Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of	)	
Deployment of Wireline Services Offering Advanced Telecommunications Capability	)	**CC Docket No. 98-147**
And	)	
Implementation of the Local Competition Provisions of the Telecommunications Act of 1996	)	**CC Docket No. 96-98**

COMMENTS OF SPRINT CORPORATION

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Sprint Corporation, on behalf of its operating subsidiaries, welcomes the opportunity to present its views on how to make line sharing a reality in instances where the ILEC has deployed fiber in the loop.

I. INTRODUCTION AND SUMMARY

In the *Line Sharing Reconsideration Order*,[1] the Commission made clear that the requirement to provide line sharing applies even where the incumbent has deployed fiber in the loop (*e.g.*, in cases where the loop transits a remote terminal, and the incumbent

[1] Third Report and Order on Reconsideration in CC Docket No. 98-147, Fourth Report and Order on Reconsideration in CC Docket No. 96-98, Third Further Notice of Proposed Rulemaking in CC Docket No. 98-147, and Sixth Further Notice of Proposed Rulemaking in CC Docket No. 96-98, FCC 01-26, rel. January 19, 2001. The Further Notices of Proposed Rulemaking in this item will be referred to as "*Line Sharing Further Notice*."

LEC (ILEC) has deployed fiber between that remote terminal and the central office) and that competitive LECs (CLECs) must have the option to access the loop either at the remote terminal or at the central office. The Commission initiated the *Line Sharing Further Notice* in order to consider the various ways in which line sharing may be implemented in such cases.

Sprint's long-distance/CLEC unit is rolling out its suite of Sprint ION products, ranging from high-speed DSL Internet access to fully functional integrated all-distance voice/data services, to residential and small business customers in selected markets throughout the United States. For at least some of these products, line sharing is an attractive and economic means of provisioning competitive broadband services. At the same time, Sprint's ILECs are subject to the unbundling and interconnection obligations set forth in Section 251 of the Act, thus giving Sprint an interest in ensuring that the obligations on ILECs are fair and reasonably recognize their legitimate interests.

The importance of prompt and favorable action in this proceeding for the development of competitive broadband service cannot be over-emphasized. As the Commission recognizes (n.22 at ¶13), a significant number of consumers are served today through fiber/copper loop combinations utilizing digital loop carrier (DLC) at remote terminals, and that number is increasing. Thus, in New York, 18.3% of Verizon's loops will utilize DLCs by the end of this year, and roughly 25% of SBC's customer lines are served via DLCs today (*id.*). Fully 30% of the Sprint ILECs' access lines are served via DLCs. BellSouth states that roughly 40% of its lines are behind DLCs.[2]

[2] BellSouth Advanced Network Division, "'Past the Copper,' Implementing DSL in Non-Integrated Digital Loop Carrier Sites," undated presentation at p. 3.

Furthermore, DLCs are often employed in very rapidly growing areas, such as new subdivisions.[3] SBC, for one, in connection with its "Project Pronto," is in the midst of an extensive deployment of Next-Generation DLCs (NGDLCs) in order to bring DSL service to roughly 80% of its customer base.[4]

With this extensive and increasing deployment of DLCs, the competitive benefits of line sharing will be foreclosed unless there is an efficient and economical means of implementing the ILECs' line sharing obligations. As will be explained in more detail below, where ILECs have employed DSL-capable DLCs, CLECs must have access to appropriate loop/packet switching UNEs so they can receive the data stream from the shared loop, either at the central office or some other point of aggregation in the ILEC's local network (*e.g.*, a central ILEC ATM switching node), at the CLEC's option. In addition, CLECs should have the option of virtually collocating line cards in NGDLCs. If copper facilities remain between the DLCs and the central offices, they should be made available to CLECs; however, their availability should not preclude the CLECs from using loop/packet switching UNEs.

In addition, Sprint urges the Commission to act on the year-old petitions for reconsideration of the *UNE Remand Order*[5] to make the packet switching element available more broadly, especially in end offices serving fewer than 5,000 subscriber

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[3] *Applications of Ameritech Corp., Transferor, and SBC Communications, Inc., Transferee, for Consent to Transfer Control of Corporations Holding Commission Licenses and Lines Pursuant to Sections 214 and 310(d) of the Communications Act and Parts 5, 22, 24, 25, 63, 90, 95, and 101 of the Commission's Rules*, 15 FCC Rcd 17521 (2000) ("*Project Pronto Order*"), n.9 at ¶4.
[4] *Project Pronto Order*, *supra*, ¶4.
[5] *Implementation of the Local Competition Provisions of the Telecommunications Act of 1996*, 15 FCC Rcd 3696 (1999).

lines if the ILEC itself offers packet switching services to such subscribers. Furthermore, in order to give CLECs the information essential to their own network planning, the Commission should promptly order the ILECs to provide the information related to remote terminal collocation requested at pp. 21-24 of Sprint's October 12, 2000 Comments in these dockets.

II. THE ONLY FEASIBLE WAY TO IMPLEMENT LINE SHARING ON A WIDE-SPREAD BASIS IN COPPER/FIBER LOOP COMBINATIONS IS BY GIVING CLECS ACCESS TO LOOP/PACKET SWITCHING UNE COMBINATIONS

In the *Line Sharing Order* in these proceedings,[6] the Commission ordered ILECs to make available, as an unbundled network element, the high-frequency portion of the loop so that CLECs could provide broadband advanced services over the same loop used by the ILEC to provide analog voice service. The Commission concluded (*id.* at 20916, ¶5) that

> lack of access to the high-frequency portion of the local loop materially diminishes the ability of competitive LECs to provide certain types of advanced services to residential and small business users, delays broad facilities-based market entry, and materially limits the scope and quality of competitor service offerings.

The Commission further found (*id.*) that "line sharing is vital to the development of competition in the advanced services market, especially for residential and small business consumers."

Line sharing is relatively simple to implement in cases where the end user is served via a clean, all-copper loop. At the central office, the loop is connected from the

[6] Third Report and Order in CC Docket No. 98-147 and Fourth Report and Order in CC Docket No. 96-98, reported at 14 FCC Rcd 20912 (1999).

main distribution frame to a splitter which separates the low-frequency portion of the loop (used for analog voice service) from the high-frequency portion (used for advanced services).[7] The high-frequency stream is routed to a CLEC's Digital Subscriber Access Line Multiplexer (DSLAM) that is collocated in the ILEC central office. The CLEC can combine the data traffic from a number of end users at the DSLAM and aggregate it for onward transmission through its own packet switched network.

Where the ILEC employs fiber and DLCs in the loop plant, line sharing can be problematic. Most DLCs currently in use lack the capability of handling xDSL services.[8] In those cases, unless there are copper facilities available between the remote terminal housing the DLC and the central office, line sharing could only be accomplished by having the CLEC collocate at the remote terminal and install its DSLAM at that location. Collocation at the remote terminal raises a host of issues, which are the subject of comments filed in these dockets on October 12, 2000. Increasingly, remote terminals consist of a self-contained cabinet that is built and sized for the equipment it contains with little or no space for expansion, or for equipment of other carriers.[9] Collocation at such remote terminals would require adjacent collocation — *i.e.*, installing another

[7] A splitter is likewise installed at the customer premises. In the central office, the splitter and DSLAM can be combined into a single piece of equipment. The *Line Sharing Order* permits either the CLEC or the ILEC to own the splitter, but an ILEC seeking to maintain control over the splitter must accommodate the type of digital subscriber line (DSL) technology the CLEC wishes to employ. *Id.* at 20949, ¶¶76-77; *see also*, Section 51.319(h)(4) of the Rules.

[8] Only 18 percent of the Sprint ILEC DLCs can be equipped with DSL line cards.

[9] Sixty-two percent of the Sprint ILEC DLCs fall into this category. Another 20% could accommodate, at most, an 8 port xDSL system, but installation of such a system would raise cabling, power and HVAC issues that might render collocation infeasible.

concrete slab and locating the CLEC's equipment in a cabinet housed on that slab. This in turn may raise easement and right-of-way issues, as well as requiring sources of electrical power and expensive methods of interconnection with the ILEC (such as an engineering controlled splice). These are cumbersome and expensive issues to work through. Based on Sprint's experience to date, Sprint estimates that it would typically cost in the neighborhood of $110,000 for adjacent collocation at a remote terminal, and take in the neighborhood of 6-8 months (including both CLEC-driven and ILEC-driven activities) to complete such collocation.

Unless a CLEC can expect to obtain a significant market share for its services, it is simply uneconomical for the CLEC to avail itself of remote terminal adjacent collocation. Assuming carrying costs of 10% for these fixed collocation costs, the CLEC will incur $917[10] per month to cover these fixed expenses, exclusive of all the other costs of providing the service — the cost of leasing the subloop to the customer premises, the cost of transport to the CLEC node, plus the cost of the CLEC-owned network, together with sales and general administrative expenses. It is very difficult for a CLEC to expect to cover such costs and remain competitive without an unrealistically high take rate.

A typical DLC of the sort used by the Sprint ILECs serves 672 loops. Making the unrealistically conservative assumption that no premises served by the DLC needs more than a single loop,[11] and assuming that 22%, or 148, of these 672 end users are potential

[10] $110,000 × .10 (carrying cost) ÷12 (months) = $916.67

[11] In 1999, 29% of households with telephone service had additional lines. FCC, Common Carrier Bureau, Industry Analysis Division, "Trends in Telephone Service," December 2000, at 8-1.

DSL subscribers,[12] a CLEC would need to sign up 46 of them — 31% of the addressable market — in order to achieve a $20 per month unit carrying cost for the fixed cost of adjacent collocation.[13] Yet this $20 is half the going retail rate for xDSL service, and it is self-evident that the CLEC could not be profitable with only $20 to cover all the other costs of providing DSL service.

Furthermore, considering that the CLEC is selling against the incumbent as well as cable providers who may be offering cable modem services to the same customer base, it is highly unlikely that even one CLEC could consistently attain a market share of this size. It should be obvious that remote terminal adjacent collocation is not likely to be economically feasible for CLECs. And even if it were, it would likely encounter community resistance against the mini-Stonehenges of CLEC cabinets that would spring up around ILEC remote terminals. In view of the resistance that now exists in many communities against wireless towers (which often can be well-disguised), the prospect of rebellion against adjacent collocation is a very real one. Such resistance could further delay and increase the cost of this form of collocation.

However, NGDLCs can greatly simplify line sharing, and obviate the need for installation of a CLEC DSLAM in a remote terminal. The line cards that plug into NGDLCs can include the functionality of the splitter and the DSLAM and thus permit the end user to obtain both analog voice and DSL services on the same loop.[14] With this technology, the analog voice signal is separated from the packet switched data stream at

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[12] The Yankee Group's Technologically Advanced Family Survey 2000 reports that 22 million households (out of a total of 101 million) would be willing to pay $40 per month for broadband services.
[13] $917 ÷ 46 customers = $19.93 per month per customer.
[14] *See Project Pronto Order*, *supra*, at ¶14.

the DLC, and the two streams travel over separate paths on the fiber from the DLC to the central office. Depending on the ILEC's packet switched network configuration, it may be possible to split the packet switched data at the central office and route the data to each carrier at that location,[15] or the data stream may have to be transported to another ILEC office housing the ILEC's ATM switch.

Line sharing through NGDLCs would enable CLECs to utilize line sharing for customers served via remote terminals in a far more cost-effective manner than remote terminal collocation. There are two basic ways line-sharing could be accomplished. First, if the ILEC deploys DSL-capable line cards in the NGDLC, the CLEC could simply order the "High frequency portion of the loop" pursuant to §51.319(h) of the Rules. "Local loop" is defined by §51.319(a)(1) as a "transmission facility between a distribution frame (or its equivalent) in an incumbent LEC central office and the loop demarcation point at an end-user customer premises … ." In this context, the equivalent of a "distribution frame" — *i.e.*, a point at which the loop can be connected to the CLEC's facilities — is a point on the ILEC's packet switch. The packet switching functionality involved in carrying the data stream from the customer premises through the NGDLC and the packet switch to the first feasible point of interconnection with the CLEC is an inherent part of the loop element in this context.[16] Second, if the ILEC does not deploy the desired "flavor" of DSL line cards in the NGDLC, the CLECs could

[15] This is the approach SBC is using in Project Pronto. It has an optical concentration device, a form of ATM switch that can perform this routing function in the central office.
[16] Alternatively, since "Packet switching capability" is defined in §51.319(c)(4) to include DSLAM functionalities, this arrangement could be viewed as a combination of a subloop to the port on the NGDLC, and packet switching (with the link between the two components of packet switching, namely, the DSLAM and the packet switch itself, forming part of the packet switching UNE).

collocate DSL line cards in the NGDLCs and purchase, as unbundled network elements, the link from the DLC to the ILEC's packet switch, together with the packet switching necessary to enable the ILEC to route the traffic to the individual CLEC. In either case, the crushing expense of adjacent collocation at remote terminals is avoided altogether. In the first option, there would be no remote terminal collocation cost whatsoever; in the second option, the only fixed collocation expense at the remote terminal would be the cost of the line card.

From Sprint's dual view as an ILEC that is installing its own packet-switched local network and a CLEC offering packet-switch-based services, it is far more efficient for both the ILEC and the CLEC if the ILEC has a central ATM switch in each local calling area (or a few such switches in a very large metropolitan area), rather than locating ATM switches in every central office. That way, the CLEC can interconnect with the ILEC for high-speed, packet-switched data at one or a few points within a calling area, instead of having to bear the additional expense of collocation and interconnection at every central office. Even where an ILEC has chosen to deploy ATM switches in every central office (as is the case with SBC's Project Pronto), there is no reason why the CLEC should not, if it chooses, interconnect at a more central location in the ILEC's network, paying the ILEC appropriately for the extended packet-switched transmission link and any additional packet switching that may be involved in so doing.

Other alternatives, discussed in the *Line Sharing Further Notice*, are far more expensive, often impractical, and less desirable from the CLEC's perspective, and in many cases, from the perspective of the ILEC as well. The possibility of using ILEC dark fiber between the DLC and the central office (assuming it is available) is subject to

the very same infirmities, discussed above, of collocating DSLAMs in ILEC remote terminals. For the most part, there is unlikely to be sufficient space and power available in the typical remote terminal to accommodate the CLEC equipment that would be needed to light the dark fiber. Thus, in the typical case, the CLEC would have to resort to adjacent collocation, again at the uneconomical expense levels discussed above.

The possibility of shifting the end user to all-copper loops — routing the customer around the DLC and connecting the customer to the central office with copper that may still exist — is not a viable solution on a widespread basis, either. The availability of copper — particularly in sufficient quantities to accommodate expected demand — may be haphazard.[17] The Commission has already decided not to interfere with ILEC decisions to retire copper plant.[18] A major factor driving ILECs to deploy fiber feeder in their loop plant is the far lower cost and ease of maintenance. The UNE prices for all-copper plant may be substantially higher than existing loop UNE prices that reflect the more favorable economies of fiber/copper combinations. For example, BellSouth's proposed prices in North Carolina for voice grade loops range between $13.45 and $26.20, while its prices for Unbundled Copper Loop — Long Loop (which is the form of loop likely to be needed to serve customers now on DLCs) — run from $37.79 to

[17] Even where copper is available, its use would (as the Commission acknowledges at ¶58) necessarily entail some disruption — more than plugging in a new line card — to the customer's local service when the circuit is rerouted at the remote terminal. Such disruption should be avoided if possible.
[18] *See Line Sharing Order*, *supra*, 14 FCC Rcd at 20951.

$73.02.[19] These higher prices would, of course, defeat the very purpose of line sharing to begin with.

Moreover, since the quality of DSL services is dependent on the length of the copper loop, having to rely on an all-copper solution may well foreclose CLECs from a substantial part of the market, depending on how far the end user is from a central office. As noted above, DLCs are often employed to serve more spread-out areas such as new subdivisions. Such areas are likely to be farther away from the central office and thus less likely to be suitable for DSL services on all-copper loops. If the ILEC is using an NGDLC and does not have to rely itself on an all-copper solution, the ILEC would be given a substantial competitive advantage over CLECs in this important respect. Where in-service copper does exist, CLECs should be able to make use of it. However, the availability of copper should not restrict the CLECs from availing themselves of the preferred solution discussed above.

In short, the only practicable way of implementing line sharing, in cases where a Next Generation DLC is deployed in the loop plant, is by allowing the loop/packet switching UNEs discussed above (including collocation of a CLEC line card in the DLC) and having the ILEC transmit the high-speed data from the customer to a point of interconnection with the CLEC at the ILEC's packet switch location.

Placing CLEC line cards in an ILEC NGDLC raises legitimate questions as to the technical compatibility of the line card with the DLC, as well as security concerns on the

[19] These rates were filed by BellSouth in the North Carolina PUC Docket No. P-100, Sub 133d. The voice grade rates were filed June 9, 2000 in Exhibit CKC-1; the copper loop rates were filed January 16, 2001 in a document titled "BellSouth's Proposed North Carolina Rates."

part of the ILEC. For these reasons, as proposed in Sprint's October 12, 2000 Comments in these proceedings (at 18-19), Sprint believes that, for now, virtual collocation of line cards should suffice to meet the CLECs' needs while alleviating the ILECs' concerns. The vendors of the NGDLCs should identify line cards that are compatible with their equipment, and the collocated cards should be on the vendors' approved lists.

In ¶59, the Commission asks whether this arrangement should be made available only when there is no room for collocation at the remote terminal, or whether ILECs should be required to make such an offering available in all cases where they utilize NGDLCs and deploy fiber in the loop. The only sound answer is that this arrangement must be made generally available, even if there is some space in the remote terminal (without having to resort to adjacent collocation) for collocating DSLAM equipment. If there is space available for collocation in a remote terminal, it is unlikely to be sufficient to accommodate more than perhaps one or two CLECs. Since collocation of a DSLAM is likely to be more expensive on a per-customer basis than virtual collocation of line cards, the first-in CLEC, if forced to collocate a DSLAM, may have a cost disadvantage vis-à-vis other CLECs that, because collocation space has been exhausted by the first CLEC, could collocate line cards instead. Not only is this a strange way of rewarding those CLECs who are most interested in making their service available at an early date, it also could retard any competitive deployment of broadband services as the various CLECs play a game of "chicken" to see which one goes first and suffers the higher cost as a consequence.

III. SPRINT'S NGDLC LINE SHARING PROPOSAL WOULD REQUIRE MINIMAL CHANGES TO THE UNE RULES

Only four changes, at most, need to be made to the current unbundling and collocation rules to accommodate the line sharing at NGDLCs proposed above. First, the Commission should make clear that line cards may be virtually collocated in NGDLCs. Second, the Commission should remove any doubt that the loop element includes shared transmission of packetized data from the remote terminal to the ILEC packet switch. There is nothing novel about employing shared fiber facilities between the DLC and the ILEC central office where the packet switch is located. Even in the case of CLEC provision of ordinary analog voice service through the purchase of the loop UNE, the analog voice signals would be mixed with other traffic and placed on the same fiber between the DLC and the central office. Moreover, as discussed above, the existing definition of "packet switching capability" in Section 51.319(c)(4)[20] seems to include the shared data stream between the point where the data are packetized and the point at which the packets are delivered to the requesting carrier: that definition includes both the DSLAM and the packet switch itself. In addition, this definition expressly includes "forwarding" packets.[21] If the Commission did not intend the term "forwarding" in its definition of "packet switching capability" to encompass this transport function, then to be safe, it should define a new transmission element, namely, packet transmission, as the shared transmission of packets from a point on the ILEC's network where packets are

[20] As discussed below, the packet switching UNE will need to be made available to CLECs for line sharing from remote terminals.

[21] It is curious that the term forwarding is used in the disjunctive with "routing." In the scenario that Sprint envisions, the ILEC would both forward the packets <u>and</u> route them to the requesting carrier. Thus, it would be desirable to change "or" to "and" in that section of the rules.

received from a requesting carrier to a point where the ILEC has a packet switch. Third, the Commission should also make clear that the requesting carrier has the option of either interfacing with the ILEC at the first point of packet switching on the ILEC network or a more central aggregation point within the ILEC's network, at its option. Finally, the existing restrictions on packet switching capability need to be modified so that the ILEC can route the packetized data to the individual CLEC. For this purpose, the Commission should add a subparagraph 6 to Section 51.319(c) as follows:

> Notwithstanding the provisions of (5) above, in cases where an incumbent LEC employs remote terminal equipment that provides DSLAM functionality through the use of a line card, and a requesting carrier wishes to utilize the high-frequency portion of a loop pursuant to Section 51.319(h), the incumbent LEC shall make packet switching available for communications between the remote terminal and a point of interconnection with the requesting carrier.

IV. SPRINT'S PROPOSALS CLEARLY SATISFY THE IMPAIRMENT TEST

The changes to the unbundling rules proposed above do not necessitate an extensive impairment analysis. The Commission has already found, in the *Line Sharing Order*, that line sharing meets the impairment test, and for the reasons discussed above, the only economically feasible way of implementing line sharing in cases where copper/fiber loop combinations are utilized is by requiring the ILEC to provide packet switching (either as a separate element or as part of the high frequency portion of the loop) to the CLEC.

To the extent that the Commission deems it necessary to define a new packet switched transmission element, the same impairment analysis that the Commission has applied to find that all forms of loop and transport facilities be made available on an unbundled basis would apply with equal force to this form of transmission as well.

Indeed, ILEC facilities are the only feasible transmission facilities that could be used between the ILEC's NGDLC and the ILEC's packet switch.

As for packet switching itself, Sprint has amply demonstrated above that in the context of line sharing to customers served via DLCs, the economics of attempting to collocate a DSLAM in a remote terminal, with dedicated transport from the DSLAM to a CLEC packet switch, are so unfavorable as to materially impair the requesting carrier's ability to provide DSL-based services without obtaining a packet-switched data stream from the ILEC. Indeed, even though the Commission, in the *UNE Remand Order*, decided to restrict the availability of the packet switching capability UNE as a general matter, the Commission nonetheless found that "competitors may be impaired in their ability to offer service [to residential and small business customers] without access to incumbent LEC [packet switching] facilities … ."[22] Moreover, *see also, id.* at 3837, where the Commission stated that collocation costs and delays incurred by requesting carriers to provide packet-switched services "[impair] their ability to offer advanced services without access to incumbent [packet switching] LEC facilities."

The Commission's decision to restrict the availability of the packet switching UNE despite its impairment findings seems to have been predicated on its beliefs that (1) competitors are actively deploying their own packet switches and advanced services and may even be ahead of ILECs in that regard; (2) the DSLAMs and the packet switches themselves are available to competitors at comparable prices to those the incumbents pay; and (3) there is no reason to believe incumbents can obtain appreciably higher rates of utilization of packet switches than competitive entrants. *Id.* at 3835-36. These findings

[22] *UNE Remand Order*, *supra*, 15 FCC Rcd at 3835.

do not apply at all in the case of line sharing for consumers served via DLCs. As discussed above, there is no practical means of getting the data stream to the requesting carrier without transiting ILEC packet switches. Furthermore, the market has changed significantly since the Commission made its findings nearly 1½ years ago.[23] Whatever lead the competitive LECs may have had in providing DSL-based services to consumers has long since vanished. *Communications Daily* recently reported that "DLECs [*i.e.*, data-oriented CLECs], plagued by financial problems, have largely dropped out of high-speed data race. … As a group, Kinetic Strategies calculated, DLECs added only 131,700 DSL customers in fourth quarter, compared with 534,000 for Bells.…'Now only the Regional Bell Operating Companies remain as formidable forces in the residential DSL market,' said Kinetic Strategies Pres. Michael Harris."[24] The three exemplars of competitively provided DSL services — Covad, Northpoint, and Rhythms[25] — have all fallen on hard times. Covad recently cut 13% of its workforce and reduced its planned capital expenditures to half of last year's level; Northpoint, left at the altar by Verizon, has filed for bankruptcy protection; and Rhythms dismissed 23% of its workforce and reduced by a third the number of cities that it intends to serve.[26]

V. THE COMMISSION ALSO NEEDS TO ACT PROMPTLY ON OTHER OPEN ISSUES IN THESE DOCKETS

Clearly, with the drastic change in fortunes of the data-oriented CLECs and their eclipse by the RBOCs, the predicate for restricting the availability of the packet switching

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[23] The *UNE Remand Order*, although not released until November 1999, was adopted in September of that year.
[24] "Cable Maintains Data Lead But Bells Are Making Strong Gains," *Communications Daily*, February 6, 2001, at 1.
[25] *See UNE Remand Order*, *supra*, 15 FCC Rcd at 3835.
[26] Scott Woolley, "Highway to Hell," *Forbes*, February 19, 2001, at 98-99.

element has disappeared in the nearly 1½ years since it was adopted. Although this Further Notice appears to be confined to the specific context of line sharing, Sprint takes this opportunity to observe that not only have the facts changed significantly, but that the initial predicate for restricting the availability was self-contradictory. *See* Sprint's February 17, 2000 Petition for Reconsideration and Clarification at 9. Sprint and others have sought reconsideration of the packet switching restrictions, and it is high time for Commission action on those petitions. Even were the Commission inclined to retain some restrictions on the availability of the packet switching element, it makes no sense to do so in the context of line sharing, for the reasons discussed above. Moreover, Sprint's Petition for Reconsideration and Clarification presented a compelling case that in smaller end offices, *i.e.*, those serving fewer than 5,000 access lines, the costs of collocating the DSLAM in the central office to enable a CLEC to offer DSL services without utilizing ILEC packet switches are prohibitively high. We urge the Commission to take prompt and favorable action on the petitions of Sprint and other parties.

In addition, the Commission should promptly resolve open issues regarding collocation, remote terminal collocation and related issues raised by its August 10, 2000 Further Notice in these dockets.[27] In this regard, Sprint's request for demographic and technical information relating to remote terminals, discussed at pp. 21-24 of its October 12, 2000 Comments, is absolutely critical if CLECs are to have the information they need to plan and manage their businesses.

[27] 15 FCC Rcd 17806.

VI. CONCLUSION

Sprint urges the Commission to facilitate line sharing for customers served by NGDLCs by (1) requiring ILECs to make available the loop/packet switching UNEs discussed above (and allowing virtual collocation of DSL line cards in ILEC NGDLCs); and (2) making available transmission and packet switching UNEs to allow the CLECs to interconnect at an ILEC packet switching location of the CLEC's choosing to receive the high-speed data stream from the shared line. The Commission should also promptly resolve other outstanding issues in this docket, so that the Commission's stated objective of facilitating competitive deployment of broadband services can become a reality.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Comments of Sprint Corporation was sent by hand on this the 27th day of February, 2001 to:

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