Exhibit A

Members of the Real Access Alliance

EXHIBIT A
Members of the Real Access Alliance

Building Owners and Managers Association International

Founded in 1907, the Building Owners and Managers Association (BOMA) International is a dynamic international federation of 101 local associations. The 17,000 members of BOMA International own or manage more than 8.5 billion square feet of downtown and suburban commercial properties and facilities in North America and abroad. The mission of BOMA International is to advance the performance of commercial real estate through advocacy, professional competency, standards and research.

Institute of Real Estate Management

The Institute of Real Estate Management (IREM)educates real estate managers, certifies the competence and professionalism of individuals and organizations engaged in real estate management, serves as an advocate on issues affecting the industry, and enhances and supports its members' professional competence so they can better identify and meet the needs of those who use their services. IREM was established in 1933 and has 10,000 members across the country.

International Council of Shopping Centers

Founded in 1957, the International Council of Shopping Centers (ICSC) is the trade association of the shopping center industry. Its 38,000 members in the United States, Canada, and more than 70 other countries represent owners, developers, retailers, lenders, and all others having a professional interest in the shopping center industry. Its 34,000 United States members represent almost all of the 43,661 shopping centers in the United States. In 1998, these centers accounted for $1,082.5 billion in retail sales, which is 53 percent of total retail sales, excluding sales by automotive dealers, and generated more than $44 billion in state sales tax revenue. In addition, shopping centers employ over 10 million people, about one in every 10 non-agricultural jobs in the United States. In a typical month, 188 million adults shop at shopping centers - 94 % of the population over 18 years of age.

Manufactured Housing Institute

The Manufactured Housing Institute (MHI) is the leading national trade association for manufactured housing across the nation. It represents all segments of the industry, including manufacturers, component suppliers, retailers, community owners and operators, state associations, and those financial institutions involved in the lending and insuring of manufactured homes.

National Apartment Association

The National Apartment Association (NAA) has been serving the apartment industry for 60 years. It is the largest industry-wide, nonprofit trade association devoted solely to the needs of the apartment industry. NAA represents approximately 26,000 rental housing professionals holding responsibility for more than 3.6 million apartment households nationwide.

National Association of Home Builders

The National Association or Home builders is a trade association representing the nation's housing industry. NAHB is a federation of more than 800 state and local home builder associations nationwide working to enhance the political climate for housing and for the building industry, and promoting policies that keep housing a national priority. NAHB's members are engaged in all aspects of real estate development, ownership, and management, and include owners and managers of apartment buildings, condominiums, cooperatives, and community associations. NAHB is comprised of over 197,000 members, who collectively employ over eight million Americans.

National Association of Industrial and Office Properties

The National Association of Industrial and Office Properties (NAIOP) is the trade association for developers, owners, and investors in industrial, office, and related commercial real estate. NAIOP is comprised of over 7,000 members in 47 North American chapters and offers its members business and networking opportunities, education programs, research on trends and innovations, and strong legislative representation.

National Association of Real Estate Investment Trusts

The National Association of Real Estate Investment Trusts (NAREIT) is the national trade association for real estate investment trusts (REITs) and publicly traded real estate companies. Members are REITs and other businesses that own, operate, and finance income-producing real estate, as well as those firms and individuals who advise, study and service those businesses.

National Association of Realtors

The National Association of Realtors (NAR) is the nation's largest professional association, representing more than 720,000 members. Founded in 1908, the NAR is composed of residential and commercial REALTORS ® who are brokers, salespeople, property managers, appraisers, counselors and others engaged in all aspects of the real estate industry. The association works to preserve the free enterprise system and the right to own, buy, and sell real property.

National Multi-Housing Council

The National Multi-Housing Council (NMHC) represents the interests of the larger and most prominent firms in the multi-family rental housing industry. NMHC's member are engaged in all aspects of the development and operation of rental housing, including the ownership, construction, finance, and management of such properties.

Real Estate Roundtable

The Real Estate Roundtable (RER) provides Washington representation on national policy issues vital to commercial and income-producing real estate. A leading public policy advocate, RER addresses capital and credit, tax, environmental, technology and other investment-related issues. RER members are senior executives from more than 200 U.S. public and privately owned companies across all segments of the commercial real estate industry.

Exhibit B

Declaration of Brent W. Bitz

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

In the Matter of	)	
	)	
Promotion of Competitive Networks in Local Telecommunications	)	WT Docket No. 99-217
	)	
Wireless Communications Association International, Inc. Petition for Rulemaking to Amend Section 1.4000 of the Commission's Rules to Preempt Restrictions on Subscriber Premises Reception or Transmission Antennas Designed to Provide Fixed Wireless Services	)	
	)	
Cellular Telecommunications Industry Association Petition for Rulemaking and Amendment of the Commission's Rules To Preempt State and Local Imposition of Discriminatory and/or Excessive Taxes And Assessments	)	
	)	
Implementation of the Local Competition Provisions in the Telecommunications Act of 1996	)	CC Docket No. 96-98
	)	
Review of Section 68.104 and 68.213 of The Commission's Rules Concerning Connection of Simple Inside Wiring to the Telephone Network	)	CC Docket No. 88-57

DECLARATION OF BRENT W. BITZ
IN SUPPORT OF FURTHER COMMENTS OF
THE REAL ACCESS ALLIANCE

I, Brent W. Bitz declare as follows:

1. I submit this Declaration in support of the Further Comments of the Real Access Alliance. I am fully competent to testify to the facts set forth herein, and if called as witness, would testify to them.
2. I am an Executive Vice President at Charles E. Smith Commercial Realty LP. I have been in the Commercial Real Estate business for twenty-five years, and have been involved in office

and retail properties throughout the United States and Canada. My education includes a Masters of Business Administration and the designation of Real Property Administrator from BOMI. My duties at Charles E. Smith Commercial Realty include oversight for our company's nineteen million square foot portfolio of commercial properties. This portfolio consists of both owned and fee managed properties and is located in the Washington metropolitan area. In this context, I am responsible for all matters pertaining to the occupancy needs and services of our tenants. In addition to the above, I currently serve as a member of the Building Owners and Managers Association National Advisory Council.

3. Charles E. Smith Commercial Realty, LP, is a private master limited partnership that owns and manages a portfolio of commercial properties located in the metropolitan Washington area. Our company also provides management, leasing and financial advisory services to third-party owners. We have a portfolio of eighty-one buildings, seventy-five which are 100,000 square feet are larger. Eleven of our buildings are fully occupied by the federal government. In addition, we have high profile professional legal and accounting firms and high technology companies, as well as a wide range of general business activities. At least some of these buildings include retail tenancies. The size of our tenants range from 1.8 million square feet for one large government tenant, to tenants of approximately one thousand square feet. Part of our business responsibility is to ensure that the telecommunication needs of our tenants, as they relate to their occupancy in our building, are well taken care of. To that end, we have regular interaction with our tenants to ensure that our building operating staff properly supports their needs.

4. A competitive telecommunications marketplace is important to our tenants and is, therefore, vital to building owners and managers, like Charles E. Smith. For an office building to remain competitive in today's marketplace, it must offer tenants not only a wide array of telecommunications services, but also an array of choices in telecommunications service providers. In fact, building owners and managers aggressively market the characteristics of their properties, including telecommunications services. The industry is evolving so rapidly in this direction that it is my opinion that a competitive array of telecommunications services will shortly be a standard and expected building service just like air conditioning or cleaning. Because tenants absolutely need a full selection of telecommunications services and providers, if we don't provide them, then they will leave our buildings, *i.e.*, vacate.

5. Vacancy is a building owner's greatest fear. If our portfolio vacancy rises by 1% because we can't provide competitive telecommunications services to our tenants, my company will lose approx. $6,500,000/year and I will lose my job. Our motivation is clear. By way of example if a typical 15,000 square foot floor is vacant for one month we lose $37,500.
6. Telecommunications access agreements are a very small portion the revenue generated from our buildings. When one compares the modest income that we make from telecommunications providers to the great income that comes from rent payments of our tenants, it becomes clear that our interest in providing our tenants with the services they need and want far outweighs our interest in generating revenue from telecommunications providers using our buildings. For example, tenants in our buildings pay rents ranging from $25-$40 per square foot, however of revenue generated by our portfolio, only 25 cents per square foot comes from all the telecommunications providers combined.
7. It is our feeling that tenants are best served by having a range of companies in on a mutually competitive basis. In keeping with this policy, which is the one of the primary drivers behind our business strategy, we do not do exclusive access or marketing deals. In fact, we do not enter into preferred arrangements of any kind. We have 12 telecom service providers providing a variety of services to our portfolio of 70 non-federally occupied buildings. These companies include Verizon, Winstar, Teligent, Nextlink, Intermedia, Cypress, eziaz, elink, Everest, Allied Riser, Broadband Office, and Metro Media Fiber. Eight of the providers each serve virtually the entire portfolio and the other four serve substantial portions of the portfolio. This means that virtually every one of our 2,000 tenants in 70 buildings has access to anywhere from eight to twelve competitors for their business.
8. Our policy at Charles E. Smith Commercial Realty, LP, is to accommodate tenant requests for telecommunications services and I am completely satisfied that the existing telecommunications service environment adequately meets my tenants' needs. In every case, if we were not able to meet a tenant's requirements through existing telecommunications service arrangements, they were able to deal with a competitive service provider on a direct basis. At no time would we ever interfere with a tenant's desire to obtain improved service in this vital business area. For example, at 1666 K Street, Washington, DC, a law firm (O'Connor and Hannan), requested the services of Starpower, and we subsequently entered into a license agreement that was mutually satisfactory to all concerned. Starpower was not

in our list of pre-selected telecommunications services providers ("TSPs") and we did a deal with them even though we received no compensation. This was strictly for tenant accommodation. In addition to the above, we regularly work with major Federal Government agencies and the private contracting firms that work with them, to ensure that their specialized telecommunication needs are met. Many of these agencies have security concerns that require us to deal with specialized local exchange carrier services.

9. In fact, we have gone to great lengths to get a competitor to accommodate a particular tenant request even though the tenant has a long-term lease. For example, in 1998, a major law firm (Dickstein, Shapiro and Moran) at 2101 L Street, Washington, DC, requested the services of Teleport Communications. Although the firm's lease extended through 2006 and we were under no obligation to agree, we satisfied their request and entered into a license agreement with Teleport Communications even though we received no compensation.

10. Most of our business deals with TSPs are made for our entire portfolio, except for buildings occupied by the federal government. In our experience, most TSP's want to serve only a smaller and select portion of the portfolio. When we realized this business fact -- that as a result of our earliest deals our smaller buildings were getting left out --- we insisted in our later deals that they serve virtually every building. In my experience, the CLECs' current approach has been to cherry pick the best business opportunities, and leave some of our tenants without alternatives beyond the primary local carrier, Verizon. For example, we have found that CLECs want at least 10 tenants in a building. Of course, there is a general relationship between building size and the number of tenants and our CLECs tried to use a cut off of either 10 tenants per building or a size greater than 150,000 square feet. This is clearly seen in the issuance of warrants to us (warrants were given to our industry by such companies as Allied Riser, Broadband Office, Everest, Cypress and not by Winstar, Teligent, Nextlink). Even if we got them to take our entire portfolio, they reduced the amount of warrants to 10-30% of the amount given for a building over 150,000 square feet for these less desirable properties as compared to the larger and more tenanted buildings.

11. Our typical business deal with a TSP is generally for a term of 5 years with a 5-year renewal option at market. It would provide for rental of a percentage of gross revenues (generally 5-8%). In some cases there may be a modest annual fixed rent as well ($1,000-2,000). In some cases the TSPs gave us stock warrants or other rights in return for the deal. TSPs that entered

the business early on offered only modest fixed rents and no revenue percentage. Finally, we retain approval rights over all installation designs.

12. We provide marketing support to those providers that are on our list of pre-selected providers. When determining selected which providers to include on our list of pre-selected providers we consider three things: (1) the financial strength of the applicant *i.e.,* whether the provider appears financially capable of building out the entire system as planned and of providing the promised service; (2) the technology, strategy and range of services the provider intends to provide; and (3) whatever their business terms competitive in the market place.
13. Our standard marketing support is to advise the tenants of the TSP's service in our building and allow the TSP to conduct normal marketing programs (lobby reception, flyers, etc). While we do not permit door-to-door solicitation or peddlers, we will provide brochures to tenants for telecommunications providers who are serving the building. In addition, at the request of a telecommunications provider we will arrange a meeting in which the telecommunications provider can meet our tenants. Also, upon request of a telecommunications provider, we will provide a list of our tenants in order that they may market their service to them.
14. It takes about 4-5 months to finalize a portfolio-wide deal. This is really not any longer that it takes us to do a lease deal with a tenant from start to finish. Both sides are generally responsible for this time duration, in large part because both parties have to have lawyers involved in the negotiation of the legal as opposed to business terms. Perhaps the new "standard form agreement" will cut some of this time.
15. Finally, a building has only a finite amount of space and limited riser and telecom service areas and some buildings will reach a point where they can are no longer be able to accommodate more providers. If, as the telecommunications industry wishes, TSPs are given the unfettered right to access all of our properties who is to decide which TSP's have access to such a building? Will the FCC set up a bureau to sort out competing claims from the TSP's and on what basis?

16. Verification

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief, and that this declaration was executed on 1/18/01, in Arlington, Virginia.

Brent W. Bitz

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Exhibit C

Declaration of Robert E. Burke

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

In the Matter of	)	
	)	
Promotion of Competitive Networks in Local Telecommunications	)	WT Docket No. 99-217
	)	
Wireless Communications Association International, Inc. Petition for Rulemaking to Amend Section 1.4000 of the Commission's Rules to Preempt Restrictions on Subscriber Premises Reception or Transmission Antennas Designed to Provide Fixed Wireless Services	)	
	)	
Cellular Telecommunications Industry Association Petition for Rulemaking and Amendment of the Commission's Rules To Preempt State and Local Imposition of Discriminatory and/or Excessive Taxes And Assessments	)	
	)	
Implementation of the Local Competition Provisions in the Telecommunications Act of 1996	)	CC Docket No. 96-98
	)	
Review of Section 68.104 and 68.213 of The Commission's Rules Concerning Connection of Simple Inside Wiring to the Telephone Network	)	CC Docket No. 88-57

DECLARATION OF ROBERT E. BURKE
IN SUPPORT OF FURTHER COMMENTS OF
THE REAL ACCESS ALLIANCE

I, Robert Burke declare as follows:

1. I submit this Declaration in support of the Further Comments of the Real Access Alliance. I am fully competent to testify to the facts set forth herein, and if called as witness, would testify to them.

2. I am the Executive Vice President for Operations of Boston Properties, Inc. ("Boston Properties") with responsibility for administrative policy and day-to-day control of company operations on a national basis, and have been with Boston Properties since 1979. I have a Bachelor of Science degree from Bates College and a Bachelor of Civil Engineering degree from Rensselaer Polytechnic Institute.

3. Boston Properties is a fully-integrated, self-administered and self-managed real estate investment trust (REIT) that develops, redevelops, acquires, manages, operates and owns a diverse portfolio of Class A office, industrial and hotel properties. Boston Properties is one of the largest owners and developers of Class A office properties in the U.S., concentrated in four core markets – Boston, Washington, D.C., midtown Manhattan and San Francisco. Although our primary focus is office space, our property portfolio also includes hotels and industrial buildings. As of October 2000, Boston Properties' portfolio consisted of 144 premier properties totaling approximately 37.1 million square feet, including eighteen properties under development totaling approximately 4.6 million square feet. Of these 144 properties, 101 are office buildings and 32 are buildings supporting both office and technical uses. The office, research and development, and industrial properties have an occupancy rate of approximately 98%.

4. Boston Properties currently has in place approximately 600 individual telecommunications access agreements with more than two dozen companies, including portfolio-wide arrangements with six different carriers that comprise nearly two-thirds of the total number of these access agreements, as well as a number of existing agreements with long distance and RBOC carriers serving our buildings. The average number of competitors with access rights to our larger multi-tenant office buildings is between five and eight.

5. Despite the fact that multiple carriers have access rights to our properties pursuant to agreements that have been in place for a year or more on average, the majority of these access rights have yet to be exercised by the carriers. For example, of the portfolio-wide

access agreements to provide telecommunications services that have been signed and in existence for at least one year, less than 20% of the agreements have resulted in completed installations providing services to customers. It has been Boston Properties' experience that the initial urgency to negotiate and execute access agreements has generally been followed by extremely slow installation and marketing efforts on the part of the service providers.

6. Verification

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief, and that this declaration was executed on January 17, 2001, in Boston, Massachusetts.

Robert E. Burke

Robert E. Burke

Exhibit D

Declaration of Scott Skokan

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

In the Matter of	)	
	)	
Promotion of Competitive Networks in Local Telecommunications	)	WT Docket No. 99-217
	)	
Wireless Communications Association International, Inc. Petition for Rulemaking to Amend Section 1.4000 of the Commission's Rules to Preempt Restrictions on Subscriber Premises Reception or Transmission Antennas Designed to Provide Fixed Wireless Services	)	
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Cellular Telecommunications Industry Association Petition for Rulemaking and Amendment of the Commission's Rules To Preempt State and Local Imposition of Discriminatory and/or Excessive Taxes And Assessments	)	
	)	
Implementation of the Local Competition Provisions in the Telecommunications Act of 1996	)	CC Docket No. 96-98
	)	
Review of Section 68.104 and 68.213 of The Commission's Rules Concerning Connection of Simple Inside Wiring to the Telephone Network	)	CC Docket No. 88-57

DECLARATION OF SCOTT SKOKAN
IN SUPPORT OF FURTHER COMMENTS OF
THE REAL ACCESS ALLIANCE

I, Scott Skokan declare as follows:

1. I submit this Declaration in support of the Further Comments of the Real Access Alliance. I am fully competent to testify to the facts set forth herein, and if called as witness, would testify to them.
2. I am the Vice President of Maintenance and Technical Services for Bozzuto Management Company. My responsibilities include negotiating all cable, telephony, and internet agreements for our communities. I am also responsible for all major capital improvement

projects, maintenance policies and procedures, hiring of maintenance employees, review and approval of mechanical, electrical and plumbing design plans for new apartment projects. I have over fourteen years of experience in the apartment industry.

3. Bozzuto Management Company ("Bozzuto") currently manages over thirty-two residential communities, two commercial buildings and several retail stores. We have contracted with two different private cable providers that are currently providing cable service to two of our communities. We have also executed an agreement with a CLEC to provide local telephone service to two of our communities – this service has yet to begin.
4. Bozzuto has entered into access agreements with cable operators, telecommunications providers and internet service providers. We have experienced a variety of problems with these providers.
5. We contracted with a private cable operator in two of our communities to provide cable service. The operator built out the first community and began providing basic cable services. However, they were unable to provide the "as-advertised" movie on-demand or all the channels that we had initially agreed upon. Three months after the operator completed the build-out, without any warning, the operator closed its doors and stopped providing service. Several tenants in this community had no cable service for the over 45 days that it took us to contract for and a new cable operator to begin providing cable service.
6. We completed an access agreement with a high speed internet service provider which included our entire portfolio and had informed our residents that the service would soon be available. However, after deploying their network in only two of our of thirty-two communities, the company, without warning, stopped all installations until further notice. This delay in the provision of such services to our residents reflects poorly upon us as we have built up our residents' expectations for a service that may not be delivered until the company decides to continue installation or until we can find another high speed Internet service provider to serve these communities. We have spoken with several other vendors, however, none have committed to providing service in these communities.
7. We completed an access agreement with a cable MSO that also intends to provide local exchange service to our residents in two of our communities. In one of these communities, it has been over four months and the equipment needed to build out the site has yet to be

ordered. In fact, in the four months since we concluded this agreement, neither property has started to provide competitive local telephone service.

8. Verification

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief, and that this declaration was executed on 1/22/2001, in GREENBELT, Maryland.

Scott Skokan

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Exhibit E

Declaration of Lyn Lansdale

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

In the Matter of	)	
	)	
Promotion of Competitive Networks in Local Telecommunications	)	WT Docket No. 99-217
	)	
Wireless Communications Association International, Inc. Petition for Rulemaking to Amend Section 1.4000 of the Commission's Rules to Preempt Restrictions on Subscriber Premises Reception or Transmission Antennas Designed to Provide Fixed Wireless Services	)	
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Cellular Telecommunications Industry Association Petition for Rulemaking and Amendment of the Commission's Rules To Preempt State and Local Imposition of Discriminatory and/or Excessive Taxes And Assessments	)	
	)	
Implementation of the Local Competition Provisions in the Telecommunications Act of 1996	)	CC Docket No. 96-98
	)	
Review of Section 68.104 and 68.213 of The Commission's Rules Concerning Connection of Simple Inside Wiring to the Telephone Network	)	CC Docket No. 88-57

DECLARATION OF LYN LANSDALE
IN SUPPORT OF FURTHER COMMENTS OF
THE REAL ACCESS ALLIANCE

I. Lyn Lansdale declare as follows:

1. I submit this Declaration in support of the Further Comments of the Real Access Alliance. I am fully competent to testify to the facts set forth herein, and if called as witness, would testify to them.
2. I am Vice President of Ancillary Services at AvalonBay and I have worked in the property management industry since 1989. I have a Bachelor of Arts degree and a Masters in Business

Administration. I have been employed by AvalonBay Communities, Inc. and its predecessor company since 1989. I have close contact with property managers concerning their communication needs as they relate to our apartment communities, as well as those telecommunication companies who want to provide video and telecommunication services to our residents.

3. AvalonBay Communities, Inc. is a publicly traded real estate investment trust (REIT) (with stock ticker AVB) that owns and manages approximately 140 rental apartment communities composed of approximately 40,000 apartments.
4. Currently, we have three apartment communities of which I am aware that have more than one video provider. We have four communities of which I am aware that have more than one local telephone provider.
5. We have granted access to several video providers who have failed to fulfill the terms of our contract. Some of the terms that these providers have failed to fulfill are: implementing DirectTV; adding channels and pay per view programming options; improving reception, responding to customer complaints and outages in a timely fashion. Providers have also made promises about the implementation of high speed internet and then failed to execute service. For example, at one particular community in which the contract was eventually sold to another provider (an MSO) we still do not have the promised high speed service at that particular community that was promised at least a year ago.
6. We have granted access to video providers who have provided such poor quality service to our residents that we have received complaints from our residents. For example, we have one community in particular where the provider has been a problem ever since we purchased the community. At this particular community, the cable contract was automatically transferred to us as the new owner as part of the sale. The contract did not require specific service levels or performance standards nor did it have reasonable language that enabled us to place the provider in default or to terminate the contract for lack of performance. Their service has been a problem for a full 5 or more years with many resident complaints. That cable provider has been a competitive disadvantage for us from the day we first bought the community. However, that particular contract has finally expired and we are making a change this month after over 5 years of unsatisfactory service.

7. We also have several communities that are served by a cable operator that is currently in bankruptcy, and as a result the service in those communities is suffering. Two of these communities have had repeated problems with unhappy residents, to the point that the cable service at those communities has become a competitive disadvantage for us. However, because of the bankruptcy laws, we cannot terminate our contract with the provider for poor service even though they may have been or are in default. So, it appears we are stuck with them for several more years or until they sell or assign our contract to someone else or somehow reorganize and pull themselves out of bankruptcy. What makes that situation particularly terrible is that usually the bad service/reception may be due to an old cable plant that requires upgrading and because of the bankruptcy, the likelihood of a capital expenditure on the plant is slim to none. Thus, we are stuck with an old system and a service provider that provides poor quality service with very little prospect of a solution any time soon and no legal way to remedy the situation by bringing on another provider or ending the contract.
8. We have also experienced some situations where a video provider has created a safety hazard. We have had problems with such things as trip hazards and unsightly equipment not being removed per the contract stipulations. Once these conditions were noted, it was only after repeated attempts (more like harassing and hounding) that we finally got some relief.
9. Over the years we have lost service in a building or group of apartments and the video provider was delayed in getting the service up and running again because the particular provider went out of business or was simply unable to operate or maintain the service properly.
10. These experiences have made us very cautious when introducing new providers of any kind of services.
11. When dealing with telecommunications providers (RBOCs in particular) we have experienced delays in installation. With almost every recent installation by an RBOC we have experienced delay, incredible frustration and a lack of responsiveness on the part of the RBOC. The delay has usually resulted from the RBOC field technical people not being available or not being clear in communicating their requirements regarding installation of infrastructure to our construction group. In some cases, the RBOC has not ordered the necessary equipment to be installed at the community under construction in a timely fashion so that its installation does not delay the construction schedule. In several recent situations,

we have had residents move into our new communities who were not able to have telephone service in their apartments upon move-in and who had to be issued cell phones, in some cases by the RBOC itself for failing to make the deadlines. It is fair to say that the biggest complaint by our construction and development group in building new apartment communities is the implementation of telephone service by the RBOC.

12. We have also experienced problems in our negotiations with both video providers and telecommunications providers. For example, we have had problems with several franchise cable operators in mandatory access states who refused to turn on service until we signed an onerous agreement. A typical franchise operator (and RBOC) tactic is to delay until the last possible moment when residents are about to move in, and then the owner must agree to whatever terms they impose. Another problem has been that the provider does not believe our construction schedule, comes up with they think is the "real" turn schedule regardless of what we have told them, and then is not ready when we start turning buildings. That has happened over and over again. For example, at one of our current lease-ups, the ILEC did not have local phone service available at the time of the first move-ins, even though the ILEC had extensive notice and ample opportunity to make the schedule.

13. Typically, providers are slow responding to our questions or proposals during negotiations. They are also very slow to make decisions and are often unable to commit to a specific time when service will be available and what services will be offered. For example, trying to get a commitment from the phone or cable company whether and when high speed data service via DSL or coaxial cable will be available is very difficult to impossible in many locations. We tried for almost two years to get a national broadband deal done with one of the major cable operators. The operator kept changing the terms, failed to provide us with requested information about their ability to offer specific services, and failed to commit to specific timeframes for these services. Unfortunately, I have very little leverage with this provider because they have very little competition. I need viable competitors to force the existing entrenched operators to be more responsive, and those viable competitors are disappearing. The telecom and video industries as they relate to the apartment industry are getting more consolidated with fewer and fewer opportunities for real competition, essentially intensifying the franchise cable companies' and the ILECs' operating strategy as an entrenched regional monopoly.

14. Our standard agreement with cable operators, with terms ranging from 7 to 10 years, provides for a payment of 7-10% of the operator's monthly recurring revenues. Most of our access agreements for video are exclusive and the provider usually requests exclusive or preferred marketing rights at the apartment community. Our on-site staff involvement ranges from helping with marketing and order executions and turn-ons to simply providing information to residents at their lease signing or upon move in regarding who should be called to order service.
15. Providers have frequently been willing to enter revenue-sharing preferential marketing deals in order to maintain their high level of penetration and take advantage of our leasing staff's marketing efforts. AvalonBay has entered into preferential marketing arrangements with video providers and local and long distance phone providers.

16. **Verification**

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief, and that this declaration was executed on Jan. 19, 2001, in _____ Bethesda, MD.

Lyn Lansdale

Lyn Lansdale

Exhibit F

Declaration of Susan Ansel

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

In the Matter of	)	
	)	
Promotion of Competitive Networks in Local Telecommunications	)	WT Docket No. 99-217
	)	
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Cellular Telecommunications Industry Association Petition for Rulemaking and Amendment of the Commission's Rules To Preempt State and Local Imposition of Discriminatory and/or Excessive Taxes And Assessments	)	
	)	
Implementation of the Local Competition Provisions in the Telecommunications Act of 1996	)	CC Docket No. 96-98
	)	
Review of Section 68.104 and 68.213 of The Commission's Rules Concerning Connection of Simple Inside Wiring to the Telephone Network	)	CC Docket No. 88-57

DECLARATION OF SUSAN ANSEL
IN SUPPORT OF FURTHER COMMENTS OF
THE REAL ACCESS ALLIANCE

I, Susan Ansel declare as follows:

1. I submit this Declaration in support of the Further Comments of the Real Access Alliance. I am fully competent to testify to the facts set forth herein, and if called as witness, would testify to them.

2. I am a Vice President with Gables Residential ("Gables"). I have a B.A. from DePauw University, Greencastle, Indiana. I have worked in the real estate industry for eighteen years and

have had some responsibilities associated with the multi-family industry for all of that time. I am currently responsible for ancillary services nationwide for Gables.

3. Gables is a Multi-family REIT. Gables is based in Atlanta, Georgia and currently operates in Georgia, Florida, Tennessee and Texas. Gables owns 83 communities that comprise approximately 24,800 units and manages a total of approximately 40,000 units, including third-party owned units. Eleven of these communities of these buildings have more than one telecommunications provider.

4. It is very important for Gables to accommodate residents' requests for any additional or alternative services offered by competing local exchange companies, because customer service is a core fundamental of our business strategy. Our residents typically sign six-month leases. It is very easy for a resident to demonstrate their unhappiness with services offered at our properties. As an operating company we can not afford to deliver bad or out-dated services to our residents as they have many opportunities to choose our competitors. That is why it is extremely problematic when we grant telecommunications providers access to our buildings and the providers, as has often been the case, provide poor quality service or fail to live up to the terms of our agreements with them.

5. Gables has been offered and signed exclusive agreements in each of its service areas including Florida, Georgia, Tennessee and Texas. We have not experienced a difference in contracts based upon class of property or demographics, primarily because of the consistency of our portfolio. Providers who have requested exclusive access agreements typically offer video services or a combination of video and data services. Gables has signed exclusive agreements with franchise service providers, private cable operators, digital broadcast service providers and high-speed data service providers. Providers typically request or demand the exclusive agreement so as to allow them an extended period of time without competition to earn a return on the investment in infrastructure costs. The infrastructure costs of this kind of service typically includes inside wiring, intra-building wiring and electronics. The fact that service providers are willing to pay for the infrastructure costs is a benefit to the owners. The ability to offer exclusive agreements allows owners to consider a much larger group of competitive providers. If owners could not sign exclusive agreements, it is unlikely that private cable operators or DBS operators would enter into the market. Franchised cable operators have a much larger base of clients upon which to spread infrastructure costs and would likely be the only group willing to provide

services on a non-exclusive basis. The infrastructure costs typically are about $400-$500/unit for video inside wiring and intra-building wiring. Typical terms for an exclusive agreement are seven – ten years in length. There is typically a revenue share, per door fee or one-time per subscriber fee paid to the owner in return for the marketing services of the on-site associates.

6. Exclusive agreements in this type of service seem ubiquitous in our markets. Without exclusive agreements, only the franchise providers would be viable alternatives in the market place. Typically it is the competitive cable operator that is innovative and on the leading edge of new technology. The competitive cable operators are typically pushing franchise cable operators to compete with levels of service. DBS operators clearly lead the push for franchise operators to deliver digital tiers of services in our markets.

7. Gables has entered into marketing arrangements primarily with telecom service providers. The terms of these agreements range from three to seven years in length. Some of the contracts have included a thirty-day cancellation clause with no penalty to either party. Some of the contracts include buy-out language if the owner chooses to terminate without cause and the telecom provider has expended significant dollars to wire or build infrastructure on the property that can be removed at the termination of the contract. The marketing agreements typically include a revenue share, per door fee or one-time per subscriber fee to the owner. In many cases the on-site associates of Gables are required to market the services to all new residents and complete and send all new order paperwork for the Telecom provider. Frequently, there are a number of package options available to the residents that the on-site associates need to be familiar with to present to the residents. These packages include a wide variety of services ranging from packages that include a variety of basic telephone service add-ons and DSL to packages which bundle video, voice and data services.

8. Gables has typically entered into preferential marketing agreements with the providers who have delivered the highest quality services to the residents. The revenue share is a motivating factor in an exclusive marketing agreement; however, the quality of services delivered far outweighs any potential revenue component. The advantage of these types of agreements for the provider is the reduction of competition at the point of sale or the time most likely for a new resident to be making a decision about service providers. In addition, since typically an on-site associate is involved in the order taking and marketing of upgraded services,