

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

IN THE MATTER OF RULEMAKING) Docket No. UT-990582
CONCERNING COLLOCATION) Chapter 480-120-560 WAC

COMMENTS OF VERIZON NORTHWEST INC.

September 15, 2000

On August 18, 2000, the Washington Utilities and Transportation Commission (“Commission”) issued a Notice of Opportunity to Submit Written Comments on proposed rule in the Collocation Rulemaking Docket No. UT-990582. Verizon Northwest Inc. (“Verizon”) hereby submits its comments on the proposed collocation rules. The Commission should not adopt the proposed rules as drafted because they contain numerous deficiencies. In order to address these deficiencies, Verizon provides specific comments and suggested amendments to the proposed rules below.

RECOMMENDED REVISIONS TO PROPOSED RULES

PROPOSED RULE (1) -- DEFINITIONS

The definition of “Collocation” included in proposed rule (1) would impermissibly include placement of CLEC equipment “nearby” an ILEC’s premises. An ILEC’s obligation to provide collocation under section 251(c)(6) of the Telecommunications Act of 1996 (“1996 Act”) is limited, however, to the “premises of the local exchange carrier”, not to locations “nearby” the ILEC’s premises. In fact, the FCC recently confirmed the long-standing interpretation that the definition of “premises” “excludes land and buildings in which the incumbent LEC has no interest”.¹ Accordingly, the proposed rule should not include the reference to collocation at a location “nearby” the ILEC’s premises because it would impose an obligation not required by applicable law. As a practical matter, as the FCC has recognized, it also would not make sense to require an ILEC to provide collocation at a location that is outside of its control.²

The second sentence of the definition of “deliver” or “delivery date” is confusing and unnecessary. It is vague, and only purports to be an illustrative, not exhaustive, list of what is included in “deliver or delivery”. By focusing on particular items such as power and telephone service, it is confusing with regard to other services and facilities that are not mentioned. Moreover, it adds

¹ *Order on Reconsideration and Second Further Notice of Proposed Rulemaking in CC Docket No. 98-147 and Fifth Further Notice of Proposed Rulemaking in CC Docket NO. 96-98, FCC 00-297 (rel. Aug. 10, 2000) (“FCC Order on Reconsideration”) ¶ 44.*

² *Id.* (for land and buildings in which the ILEC has no interest, “the incumbent LEC and its competitors have an equal opportunity to obtain space within which to locate their equipment.”).

nothing to the first sentence of the definition, which specifies the point at which collocation is delivered to the CLEC. Accordingly, it does not serve a valid purpose for this rulemaking, and should be deleted.

PROPOSED CHANGES TO RULE (1)³

(1) Definitions.

"Collocation" means the ability of a CLEC to place equipment within, or upon, ~~or nearby~~ an ILEC's premises.

"Deliver" or "delivery date" means the point when the ILEC turns the collocation space and related facilities over to the CLEC and recurring charges for collocation may begin to accrue. ~~Delivery includes, but is not necessarily limited to, providing the CLEC with access to the collocation space for collocation other than virtual collocation, as well as providing power, telephone service, and other services and facilities requested by the CLEC for provisioning by the delivery date.~~

PROPOSED RULE (2). ILEC RESPONSE TO CLEC ORDER FOR COLLOCATION.

This rule should be enhanced to address the situation in which a single CLEC submits multiple collocation requests within a short time period. Such situations are not uncommon, as a single CLEC will frequently submit 30 requests at one time. Given limited resources, the ILEC should be permitted additional time to handle multiple requests submitted by one CLEC within a short time period. Verizon proposes that should a CLEC submit 10 or more applications within a 10-day period, the response interval will be increased by 10 days for every 10 additional applications or fraction thereof. The Florida Public Service Commission found this proposal "to be appropriate and reasonable".⁴

PROPOSED CHANGE TO RULE (2)

- (2) ILEC response to CLEC order for collocation. Within fourteen (14) calendar days of receipt of an order for collocation, an ILEC must notify the CLEC whether sufficient space exists in the ILEC premises to accommodate the CLEC's collocation requirements. As part of that notification, the ILEC must also notify the CLEC of any extraordinary circumstances, as defined in subsection (3)(c) of this section, that may delay delivery of the ordered collocation space and related facilities. If a CLEC submits 10 or more applications within a 10-day period, the space availability response interval will be increased by ten (10) calendar days for every set of 10 additional collocation applications or fraction thereof submitted to the ILEC.

PROPOSED RULE (3). PROVISIONING COLLOCATION.

Proposed rule (3)(b) would require that the ILEC complete construction of, and deliver, the requested collocation space and related facilities within 45 calendar days after the later of the CLEC's acceptance of the written quote or payment of one-half of the nonrecurring charges specified in the quote. This proposed schedule is unrealistic and inconsistent with Verizon's methods of providing collocation, which are based on the most efficient and cost-effective standards. This schedule does

³ Only those portions of the Proposed Rules for which Verizon has suggested amendments are included in this document.

⁴ Order No. PSC-00-0941-FOF-TP, Florida Public Service Commission, Docket No. 981834-TP (May 11, 2000) ("*Florida Order*") at 18.

not take into account the amount of time it takes the ILEC to receive the shipment of material from a vendor, a process the ILEC does not control. For example, the normal interval for shipment of the cables alone is on average 42 days from the date the vendor receives the purchase order to the date the material is shipped.

Verizon's experiences in Washington illustrate how collocation intervals are heavily dependent on material shipments from vendors. For example, one of the collocation requests Verizon has implemented in Washington this year was completed within 70 days from the receipt of the customer non-recurring charges. Thirty-five days out of the 70 days on that project were spent waiting on the material from the vendor. A second project was implemented within 98 days from receipt of payment but 64 days of that timeline was spent waiting for equipment. Furthermore, Verizon has been informed by its equipment vendors that current projects that require iron work, which is used in overhead superstructure and cable racking, can have lead times of 63 to 84 days to receive material.

On average, Verizon's provisioning interval to complete construction and deliver the requested collocation space and related facilities is 90 calendar days. An interval of 10 days is necessary to schedule, engineer, order equipment, and obtain work order approval (Engineering process). Another 50 calendar days is required to process the purchase order, allow for equipment lead time, transport equipment to supply point, and ship equipment from supply point to collocation site (Furnishing process). Finally, 30 calendar days is required to schedule, travel to the collocation site, inventory equipment, and actually install the collocation equipment (installation/testing process).

Accordingly, the Commission should adopt a 90-calendar day interval to provision a standard collocation request, rather than the 45-day interval in the proposed rule. A 90-day interval would be consistent with Verizon's national collocation offering, and would reflect a threshold approved by both the California Public Utilities Commission⁵ and the Florida Public Service Commission.⁶ If the Commission mistakenly adopts the proposed 45-day interval, Verizon would need to re-examine its cost study and determine additional costs for overtime labor and contract labor that might allow the ILEC to expedite the provisioning interval for the components that the ILEC controls. Such additional costs, however, would not have any impact on the time period required for material shipment by vendors.

In the event of "extraordinary circumstances", proposed rule (3)(c) would require the ILEC to complete construction of, and deliver, the ordered collocated space within 90 calendar days of the later of the CLEC's acceptance of the written quote or payment of one-half of the nonrecurring charges specified in the quote. The first problem with this provision is that it does not adequately define what constitutes "extraordinary circumstances". Extraordinary circumstances are encountered when infrastructure modifications must be made to the ILEC's premises or delays are encountered that are beyond the ILEC's control. Extraordinary circumstances may include, but are not limited to: upgrades or additions to the Company's heating, ventilation, and air conditioning (HVAC) systems; power plant upgrades or additions; renovation of unconditioned space; material delivery delays; and delays associated with the permit processes of local municipalities.

To account for additional time for such "infrastructure modifications", Verizon proposes to add this phrase to proposed rule 3(c) and to delete the reference to an undefined "standard work and equipment". Verizon also proposes to add language to address delays that are beyond the ILEC control.

Proposed rule (3)(c) also refers to removal of "inactive or underutilized equipment". The

⁵ D.99-08-020, California Public Utilities Commission, Docket No. R.97-10-016/I.97-10-017 (August 5, 1999) Conclusion of Law 16 at 79.

⁶ *Florida Order* at 54.

applicable standard in the Advanced Services Order is "obsolete unused" equipment, not the broader "inactive or underutilized" standard utilized in the proposed rule. 47 C.F.R. 51.321(i). "Inactive or underutilized" equipment may include equipment that is still being used, and thus is inconsistent with 51.321(i). The proposed rule should be amended to mirror the standard set forth in 51.321(i).

Proposed rule (3)(c) also would specify that extraordinary circumstances do not exist for any collocation order that was included in a periodic collocation forecast submitted by the CLEC to the ILEC at least three months in advance of the order. This type of rule would require the ILEC to preposition and make-ready collocation space based on CLEC forecasts without requiring the CLEC to validate the forecast and without compensation for providing infrastructure modifications that may not be utilized. The ILEC should not be required to expend capital dollars to create collocation space based on projected forecasts, when CLECs are not required to make any payments and may not actually collocate in the central office. CLECs may even have the incentive to over forecast since there is no cost to do so.

Proposed rule 3(c) also would impose an unrealistic 90-calendar interval for provisioning collocation if extraordinary circumstances exist. As previously discussed, a standard collocation request takes 90 days to provision. When confronted with infrastructure modifications to make collocation space ready, however, provision of collocation takes much longer. The provisioning interval for a collocation request with extraordinary circumstances should be set to at least 180 calendar days.

An 180-day interval is consistent with how Verizon will actually provision collocation when confronted with infrastructure modifications. On average, it takes approximately 5 additional days to perform the engineering process. The furnishing process takes the same time as for a standard collocation request (50 calendar days) except in instances where battery additions are required. In these cases, it takes approximately 190, rather than 50, days to complete the furnishing process. The installation/testing process takes from an additional 3 calendar days to 7 calendar days longer than a standard collocation request, depending upon what type of support infrastructure augmentation is required (e.g. BDFB, rectifier, and/or battery additions). The total provisioning interval for a

collocation request with extraordinary conditions could range on average from 100 calendar days to 365 calendar days.

Verizon's experience in provisioning collocation requests has revealed particular problems when ordering batteries. In particular, one of the collocation requests Verizon has implemented in Washington this year requiring a battery and rectifier addition to the power plant was completed within 184 days from the receipt of the customer non-recurring charges. One hundred and eleven days of these 184 days were spent waiting on material from the vendor. A second project under review is still pending because the vendor is quoting a 272 day interval to ship battery equipment. It should be noted that batteries are manually manufactured, one at a time, and depending on the type of battery, vendors are quoting a six month to a ten month lead time for shipment of equipment. Verizon NW currently utilizes three different vendors for power and is experiencing these shipment delays with each.⁷ Therefore, a 90-calendar day interval for extraordinary circumstances is unrealistic and should not be adopted. At a minimum, a 180-calendar day interval that incorporates extensions for vendor delays should be adopted.

Proposed rule (3)(d) requires that the ILEC jointly provision with the CLEC or allow sole construction by the CLEC through a mutually acceptable third party contractor for provisioning when extraordinary circumstances are encountered. Infrastructure modifications to the ILEC premise are projects that can affect the entire central office, and those projects must be provisioned and coordinated in full by the ILEC. Because these jobs not only affect the requesting CLEC but will affect the ILEC and other existing CLECs, the ILEC has the sole discretion to determine the optimum solution for provision. The ILEC will take all reasonable steps to avoid or minimize delays due to these circumstances.

Proposed rule (3)(e) requires the ILEC to credit the CLEC in an amount equal to one tenth of the total nonrecurring charge for the requested collocation for each full week the ILEC fails to deliver the collocation space after the required delivery date. Such a mandated "credit" does not fall

⁷ Attached is correspondence from Verizon NW's three vendors (Yuasa Inc., Industrial Battery Systems, and Marconi) that provide the Company battery equipment. The correspondence details the lead time required for the shipment of equipment.

within any of the Commission's clear statutory authority. The Commission should not enact the proposed rule without a clear statement of the authority on which it relies. Moreover, there are variables associated with the construction of a collocation arrangement that are out of the ILEC's control. For example, the ILEC has no control over variables such as equipment delivery and building permits. In some instances, variables such as cable delivery are the responsibility of the CLEC. Obviously, an ILEC cannot be penalized for the action or inaction of a CLEC.

Proposed rule (3)(f) requires that an ILEC notify the CLEC when construction of the CLEC's collocation space is "approximately 50% completed". Because equipment delivery is the primary driver for the time necessary to provision collocation, it is not possible to determine when construction of a collocation space is 50% completed. Instead, project status reports should simply be provided on an as-needed basis. Proposed rule (3)(f) would also require that circuit assignments be provided no later than thirty days prior to the scheduled delivery date. CLECs, however, do not need circuit assignments prior to when the collocation arrangement is turned over to the CLEC. Thus, the thirty-day requirement should be deleted. Moreover, proposed rule (3)(f) includes subjects not related directly to the provision of collocation service, such as requirements related to other codes necessary to order interconnection and cross-connection circuits. The rules adopted by the Commission should be strictly limited to collocation requirements.

Proposed rule 3(g) would require an inspection of the collocation space at least five days prior to completion of construction of the collocation space. The CLEC will use the inspection to make sure that the space is being provided as ordered, which can only be determined after the construction is complete. Accordingly, the inspection in proposed rule 3(g) should take place after completion of construction rather than before.

Proposed rule 3(h) would require that basic telephone service be provided "concurrent with delivery of the collocation space and related facilities". In order to provide flexibility to the CLEC, providing basic telephone service should be tied to the ordering of the service, not delivery of the collocation space. If the CLEC orders basic telephone service when it places the collocation order, there should not be any problem with providing this service when the collocation space is turned over to the CLEC. Accordingly, Verizon proposes to delete the phrase "concurrent with delivery of the

collocation space and related facilities” from the proposed rule.

Proposed rule 3(h) also includes a provision on access to basic facilities for CLEC employees, contractors and representatives. It should be revised to clarify that reasonable access to an ILEC's basic facilities shall be provided only to those CLEC employees, contractors, and representatives who have passed the appropriate ILEC security clearance. The Advanced Services Order allows the ILEC to impose security requirements on other carriers that are as stringent as those it imposes on itself. 47 C.F.R. 51.323(i). Verizon currently requires its own employees to pass the appropriate security clearance in order to obtain an access card for any given Verizon facility. As a result, the same requirement should apply to CLEC personnel seeking access to the same facility.

PROPOSED CHANGES TO RULE (3)

- (3) Provisioning collocation. Upon receiving a request for collocation from a CLEC, an ILEC shall provision collocation pursuant to the following requirements:

The ILEC must complete construction of, and deliver, the ordered collocation space and related facilities within ninety (90) ~~forty-five (45)~~ calendar days after the later of the CLEC's acceptance of the written quote or payment of one-half of the nonrecurring charges specified in the quote, except in the case of extraordinary circumstances, as defined in subsection (3)(c) of this section. The CLEC's acceptance of the quote or payment of any quoted charges, does not preclude the CLEC from later disputing the accuracy or reasonableness of those charges.

- (c) If extraordinary circumstances exist, the ILEC shall complete construction of, and deliver, the ordered collocation space within 180 ~~ninety (90)~~ calendar days of the later of the CLEC's acceptance of the written quote or payment of one-half of the nonrecurring charges specified in the quote. Extraordinary circumstances ~~do not include standard work and equipment required to provide the requisite collocation, but~~ may include (i) the need to reclaim space for collocation by removing obsolete unused inactive or underutilized equipment; ~~or~~ (ii) the unavailability of necessary equipment and facilities for infrastructure modifications in a reasonable time period if that unavailability is not due to the ILEC's failure to timely arrange for such equipment or facilities; ~~or~~ (iii) delays that are encountered that are beyond the ILEC control. ~~Extraordinary circumstances do not exist for any collocation order that was included in a periodic collocation forecast submitted by the CLEC to the ILEC at least three months in advance of the order.~~
- (d) Following any initial notification as required in subsection (2) above, the ILEC must notify the CLEC of any extraordinary circumstances as soon as the ILEC is aware of those circumstances and must take all reasonable steps to avoid or minimize any delays caused by those circumstances; ~~including but not limited to joint provisioning of collocation elements by the ILEC and CLEC, or sole construction by the CLEC, through a mutually acceptable third party contractor.~~

~~If the ILEC fails to deliver the collocation space by the required delivery date, the ILEC must credit the CLEC in an amount equal to one-tenth of the total nonrecurring charge for the ordered~~

~~collocation for each week beyond the required delivery date.~~ Recurring charges will not begin to accrue for any element until the ILEC delivers that element to the CLEC. To the extent that a CLEC self-provisions any collocation element, the ILEC may not impose any charges for provisioning that element.

~~The ILEC must notify the CLEC when construction of the CLEC's collocation space is approximately 50% completed, including scheduled completion and delivery dates. At that time, but in any event at least No later than thirty (30) days prior to the scheduled delivery date, the ILEC must provide the CLEC with sufficient information to enable the ILEC and the CLEC to establish firm CLLI codes, and any other codes necessary to order interconnection and cross-connection circuits for the equipment the CLEC intends to collocate, and the ILEC must accept and process CLEC orders for such circuits. The ILEC must provision points of interface ("POIs") and other circuits concurrent with delivery of the collocation space and related facilities, unless the CLEC agrees to a later date.~~

- (g) ~~The ILEC must conduct an inspection with the CLEC of the collocation space at least five business days prior to~~ after completion of construction of the collocation space. The ILEC must correct any deviations to the CLEC's original or jointly amended requirements after the inspection, at the ILEC's sole expense.
- (h) Upon order of the CLEC ~~and concurrent with delivery of the collocation space and related facilities,~~ the ILEC must provide basic telephone service to the collocation space under the rates, terms, and conditions of the ILEC's current tariff or price list offering for the service ordered. The ILEC must ~~also~~ provide only those CLEC employees, contractors, and representatives, who have passed the appropriate ILEC security clearance for that facility, with reasonable access to basic facilities, such as restroom facilities and parking, while at the ILEC premises.

PROPOSED RULE (4). DENIAL OF ORDER FOR COLLOCATION.

Proposed rule (4) would govern denial of a collocation order due to insufficient space within a particular central office. It should be expanded to address an ILEC's space reservation policies. The ILEC is faced with various network responsibilities and must be able to reserve space to fulfill these responsibilities. For example, the ILEC is required to be a carrier of last resort, a host of interconnection agreements for the exchange of traffic, a reseller of network services, and a provider of 911 services, operator services and other enhanced services. The FCC has determined that an ILEC may not reserve space for its future use on terms more favorable than those that apply to CLECs seeking to reserve collocation space for their future use.⁸ Verizon proposes that space reservation periods take into account equipment differences within the central office. For example, switching equipment has longer engineering, planning, shipment, and installation timeframes than transmission equipment. The end-to-end process to augment a switch can take up to twelve months, while transmission equipment can be augmented within a four to six month cycle. Moreover, expanded switching equipment must be deployed in adjacent space and cannot be dispersed throughout the central office as is done with transmission equipment.

Verizon proposes a four year reservation period for switching versus a two year period for transmission. However, if the switching growth cannot be accommodated with a future building addition, then the ILEC should be able to reserve adjacent space for the ultimate growth of the switch. Switching systems are planned and designed for the eventual full size of the switch. Expansion of a switch must follow a specific plan and space must be reserved accordingly. Verizon also proposes that floor space for the power room, main distribution frame, and cable vault be reserved for the ultimate requirements of the central office. These features are critical to the continued smooth operation of the public switched network. Floor space for these central office functions do not invoke non-

⁸ 47 C.F.R. § 51.323(f)(4).

discrimination concerns because CLECs are not responsible for equipment necessary to maintain the central office as are the ILECs. A reservation period that utilizes a “one time frame fits all types of equipment” approach should never be considered. Verizon proposes that the Commission adopt language in proposed rule 4 incorporating Verizon's current reservation of space guidelines, which comply with the FCC standard.

Proposed rules (4)(a), (4)(c)(iii), and (4)(c)(iv) refer to "inactive or underutilized" equipment. As noted in response to proposed rule (3)(c), the terminology used in the Advanced Services Order is "obsolete unused" equipment, not “inactive or underutilized”. There is a significant difference in these phrases, and any rule on this subject should mirror the language used in the Advanced Services Order.

Proposed rule (4)(b) provides that once an ILEC has denied the CLEC's request for collocation, the ILEC must permit the CLEC to tour the ILEC premises within fourteen (14) calendar days. The language should be clarified to reflect that the 14-day threshold is triggered by the request for the tour, and to require that the request be in writing. A written request ensures a reliable record from which to assess the interval.

Proposed rule 4(c) requires the ILEC to provide a copy of its detailed floor plans or diagrams of any premises where the ILEC claims that physical collocation is not practical directly to the CLEC. This issue is already sufficiently addressed by the *FCC Order on Reconsideration*, which requires that an ILEC allow a CLEC to inspect - but not to receive a copy of - floor plans or diagrams submitted to a state commission, subject to appropriate nondisclosure agreements.⁹ Addressing the subject in the proposed rules would be unnecessary and confusing given the FCC's mandate.

Although proposed rule 4(c) governs the process for Commission review of an ILEC's denial of collocation due to lack of space, it does not include a provision that more than one review would not need to be conducted for each premises that is full. The California Public Utilities Commission adopted such a provision to “avoid a needless waste of resources from multiple, repetitious reviews of the same popular premises, with the same outcome each time”.¹⁰ Verizon proposes additional language to proposed rule 4(c) to avoid unnecessary expenditure of the Commission's resources.

Proposed rule (4)(c)(iv) requires color-coded floor plans. There is no provision, however, in the FCC's orders requiring that floor plans be color-coded. Coded floor plans provide the Commission and CLECs with the "detailed" floor plans required.¹¹ ILECs that do not currently prepare color-coded floor plans should not be required to incur the additional expense to create them.

Proposed rule (4)(c)(viii) requires the ILEC to provide the CLEC with the number of employees employed at a central office and each employees' job title. This language should be revised to require the ILEC to provide only the number of employees who normally utilize the administrative areas of the central office. The CLEC will not be interacting with ILEC employees outside of the administrative areas; thus, providing the CLEC with information concerning other employees employed at a central office is irrelevant. Additionally, there is no apparent reason for CLECs to have the job titles of an ILECs' employees.

Proposed rule (4)(e) is inconsistent with the Advanced Services Order. The Advanced Services Order requires that the ILEC publish a list of all of its central offices in which insufficient space exists to accommodate collocation on a publicly available Internet site, but it does not require the ILEC to provide this list directly to the CLEC. 47 C.F.R. 51.321(h). Also, the publicly available Internet site is to deal only with premises for physical collocation, not virtual collocation.

Proposed rule (4)(f) imposes an inappropriate duty on ILECs to maintain an elaborate waiting list process for when collocation space becomes available in particular central offices, even though such a process is not required by the FCC's rules.¹² The most nondiscriminatory way to offer CLECs space in the ILEC's central offices is on a first-come, first-served basis – as specified in the FCC's

⁹ *FCC Order on Reconsideration* ¶ 62.

¹⁰ D.98-12-068, California Public Utilities Commission, Docket No. R.95-04-043/I.95-04-044 (December 17, 1998) Appendix A at IV.

¹¹ Advanced Services Order ¶ 57.

¹² References to the waiting list also are included in Proposed Rule (4)(e).

orders – based on updates to the publicly available website as noted in the alternative language Verizon provided for proposed rule (4)(e).

PROPOSED CHANGES TO RULE (4)

- (4) Denial of request for collocation. An ILEC may retain appropriate floor space for its own specific future uses, provided, however, that the ILEC may not reserve space for future use on terms more favorable than those that apply to CLECs seeking to reserve collocation space for their own future use. The ILEC will reserve space for its own specific future use based on the following criteria: (1) Floor space for transmission and miscellaneous equipment shall be reserved for up to two years of growth. This would include, but not be limited to, digital cross-connect systems, D4 channel banks, SONET terminals, DWDM equipment, loop treatment equipment, manual cross-connect line-ups, optical system cross-connect/interconnection line-ups; (2) Floor space for continued expansion of the central office switch (end office, tandem, toll, STP) shall be reserved for up to four years of growth unless central office switch growth cannot be accommodated in floor space associated with a future building addition, in which case, floor space is reserved to accommodate the ultimate growth of the central office switch. The ultimate growth of the central office switch is defined as: (a) The maximum terminations/ports (lines and trunks) the central office switch can support, or (b) The number of terminations/ports anticipated at the time switch modernization technology (complete replacement) is planned to be placed in service; (3) Floor space for the following central office areas shall be reserved for the ultimate requirements of the central office building: power room, main distribution frame, cable vault. An ILEC must, upon CLEC request, remove obsolete unused equipment from the central premises to increase the amount of space available for collocation without charge to CLECs. If the ILEC notifies a CLEC that insufficient space exists to accommodate the CLEC's request for collocation, the following procedures apply:
- (a) As part of its notification of lack of space, the ILEC must notify the CLEC if any space is available for collocation and, if so, how much space is available. The ILEC shall also verify that the ILEC cannot reclaim space for collocation by consolidating or removing obsolete unused ~~inactive or underutilized~~ equipment.

The ILEC must permit the CLEC to tour the ILEC premises within fourteen (14) calendar days of the CLEC's written request for such a tour.

- (c) If the CLEC notifies the ILEC that it contests the denial of an order for collocation, the ILEC must within twenty-five (25) calendar days of the notification, file a petition asking the Commission to determine that the space requested by the CLEC is not available. ~~Upon request and execution of an appropriate confidentiality agreement, the ILEC must also provide a copy of the petition to the CLEC.~~ The ILEC must prepare the petition at its sole expense, and the petition must include the following information:-
- i) Central office name and Central Office Common Language Identifier, where applicable;
 - ii) Ordering CLEC, including the amount of space sought by the CLEC;
 - iii) ~~Written inventory of active, inactive, and underutilized equipment, including the signatures of ILEC personnel certifying the accuracy of the information provided;~~
 - iv) ~~Color~~-Coded floor plans that identify the following areas in the central office premises: existing equipment areas, vacant floor space reserved for the ILEC's future use, administrative space, office space work areas, and existing collocation space. The floor plans shall provide spatial dimensions to calculate the square footage for each area. office space work areas, provide spatial dimensions to

calculate the square footage for each area, and locate inactive and underutilized equipment;

- v) Narrative of the central office floor space use;
- vi) Total amount of space occupied by interconnecting collocators for the sole purpose of interconnection;
- vii) Total amount of space occupied by third parties for purposes other than interconnection, and a narrative of the space use;
- viii) The number of central office employees who normally utilize the administrative areas of the central office premises, employed and job titles;
- ix) Description of central office renovation/expansion plans and time frames for completion, if any;
- x) Description of conversion of administrative, maintenance, equipment, and storage space plans and time frames for completion, if any; and
- xi) ~~Description~~ Narrative describing of any internal policies for conversion of administrative, maintenance, equipment, and storage space in central offices.

If the Commission determines that the ILEC's claim is accurate, the ILEC will not be required to again justify subsequent denials of CLEC requests for the same central office space unless or until there are material changes in the premises that produce additional space.

- (e) The ILEC shall maintain a publicly available document, posted for viewing on the ILEC's publicly available Internet site, indicating all premises that are full (i.e. physical collocation is not available). The publicly available Internet site will also list central office premises which were previously out of physical collocation space but can now accommodate physical collocation on a first-come, first-served basis. Each ILEC must maintain a list of all of its central offices in Washington in which insufficient space exists to accommodate one or more types of collocation. The list shall specify which types of collocation are unavailable in each office and whether the Commission has approved the ILEC's denial of collocation in that office. The ILEC must post this list on its publicly accessible website and shall provide a copy of the list to any CLEC upon request. The ILEC must update this list within ten (10) calendar days of (i) denying a CLEC's request for collocation; (ii) the service date of any order from the Commission approving or disapproving such a denial; or (iii) providing notice to CLECs previously denied collocation that space has become available in a central office; or (iv) obtaining knowledge through any other means that space for one or more types of collocation is no longer available or has become available in a particular central office.
- (f) ~~Each ILEC must also maintain for each central office a waiting list of all unfilled orders for collocation space and the date of each order. After the ILEC has announced that one or more types of collocation are space are not available in an office, any CLEC may submit a letter of intent to order collocation space in lieu of a collocation order, and this letter of intent must be included on the waiting list. If space for collocation becomes available in any central office, the ILEC must inform CLECs, in the order in which they ordered collocation, of the availability of that space and must provide each CLEC with thirty (30) calendar days to renew its original collocation order. The ILEC must provision collocation to these CLECs on a first-come, first-served basis according to the dates on which each ordered collocation or submitted a letter of intent to collocate in that central office.~~

CONCLUSION

For the reasons explained in these comments, the Commission should adopt Verizon's revisions to the proposed collocation rules, as set forth above.