

to reaffirm its recently-issued decision that a 76 business-day interval is appropriate for all forms of collocation (except adjacent), augmentations included (Verizon Reply Brief at 29, citing Tariff No. 17 Order at 73). According to Verizon, contrary to the arguments made by several CLECs, the physical act of installing a splitter rack or a cable is not the main determinant of the installation time (Verizon Brief at 15). Rather, Verizon states that “surveying the space, planning the routing of cable, ordering cable and obtaining equipment, coordinating with Verizon’s Central Office . . . Equipment Installers to perform the work, and coordinating with other work to be performed in a given central office consume the majority of the required time to complete a collocation job, whether it is new or an augment[ation]” (id. at 14-15). Verizon also notes that the limited number of trained technicians and the space constraints in central offices are contributing factors in this 76-day interval (Verizon Reply Brief at 31).

According to Verizon, its position is consistent with the FCC’s recent rejection of Covad’s proposed 45 calendar-day interval for new collocation arrangements, in which the FCC found that “While a shorter interval, such as the 45 . . . calendar day interval Covad urges, obviously would provide even quicker deployment of advanced services, we are not persuaded on this record that an interval significantly shorter than 90 days would be reasonable for many collocation arrangements.”<sup>28</sup> Verizon argues the Department should likewise reject

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<sup>28</sup> Verizon Initial Brief at 15, citing Deployment of Wireline Services Offering Advanced Services Telecommunications Capability, Order on Reconsideration and Second Further Notice of Proposed Rulemaking in CC Docket No. 98-147 and Fifth Further Notice of Proposed Rulemaking in CC Docket No. 96-98 at ¶ 27 (rel. August 10, 2000) (“Advanced Services Reconsideration Order”).

Covad's unreasonable request for a shorter interval for collocation augmentations for line sharing arrangements because the work is substantially similar (id. at 15).

Verizon contends that its experience with line sharing augmentations in New York is instructive here (id. at 15-16). These augmentations took, on average, between 45 and 75 business days to complete, and this abbreviated interval was achieved only through a level of effort that is not sustainable in the normal course of business (id. at 16). In addition, Verizon asserts that CLECs have failed to demonstrate that a shortened collocation interval serves any public or competitive purpose (id. at 18). If a CLEC were to forecast its business needs and request collocation as a normal part of its business, Verizon argues, no customer would be deprived of service for an "unacceptable period" (id.). Verizon states that CLECs requiring collocation for non-line sharing work (e.g., to provide voiceband service) would suffer because their requests would take a "back seat" to the preference afforded CLECs with a line sharing business plan (id.).

Finally, Verizon argues that not all collocation augmentations take the full 76 business days to provision and that Verizon does not wait until the interval has elapsed before turning a collocation arrangement over to the CLEC (Verizon Reply Brief at 30, citing Tr. at 340). Rather, Verizon states that as soon as it completes a job, it turns that arrangement over to the CLEC (id.).

ii. Attorney General and CLECs

The Attorney General urges the Department to adopt the shorter of the collocation augmentation intervals adopted by the NYPSC or the Pennsylvania Public Utility Commission

(“PAPUC”) because “Massachusetts consumers deserve to receive DSL line sharing services at least as quickly as New York and Pennsylvania consumers” (Attorney General Brief at 9-10). DBC argues that Verizon’s proposed 76-day interval is “unreasonably long, has no technical justification, and will, if approved, delay the delivery of competitive broadband services to consumers in Massachusetts” (DBC Brief at 14). Moreover, DBC states that this proposed interval is inconsistent with a recent FCC Order, in which the FCC recognized that shorter collocation intervals may be appropriate for certain types of collocation arrangements (*id.* at 14, 16, citing Advanced Services Reconsideration Order at ¶ 37). DBC asks the Department to adopt a 15 calendar-day interval for Option A equipment where existing equipment and facilities are used, or a 30 calendar-day interval for arrangements where the installation of new equipment and facilities is required (*id.* at 14, 21).

According to DBC, it intends to use Verizon’s Option A, meaning it will provide and install its own splitters in its collocation cages; therefore, it argues, access to line sharing is “simply a matter of connecting Verizon’s loops to [DBC’s] equipment at the point of termination bay, often using pre-existing facilities” (*id.* at 17). The physical work required by Verizon should a CLEC select Option A is minimal, according to DBC. Furthermore, DBC asserts that Verizon has conceded that the reuse of existing cable for cross connections is possible and that CLECs using Option A arrangements will not need to change their existing collocation arrangements (*id.*). DBC states that Verizon’s refusal to establish different intervals for different types of orders is arbitrary, costly to CLECs, and anti-competitive (*id.* at 18). Specifically, DBC argues that augmentation does not require the same ten-day sub-interval to determine space availability as do initial collocation applications (*id.*).

Additionally, DBC contends that Verizon appears to allocate the bulk of this interval to accommodate its internal processes, and not to the actual performance of the work order (id. at 19). DBC argues that the FCC has criticized such redundancies and inefficiencies (id., citing Advanced Services Reconsideration Order at ¶ 28).

Covad urges the Department to adopt a 30 calendar-day splitter and cable augmentation interval (Covad Reply Brief at 10). In Exhibit A to its reply brief, Covad responds to the Verizon collocation sub-intervals provided in RR-CVD-6. Specifically, Covad describes, in its view, which work activities are not relevant for a line sharing collocation augmentation request (e.g., establishing billing account number (“BAN”), obtaining certain identifying codes, reviewing licensing and right-of-way requirements, issuing a request for quotes to vendors) (id. at Exh. A). Also, Covad contests the amount of time required to install a line sharing augmentation and argues that Verizon fails to account for approximately 37 days of its proposed 76-day interval (id.). According to Covad, Verizon allows 23 business days to complete the installation work, although Covad’s witnesses testified that a line sharing augmentation requires only a few days, and Covad notes that Verizon’s witnesses did not contest this assertion (id. at Exh. A at 4).

Rhythms argues that the actual wiring for cable augmentations, which is one of the two most common augmentations for line sharing arrangements, can be accomplished by two technicians in one to two days (Rhythms Brief at 25). According to Rhythms, adding splitter capacity, the other most common line sharing augmentation, simply involves the installation of VCR-sized equipment into a pre-existing vertical rack by “placing four bolts through pre-drilled holes and attaching a pre-wired cable connector to the back of the splitter” (id.).

Rhythms contends that Verizon's refusal to implement shorter intervals for splitter capacity and cabling augmentations appears to be based on Verizon's desire to delay competition (id.).

Rhythms describes the work involved with completing a new collocation arrangement and argues that, in contrast, much less work is required for cable and splitter augmentations (id. at 26).

Rhythms also argues that Verizon's interval fails to account for efficiencies that result from performing routine processes (id. at 27). Among other things, Verizon's interval includes time to verify that the splitter is NEBS-compliant, something which Verizon does not need to recheck for every application, according to Rhythms, and includes steps unnecessary for Option A line sharing arrangements (id.). Rhythms argues that Verizon has acknowledged that the work associated with cabling and splitter augmentations is not significant but, rather, other tasks, such as space surveys and cable routing planning, consume the "lion's share" of this interval (Rhythms Reply Brief at 18).

Rhythms contends that Verizon's interval has more to do with the resources, or lack thereof, Verizon has chosen to assign to completing augmentations than with the actual work needed to perform an augmentation (Rhythms Brief at 28). According to Rhythms, Verizon cannot justify the extended interval on Verizon's need to hire additional personnel and coordinate the central office work (Rhythms Reply Brief at 19). That decision, Rhythms argues, rests solely within Verizon's control and should be made easier by CLEC forecasts provided to Verizon, which prioritize central offices in which CLECs desire the installation of cable and splitter capacity (id., citing Rhythms Brief at 28-29). Additionally, Rhythms also disagrees with Verizon's assertion that providing a shorter interval for collocation

augmentations discriminates against CLECs not involved in line sharing (Rhythms Brief at 29). Rhythms states that all cabling augmentations entail the same work and should be completed within 30 days, regardless of whether the cabling is for xDSL line sharing or traditional POTS service (id. at 29-30).

Requiring CLECs to wait three and a half months to obtain cabling and splitter augmentations is a “severe handicap in the marketplace,” according to Rhythms (id. at 30). Rhythms states that such a delay is not in the public interest and Massachusetts consumers will suffer (Rhythms Reply Brief at 20). Rhythms argues that Verizon’s proposal would require it to forecast line capacity requirements at least four months in advance, which could lead either to under-forecasting demand, so that the CLEC would be unable to provide service, or over-forecasting demand (Rhythms Brief at 31). Over-forecasting demand results in the unnecessary overbuilding of capacity and facilities, which, according to Rhythms, leads to the CLEC incurring expenses without receiving revenues on this under-utilized plant (id.).

WorldCom supports a shorter interval for collocation augmentations, for the reasons set forth by Rhythms and Covad (WorldCom Brief at 13-14). In addition, WorldCom argues this shorter interval should apply to collocation augmentations for all services, not just line sharing (id. at 14-15). Finally, WorldCom urges the Department to apply its decision on the appropriate interval for collocation augmentations to line splitting (id. at 15).

c. Analysis and Findings

For the reasons discussed below, the Department directs Verizon to perform cabling capacity and splitter augmentations within 40 business days of receiving a collocation augmentation application. The record in this proceeding does not support Verizon’s position

that a comparable amount of work is required for the type of augmentation necessary for line sharing as for a new physical collocation arrangement. However, neither does the record support the overly-optimistic cable augmentation and splitter installation envisioned by several CLECs. It appears that CLECs describe the best-case scenario for cable augmentations and splitter installations, in which Verizon could or should, perform this work in a matter of minutes or hours (Tr. at 325-327). Verizon, on the other hand, describes the worst-case scenario for a cabling augmentation or splitter installation request (e.g., no space, no available relay or cabling racks, insufficient holes for cable runs, no point-of-termination (“POT”) Bay availability, no room at the MDF, vendor shortages of necessary equipment, existing equipment must be removed, existing cables must be pulled out) (Tr. at 338-343, 380-381, 384-385). While Verizon is critical of statements made by CLEC witnesses, that only a few days are required to install additional cabling and splitters, the Department need not rely on such statements to find independently that a 76 business-day interval is inappropriate. Rather, we need only look to Verizon’s responses to two record requests to support this determination (see RR-CVD-6, Supp.; RR-DTE-11).

In its supplemental response to Covad’s record request to provide the “sub-intervals” contained in Verizon’s 76 business-day collocation interval, Verizon lists numerous “supporting elements” (Tr. at 338). The Department finds that many of these are inapplicable to a line sharing augmentation arrangement or can be accomplished in a shorter period of time, despite Verizon’s assertions to the contrary. For example, Verizon indicates it requires up to five business days to complete the following activities: (1) receive a CLEC’s collocation application; (2) review for provisioning accuracy and completeness, including verifying that

cabling matches CLEC equipment quantity; (3) date stamp the application; (4) log the application into the database; (5) verify NEBS compliance; and (6) distribute the application internally to the project manager and a regional engineering group. Two days, not five, is a more appropriate sub-interval for this first phase, in which the only significant activity is the review for provisioning accuracy and completeness. The other listed tasks, with the exception of verifying NEBS compliance, are ministerial. And in terms of verifying NEBS compliance, Verizon's witness stated that there is no need to re-verify whether the same model of equipment is NEBS-compliant (see Tr. 359-360). According to Covad, even if Verizon has to check whether a different splitter model is NEBS-compliant, that verification should only take a few minutes (Covad Reply Brief, Exh. A at 1). In addition, the Department agrees with Covad that reviewing an application for accuracy and completeness should take, at most, a few hours (id.).

From days one through five, Verizon states it accomplishes the following functions before issuing a letter of acknowledgment to the CLEC: (1) verify both the tariff in effect and the application fee; (2) establish both Band rates and the BAN; and (3) verify "all other required information" (RR-CVD-6). According to Covad, there is no need for Verizon to establish Band rates or the BAN for a line sharing collocation augmentation because that work was done for the initial collocation (Covad Reply Brief, Exh. A at 1). Moreover, Covad argues persuasively that Verizon need not verify what tariff is in effect for every line sharing augmentation application (id.). However, even if Verizon did want to make this verification for every application, it could perform this work in one day, as it could for verifying the application fee. To permit Verizon additional time to perform this verification would be to

ignore future efficiencies that will result from Verizon's experience in processing cabling and splitter augmentation applications. Lastly, the Department agrees with Covad that Verizon should have already "verif[ie]d] all other required information" when it reviewed the application for "provisioning accuracy and completeness," which is an activity mentioned above (id.).

By day nine, Verizon states it performs 18 "support elements" before issuing its Collocation Request Response Form ("CCRF") to Wholesale Network Services ("WNS"). It is obvious that several of these 18 items are inapplicable to line sharing augmentation applications. For example, as was mentioned by Covad, there is no need for Verizon to: "identify meet manhole(s)," "determine if conduit [is] required," or "review licensing and right-of-way requirements" (id. at 2, citing RR-CVD-6, Supp.). Additionally, since this is an augmentation application and not an application for a new collocation cage, several other items are of dubious relevance (e.g., the last bullet of RR-CVD-6, Supp. mentions dimensions of cage, and size variance from application). Also, Verizon includes "review for NEBS conformance/check with maintenance and engineering" and "review application requirements" in this sub-interval. It is unclear why Verizon would need to review for a second time whether the equipment conforms or complies with NEBS standards and "application requirements," which arguably should have occurred by the time Verizon issued the letter of acknowledgment, if not earlier. Lastly, Covad again notes that several elements are unnecessary for augmentations but, instead, are performed for the initial collocation application, and we agree that the record supports this contention (e.g., obtaining codes for Common Language Location

Identifier, Geographic Location, and Access Customer Terminal Location) (Covad Reply Brief, Exh. A at 1).

Verizon indicates it will issue the capacity creation request (“CCR”) by day 14 after performing the following tasks: (1) confirm service due date; (2) perform preliminary engineering; (3) input requirements, including the amount of space, number of DS1s, DS3s, fiber, power, etc.; (4) review requirements for additional Verizon-provided equipment; (5) incorporate results of site survey; and (6) notify several internal Verizon divisions to issue orders (RR-CVD-6, Supp.). This sub-interval, which it appears Verizon has allotted four business days to complete, falls subject to the same criticism as others mentioned above. That is, several of the steps could be performed in minutes or hours, not days (e.g., confirm service due date, input certain requirements into the CCR, incorporate the site survey results into this request, and notify Verizon employees to issue orders); and, absent additional information, the “review requirements for additional Verizon-provided equipment” appears to have been performed (or should have been performed) in the earlier “issue CRRF to WNS” sub-interval.

By day 28, Verizon is scheduled to issue the Telephone Equipment Order (“TEO”) (id. at 4). It appears that Verizon has provided itself with 14 business days to complete the following: (1) receive the CCR (issued by day 14); (2) issue request for quote from vendors; (3) receive response(s), review and select vendor; issue automated Trunks Integrated Record Keeping System (“TIRKS”), Switch, and LFACS forms; and (4) send TEO to vendor. Covad argues this work could be completed in one day because, among other reasons, there is no need to issue a request for quotes to vendors since all of the splitter and cable augmentation work is the subject of standard contracts (Covad Reply Brief, Exh. A at 4). With the possible

exception of requesting and receiving vendor quotes, the other TEO sub-interval items could be completed within a day. It is unclear from this record whether requests for quotes from vendors are necessary for cable augmentations (since under both Option A and Option C, the CLEC provides the splitter, not Verizon). However improbable (and inefficient) it seems for Verizon to solicit bids every time it needs cable, we do not have the record to agree with Covad on this point.

Verizon allots approximately 23 business days for the “detailed engineering, ordering and receipt of material” (RR-CVD-6-Supp.). Within this sub-interval, the vendor performs the following activities: (1) receives TEO; (2) engineers job; (3) orders equipment; and (4) populates “Infobank/News.” Also within this sub-interval, material and equipment are shipped to the vendor, and the vendor receives this material (id.). Verizon includes one step that may be performed by Verizon and not the vendor: “method of procedure provided [“MOP”] to vendor management” (id.). The record does not support the conclusion that up to 23 business days (i.e., one month) are required for Verizon’s vendor to order and receive cable.<sup>29</sup> Moreover, according to Covad, the “vendor usually performs this engineering work [i.e., “engineers job”] by attending the site survey on day 5 with the Engineer” (Covad Reply Brief, Exh. A at 4).

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<sup>29</sup> Covad’s witness testified that vendors “stockpile cabling . . . like 50-pair cables, 25-pair cables, [vendors] have reels of them . . .” (Tr. at 407). Verizon’s witness did state it has been waiting almost three months for its vendor to deliver “89 pieces of equipment,” though the witness did not specify what type of equipment (Tr. at 342, 400). In any event, a 23 business day interval, which can translate into as much as 33 calendar days, seems unwarrantedly protracted.

According to Verizon, the collocation installation work starts by day 53 and includes the following tasks: (1) real estate/site preparation completed, as necessary; (2) installation vendor performs MOP; and (3) installation vendor collects all materials and specifications (RR-CVD-6-Supp.).<sup>30</sup> By day 76 the installation is completed when Verizon performs up to 17 activities, including: (1) installation vendor installs all aspects of job (including, among other things, running and termination of all cables); (2) input cable information into databases; (3) issue orders out of various databases to several Verizon divisions which, in turn, verify the information; (4) the Facility Management Center builds the cable identification, count, terminal, and loop makeup; (5) the Input Group builds the Script and runs the input request; and (6) the engineering group verifies that the job is complete (id.).

Without further explanation, it is difficult for the Department to determine how much time these activities require. For example, the record does not contain information about what is involved in defining or in building the “Script.” While Covad states that it agrees with Verizon that the majority of the 17 elements listed under day 76 can be completed in one day, it appears to the Department that Covad misunderstands Verizon’s response. That is, the Department understands Verizon to be saying that it will complete the 17 activities by day 76 and not, necessarily, on day 76 (see Covad Reply Brief, Exh. A at 4).<sup>31</sup> However, the

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<sup>30</sup> In Massachusetts, Verizon does not use external installation vendors but rather uses its own equipment installation work force. Before Verizon could employ an external installation vendor, Verizon would first have to redeploy its own work force from other areas within the Verizon footprint. Only after exhausting those resources could it hire an external installation vendor (Exh. DTE-1-11).

<sup>31</sup> If the Department’s interpretation of RR-CVD-6, Supp. is correct, Verizon allows one  
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Department does agree with Covad that merely forwarding cable information to various Verizon divisions can be accomplished instantaneously as can the population of this information into several Verizon databases. Verification of these data should be a simple process that might take a few days, only because it appears this verification process occurs consecutively, not simultaneously, among the Verizon divisions.

Lastly, in its response to a record request, Verizon lists activities that must be performed prior to the due date (e.g., verify data was included in databases, verify cable installation is complete, vendor performs checklist verification, correct any “non-conformances,” verify job is on target) (RR-CVD-6, Supp.). Again, Covad argues that these elements are merely ministerial in nature and can be accomplished in hours or a few days, at most, and can occur much earlier in the collocation augmentation process (Covad Reply Brief, Exh. A at 5-6).

That Verizon can complete cabling augmentations and splitter installations in less than 76 business days is apparent from its response to RR-DTE-11, which lists the “line sharing collocation – Option C – installation activities.” In contrast to the over one-hundred elements found in RR-CVD-6, Supp., a list the Department finds more appropriate to new collocation arrangements activities rather than to augmentations, Verizon stated in response to another record request that 21 tasks are necessary to complete a line sharing collocation augmentation

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<sup>31</sup>(...continued)

calendar month to begin and complete a splitter capacity or cabling augmentation (i.e., beginning by day 53 and finishing the installation by day 76).

request (RR-DTE-11; Exh. RLI/CVD-84).<sup>32</sup> This streamlined approach to augmentation is more representative of what the record demonstrates to be necessary for line sharing, and the listed 21 tasks can be performed in 40 business days. In fact, Verizon acknowledges that one-third of the 21 activities can be performed simultaneously with other listed steps (RR-DTE-11).

Briefly, these 21 steps can be summarized as follows: (1) receive, review, and distribute collocation augmentation application; (2) input application into database;<sup>33</sup> (3) process application fee;<sup>34</sup> (4) verify NEBS compliance;<sup>35</sup> (5) schedule space availability check; (6) conduct space availability check; (7) notify WNS and customer of results;<sup>36</sup> (8) issue CCR;<sup>37</sup> (9) conduct site survey; (10) develop engineering notepad to obtain equipment and

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<sup>32</sup> The Department notes that this information request, now Exh. RLI/CVD-84, asked Verizon to provide collocation augmentation activities for both Option A and Option C. Verizon only provided a response for Option C. Since under Option A, the CLEC will install and maintain the splitter, it is logical to assume that fewer Verizon activities are needed to complete these types of collocation augmentation applications.

<sup>33</sup> For reasons stated above, the Department finds the first two functions can be performed in hours, not days.

<sup>34</sup> "Processing the application fee" means Verizon deposits the CLEC's check and notes in its records that the CLEC paid some portion of the installation fee (Tr. at 355). Again, the Department finds this function can be accomplished in hours (i.e., no more than one day).

<sup>35</sup> For reasons stated above, Verizon may omit its verification of NEBS compliance if a CLEC proposes to use the same model of splitter for which Verizon has already ascertained its compliance (Tr. at 359-360). Over time, the universe of compliant splitters should be very well scoped, and time saved thereby.

<sup>36</sup> The Department believes this notification can and should be performed via e-mail and, thus, will require no significant amount of time to complete.

<sup>37</sup> As mentioned above, the Department finds that the issuance of the CCR should take minutes, not hours or days. In its response to RR-DBC-2, Verizon provided three

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installation pricing and availability; (11) CLEC orders splitters;<sup>38</sup> (12) TEO issued to initiate engineering, order relay and cable racking, cables and splitter installation;<sup>39</sup> (13) coordinate delivery of equipment to installation vendor; (14) conduct MOP for installation activities; (15) oversee equipment installation; (16) job acceptance review for equipment installation;<sup>40</sup> (17) POT Bay and MDF stenciled; (18) CLEC delivers spare cards for splitter outages;<sup>41</sup> (19) inventory updated in Verizon systems; (20) distribute CFA to CLEC; and (21) billing initiated (*id.*).<sup>42</sup>

It appears Verizon has scheduled two site visits within a short period of time. It is not clear to the Department why Verizon technicians would be unable to finalize engineering

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<sup>37</sup>(...continued)

examples of a CCR, which is a one-page, computer-created document containing approximately 30 fields to be completed (e.g., CLLI code), though several fields were left blank. Based upon our review of these examples, and the basic level of detail requested for the fields, we find that the completion of this form can occur in one day.

<sup>38</sup> Verizon has stated that it does not allocate time within this interval for this step, "CLEC orders splitters," rather, it appears to be a placeholder (Tr. at 364).

<sup>39</sup> According to Verizon, the TEO "kicks off" any equipment that is necessary, including frame termination blocks not mentioned in Verizon's response to Exh. RLI/CVD-84 (Tr. at 365).

<sup>40</sup> For the four preceding activities beginning with "coordinate delivery of equipment to installation vendor," the record supports the conclusion that these steps can be completed within days because, as mentioned above, Verizon does not use external installation vendors. Scheduling these activities should be straightforward, resulting in fewer delays, since Verizon's internal work force performs the equipment installations.

<sup>41</sup> Verizon indicates this step may be performed simultaneously with other activities (RR-DTE-11).

<sup>42</sup> Again, Verizon states these last two activities, distribute CFA to CLEC and initiate billing, can occur while Verizon updates its inventory in its systems (RR-DTE-11).

requirements, such as frame and bay assignments, cable rack routing, and cable holes, during its first site visit in which it “determine[s] [relay rack] placement and frame capacity” (*id.*).

Verizon’s witnesses stated that the space availability check is a site survey where “central office engineers and real estate people . . . determine where the cable routing can go, where there’s space to lay cable in, to look for space as close to the collocation as possible . . . .

These people would have to take into account other activity and plans that are going on in the central office . . . . They have to research what else is planned or what else the space might be reserved for in that central office” (Tr. at 378-380). A Verizon witness also indicated that this site survey is typically scheduled (and, presumably, performed) by day 7 so that Verizon can meet the Department requirement that it notify requesting CLECs whether space exists to accommodate the CLEC’s physical collocation request (Tr. at 360).<sup>43</sup> In the Department’s Phase I Order, the Department directed Verizon to amend its tariff to indicate this notification shall occur within ten calendar, not business, days. Phase I Order, at 66. Therefore, we would expect Verizon to perform this line sharing site survey before business day 7 (otherwise, Verizon would have only one day prior to calendar day 10 to notify the requesting CLEC whether space exists in a central office).

Based upon the Department’s analysis of information in our record, specifically, Verizon’s responses to several record requests and testimony provided during the evidentiary hearings (cited above on pages 58-68), the Department finds that 40 business days is an adequate amount of time for Verizon to perform the activities necessary to complete a cable

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<sup>43</sup> See AT&T Communications of New England, Inc., D.T.E. 98-58, at 14 (1999).

augmentation and splitter installation collocation application, including requesting and receiving equipment from vendors. Verizon has urged the Department not to establish differing collocation intervals based upon the services that will be offered, arguing, among other things, such a policy discriminates against CLECs that just provide voice service. Verizon's concerns are unfounded. In fact, it is noteworthy that only Verizon made this argument. CLECs, including those who offer primarily voice services, did not echo this concern. In addition, a finding that 40 business days is adequate is entirely consistent with the FCC's Advanced Services Reconsideration Order at ¶ 37, in which it held states are "free to set shorter provisioning intervals for . . . augment[at]ions to existing collocation arrangements . . . ." <sup>44</sup> The Department is not opposed to having Verizon perform all cabling augmentation requests within 40 business days, regardless what type of service the CLEC intends to offer. However, the record in this proceeding does not provide us with enough information to make that decision apply to all cabling augmentation requests.<sup>45</sup> Furthermore, the legal notice issued in this proceeding was for Verizon's xDSL and line sharing tariff proposals. Extending our ruling on the augmentation interval to CLECs that provide just voice service is beyond the scope of the Phase III proceeding.

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<sup>44</sup> In addition, the FCC states "Indeed, we encourage states to adopt shorter provisioning intervals in circumstances where the nature of the collocation arrangements may render shorter provisioning intervals particularly appropriate." Advanced Services Reconsideration Order at ¶ 37.

<sup>45</sup> Other than a brief exchange between Verizon's witness and counsel for Covad, our record is silent on cabling augmentations for voice providers (Tr. at 372).

Verizon's witness stated that should the Department order a shorter interval for all cable augmentations, Verizon would "probably . . . have to add staff . . . ." (Tr. at 373). This uncertain concern is not persuasive. We have found above that Verizon ascribed too many days to the work required to perform splitter capacity and cable augmentations. Shortening Verizon's interval for these discrete augmentations does not add any work for Verizon rather, it is intended to better match this interval with the actual work that the record supports as being required.

Consistent with the Department's Order in D.T.E. 98-58, in which we found that Verizon's ability to process collocation applications within the 10-day interval may be affected by circumstances beyond its control,<sup>46</sup> Verizon may request an extension of this interval from the Department. In deciding whether we would grant Verizon's extension request, which would be done on a case-by-case basis, the Department will consider, among other things, the number of collocation applications (for both augmentations and new arrangements) received by Verizon prior to its request. See D.T.E. 98-58, at 16.

The Department declines to adopt the even-shorter interval advocated by several CLECs, ranging from 15 to 30 calendar days. Verizon's witnesses effectively argued that the mere act of installing cable or a splitter is not the main determinant of the augmentation interval. For example, Verizon states it does not stockpile material but, rather, all equipment is ordered for a specific job (Tr. at 339). As mentioned above, Verizon allows approximately 23 business days for its "detailed engineering, ordering and receipt of material" sub-interval

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<sup>46</sup> D.T.E. 98-58, at 16.

(RR-CVD-6-Supp.). While the Department would not expect a vendor to require one calendar month to order and receive equipment necessary to complete a cable augmentation and splitter installation, it is possible it could require a few weeks. Our record does not demonstrate that Verizon could receive this equipment from its vendors in a shorter period of time, which would be necessary if Verizon were to meet the augmentation intervals supported by some CLECs (e.g., the record does not contain copies of Verizon's contracts with vendors for the supply of cable or relay racks).

In support of its proposed 15 calendar-day interval for Option A (in which the CLEC owns and maintains the splitter in its collocation cage) cable augmentation requests, DBC argues it should be permitted to reuse its cable, thus saving time and money. Verizon's witnesses explained the difficulties experienced in New York with the attempted reuse of another CLEC's cabling for line sharing arrangements (Tr. at 342, 395-397). According to Verizon, in many situations, it was unable to obtain a contiguous count of clean pairs on the MDF (e.g., assignment of 100 of a CLEC's cable and pairs would be located at 1 to 50 and 301 to 350 on the MDF, rather than assigned together from 1 to 100). It also found "workers" (an in-service, working pair) within these counts that should have been disconnected or should have been in another cable, and experienced OSS difficulties (Tr. at 395-396). However, Verizon indicates it is willing to revisit the issue of cable reuse and it appears possible that the forthcoming OSS enhancements will solve some of the current OSS challenges (Tr. at 397). The Department declines DBC's request for a shorter interval for Option A arrangements, but we may revisit the issue if it can be demonstrated that cable reuse and OSS efficiencies enable Verizon to perform augmentations for Option A arrangements in a shorter period of time.

As mentioned earlier, CLECs seem to assume the least amount of work required to implement a line sharing augmentation, and Verizon assumes the most. The truth is there will be instances where Verizon's technicians will conduct a site survey and discover that holes will have to be drilled and racks added to accommodate a CLEC's augmentation request. There will also be instances where a cabling augmentation or splitter installation will be as straightforward as the CLECs' witnesses would have us believe. The 40 business-day interval we establish in this Order recognizes that the work required to implement most line sharing augmentations lies somewhere between the competing scenarios provided by the parties in this proceeding. Several CLECs expressed concern about having either to over- or under-estimate demand to account for Verizon's 76 business-day augmentation interval. According to Rhythms, this 76-day interval (or three and a half calendar months) requires it to forecast line capacity requirements, place orders, and make up-front payments four to five months in advance (Rhythms Brief at 31). The Department agrees with Rhythms that planning so far ahead is a challenge and can cause such undesirable results as under-utilized equipment or an inability to provide service to requesting customers. Our shorter interval should make planning easier. Verizon is directed to modify its tariff accordingly.

F. Wideband Testing System

1. Introduction

Verizon's proposed tariff applies a monthly wideband testing charge fee (see Section IV.B. below, for a discussion of the reasonableness of this proposed rate). Verizon seeks to apply wideband testing and charge this fee to all line sharing arrangements. CLECs argue that wideband testing should be performed only at the CLEC's option. According to Verizon, its