

Exhibit A

Executive Summaries of Prior Survey

REAL ACCESS ALLIANCE EXECUTIVE SUMMARY

EXECUTIVE SUMMARY

AUGUST 1999

Charlton Research Company is pleased to present this Executive Summary of a survey conducted on behalf of the Real Access Alliance. This study, which was conducted from July 26 to August 4, 1999, consisted of 316 interviews. Questionnaires were mostly distributed and returned via facsimile, although a select few were distributed via email or conducted by telephone. The margin of error for a sample this size is $\pm 5.5\%$. Please refer to Appendix A for a detailed methodology.

OBJECTIVES

The overall objective of this study was to gather information from real estate owners, managers, and decision makers on the issue of telecommunications leases. Specific key objectives of this study included:

- **Assessing the level of access granted to competitive telecommunications services by real estate owners and managers.**
- **Effectively gauging the length of time it takes to negotiate telecommunications leases.**
- **Determining the primary motivation for real estate owners and managers offering telecommunications services to tenants.**

KEY FINDINGS

A number of different key findings were uncovered during the course of this study. Real estate owners and managers are being inundated with solicitations from competitive telecommunications providers. However, the results of this study prove that owners and managers are responding positively to these solicitations. In fact, most of the solicitations within the past year have either resulted in a signed contract or are currently in negotiation. Additionally, while these new telecommunications leases take somewhat longer to negotiate than traditional tenant leases, they generally take less than six months to fully negotiate. Finally, the data show that above all else, tenant satisfaction is the primary driver for providing service in the emerging telecommunications marketplace.

REAL ESTATE OWNERS AND MANAGERS ARE BEING HEAVILY SOLICITED

Among the 316 owners and managers interviewed, altogether they recalled 805 total solicitations—an average of 2.5 solicitations per respondent. The data collected from owners and managers also reveal they are being solicited by a wide variety of companies. When asked which competitive telecommunications providers have contacted them in the past year to offer service, a list of 134 different service providers resulted. Given such a large number of competitive service providers and the finite leasable space in demand, owners and managers clearly cannot accommodate every solicitation they receive.

COMPETITIVE TELECOMMUNICATIONS PROVIDERS ARE GAINING ACCESS, BUT SUPPLY EXCEEDS DEMAND

Owners and managers are actively and positively responding to approximately two-thirds of business solicitations. Among the aforementioned 805 solicitations, 522 solicitations resulted either in a final contract or are in contract negotiations. Further, the data reveal that owners and managers are signing or negotiating with a plethora of companies. In fact, the 522 solicitations negotiated or currently in negotiations span a list of 104 competitive companies. Thus, owners and managers are actively negotiating contracts with over three-fourths of the competitive telecommunications providers actively soliciting new business. While just over one-third of real estate owners and managers have denied access, they did usually do so *after* beginning negotiations with providers. In fact, most of those who have denied access believe it was because of problems on the providers behalf.

In fact, the high volume of solicitations and the long list of companies seeking market entry within the past year indicate that market saturation may be a serious problem within the telecommunications industry. A reasonable conclusion is that this new industry has not yet stabilized, and that an equilibrium of supply and demand has not yet been reached.

TRADITIONAL TENANTS ARE THE PRIMARY DRIVERS OF DEMAND

When asked what motivates owners and managers to offer telecommunications services to their tenants, the responses overwhelmingly centered around tenant interests. In fact, 61% of owners and managers said some form of tenant interest was their primary motivation for offering such services. More specifically, *to offer tenants options and amenities* was the most frequently mentioned answer, cited by 27% of respondents. Additionally, 20% of owners and managers said *tenant demand* was their primary reason. Further, 11% said their primary motivation was *to offer tenants better services*. Finally, three percent said their main reason for offering telecommunications services to their tenants is *to keep their tenants satisfied*.

Another important reason for offering telecommunications services is to *keep buildings competitive and marketable*. Twenty-one percent of owners and managers said this was their primary reason for offering telecommunications services. Interestingly, only nine percent mentioned revenue or income as their primary motivation.

TELECOMMUNICATIONS LEASES ARE MARGINALLY LONGER TO NEGOTIATE THAN TRADITIONAL TENANT LEASES

Given the mature industry of traditional tenant real estate, many leases for traditional tenants have become streamlined and uniform. Owners and managers were asked how long it takes to negotiate a traditional tenant lease for the purpose of creating a benchmark by which to judge telecommunications leases. The underlying assumption is that a traditional tenant lease is the least amount of time possible to negotiate any kind of real estate lease. A corollary of that assumption is that since competitive telecommunications leases are relatively new, they have not become uniform, and will take somewhat longer to negotiate than a traditional tenant lease.

Ninety-one percent of owners and managers said a traditional tenant lease usually takes six months or less to negotiate. In comparison, 71% said a telecommunications lease typically takes six months or less to negotiate. While there is still a gap between traditional tenant leases and telecommunications leases, close to three-quarters said telecommunications leases take half a year or less.

Respondents were then asked to disclose the longest it has ever taken to negotiate a telecommunications lease in order to glimpse the worst-case scenarios. The results were split fairly evenly, with 41% saying negotiations still took less than half a year, and 35% saying negotiations took seven months or more. Almost one-quarter were unable to recall the length of negotiation time.

For a simpler comparison among the three questions, averages were computed for each question. The average length of time for a traditional tenant lease is three months, while the average length of time for a telecommunications lease is almost five months. The average length of time to negotiate an unusually long telecommunications is seven months. Hence, the length of time it takes to negotiate a typical telecommunications lease, a relatively new type of lease, is not much longer than the length of time it takes to negotiate a traditional tenant lease. Further, even among atypical negotiations, the average length of time taken is still significantly shorter than one year.

A detailed methodology for this survey is provided in Appendix A. The key points highlighted in this Executive Summary, as well as additional interesting research findings, are augmented with quantitative data in Appendices B through G.

Executive Summary

Introduction

The Telecommunications Act of 1996 created a new and dynamic nexus between telecommunications, technology, tenant attraction and retention. It also created a new series of business connections that have grown to be critical: property management professionals, tenants, TSPs and building owners. Each of these parties has come together with the goal of brokering critical connections to the information age. While each party recognizes the primary goals of their connection – enhanced tenant satisfaction, market share for the TSP and the generation of value for ownership – they have not always agreed on how to reach all three goals simultaneously.

In an effort to provide a solution to this challenge, BOMA in partnership with Riser Management Systems, OnSite Access, MetroMedia Fiber and SBC have published *Critical Connections: The Property Management Professional's Guide to Partnering in the Information Age*. The book seeks to answer the following questions:

- What telecom services do my customers want?
- How can I add value to a TSP's bottom line so that they will assist me with mine?
- How do I demonstrate to owners that I understand valuation equations and can maximize their long-term return on investment?

Part One

Before you can make a critical connection you must first accept the realities of the marketplace and know the rules by which the market is governed. Part One of *Critical Connections* will seek to demonstrate what a property management professional must do to be able to answer the question: "Am I ready to do business in this new marketplace?" The following questions will assist you in determining whether you are ready:

- Have you inventoried your building's telecom assets?
- Have you surveyed your tenants to ascertain their current and future space demands?
- Do you know who has space commitments on your building's roof risers?
- Have you determined market prices and/or trends for your telecom assets?

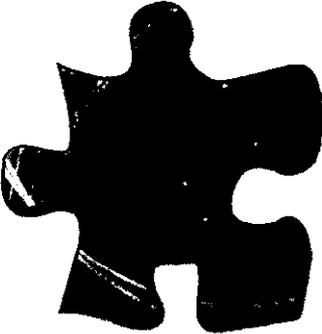
If you can't answer all of these questions in the affirmative, you are not alone. *Critical Connections* will give you all you need to do business.

"The Telecommunications Act of 1996 created a new and dynamic nexus between telecommunications, technology, tenant attraction and retention."



Executive Summary

Part Two



In Part Two of *Critical Connections*, BOMA and its research partners seek to establish what telecommunications services tenants are demanding and property owners are offering. Further, the start of the new millenium, with four years having elapsed since passage of the landmark Telecommunications Reform Act of 1996, demanded the creation of a valid baseline against which progress in deploying new telecommunications services might be measured in the years to come.

The nexus of tenant attraction and retention, telecommunications and technology has assumed a high level of importance to property professionals in general, and the BOMA membership in particular. This may be best reflected in the level of participation in this research project. From the 10,000 copies of the Owner/Manager survey distributed between November 1, 1999 and January 7, 2000, BOMA received 1,097 surveys back – about an eleven (11%) percent return rate. From the 10,000 copies of the Tenant Survey, BOMA received back 642, almost a six and one half (6.5%) percent return.

The owner sample represents just less than 400 million square feet of office space drawn from records representing 2,097 buildings. The average building size was 190,545 square feet. Finally, from a search of all available literature, this is the largest telecom related study of office tenants conducted to date.

Lessons (to be) Learned

Tenant Needs

- Tenants' demands may be reduced to four simple messages. Tenants want:
 - Choice among telecommunications service providers (TSPs).
 - Enhanced Internet access speed as the tenant community marches toward true broadband connectivity.
 - Choices in enhanced telecommunications services and providers at little or no additional rent.
 - Flexibility in property management responses and in the adaptability of their leased space.
- Office size and a tenant's business are two leading indicators of required access speed. Very few tenants viewed choice among telecommunications service providers when they chose their current office space, but are increasingly employing their presence as a determining factor on renewal.
- Brand loyalty for a TSP is low, and will only rarely be a determining factor in lease location or renewal decision-making process.

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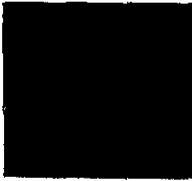
- Tenants view the building owner as facilitating access to telecommunications services, but have not viewed an owner as a provider of such services. This is either terrific news for building offered telecommunications programs, as there is a large unmet market need, or reflects a huge challenge in marketing for such services if they are to be viewed as a valuable service by tenants.
- Technology is assisting a growing number of tenants to employ alternative officing strategies. Still, seventy-two (72%) percent of the tenants indicated no impact on their overall need for office space. In fact fifteen (15%) percent of the respondents indicated that telecommunications services resulted in an increase in their need for space.

Tenant—Owner Relations

- Owners' actions appear to be in step with tenant demands. The leading services offered are the same as the leading services demanded. Some confusion appears, however, on what services owners plan to offer next and what tenants actually say they need.
- Competitive local phone service and Internet access are the leading applications both in terms of tenant demand and buildings' offerings.
- Owners are not looking to tenants to pay additional rents for the presence of additional telecommunications services. Ninety-five (95%) percent have indicated that they have not increased rent for additional services. Of the five (5%) percent of owners that did raise rates based on telecomm service providers being available, the most common increase was in the minimal category.
- The message to building owners and managers is clear, if you are going after large office tenants, your building must have high speed internet capabilities.
- Tenant demand is a strong determinant as to which TSP gains access to a building. Ninety-eight (98%) percent of the tenants responding to our survey indicated that building management procured services from a particular TSP when they asked.
- Over eighty (80%) percent of buildings have more than a single TSP providing service with almost sixty (60%) percent of the buildings offering access to three or more providers. Some buildings offer as many as fifteen (15) TSPs.

Value Equation

- Owners believe there to be a strong connection between advanced telecom features, improved tenant retention, and marketability of their buildings. Tenants' responses appear to validate this belief, but like competition, telecommunications choice as a leasing and renewal decision-making variable is a relatively new phenomenon.



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- Tenants want choice but are not ready to pay for it. A building owner looking to recapture value in the near term must rely most heavily on payment from the TSP.

Owner—TSP Relations

- The nexus of real estate and competitive telecommunications offerings is embryonic. Fifty-eight (58%) percent of buildings' competitive services are less than two (2) years old and three (3) out of every four (4) competitive offerings are less than four (4) years old.
- Building owners are not universally recapturing the value of their telecommunications property through rent, but it is a growing practice.
- Flat rents have been the traditional method for setting access fees (80.9%), but revenue/success sharing is gaining rapidly in the marketplace as the traditional means for recapturing value.
- Owners agree with TSPs in that their presence in a building adds value. Neither party, however, seems to have developed a methodology for ascertaining that value, resulting in confusion in the market.
- Owners—TSP relations are long term. The average of the initial term for an access agreement is slightly longer than five(5) years. This compares favorably with the six-month cancellation notice most owners have with their professional property management partners.

Owner—TSP Negotiations

- It takes longer to negotiate license agreements between a building owner and a TSP than it does with either building tenants or traditional non-telecommunications service providers.
- Owners' concerns in moving forward with TSPs may be identified in three major components: buildings' physical limitations, security/access, and the negotiation process.
- To gain access, a successful TSP must demonstrate: Quality/Reliability of Service, a history of customer service and a request from an existing tenant. The willingness of a TSP to compensate the building owner came in fourth in the list of decision points.
- TSPs would do well to invest in building owner education on access issues. The leading sticking points in Owner—TSP relations are access negotiations, sales techniques, owners' lack of knowledge regarding services, technology and market value of building telecom space.

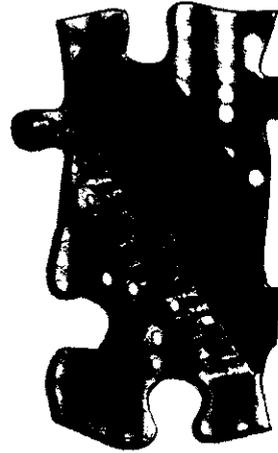
Executive Summary

Tenant-TSP Relations

- Tenants most frequently use an RFP/Competitive Bid Process to procure service from TSPs.
- In choosing an ISP, reliability is almost twice as important to a tenant than price.
- Reliability and price were in a statistical tie when ranked in importance of choosing a TSP.
- Company name or brand recognition came in very near the bottom in decision-making drivers.
- Tenants are taking a long-term view toward technology and how it best meets their needs. Paid advertising has a large role to play in that decision-making process, but most tenants rely upon their internal MIS department for new service information.

Part Three

In the last section of *Critical Connections*, our research partners provide the reader with case studies on how they have assisted property management professionals in addressing their critical connections. While the rules and regulations outlined in Part One and the knowledge to be gained from the survey analysis in Part Two are significant, property management professionals often ask BOMA International for examples of solutions. Part Three begins the process of meeting that challenge.



Summary of Findings of Survey of Businesses in Multi-Tenant Commercial Buildings

February 21, 2001

Methodology

SPR and KS&R jointly designed a survey instrument to ascertain the extent to which the telecommunications needs of businesses in multi-tenant buildings are being met in today's competitive market. The survey was conducted for a nationwide random sample of senior decision-makers for telecom services in businesses that are tenants of multi-tenant commercial buildings. KS&R conducted 12-15 minute telephone interviews between January 16th and January 26th, 2001. A 47 percent completion rate of qualified contacts yielded a total of 454 interviews (providing a 4.6 percent margin of error).

Key Findings

➤ *There are high levels of satisfaction with telecom services among tenants of multi-tenant commercial buildings and a low incidence of unmet needs.*

A wide range of telecommunications services is being utilized at respondent business locations. Among the most-often mentioned are local and long distance telephone service, Internet access, e-mail and broadband services. Satisfaction with these services is high, with 97 percent of respondents indicating they are at least somewhat satisfied.

About 94 percent of respondents indicated that the telecommunications services currently being offered, including local telephone service, meet their needs at their current business location. Among the important needs that are not being met to a small portion of the market are DSL and other Internet connections.

➤ *There is high awareness of alternative telecommunications providers.*

Nearly all respondents (91 percent) indicated they are aware that they can choose alternative telecommunications providers for the services provided by their local incumbent telephone company.

➤ *A substantial percentage of businesses requested telecommunications services from alternative providers. The vast majority of requests have been accepted and installed on schedule.*

One in four respondents (23 percent) indicated that their businesses have each placed at least one request for service with a telecommunications provider, other than their local incumbent



telephone company, in the last three years. A significant majority of these businesses (87 percent) have had all of their service requests accepted. Among those whose business' requests were accepted, 87 percent indicated the service was received upon the date agreed, and 90 percent were at least somewhat satisfied with the quality of service from the other telecommunications providers.

➤ *Building management is rarely identified as having denied service requests.*

Less than one percent of respondents indicated that the management of their buildings ever denied their requests for telecommunications service from a provider not already serving their building.

➤ *Four-out-of-ten businesses will consider moving elsewhere at lease renewal if important telecommunications needs aren't being met at their current location.*

If important telecommunications are not being met, 39 percent indicated they would consider changing business locations at lease renewal time. Additionally, the average lease length among the respondents is 3.6 years, with an average of 2 years remaining at the time of the survey. These data suggest that commercial tenants are indeed mobile.

Building Characteristics

About one half (53 percent) of the respondents are located in buildings in urban areas, one third (34 percent) in suburban areas, and the remaining respondents (13 percent) in rural areas. The mean size of buildings reflected in the sample is 3.6 floors.

Respondent Profile

A variety of industries are represented in the sample, with 23 percent involved in retail trade, 16 percent in professional services, 13 percent in finance/insurance/real estate and 11 percent in healthcare. Respondents ranged from companies with a single location and fewer than 5 employees to companies with multiple locations and more than 1,000 employees.



Exhibit B

Survey Questionnaire

PUBLIC NOTICE QUESTIONS

QUESTION	RESPONSES:					
1. How many residential buildings do you own or manage?	Number:					
2. How many nonresidential buildings do you own or manage?	Number:					
3. About how many requests from telecommunications providers did you receive in 2001 for access to buildings under your authority? By "telecommunications provider" we mean a company that offers voice or data services; do not include companies that provide only cable television service.	Number:					
4. Was this fewer than, more than, or about the same as you recall for 2000?	Fewer:		More:		Same:	
5. How many of the requests, came from fixed wireless providers (e.g. Teligent, Winstar)?	Number:		Percent:			
6. How many came from wireline providers (e.g., XO Communications)?	Number:		Percent:			
7. How many requests led to an agreement to permit access in 2001?	Number:		Percent:			
8. About how many buildings were included in the agreements you completed in 2001?	Number:					
9. About how long did it typically take to complete negotiations for an access agreement in 2001?	Days:		Weeks:		Months:	
10. Did any transactions take substantially less or substantially more time than the typical duration?	Substantially Less:		Substantially More:			
11. How does your 2001 experience compare with your 2000 experience? That is, was the process smoother, more difficult, or similar than in 2000?	Smoother:		More Difficult:		Similar:	
12. For those requests on which you did not reach agreement to permit access, please give some examples of the reasons that agreement was not reached.						
13. In how many cases did you end up denying the request for access?	Number:		Percent:			
14. In how many cases are you still actively negotiating with the provider?	Number:		Percent:			
15. How many requests are currently pending, without a denial or negotiations underway?	Number:		Percent:			
16. When access was denied, about how long did it typically take to inform the provider that access would not be permitted?	Days:		Weeks:		Months:	
17. For buildings about which you make access decisions, how many providers are typically available in a building to serve tenants in that building?	Number:					
18. How many buildings do you have with only one or two providers available to serve tenants? Why?	Yes:		No:			
	Number:					
19. Are there any buildings that have more than five providers?	Yes:		No:			

20. If so, roughly how many buildings?	Number:					
21. Roughly how many providers?	Number:					
22. Are you aware of any providers to which access was afforded in 2001 or before that are not serving tenants in the buildings where they have gained access?	Yes:		No:			
23. If so, which providers? Why are they not serving? How many of your buildings are affected?						
	Number:		Percent:			
24. Have any providers of telecommunications service to any of your buildings ceased operations in 2001?	Yes:		No:			
25. If yes, which providers? what reasons were cited for ceasing operations? Were tenants left without service as a result?						
	Yes:		No:			
26. How many buildings were affected by the termination of operations by providers?	Number:					
27. How many tenants were affected by the termination of provider(s) operations in 2001?	Number:					
28. Please describe your experience surrounding any incident(s) of tenants without service upon the provider(s)' ceasing operations.						
29. Of the requests for provider access that you handled in 2001, how many were initiated by a tenant seeking service by a particular provider?	Number:					
30. Are you familiar with the model license agreement prepared by the RAA? Have you found the model license agreement useful in reaching agreements with telecommunications providers? If so, how?	Yes:		No:			
	Yes:		No:			

Exhibit C

Tabulation of Key Results

ID#	Q 2 C Bldg	Q 3 # Requests	Q 9 Tenant Req?	Q3.(3) # of Req '01 v. '00	Q 5 Avg. Mos. to Neg. Agr.	Q 6(b) Neg. Process '01 v. '00	Q 7(d) Time to Deny	Q 8 Avg. # of Prov./Bldg	Q 8(b) Any Bldg w/ 3+ Prov.	Q 8(b)(H) Y-Access No-Service	Q 9 Prov. Ceased Ops. in '01	Q 10 Familiar w/ Model Lic.	Q 10 If Familiar ML Helpful
SMALL COMMERCIAL PROPERTY OWNERS: 1-5 BLDGS													
TOTALS: Respondents	Commercial Bldgs	Requests Requests per Respondent	Tenant Req. No Tenant Req. Tenant Req. as % of All Req.	Fewer Same More Same, as % of all responses	Avg. Time to Negotiate Agr.(Mos.) Avg Neg. Time per Respondent (in months)	Smoother Similar More Difficult Same, as % of all responses	Month or Less More than Mo. D Know/NoAns Same, as % of all responses	Avg. # of Prov. per Bldg Avg. #Prv/Bldg per Respondent	Yes No No Ans. %Y of Resp.	If Fam: Y-Helpful N-Not H No Ans. If Fam: % Help. % Not H.			
25	53	129	16 12	18 6	67.5 3.6	3 3	14 10	98 4.5	6 18	20 4	20 4	8 13	4 4
		5.2	12%	72%		12%	56%		25%	83%	83%	38%	50%
				24%		72%	4%					62%	50%
				4%		12%	40%						
MEDIUM COMMERCIAL PROPERTY OWNERS: 6-50 BLDGS													
TOTALS: Respondents	Commercial Bldgs	Requests Requests per Respondent	Tenant Req. No Tenant Req. Tenant Req. as % of All Req.	Fewer Same More Same, as % of all responses	Avg. Time to Negotiate Agr.(Mos.) Avg Neg. Time per Respondent (in months)	Smoother Similar More Difficult Same, as % of all responses	Month or Less More than Mo. D Know/NoAns Same, as % of all responses	Avg. # of Prov. per Bldg Avg. #Prv/Bldg per Respondent	Yes No No Ans. %Y of Resp.	If Fam: Y-Helpful N-Not H No Ans. If Fam: % Help. % Not H.			
13	310	79.5	21.5 6	11 2	34.3 3.1	4 4	5 6	33 2.8	3 9	9 3	10 2	7 3	4 3
		6.6	27%	85%		31%	8.9%		25%	75%	83%	70%	57%
				15%		38%	15.4%					30%	43%
				0%		31%	46.2%						
LARGE COMMERCIAL PROPERTY OWNERS: MORE THAN 50 BLDGS													
TOTALS: Respondents	Commercial Bldgs	Requests Requests per Respondent	Tenant Req. No Tenant Req. Tenant Req. as % of All Req.	Fewer Same More Same, as % of all responses	Avg. Time to Negotiate Agr.(Mos.) Avg Neg. Time per Respondent (in months)	Smoother Similar More Difficult Same, as % of all responses	Month or Less More than Mo. D Know/NoAns Same, as % of all responses	Avg. # of Prov. per Bldg Avg. #Prv/Bldg per Respondent	Yes No No Ans. %Y of Resp.	If Fam: Y-Helpful N-Not H No Ans. If Fam: % Help. % Not H.			
7	2418	268	13.5 2	5 2	10.0 2.5	1 3	4 1	17.5 2.9	3 4	4 2	5 2	6 0	4 2
		44.7	5%	71%		20%	80%		43%	67%	71%	100%	67%
				29%		60%	20%					0%	33%
				0%		20%	0%						
SUMMARY: ALL COMMERCIAL PROPERTIES													
TOTALS: Respondents	Commercial Bldgs	Requests Requests per Respondent	Tenant Req. No Tenant Req. Tenant Req. as % of All Req.	Fewer Same More Same, as % of all responses	Avg. Time to Negotiate Agr.(Mos.) Avg Neg. Time per Respondent (in months)	Smoother Similar More Difficult Same, as % of all responses	Month or Less More than Mo. D Know/NoAns Same, as % of all responses	Avg. # of Prov. per Bldg Avg. #Prv/Bldg per Respondent	Yes No No Ans. %Y of Resp.	If Fam: Y-Helpful N-Not H No Ans. If Fam: % Help. % Not H.			
45	2781	476.5	50.95 20	34 10	111.78 3.3	8 8	23 16	148.5 3.7	12 2	33 3	35 2	21 8	12 24
		11.1	11%	78%		19%	53%		28%	79%	81%	57%	57%
				22%		62%	9%					43%	43%
				2%		19%	37%						

Exhibit C

ID#	Q.2 C Bldg	Q.3 # Requests	Q.9 Tenant Req?	Q3.(3) # of Req. '01 v. '00	Q.6 Avg. Mos. to Neg. Agr.	Q.6(b) Neg. Process '01 v. '00	Q.7(d) Time to Deny	Q.8 Avg. # of Prov./Bldg.	Q.8(b) Any Bldg w/ 5+ Prov.	Q.8(b)(i) Y-Access No-Service	Q.9 Prov. Ceased Ops. In '01	Q.10 Familiar w/ Model Lic.	Q.10 If Familiar ML Helpful
SMALL COMMERCIAL PROPERTY OWNERS: 1-5 BLDGS													
33	1	12	0	Fewer	2	Similar	M	8	Yes	Yes	Yes	No	
11	1	6	2	Fewer	4.5	Smoother	M	4	No	Yes	Yes	No	
19	1	6	1	Fewer	3	Smoother	N	4	No	Yes	Yes	No	
13	1	5	1	More	1	Similar	M	3	No	Yes	Yes	No	
18	1	5	0	Fewer	3	Similar	M	4	No	Yes	Yes	No	
31	1	5	0	Same	0	Similar	M		No	Yes	Yes	No	
41	1	5	0	Fewer	0	Similar	N	8	Yes	No	Yes	No	
40	1	3	0	Fewer	0	Similar	M	3	No	Yes	Yes	No	
5	1	2	1	Fewer	0	Similar	M	4	No	Yes	Yes	No	
44	1	2	2	Same	6	Similar	M	7	Yes	No	Yes	Yes	Yes
7	2	10	2	Fewer	3	Similar	MM		No	Yes	Yes	Yes	Yes
34	2	10	0	Same	3	Similar	N						
3	2	6	1	Same	3	Similar	N	2	No	Yes	Yes	Yes	Yes
26	2	6	1	Fewer	3	Similar	M	7	Yes	Yes	No	Yes	Yes
8	2	3	1	Fewer	3	Similar	M	4	No	Yes	No	No	
24	2	3	0	Same	4	Similar	N	6	Yes	Yes	Yes		
37	2	3	1	Fewer	5	Similar	M	3	No	Yes	Yes	No	
10	3	10	0	Fewer	3	More Difficult	M	3	No	Yes	Yes		
39	3	6	0	Fewer	6	Similar	N	6	No	Yes	Yes	No	
30	3	4	1	Fewer	3	Similar	M	5	No	Yes	Yes	Yes	
23	3	2	1	Fewer	2	Smoother	N	2	No	No	No		
17	4	3	0	Fewer	0		N	2	No	Yes	Yes	Yes	No
35	4	5	0	Fewer	6	Similar	M	6	Yes	Yes	Yes	Yes	No
36	4	2	1	Same	0	More Difficult	N	3	No	No	No	No	No
25	5	5	0	Fewer	4	More Difficult	N	4	No	Yes	Yes	Yes	No

ID#	Q.2 C Bldg	Q.3 # Requests	Q.9 Tenant Req?	Q3.(3) # of Req. '01 v. '00	Q.6 Avg. Mos. to Neg. Agr.	Q.6(b) Neg. Process '01 v. '00	Q.7(d) Time to Deny	Q.8 Avg. # of Prov./Bldg.	Q.8(b) Any Bldg w/ 5+ Prov.	Q.8(b)(i) Y-Access No-Service	Q.9 Prov. Ceased Ops. In '01	Q.10 Familiar w/ Model Lic.	Q.10 If Familiar ML Helpful
MEDIUM COMMERCIAL PROPERTY OWNERS: 6-50 BLDGS													
28	6	5	1	Fewer	6	More difficult	M	2	No	Yes	Yes		
43	7	3	0	Fewer	0	Similar	M	2	No	No	No	No	
32	12	0	0	Fewer	0	Smoother	N						
12	15	6	0	Fewer	4	More difficult	MM	3	Yes	Yes	Yes	No	
15	16	1	0	Fewer	6	Smoother	N	1.5	No	Yes	Yes	Yes	Yes
20	22	3	1	Fewer	2	Smoother	N	4	No	Yes	Yes		
14	23	16	3	Same	1.5	Similar	M	4	No	No	Yes	Yes	No
27	29	12	0	Fewer	3	More difficult	M	2	Yes	Yes	Yes	Yes	Yes
16	29	5	2	Fewer	6	More difficult	N	2	No	Yes	Yes	Yes	No
2	30	2	2	Fewer	3	Similar	N	3.5	No	No	Yes	Yes	No
1	40	8	3	Fewer	0.75	Similar	M	1	No	Yes	Yes	No	
9	40	5	0	Same	0.03	Similar	N	3.5	No	Yes	No	Yes	Yes
63	41	13.5	9.5	Fewer	2	Smoother	MM	4.5	Yes	Yes	Yes	Yes	Yes
LARGE COMMERCIAL PROPERTY OWNERS: MORE THAN 50 BLDGS													
64	79	2	0	Fewer			M	3	No	Yes	Yes	Yes	Yes
59	118	6	5	Fewer	4	Similar	M	4	Yes	Yes	Yes	Yes	Yes
60	236	75		Fewer	4	Smoother	M	3	Yes		Yes	Yes	No
29	300	0	0	Same	0		N	0	No	No	No		
58	325	20	3	Fewer	1	More Difficult	M	2.0	No	Yes	Yes	Yes	Yes
22	660	15	1	Same		Similar	MM	3	No	No	No	Yes	No
61	700	150	4.5	Fewer	1.5	Similar	B	2.5	Yes	Yes	Yes	yes	Yes

Exhibit D
Bitz Declaration

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

_____)	
In the Matter of)	
)	
Promotion of Competitive Networks)	WT Docket No. 99-217
in Local Telecommunications Markets)	
)	
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)	
)	
Implementation of the Local Competition)	CC Docket No. 96-98
Provisions in the Telecommunications)	
Act of 1996)	
)	
Review of Section 68.104 and 68.213 of)	
The Commission's Rules Concerning)	CC Docket No. 88-57
Connection of Simple Inside Wiring to)	
the Telephone Network)	
_____)	

**DECLARATION OF BRENT W. BITZ
IN SUPPORT OF MARKET UPDATE COMMENTS OF
THE REAL ACCESS ALLIANCE**

I, Brent W. Bitz declare as follows:

1. I submit this Declaration in support of the Market Update 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 . I have been in the Commercial Real Estate business for twenty-six 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 is a subsidiary of Vornado Realty Trust which 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 seventy seven buildings, seventy-two which are 100,000 square feet or 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. In January 2001, I submitted an affidavit which contained statements regarding telecommunications provider access to Charles E. Smith properties. I herein submit an update to the Commission regarding the market for telecommunications service as they pertain to Charles E. Smith properties.

5. Our tenants have fewer choices of providers in 2002 than they did in 2001. This is due entirely to business failures among telecommunications providers. In 2001, I stated that Charles E. Smith had "12 telecom service providers providing a variety of services to our portfolio of 69 non-federally occupied buildings" and that these providers included "Verizon,

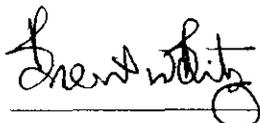
Winstar, Teligent, Nextlink, Intermedia, Cypress, ezi, elink, Everest, Allied Riser, Broadband Office, and Metro Media Fiber.” Of these providers, Verizon, Intermedia, Everest, and elink still serve any of our tenants in 2002. While Winstar provides service but they are in bankruptcy and their future service to our tenants is in doubt. In 2001, I stated that “eight of the providers each serve virtually the entire portfolio and the other four serve substantial portions of the portfolio.” . In 2002, only Verizon serves our entire portfolio, Intermedia serves a substantial portion, and Everest and elink serve a minor portion. We also have agreements with Starpower and Teleport to serve a few buildings in our portfolio. In 2001, I stated that “virtually every one of our 2,000 tenants in 70 buildings has access to anywhere from eight to twelve competitors for their business.” Today, our tenants have a choice of one or two providers at best.

6. The providers who signed portfolio wide deals in 2001 or earlier, came to us and asked to renegotiate their agreements. The providers primarily wanted to be released from their obligations to serve all the buildings in the portfolio, but also wanted to obtain access on reduced economic terms. Those agreements typically provided for annual fixed rents of \$1,000-\$2,000 plus a percentage of gross revenues ranging between five and eight percent. In most cases, we agreed to allow providers to serve significantly fewer properties than they had originally promised, and agreed to eliminate the annual fixed rents. Consequently, the providers would only pay rent if they are generating revenue by providing service to our tenants.

7. We continue to provide marketing support to those providers that serve our tenants. Our standard marketing support is to advise the tenants of the telecommunications service provider's service in our building and allow the provider 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.

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 MARCH 7, 2002, in Arlington, Virginia.

A handwritten signature in cursive script, appearing to read "Brent W. Bitz", written over a horizontal line.

Brent W. Bitz

Exhibit E

Alewine Declaration

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

_____)	
In the Matter of)	
)	
Promotion of Competitive Networks)	WT Docket No. 99-217
in Local Telecommunications Markets)	
)	
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)	
)	
Implementation of the Local Competition)	CC Docket No. 96-98
Provisions in the Telecommunications)	
Act of 1996)	
)	
Review of Section 68.104 and 68.213 of)	
The Commission's Rules Concerning)	CC Docket No. 88-57
Connection of Simple Inside Wiring to)	
the Telephone Network)	
_____)	

**DECLARATION OF ROBERT D. ALEWINE
IN SUPPORT OF THE 2002 MARKET UPDATE COMMENTS OF
THE REAL ACCESS ALLIANCE**

I, Robert D. Alewine declare as follows:

1. I submit this Declaration in support of the 2002 Market Update Comments of the Real Access Alliance. I am fully competent to testify to the facts set forth herein, and if called as a witness, would testify to them.

2. I am a Vice President at ATAPCO Properties, Inc. ("ATAPCO"), and have served as Controller and Vice President of Eastern Operations for ATAPCO. I have thirty-five years of

experience in the commercial real estate business. Presently, I oversee all matters pertaining to six ATAPCO properties located in Delaware, Maryland, Washington, D.C., and Indiana, and it is my responsibility to negotiate the financial and access terms and conditions of telecommunications licenses for these properties.

3. Among the properties I oversee is the Ten East Baltimore building located at 10 East Baltimore Street in downtown Baltimore, Maryland. Ten East Baltimore is a 16-story, 168,000 sq. ft. commercial office building which has been outfitted to house five local exchange carrier loops. We permitted the carriers to enter the building in the lower level, rent storage space, and install their facilities. ATAPCO has also installed a cable distribution system (“CDS”). The building’s primary tenants include: the Maryland State Workers’ Compensation Commission, occupying five floors; an Internet service provider with over 8,000 servers in the building; the Parsons engineering group; four law firms; and ATAPCO Properties’ corporate headquarters.

4. The downtown Baltimore location and expanded telecommunications capacity of Ten East Baltimore attracted interest from telecommunications service providers and commercial tenants with large telecommunications needs. Between 1999 and 2001, I negotiated with seven telecommunications providers for access to Ten East Baltimore, which resulted in reaching agreements with two providers in 2000, and two in 2001. Of these agreements, three were based on the Real Access Alliance Model Telecommunications License Agreement.

5. As ATAPCO Properties began to negotiate more telecommunications licenses, I realized that we needed a model agreement that was better tailored to use with telecommunications providers than our standard commercial tenant lease. Telecommunications provider tenants are different from other commercial tenants. Telecommunications providers may need to occupy common area, access secured areas of the building, and attach facilities to inside and loop wiring which may be damaged if provider facilities are not properly installed. In addition, ATAPCO Properties needed to resolve telecommunications tenant rental charges, insurance requirements, and liability issues in a different manner than it had with other commercial lease tenants.

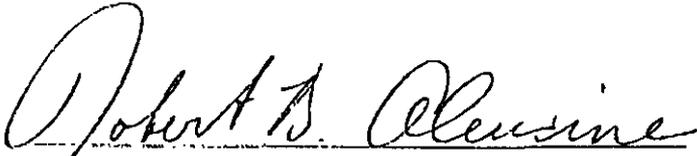
6. As a BOMA member I have become accustomed to looking to BOMA for direction on new issues. When I came across the Model Telecommunications License Agreement on the Building Owners and Managers, Intl., web site, I decided that it was the one I wanted to use. The standard agreements that telecommunications providers offered did not protect our interests or the tenants. The BOMA agreement was real estate friendly and was an easy fit into our existing document inventory.

7. The RAA Model Telecommunications License Agreement helped ATAPCO Properties create a standard telecommunications license which we could use with all telecommunications providers. ATAPCO Properties' standard commercial lease is thirty-seven pages plus additions and attachments, so the RAA Model Telecommunications License Agreement is similar in length to other agreements we use. We made some small modifications to the model, but by and large, ATAPCO Properties uses the Model License when negotiating building access terms and conditions with telecommunications providers. Use of the RAA Model Telecommunications License Agreement has been a positive experience for both ATAPCO Properties and competitive providers. CLECs have been familiar with the model license and the standard pricing terms contained within the model. Creating business certainty and fostering a negotiation environment in which providers know what to expect has helped reduce the time necessary to negotiate telecommunications licenses. On average, ATAPCO Properties negotiates telecommunications licenses in three months, about the same time that it takes to negotiate other commercial tenant leases. Our standard telecommunications license has a five-year term, compared to a three-year term for other commercial tenant leases.

8. In the Ten East Baltimore building, ATAPCO Properties has negotiated four telecommunications licenses using the RAA Model Telecommunications License Agreement, and we are nearing completion of two additional license agreements. We currently have telecommunications license agreements with, Qwest, MCI, and MFS, and very soon, we expect to finalize agreements with Time-Warner and Global Crossing, if they survive. In addition, we had telecommunications licenses with Teligent and WinStar before they entered into bankruptcy. Both the Teligent and WinStar agreements were based on the Model Telecommunications License Agreement as well.

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 this 6th day of March, 2002, in Baltimore, Maryland.

A handwritten signature in cursive script that reads "Robert D. Alewine". The signature is written in black ink and is positioned above a horizontal line.

Robert D. Alewine

Exhibit F

Skokan Declaration

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

_____)	
In the Matter of)	
)	
Promotion of Competitive Networks)	WT Docket No. 99-217
in Local Telecommunications Markets)	
)	
Wireless Communications Association)	
International, Inc. Petition for Rulemaking)	
To Amend Section 1.4000 of the)	
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Implementation of the Local Competition)	CC Docket No. 96-98
Provisions in the Telecommunications)	
Act of 1996)	
)	
Review of Section 68.104 and 68.213 of)	
The Commission's Rules Concerning)	CC Docket No. 88-57
Connection of Simple Inside Wiring to)	
the Telephone Network)	
_____)	

**DECLARATION OF SCOTT SKOKAN
IN SUPPORT OF THE 2002 MARKET UPDATE COMMENTS OF
THE REAL ACCESS ALLIANCE**

I, Scott Skokan declare as follows:

1. I submit this Declaration in support of the 2002 Market Update 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 ("Bozzuto"). Bozzuto currently manages a variety of residential

communities, including residential apartment buildings, garden-style apartment complexes, high-rise luxury and mid-rise buildings. My responsibilities include negotiating and enforcing 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 fifteen years of experience in the apartment industry.

3. In July 2000, Bozzuto entered into an agreement with Darwin Networks to provide Internet access to 30 apartment communities. The Darwin service planned to use DSL and wireless technology to provide high-speed Internet access in all of the properties, as well as to provide intranet micro-communities which would allow residents within each complex to communicate electronically with each other. Bozzuto marketed the Darwin service to potential tenants and promoted its use among current residents.

4. Many residents terminated service from their current Internet service provider and switched to the Darwin service. In one 400-unit property in northern Virginia, Darwin had a 30 % penetration rate. When signing up for the Darwin service, tenants received new e-mail addresses, and most cancelled their other e-mail accounts.

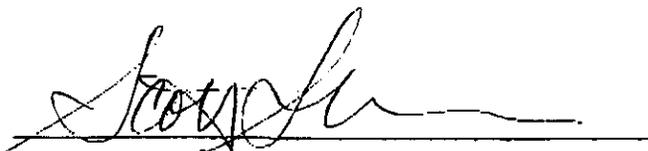
5. Soon after Darwin began providing service to some of our properties, Darwin filed bankruptcy papers. Three months later, Darwin abruptly terminated its service, leaving many of our residents without Internet access or e-mail service. Our tenants were very upset by the sudden disruption. In part, because Bozzuto had promoted the Darwin service, our residents were very angry with Bozzuto for allowing this to happen.

6. When Darwin announced its bankruptcy, I attempted to contact other Internet service providers to find a replacement provider. I spoke with CAIS, Reflex Communications and Broadband NOW. These providers were unwilling to meet the quality standards the Bozzuto required and also, soon after, filed bankruptcy. When residents ask us how to get broadband and high-speed Internet service, the best that we can do for them is to tell them to contact their local phone company or cable provider.

7. Most of our residents are now served by either the incumbent franchised cable operator or the ILEC. The cable operator provides some competitive telephone service. Since Darwin's collapse, no other competitive provider has agreed to service our entire portfolio. Many of our residents have had trouble getting DSL service, primarily because their residence is not located close enough to the DSL provider's central facilities. A subsidiary of the ILEC, known as Verizon Avenue, has begun providing competitive DSL service to two of our properties, and we are negotiating to have Verizon Avenue serve four or five other properties. Cavalier and Intermedia serve a few of our residents. No other competitive DSL provider services our properties.

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 March 8, 2002 in GREENBELT, MD.

A handwritten signature in black ink, appearing to read "Scott Skokan", is written over a horizontal line.

Scott Skokan