

CASE NO. TO-2006-0299
MASTER LIST OF ISSUES BETWEEN CENTURYTEL AND SOCKET
ARTICLE XVII: COLLOCATION

Issue Statement	Issue No.	Sec. Nos.	Socket Language	Socket Preliminary Position	CenturyTel Language	CenturyTel Preliminary Position
Should the Agreement contain an Article addressing Collocation issues?	1	All	See Article XVII: Collocation in its entirety.	Socket is entitled to collocation with CenturyTel under FTA § 251(c)(6). While CenturyTel has a tariff providing some collocation services, the Agreement should address those collocation services to which Socket is entitled that are not addressed in the tariff.	<p>1.1 CenturyTel will provide Collocation for purposes of interconnection or access to UNEs on a nondiscriminatory basis pursuant to the terms and conditions of CenturyTel’s Local Network Access Tariff and applicable law for collocation.</p> <p>1.2 For ICB collocation requests that may not be clearly controlled by CenturyTel’s applicable collocation tariff and where Socket submits a bona fide request for collocation in an eligible structure that is feasible for collocation, the parties mutually agree to negotiate rates, terms and conditions in good faith where collocation is feasible.</p>	<p>While Socket is obviously entitled to collocation under the FTA, its proposed language should be rejected as overreaching and problematic. Its proposal, for example, would, among other things, preclude necessary flexibility and case-by-case addressing unique situations. Because Socket’s proposed language fails to accommodate unique scenarios and would obligate CenturyTel to do more than is required by law, the Commission should reject it in favor of CenturyTel’s proposal.</p> <p>CenturyTel’s proposed language, unlike Socket’s, endeavors to provide a procedure for reviewing bona fide collocation requests in structures that may not be clearly set forth in its existing collocation tariff. This ICB collocation request must be subject to CenturyTel reviewing the applicable structure to ensure that there is enough space, power, technical capabilities and network security so as not to jeopardize Socket’s or CenturyTel’s equipment. However, Socket may seek mediation if there is disagreement with CenturyTel’s decision in regard to allowing this sort of ICB collocation or if Socket disagrees with any proposed rate, term or condition for this ICB collocation. The only requirement before seeking mediation is that CenturyTel be allowed to have 30 calendar day written notice of</p>

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					<p>1.3 Either Party may request mediation facilitated by the MO PSC staff if the parties do not agree that collocation in an eligible structure is feasible or if the parties do not agree about the rates, terms and conditions for ICB collocation in an eligible structure. Thirty calendar days before mediation may be requested, the objecting party shall send written notice of its objection and basis of objection to the other party. The parties shall endeavor to resolve any disagreements in this 30 day period and any interim rates, if applicable, shall be subject to true-up.</p> <p>1.4 An eligible structure that is feasible for collocation is a structure</p>	<p>an objection from Socket. This time period would allow the parties a reasonable period of time to try to negotiate through disagreements and solve problems without involving the MO PSC. At bottom, CenturyTel’s proposed language satisfies its legal obligations while also best serving the parties’ respective interests and the need to preserve network management flexibility in a reasonable manner.</p>

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					<p>that has the necessary space, power, technical capabilities and network security to accommodate Socket’s request and which does not jeopardize the pre-existing equipment in this structure.</p> <p>1.5 Disagreement as to rates, terms and conditions for collocation that is not clearly set forth in CenturyTel’s applicable collocation tariff will not delay the ordering an provisioning of a collocation in an eligible structure that has the necessary space, power, technical capabilities and network security to accommodate the request.</p>	

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