-99-1991-PCO-TP are as follows:

Issue 1: When should an ILEC be required to respond to a complete and correct application for collocation and what information should be included in that response?

Rhythms: An ILEC should be required to respond to an application for collocation within 15 calendar days. The response should include all the information necessary for the ALEC to place a firm order for collocation, including a price quote for the requested space.

Issue 2: If the information included in the ILEC's initial response is not sufficient to complete a firm order, when should the ILEC provide such information or should an alternative procedure be implemented?

Rhythms: The initial 15-day response should contain sufficient information for the ALEC to place a firm order. This could be accomplished through a procedure in which the ILEC provides an estimated flat-rate for collocation preparation, subject to true-up upon completion of a price quote.

Issue 3: To what areas does the term "premises" apply, as it pertains to physical collocation and as it is used in the Act, the FCC's Orders and FCC Rules?

Rhythms: The term premises applies to any location where ILEC network equipment is housed, including central offices and remote terminals. It also includes other buildings located on the same property as an ILEC central office or on adjacent property owned or controlled by the ILEC.

Issue 4: What obligations, if any, does an ILEC have to interconnect with ALEC physical collocation equipment located "off-premises"?

Rhythms: An ILEC has the obligation to interconnect with ALEC equipment located on third-party property at an ILEC central office or remote terminal. That interconnection must offer the same type of interconnection facilities (e.g. copper) as are available within a central office.

Issue 5: What terms and conditions should apply to converting virtual collocation to physical collocation?

Rhythms: An ALEC should have to option to convert virtual collocation arrangements to cageless physical collocation in place. There should be no application fee for such conversions, which involve only a transfer of ownership of the collocated equipment and any

necessary security training for ALEC employees who will access the equipment.

Issue 6: What are the appropriate response and implementation intervals for ALEC requests for changes to existing collocation space?

Rhythms: No position.

Issue 7: What are the responsibilities of the ILEC and collocators when:

A. a collocator shares space with, or subleases space to, another collocator;

Rhythms: For new shared arrangements, the ILEC should: (i) accept a joint application, (ii) prorate normal space preparation charges, and (iii) charge any ALEC-specific costs to the cost-causing ALEC. For subleases of existing arrangements, the initial collocator should require a sublease which requires compliance with applicable FCC and Florida rules. In both cases, each ALEC should be responsible directly to the ILEC for compliance with the terms of its interconnection agreement, including any security provisions.

B. a collocator cross-connects with another collocator?

Rhythms: No position.

Issue 8: What is the appropriate provisioning interval for cageless physical collocation?

Rhythms: The provisioning interval for cageless physical collocation should be the same as for virtual collocation, which the Commission has set at 60 calendar days.

Issue 9: What is the appropriate demarcation point between ILEC and ALEC facilities when the ALEC's equipment is connected directly to the ILEC's network without an intermediate point of interconnection?

Rhythms: The appropriate demarcation point is at the site of the ALEC's collocated equipment or any other point designated by the ALEC.

Issue 10: What are reasonable parameters for reserving space for future LEC and ALEC use?

Rhythms: No position.

Issue 11: Can generic parameters be established for the use of administrative space by an ILEC, when the ILEC maintains that there is insufficient space for physical collocation? If so, what are they?

Rhythms: No position.

Issue 12: What types of equipment are the ILECs obligated to allow in a physical collocation arrangement?

Rhythms: No position.

Issue 13: If space is available, should the ILEC be required to provide price quotes to an ALEC prior to receiving a firm order for space in a central office (CO)?

- A. If an ILEC should provide price quotes to an ALEC prior to receiving a firm order from that ALEC, when should the quote be provided?
- B. If an ILEC should provide price quotes to an ALEC prior to receiving a firm order from that ALEC, should the quote provide detailed costs?

Rhythms: Consistent with Issue 1, the ILEC should provide a price quote to an ALEC within 15 calendar days from receipt of an application for collocation. The price quote should provide sufficient detail to allow the ALEC to place a firm order for collocation.

Issue 14: Should an ALEC have the option to participate in the development of the ILEC's price quote, and if so, what time frames should apply?

Rhythms: No position.

Issue 15: Should an ALEC be permitted to hire an ILEC certified contractor to perform space preparation, racking and cabling, and power work?

Rhythms: No position.

Issue 16: For what reasons, if any should the provisioning intervals be extended without the need for an agreement by the applicant ALEC or filing by the ILEC of a request for extension of time?

Rhythms: There are no reasons that the provisioning intervals should be extended either automatically or through unilateral action by the ILEC.

Issue 17: How should the costs of security arrangements, site preparation, collocation space reports, and other costs necessary to the provisioning of collocation space, be allocated between multiple carriers?

Rhythms: The cost of additional security arrangements designed to protect the ILEC's equipment should be borne solely by the ILEC. The cost for space reports should be recovered through TELRIC-based charges established by the Commission.

Issue 18: If insufficient space is available to satisfy the collocation request, should the ILEC be required to advise the ALEC as to what space is available?

Rhythms: Yes, and the ALEC should be permitted to amend its request in order to take the available space without the payment of an additional application fee.

Issue 19: If an ILEC has been granted a waiver from the physical collocation requirements for a particular CO, and the ILEC later makes modifications that create space that would be appropriate for collocation, when should the ILEC be required to inform the Commission and any requesting ALECs of the availability of space in that office?

Rhythms: The ILEC should be required to advise the Commission and ALECs as soon as it knows that additional space will be available and the approximate date of such availability.

Issue 20: What process, if any, should be established for forecasting collocation demand for CO additions or expansions?

Rhythms: No position.

Issue 21: Applying the FCC's "first-come, first-served" rule, if space becomes available in a central office because a waiver is denied or a modification is made, who should be given priority?

Rhythms: No position.

F. Stipulations. Rhythms is not aware of any issues that have been stipulated by the parties.

G. Pending Motions. Rhythms has no pending motions that require action at this time.

H. Requirements of Order. Rhythms believes that this prehearing statement is fully responsive to the requirements of the Order on Procedure.

RESPECTFULLY SUBMITTED this 19th day of November, 1999.

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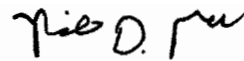
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