

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C.

In the Matter of)
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Deployment of Wireline Services Offering)
Advanced Telecommunications Services)
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CC Docket No. 98-147

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OFFICE OF THE SECRETARY

**OPPOSITION OF BELL ATLANTIC TO
SPRINT PETITION FOR RECONSIDERATION**

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Introduction and Summary

Bell Atlantic opposes Sprint's Petition for Partial Reconsideration and/or Clarification of the Commission's Advanced Services Order, 15 Comm. Reg. (P&F) 553 (rel. Mar. 31, 1999). Remarkably, Sprint proposes to deny incumbent local exchange carriers the ability to cage or otherwise physically secure their own equipment, while retaining that option for all of the incumbents' competitors. Sprint's proposals in this regard would make it impossible for the incumbents (and them alone) to ensure the safety and security of their networks. Sprint's other proposals would also make it impossible to meet future service needs of both retail consumers and of other carriers by limiting the

¹ The Bell Atlantic telephone companies ("Bell Atlantic") are Bell Atlantic-Delaware, Inc.; Bell Atlantic-Maryland, Inc.; Bell Atlantic-New Jersey, Inc.; Bell Atlantic-Pennsylvania, Inc.; Bell Atlantic-Virginia, Inc.; Bell Atlantic-Washington, DC, Inc.; Bell Atlantic-West Virginia, Inc.; New York Telephone Company and New England Telephone and Telegraph Company.

ability to reserve central office space required for new services and for growth of existing services. Finally, Sprint's proposal to prescribe a maximum period to provide physical collocation would deprive the states of the ability to adjust the provisioning period in any office as needed to meet local needs.

I. The Commission Should Reject Sprint's Requests To Deny Incumbents the Ability to Cage Or Otherwise Physically Secure Their Own Equipment.

In the Advanced Services Order, the Commission recognized that the protection of the incumbent local exchange carrier's own equipment is crucial to its ability to serve its customer. Therefore, the Commission allowed the local exchange carriers to "establish certain reasonable security measures that will assist them in protecting their networks and equipment from harm" in a cageless collocated environment. *See* Advanced Services Order, ¶ 48. These measures could include installing security cameras or other monitoring equipment and requiring competitive local exchange carrier personnel to use badges with computerized tracking systems. *See id.* The Commission also found that an incumbent local exchange carrier "may take reasonable steps to protect its own equipment, *such as enclosing the equipment in its own cage*, and other reasonable security measures." *Id.*, ¶ 42 (emphasis added). Finally, the Commission confirmed the right of the local exchange carriers to recover the costs of those security measures from collocating carriers. *See id.*, ¶ 48.

The need for incumbent carriers to protect against increased outages from collocation is not just a theoretical problem, because security issues have already arisen in

the context of existing physical collocation arrangements. For example, in March, 1998, two collocator employees broke a lock and entered the power room in a Bell Atlantic central office. They attempted to work on Bell Atlantic power distribution equipment, creating the potential for widespread service interruptions. In another case, a collocator's contractor drilled into a Bell Atlantic manhole and began placing fiber without Bell Atlantic's permission. The contractor narrowly avoided cutting Bell Atlantic's fiber cable, which would have resulted in a major service outage. There also have been numerous instances of collocator personnel accessing central offices without proper identification or using false identification, or entering restricted areas of central offices, thereby compromising Bell Atlantic's ability to maintain a secure central office environment. See attached Declaration of Donald E. Albert at ¶ 6 ("Albert Decl.").

In addition, some competitors have complained to Bell Atlantic of theft and acts of vandalism and sabotage by other collocators within the confines of existing secure collocation rooms. Commingling would create a significantly increased risk to all carriers' networks and is bound to impair service to the public.

Sprint's petition seeks to undermine the ability of the local exchange carriers to attempt to protect the security of their networks in a cost-effective manner. First, Sprint asks the Commission to rescind its findings that the local exchange carrier may protect its own equipment with a cage or engage in other reasonable measures to separate and secure its own equipment. *See* Sprint Petition, pp. 4-6. This request is based on Sprint's spurious claim that construction of a cage or other barrier to protect the local exchange carrier's equipment will "raise the cost of collocation to requesting carriers and limit the

amount of available collocation space, without any legitimate offsetting benefit to the local exchange carrier.” Sprint Petition, p. 6. In fact, as Donald E. Albert describes in his attached declaration (at ¶ 10), a simple physical barrier, such as a cage fencing off the local exchange carrier’s equipment, is likely to be less expensive and more effective than installing the extensive surveillance equipment needed to monitor all parts of the office to which competitors are given access.² A cage or other barrier around the incumbent’s equipment, unless breached, ensures that no collocator is able to access the local exchange carrier’s equipment, while surveillance requires continuous human review and detection. As a result, a barrier can be effective in preventing accidents that would disable the local exchange carrier’s equipment, while surveillance will at best only detect who was responsible for an outage. The latter may help assess blame, but that would be small consolation to a customer who loses telephone service. *See* Albert Decl. at ¶ 9. Moreover, such a barrier need not, and normally does not, reduce the available collocation space, as Sprint claims. Since such a low cost solution may also reduce the security costs that are passed along to the collocator, it is in the interests of both the local exchange carrier and the collocator to retain the ability of incumbents under current rules to cage or otherwise separate and secure their own equipment.

Second, Sprint seeks (at p. 6) to commingle its equipment in the same bay as the local exchange carrier’s equipment. This not only would make it impossible for incumbents to cage or otherwise physically secure their own equipment, as the

² In practice, Bell Atlantic expects to use a wire mesh partition to secure its own equipment.

Commission's rules now expressly permit, but it also would defeat any attempt by the local exchange carrier to secure its own equipment through any means, even with active surveillance. The current rule properly requires the local exchange carrier to provide cageless collocation in no less than single bay increments. *See* 47 C.F.R. § 51.323(k)(2). A single bay can be separated from the local exchange carrier's equipment in a manner that allows the local exchange carrier to cage off its own equipment. However, placing collocator equipment in the same bay would remove any effective physical separation of the local exchange carrier's equipment from the collocator's, making it impossible for the local exchange carrier to protect its equipment. Even an elaborate set of full-time security cameras could fail to disclose access by a collocator's employees to the local exchange carrier's equipment in such close confines.

As Mr. Albert discusses, allowing competitors to access their equipment that is commingled with operating Bell Atlantic equipment would undermine the protections that Bell Atlantic provides today for its own equipment. *See* Albert Decl. At ¶ 8. As he explains, Bell Atlantic's own "Safe Time" procedures limit non-critical access by Bell Atlantic's own employees and contractors to central office equipment that is located in close proximity to operational equipment during normal work hours, in order to minimize the possibility of human error that could result in an accidental outage. Under Sprint's proposal, however, Bell Atlantic would need to give access to commingled equipment to any number of competitors' technicians at all times of the day. Despite Bell Atlantic's own internal procedures designed to minimize accidental outages that might be caused by its own employees or contractors, a potentially unlimited number of competitors'

personnel working in close proximity to Bell Atlantic's operating telecommunications equipment, as Mr. Albert expresses it (at ¶ 7) "is bound to increase the risks and inevitable occurrence of human error network failures." Sprint's proposal would undermine Bell Atlantic's own internal procedures designed to prevent such accidental failures. Moreover, if the allegations made by some competitors that other competitors are intentionally sabotaging each other's equipment are true, commingling would produce an even greater threat to telephone service.

Grant of Sprint's petition would also cause the incumbent local exchange carrier to be the only carrier that could not secure its own equipment. Collocators will still have the right to build cages in separate space or, in a SCOPE environment, to install locked equipment cabinets. No pro-competitive policy is served if the incumbent is the sole competitor that cannot take reasonable measures to secure its own equipment against service-disrupting accidents. Competition may give customers a choice of carriers and services and could reduce prices, but it should not result in complete failure of their telephone service. Sprint's proposal could well cause just that result.

The Commission has recognized from the start that incumbent carriers have the right to take reasonable measures to protect the security of both the local exchange carrier's and the collocator's equipment. *See, e.g., Expanded Interconnection with Local Exchange Company Facilities, 7 FCC Rcd 7369, n.189 (1992).* The Commission should reject Sprint's proposal as unnecessary for competition and as creating an unacceptable risk that service to the public will be seriously disrupted.

II. The Commission Should Not Require The Local Exchange Carrier To Mediate Disputes Between Collocated Carriers.

In the Advanced Services Order, the Commission decided that if a carrier claims that another carrier's service is significantly degrading the performance of other advanced services or traditional voice band services, then that carrier must notify the carrier causing the degradation and allow a reasonable opportunity to correct the problem. *See* Advanced Services Order, ¶ 75. Sprint (at pp. 6-7) now asks the Commission to modify this rule to require the complaining carrier to notify the incumbent local exchange carrier, who would then have the responsibility of notifying the causing carrier, effectively becoming an intermediary between the parties to the dispute.

This proposal has no merit. It would place the local exchange carrier in the middle of disputes between two other carriers where the local exchange carrier neither caused the problem nor could resolve it.

Sprint offers two justifications for its proposal, neither of which is valid. First, Sprint states that the process would allow for the most efficient resolution of disputes. However, putting a third party (the local exchange carrier) in the middle of a dispute, with the responsibility to describe an issue about which it has no direct information (such as the type of advanced service being provided or the nature of the interference) will only make identification and resolution of the problem more difficult. Second, Sprint states that this will put the local exchange carrier on notice of all service degradation claims. But the local exchange carrier does not need such notice if its own services are not affected (and it is already required to be notified if its services are affected). This is just

an attempt by Sprint to unnecessarily burden the incumbent local exchange carrier with obligations that other parties should bear. The Commission should reject this proposal.

III. The Commission Should Not Limit A Local Exchange Carrier's Ability To Reserve Its Central Office Space For Future Use.

As Sprint concedes (at p. 8), the Commission has already rejected Sprint's earlier proposal that local exchange carriers be prohibited from reserving central office space for their own future use for more than one year. It renews this request in its petition for reconsideration, but it offers nothing new nor points to any defect in the Commission's decision to reject it. The request should be denied.

Section 201(a) of the Act and similar provisions in state statutes require all carriers to provide service upon reasonable request. To meet this obligation, Bell Atlantic must plan expansions necessary to meet expected growth many years in advance. Bell Atlantic works with local public officials to ensure that telephone service capacity will be available for new office and residential buildings and complexes that may be many years in the planning and construction, and for new uses such as increased demand for additional lines for Internet access and fax machines. Without the ability to reserve the office space needed to meet all of these requirements, Bell Atlantic will be unable to fulfill its statutory and regulatory obligations.

In addition, Congressional policy, which the Commission has embraced, encourages rapid deployment and expansion of new technologies and services. If Bell Atlantic is limited to a one-year reservation of central office space, it will be more difficult, expensive, and time-consuming for Bell Atlantic to expand the availability of

new services. *See* Albert Decl. at ¶ 11. This is because space will be unavailable to enable Bell Atlantic to add the equipment and modules to serve the growing demand.

More broadly, Bell Atlantic's planning horizon for growth in its infrastructure is generally at least five years. In order to meet the expected demand by both retail customers and other carriers, Bell Atlantic plans the growth of such major items as main distribution frames, electronic digital system cross-connects, light-guide cross-connect frames, and power plants many years in advance. Sprint's proposal would not allow Bell Atlantic to plan and reserve space for such infrastructure expansion. This would make such long-term planning impossible and could well result in facility shortages in future years.³

In the Advanced Services Order, the Commission adopted several rules designed to make space available for collocation, including requiring the local exchange carriers to provide floor plans and tours of offices where they claim that space is exhausted, and requiring them to remove obsolete equipment. *See* Advanced Services Order, ¶¶ 56-60. Ultimately, the state commissions have the responsibility, and authority, to determine whether space that a collocator wants to use is properly reserved for future use by the local exchange carrier, and many states have done so, either by adopting rules or by adjudicating disputes. A strict one-year cutoff would prevent the state from exercising its judgment in the facts and circumstances of each case, and it would jeopardize the local

³ Even in the short term, some of Bell Atlantic's zoning applications to expand central office capacity have been delayed for more than a year. If Bell Atlantic's ability to reserve central office space had been limited to one year, space in those offices would have been exhausted and both retail and wholesale customers would have been unable to obtain the new services they need.

exchange carrier's ability to serve its customers, both retail users and other carriers. The Commission correctly rejected Sprint's proposal the first time, and it should do so again here.

IV. There Is Nothing In The Record That Would Support A 90 Day Deadline For Providing Physical Collocation.

In the Advanced Services Order, the Commission expressly declined to adopt specific intervals for provisioning physical collocation, leaving the states with the responsibility of determining if a local exchange carrier's provisioning intervals are reasonable. *See* Advanced Services Order, ¶¶ 54-55. Sprint asks the Commission to impose a minimum standard interval of no more than 90 days, but it offers no new arguments and it points to no flaws in the Commission's decision. Nor does it offer a shred of evidence that 90 days is a sufficient amount of time in all circumstances.

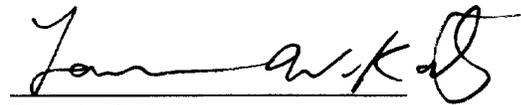
Activity in the states proves the wisdom of Commission's judgment in deferring to the states. Many of the state commissions in the Bell Atlantic region have considered or are now actively considering the appropriate interval or intervals for provisioning various types of collocation requests (and in some cases the intervals vary depending on the request), and most or all of the rest are likely to address the issue this year. Because local conditions vary, each state has examined specific local needs in rendering decisions, including the types of space that is available in individual offices that could affect provisioning intervals. And those that have decided the issue agree that an interval in the range of Sprint's request here is appropriate – with variations for local conditions – but they also recognize that collocators must provide a projection of their specific needs

sufficiently in advance that Bell Atlantic can plan the office configuration that will best meet those needs. The Commission should reject Sprint's "one size fits all" proposal and continue to rely on the states to determine the most appropriate provisioning intervals to meet local needs.

V. Conclusion

For the foregoing reasons, the Commission should deny Sprint's petition for reconsideration of the Advanced Services Order.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Lawrence W. Katz", written over a horizontal line.

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Dated: July 12, 1999

DECLARATION OF DONALD E. ALBERT

I, Donald E. Albert, hereby declare as follows:

1. I am Network Services Director of Competitive Local Exchange Carrier Implementation for Bell Atlantic Network Services, Inc. In that position, I am directly involved with the negotiation of CLEC interconnection agreements and the network implementation of co-carrier, unbundling, interconnection and collocation arrangements throughout the Bell Atlantic region. I am responsible for many of the network engineering and operational aspects of implementing the Telecommunications Act of 1996 (Act) and the Commission's orders in CC Docket No. 96-98 – the Local Competition proceeding.

2. I am familiar with the Commission's March 31, 1999, Ruling in CC Docket No. 98-147, *Deployment of Wireline Services Offering Advanced Telecommunications Capability*. In that ruling, the Commission required "cageless" physical collocation as a means of expanding the number of available central offices in which physical collocation can be accommodated and increasing the number of physical collocators in a given office. I previously submitted a declaration in this proceeding describing concerns with allowing multiple carriers to place multiple pieces of equipment throughout Bell Atlantic's central offices, a copy of which is attached. In this Declaration, I specifically address concerns about allowing carriers to place their collocated equipment commingled with Bell Atlantic's equipment, as requested by Sprint Corp. in its Petition for Partial Reconsideration and/or Clarification.

3. In my view, allowing multiple carriers to place multiple pieces of equipment throughout Bell Atlantic's central offices commingled with Bell Atlantic's own equipment would create serious security, network reliability, and accountability problems.

4. In its ruling in the Advanced Services proceeding, the Commission properly found that Bell Atlantic is entitled to reasonably secure its network from unfettered access by its competitors. *This includes enclosing Bell Atlantic equipment in its own cage.* Requiring Bell Atlantic to commingle its competitors' equipment with Bell Atlantic's equipment would prevent Bell Atlantic from implementing such a security measure, because it would simply be impossible to build a cage around Bell Atlantic's equipment under this configuration.

5. As mentioned in my previous Declaration, allowing competitors to commingle equipment with Bell Atlantic equipment will increase the risk to the integrity of the central office and personnel working in that office. As I showed there, there are multiple instances in which competitors have installed equipment that had not been verified as complying with Network Equipment and Building Specifications (NEBS) standards and which subsequent tests showed failed those standards. If that equipment had been installed in areas where both Bell Atlantic and competitors' personnel and equipment were operating, all companies' personnel could have been injured, and all carriers' equipment could have been damaged and rendered inoperable. I expect that there will be many similar attempts to install uncertified equipment in the future, jeopardizing the health and safety of personnel and undermining service. Allowing commingling will simply exacerbate these problems.

6. Recent incidents involving competitors' personnel further demonstrate the need for Bell Atlantic to be able to secure its equipment. In one such incident, two employees of a collocator broke a lock and entered the power room at a Bell Atlantic central office. The two

employees attempted to work on Bell Atlantic-owned equipment, creating the potential for widespread service interruptions. Also, there have been numerous incidences of collocator personnel accessing central offices without proper identification or using false identification. While the Commission's rules cannot prevent these illegal acts, the inability of Bell Atlantic to secure its own equipment will simply make it easier for these bad actors to undermine service to the public.

7. Even when the competitors employ technicians that are competent, well-trained, and conscientious, human errors will happen. As I indicated in my previous declaration, a commingled cageless environment is a ticking time bomb where a competitor's technician could mistakenly open the wrong equipment cabinet and begin to remove plug-ins, thereby adversely affecting Bell Atlantic's customer service. Or a competitor's technician could mistakenly open a Bell Atlantic cabinet on a type of equipment where the technician needs to be grounded with a grounding strap, and the resulting static discharge would affect Bell Atlantic equipment and service. Bell Atlantic spends millions of dollars on equipment and labor to minimize the potential of major service failures and disruptions. Allowing an unsecured cageless collocation environment is bound to increase the risks and inevitable occurrence of human error network failures. While the Commission and Congress have concluded that local competition and collocation are in the public interest, consumers are ill-served if their telephone service is disrupted.

8. It is to protect against accidental disruptions of service that Bell Atlantic has adopted "Safe-Time" work practices which stipulate when certain work activities can be performed on central office equipment. For example, Bell Atlantic's technicians and contractors ordinarily do not perform non-critical work during normal work hours on central office equipment that is

located in close proximity to any operational equipment. This practice is designed to minimize potential service disruptions to nearby equipment when customer use is at its peak. If collocators have access to their commingled equipment at any time of the day, as they are demanding, Bell Atlantic's own attempts to minimize disruptions through its internal practices will be undermined and increased outages are bound to occur. Denying Sprint's request to commingle equipment will avoid the potential disruptions of both Bell Atlantic and competitors' service that could result.

9. Video surveillance cameras alone are inadequate protection in a commingled collocated environment. Cameras are not proactive and will not prevent problems from occurring. In this way, they do not provide the same assured security that is accomplished by enclosing Bell Atlantic's equipment in a cage. Cameras also will not prevent human errors that could occur if technicians work on the wrong equipment. With video surveillance, the horse is already out of the barn, and Bell Atlantic will, at best, only be able to assess blame for the outage. By contrast, an effective security arrangement requires prevention rather than detection or recovery after-the-fact to help ensure that accidents and/or malicious destruction that result in service disruption to the public are avoided in the first instance. Denial of Sprint's request will allow Bell Atlantic to meet its obligation to prevent service problems before they occur.

10. Furthermore, the commingling of equipment throughout Bell Atlantic's central offices will require deployment of numerous video cameras. This arrangement will frequently be much more expensive than simply enclosing Bell Atlantic's equipment in wire mesh partitions (i.e., cages).

11. Commingling of competitors' equipment with that of Bell Atlantic will also undermine Bell Atlantic's ability to meet demand for new services. For example, in specific

areas of its central offices, Bell Atlantic deploys loop transmission equipment to provide advanced digital services. If commingling of equipment is required, Bell Atlantic may be denied the ability to expand advanced service capability as demand for these services increase.

12. As a result, non-secure commingled collocation will create large costs both for Bell Atlantic and for all telecommunications users and significantly increase the risks of network disruption.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on July 12, 1999


Donald E. Albert

DECLARATION OF DONALD E. ALBERT

Donald E. Albert, hereby declare as follows:

1. I am Network Services Director of Competing Local Exchange Carrier (“CLEC”) Implementation for Bell Atlantic Network Services, Inc. In that position, I am directly involved with the negotiation of CLEC interconnection agreements and the network implementation of co-carrier, unbundling, interconnection and collocation arrangements throughout the Bell Atlantic region. I am responsible for many of the network engineering and operational aspects of implementing the Telecommunications Act of 1996 (Act) and the Commission’s orders in CC Docket No. 96-98 – the Local Competition proceeding.

2. I am familiar with the Commission’s Notice of Proposed Rulemaking in CC Docket No. 98-147, *Deployment of Wireline Services Offering Advanced Telecommunications Capability*. In that proceeding, the Commission suggests “cageless” physical collocation as a means of expanding the number of available central offices in which physical collocation can be accommodated and increasing the number of physical collocators in a given office. Although the Commission does not define “cageless” collocation, I have previously testified in several state proceedings in which one or more CLECs have introduced cageless collocation proposals. These proposals, which no Bell Atlantic state has adopted, would allow the CLECs to place equipment in the portion of Bell Atlantic’s central offices which Bell Atlantic uses to provide local telephone service, exchange access, and other services to its customers, including to other carriers. This is in contrast to the present physical collocation arrangements in which

competitors' equipment is placed in separate cages in a separate, secured portion of the central office. Under these existing arrangements, competitors' employees are not afforded access to other areas of the central office.

3. In my view, allowing multiple carriers to place multiple pieces of equipment throughout Bell Atlantic's central offices would create serious security, network reliability, operational, and accountability problems. In our current telecommunications environment, CLECs, Competitive Access Providers, and interexchange carriers all collocate equipment in incumbent local exchange carriers' central offices. A single Bell Atlantic central office may have six or more collocating carriers. This number will continue to grow as additional carriers request collocation as permitted by the Act for interconnection and access to unbundled network elements.

4. The ability of an unspecified number of employees, from a number of companies, to have access to portions of Bell Atlantic's central offices that houses Bell Atlantic's equipment creates service quality accountability problems and will substantially increase the potential for network outages. Located in Bell Atlantic's central offices is telecommunications equipment that can affect millions of Bell Atlantic's customers (e.g. The Signal Transfer Points of Bell Atlantic's Signaling System Seven Network), equipment that provides E911 services, fiber optic systems carrying thousands of individual circuits, switches providing dial tone to 50,000 or more end users, and critical high capacity data services.

5. Bell Atlantic and other carriers generally use the same or similar equipment to perform similar network functions. Although specific items of equipment may be different, or may be of different vintages or have different modifications (including plug-ins), much of this equipment looks the same. Even if CLECs employ well-trained, conscientious technicians,

human errors will happen. A commingled cageless environment is a ticking time bomb where a competitor's technician could mistakenly open the wrong equipment cabinet and begin to remove plug-ins, thereby adversely affecting Bell Atlantic's customer service. Or a competitor's technician could mistakenly open a Bell Atlantic cabinet on a type of equipment where the technician needs to be grounded with a grounding strap, and the resulting static discharge would affect Bell Atlantic equipment and service. Bell Atlantic spends millions of dollars on equipment and labor to minimize the potential of major service failures and disruptions. Allowing a wide-open cageless collocation environment would increase the risks and inevitable occurrence of human error network failures.

6. Commingling of different companies' equipment also increases the possibility of loss of property. Although on the surface it may sound like crying wolf, human beings are still human beings, and commingled cageless collocation will significantly increase the quantity of people, from a number of companies, that have unrestricted access throughout Bell Atlantic's central offices. A number of Bell Atlantic's central office buildings are "unmanned", or only have full time employees assigned during the day. There are many non-secured areas of Bell Atlantic's central offices which contain certain equipment such as portable test sets and thousands of plug-in equipment cards, ranging in value up to \$25,000 per card. While this equipment is readily available to Bell Atlantic's technicians for use on Bell Atlantic's equipment, unrestricted access by the CLEC's technicians would make this equipment accessible to them as well. Conversely, the CLEC's technicians may leave behind similar equipment that could become commingled with Bell Atlantic's equipment creating the potential for confusion. In addition, since collocated carriers use much of the same equipment as Bell Atlantic, it is possible that a technician who discovers a defective plug-in card in their equipment, could remove a bad

card from their equipment and swap it with a good card from Bell Atlantic's (or another carrier's) equipment. This situation has occurred on customer premises where equipment from multiple carriers is often not secured.

7. Allowing CLECs to locate equipment in close proximity to Bell Atlantic equipment may also increase the risk to the integrity of the central office and personnel working in that office. A case in point is a recent incident involving collocated equipment that had not yet been certified as complying with Network Equipment and Building Specifications (NEBS) standards, despite assurances from the manufacturer that it would meet NEBS tests. Soon after it was installed, but before it was activated, it failed fire-retardant tests and nearly caused the personnel conducting the tests to be overcome by smoke. If that equipment had been activated and subjected to fire or high heat, Bell Atlantic equipment in close proximity could have been severely damaged and Bell Atlantic's customers could have lost service. In addition, personnel working in the office could have been injured. Before it could be used, the manufacturer had to engage in major re-design of the equipment to meet NEBS standards.

8. In another instance, a collocator placed equipment in its cage that had not yet been NEBS tested without informing Bell Atlantic. When asked to deactivate the equipment, the collocator refused, and both the collocator and manufacturer claimed that it was unlikely that the equipment would fail the NEBS tests. In fact, when tested, the units failed to meet NEBS emissions standards. The collocator needed to turn off the units and replace them with redesigned equipment that met those standards. If they had not been replaced, significant harm to Bell Atlantic's own equipment and its customer's services could have occurred.

9. Bell Atlantic is responsible for the levels of customer service provided to all users of Bell Atlantic's network, including financial and contractual obligations to CLECs and some large

business customers. Unrestricted access by the employees of multiple carriers throughout Bell Atlantic's central offices will not only create the very real potential for more network failures, often it will not be possible to tell which employee of which company caused a failure to occur.

10. Video surveillance cameras and card key access, which some competitors have proposed in state proceedings, are inadequate in a multi-carrier environment, because they are reactive types of security that may identify the responsible party only after an incident has occurred. Cameras are not proactive and do not provide the same assured security that is accomplished by segregated physical access. Cameras will not prevent human errors that could occur if technicians work on the wrong equipment. With video surveillance, the horse is already out of the barn, and Bell Atlantic's obligation is to prevent service problems, not to view outages as they occur or assess the blame after the fact. Commingling ignores Bell Atlantic's right to protect its network, a right that under these proposals would continue to be enjoyed by all carriers except the incumbent local exchange carriers that have the carrier of last resort obligations. Bell Atlantic requires a prevention scheme rather than a detection or recovery system to ensure that accidents and/or malicious destruction is avoided. This requirement ensures the provision of service quality to our customers. A recovery system is secondary to the primary goal of service assurance.

11. For carriers that prefer not to place equipment in physically separate areas of the central office, Bell Atlantic makes virtual collocation available in all central offices, including those in which it also provides physical arrangements. Virtual collocation has been used in Bell Atlantic since 1994. Bell Atlantic now has over 320 virtual collocation arrangements completed or under construction. In many cases, collocators have decided to use virtual collocation in central offices where physical collocation is also available. In addition, there are two CLECs

who so far have found it cost effective to use only virtual collocation to deploy their equipment. A number of the carriers using virtual collocation are gaining access to unbundled local loops through the arrangement.

12. Virtual collocation does not require any more resources than non-secure cageless collocation. Under the latter, the collocator would be required to provide personnel to install and maintain its own equipment. Under virtual collocation, fewer collocator resources are required because Bell Atlantic's technicians will maintain the hardware virtually collocated in the central office. Besides the direct costs, however, non-secure cageless collocation will create large costs both for Bell Atlantic and for all telecommunications users, as the risks of network disruption unnecessarily rise.

13. Implementing non-secure cageless collocation in a given central office will take just as long as implementing virtual collocation in the same central office. There are no equipment or operational installation differences, and no differences in required work activities between the two arrangements.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on September 24th, 1998


Donald E. Albert

CERTIFICATE OF SERVICE

I hereby certify that on this 12th day of July, 1999, copies of the forgoing "Opposition to Sprint Petition for Reconsideration" were sent by first class mail, postage prepaid, to the parties on the attached list.



Jennifer L. Hoh

* Via hand delivery.

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