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

In the Matter of	)	
	)	
Deployment of Wireline Services Offering	)	CC Docket No. 98-147
Advanced Telecommunications Capability	)	
	)	

COMMENTS OF AT&T CORP.
REGARDING VERIZON POT BAY PROPOSAL

Pursuant to the Commission's Public Notice, DA 02-506, released March 4, 2002, AT&T Corp. ("AT&T") submits these comments regarding the request by Verizon Communications ("Verizon") that the Commission clarify that a requirement for a POT bay is a reasonable collocation practice and does not violate the Commission's rules.[1] In the Public Notice, the Commission also asks whether it should eliminate, repeal or amend a portion of the language in section 51.323(k)(2) of the Commission's rules.

AT&T believes that the use of a POT bay that uses "punch down" connections (*e.g.*, Krone blocks) may be a reasonable practice if it results in quicker installation times, and permits end-to-end testing of individual circuit pairs. Further, in order for Verizon to provide collocation on "just, reasonable and nondiscriminatory" terms and conditions, CLEC technicians must have access to the punch down side of the block for testing purposes.[2]

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1 See Letter from W. Scott Randolph, Verizon, to Magalie R. Salas, Secretary, FCC, dated December 19, 2001 ("*Verizon letter"*).

2 Verizon does not permit such access today.

Verizon, however, has not submitted facts justifying a Commission "clarification" that Verizon's POT bay practices are reasonable, much less "just" and "nondiscriminatory." Indeed, Verizon implicitly concedes that such a "clarification" is unnecessary because it "would not result in any change in the manner in which Verizon provides collocation to other carriers."[3] Granting this unnecessary clarification could well be construed as Commission *carte blanche* for ILECs to force collocating LECs to use POT bays in all circumstances and regardless of whether the incumbent's administration of the POT bay results in degraded quality and prolonged installation intervals. The Commission need not, and should not, go there.[4] The Commission should deny the requested clarification as unwarranted and unsupported.[5]

For similar reasons, the Commission should not eliminate, repeal or amend the portion of rule 51.323(k)(2) that requires incumbent LECs to permit direct interconnection. It is critically important that the Commission not inadvertently hamstring the efforts of competitive LECs to offer facilities-based alternatives to entrenched incumbents by removing the obligation of such incumbents to permit direct interconnection to their networks. Significantly, Verizon does not seek such elimination, amendment or repeal.

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3 *Verizon letter* at 2.

4 In all events, any decision that Verizon may require collocating CLECs to interconnect with its network at a POT bay should be applied on a prospective basis only and should not affect existing interconnection arrangements.

5 Instead, ILECs should be required to implement collocation procedures that result in much shorter circuit installation intervals and end-to-end testing of installed circuits.

ARGUMENT

In the 1996 Act, Congress recognized that it would be impossible for new entrants to provide most facilities-based services without the ability to collocate their own facilities in incumbent LECs' central offices. Thus, section 251(c)(6) expressly requires incumbent LECs to "provide, on rates, terms, and conditions that are just reasonable and nondiscriminatory, for physical collocation of equipment necessary for interconnection or access to unbundled network elements at the premises of the local exchange carrier."

As the Commission has recognized, "most alternative providers inevitably must interconnect their new networks with the existing network of the incumbent."[6] Collocation therefore "continues to play an essential role in fostering competitive facilities-based entry and expansion into the local market."[7] If competitors were unable to achieve direct access to incumbent bottleneck facilities, competitors would be "thwarted in their ability to deploy alternative, innovative technologies," and one of the "bedrock principles" of the 1996 Act would be diminished "– the promotion of competition to spur infrastructure investment and technological innovation."[8]

Collocating CLECs are at the mercy of incumbent LECs and ILEC-selected vendors to implement new facilities and provision new circuits in collocation arrangements.[9] As the Commission has recognized, incumbent LECs "will continue to

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6 *Deployment of Wireline Services Offering Advanced Telecommunications Capability*, Fourth Report and Order, CC Docket No. 98-147, FCC 01-204 (rel. Aug. 8, 2001) ("*Collocation Remand Order*") at ¶ 4.

7 *Id.*

8 *Id.*, ¶ 7.

9 *See Deployment of Wireline Services Offering Advanced Telecommunications Capability*, Order on Reconsideration and Second Further Notice of Proposed Rulemaking in CC Docket No. 98-147 and Fifth Further Notice of Proposed

delay unreasonably competitive LECs' build-out of their facilities" unless the Commission strengthens, rather than weakens, the incumbents' collocation obligations. Even absent ILEC anticompetitive motives, the vendors who provision circuits to CLECs in the incumbents' local serving offices are selected and overseen by the ILECs, and look to the ILECs for payment. They therefore have little, if any incentive, to provision timely, quality service to CLECs. Indeed, often the consequence of doing a poor job is that they are asked to do the work again, at additional expense that is merely passed on to CLECs.[10] As a result, CLECs routinely receive low quality, high cost, slow installation of new circuits.

This provisioning problem is exacerbated by the failure of the incumbents (or their vendors) to perform end-to-end testing of the circuit – *i.e.*, from the main distribution frame to the point of cable delivery – in a quality manner to ensure that it is working properly. In addition, ILEC vendors often fail to provide accurate data regarding the termination location of a circuit at the POT bay, *i.e.*, faulty connecting facility arrangement ("CFA") information. This faulty CFA data generally does not come to light until the time the CLEC attempts to initiate new service for the customer and discovers that it is working with the wrong cable pair.

Rulemaking in CC Docket No. 96-98, FCC 00-297 (rel. Aug. 10, 2000) at ¶ 22. *See also,* e.g., *Implementation of the Telecommunications Act of 1996,* Third Report and Order and Fourth Notice of Proposed Rulemaking, 15 FCC Rcd. 3696 (1999) ("*UNE Remand Order*") at ¶¶ 90-91 (concluding that incumbent LECs can take advantage of collocation provisioning delays to lock-up customers prior to competitive entry).

[10] This is in addition to costs that the CLEC incurs for multiple dispatch of technicians to conduct tests and for delays in providing service to the CLEC's customers, or interruptions in service to those customers. The ultimate impact is to the customer, who perceives the problem as the CLEC's fault.

Nothing in Verizon's proposal would address these serious deficiencies. Indeed, Verizon points out that the clarification it seeks would not result in any change in its current practices – "[s]uch a clarification would not result in any change in the manner in which Verizon provides collocation to other carriers."[11] Yet, grant of Verizon's request arguably could constitute a Commission finding – absent any record – that Verizon's entire POT bay process is a "reasonable" (and nondiscriminatory) practice which complies with section 251(c)(6) of the Act, and that Verizon may "require" competitive carriers to submit to it. The Commission should not issue such a blank check. There are too many questions that are unanswered regarding the POT bay proposal and too many existing deficiencies that would be left unresolved.

First, it is unclear precisely what type of POT bay interconnection Verizon is proposing. For example, in the former Bell Atlantic serving offices the POT bays use Krone blocks in which the twisted pair is "punched down" into the connection block to establish a connection. In the former GTE serving offices, however, the POT bays use wrapped wire terminals in which the wire is twisted (or wrapped) around the terminal connection. This simple difference has significant consequences. With wrapped wire connections, the wire needs to be disconnected from the terminal connection in order to test a circuit. The wire therefore needs to be unwrapped (untwisted) to free it from the connection. The end of the small gauge wire often is damaged during this process and either breaks off or needs to be removed. In such case, additional bare wire needs to be exposed through stripping of the wire insulation. Eventually the wire becomes too short for the connection and needs to be replaced.

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[11] *Verizon letter* at 2.

With the punch down (or Krone) block, the wire does not need to be disconnected. Instead, a technician can insert a tool at the punch down block that allows testing of the pairs without undoing the termination. However, such improved testing capability is only available on the punch down (or ILEC) side of the block. The wiring on the CLEC side of the block is connected via an amphenol connector which does not allow easy test access. In order for testing to be done on this side of the block, the amphenol connector would have to be removed and all 25 pairs of wires in that connection would be put of service while the technician attempted to isolate the trouble on any one of the pairs. For this reason, improvements in maintenance and repair require that CLEC technicians be allowed access to the punch down side of the connection.

Similarly, the location of the POT bay determines whether its use has the potential to improve circuit provisioning or not. A POT bay located adjacent to a CLEC's collocation cage may – if the proper procedures are utilized – result in quicker maintenance and faster circuit provisioning. However, if the POT bay is located on a different floor or some distance from the collocation cage, there may be little practical difference for the CLEC between being responsible for the cabling between its collocation cage and a distant POT bay and having to provide the cabling between its collocation cage and the main distribution frame.[12]

A POT bay approach will also not lead to needed improvements in provisioning and maintenance unless end-to-end testing is performed when the cable is delivered by the ILEC and unless the CLEC has access to the punch down (ILEC) side of the POT bay

[12] The Commission should be aware that SBC and BellSouth refuse to use POT bays, and instead make the CLEC provide the cabling between its collocation cage and the MDF.

to perform necessary testing. Although Verizon argues that its requested clarification "is essential in meeting its merger commitments regarding the timely installation and repair of unbundled network elements as well as the national standard intervals for collocation,"[13] the reality is that use of POT bays is Verizon's standard operating procedure today. Verizon's proposed clarification is thus unnecessary and, by itself, will lead to no improvements. For the same reasons, the Commission should not eliminate, repeal or amend any portion of rule 51.323(k)(2).

The plain fact is that the competitive marketplace demands prompt, reliable provision of service. The collocation and interconnection procedures used today by ILECs – whether with POT bays or direct cabling from the collocation cage to the MDF – do not enable CLECs to meet those needs. As a result, the incumbents receive an unwarranted competitive advantage. CLECs need quicker installation times and end-to-end testing, especially when a new circuit is delivered. With its POT bay approach, Verizon would maintain the status quo, which favors it, and not address the quality and timeliness issues that exist. The Commission should not bless this arrangement with a "reasonableness" determination until such issues are resolved.

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[13] *Verizon letter* at 2.

CONCLUSION

For all of the reasons set forth above, the Commission should reject Verizon's proposed clarification. The Commission also should not eliminate, repeal or amend Commission rule 51.323(k)(2).

Respectfully submitted,

AT&T CORP.

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Dated: March 25, 2002

CERTIFICATE OF SERVICE

I, Stephen C. Garavito, hereby certify that on this 25th day of March, 2002, I caused true and correct copies of the forgoing Comments of AT&T Corp. Regarding Verizon POT Bay Proposal to be served on the party listed below by mailing, postage prepaid, to the address listed below.

Dated: March 25, 2002

/s/ Stephen C. Garavito
Stephen C. Garavito

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