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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

In the Matter of )  
)  
Implementation of the )  
Local Competition Provisions of the )  
Telecommunications Act of 1996 )

CC Docket No. 96-98

REPLY COMMENTS OF  
COMMUNICATIONS WORKERS OF AMERICA

The Communications Workers of America (CWA) submits these reply comments in support of BellSouth's petition for reconsideration/clarification of the expanded definition of inside wire adopted in the *UNE Remand Order*.<sup>1</sup> CWA represents more than 630,000 employees, including more than 500,000 workers in the communications industry.

In the *UNE Remand Order*, the Commission adopted a new definition of inside wire that conflicts directly with the Commission's traditional meaning of the term.<sup>2</sup> "Inside wire" has long been defined as wire on the customer's side of the demarcation point. However, under the Commission's expanded definition adopted in the *UNE Remand Order*, "inside wire" would extend beyond the customer's side of the demarcation point into the incumbent LEC's network. The new definition of "inside wire" would expand to include facilities currently defined in Section 23.2426 of the Commission's rules as intrabuilding network cable -- "cable and wires

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<sup>1</sup> *Implementation of the Local Competition Provisions of the Telecommunications Act of 1996*, CC Docket No. 96-98, Third Report and Order, FCC 99-238 (rel Nov. 5, 1998) (*UNE Remand Order*).

<sup>2</sup> Bell South Petition at 2.

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located on the company's side of the demarcation point or standard network interface inside subscribers' buildings or between buildings on one customer's same premises."<sup>3</sup>

This new definition would create unnecessary confusion between building and property owners and carriers regarding ownership of facilities and equipment; would result in unnecessary burden for carriers and regulators by requiring reclassification of facilities for regulatory accounts;<sup>4</sup> would create the potential for service-affecting problems regarding responsibility for installation, maintenance, and repair of this portion of the ILEC network; and could result in the unintended consequence of job dislocation for thousands of skilled, career ILEC technicians who have traditionally performed these functions on this portion of the ILEC network.

In terms of the workforce, the expanded definition would create confusion as to whose workforce is responsible for installation, maintenance, and repair of that portion of the ILEC's network located on the customer's premise and now inappropriately re-classified as "inside wire."

Traditionally, ILEC employees have performed installation, maintenance, and repair functions on these ILEC facilities, including, but not limited to wiring between buildings in an office park or on a campus or wiring in an apartment or office building up to the customer's jack. Under the expanded definition of "inside wire" adopted in the *UNE Remand Order*, building and property owners may misunderstand the new definition of "inside wire" and fail to contact the ILEC to

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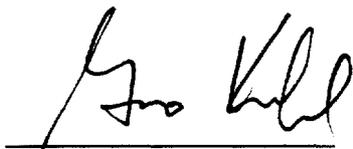
<sup>3</sup> 47 C.F.R. § 32.2426.

<sup>4</sup> BellSouth Petition at 3; GTE Comments at 3.

perform installation, maintenance, and repair functions on this portion of its network. This will have negative consequences for network reliability, as it is ILEC technicians who are knowledgeable about these facilities and ultimately accountable for servicing them. It could also result in the unintended consequence of job dislocation for thousands of skilled career ILEC technicians who have traditionally performed this work.

CWA supports BellSouth's and GTE's recommendation that the Commission retain its traditional definition of "inside wire" and apply the existing definition of "intrabuilding network cable" as listed in the Uniform System of Accounts.<sup>5</sup> This definition would maintain the differentiation between ILEC facilities on the carrier's side of the demarcation point — intrabuilding cable — and customer-owned facilities on the customer's side of the demarcation point — inside wire. This approach would avoid any confusion over ownership of the facilities and equipment; preserve network reliability; and protect against any unintended job dislocation.

Respectfully submitted,



George Kohl  
Senior Executive Director  
COMMUNICATIONS WORKERS OF AMERICA  
501 Third Street, N.W.  
Washington, D.C. 20001  
(202) 434-1182

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<sup>5</sup> *Id.*