

COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF TELECOMMUNICATIONS AND ENERGY

Investigation by the Department on its own motion,
pursuant to G.L. c. 159, §§ 12 and 16, into the
collocation security policies of Verizon New
England Inc. d/b/a Verizon Massachusetts

DTE 02-8

AFFIDAVIT OF ANTHONY FEA

I, Anthony Fea, being first duly sworn, depose and state as follows:

1. I am the Anthony Fea who testified as a member of AT&T's witness panel on July 11, 2002 in the hearings in this case.
2. I have reviewed an undated affidavit by Lynelle Reney that Verizon submitted to the Department on August 2, 2002. I make this affidavit to respond to erroneous assertions contained in Ms. Reney's affidavit. Specifically, I wish to correct Ms. Reney's suggestion that physical collocation suitable for AT&T's needs was actually available at the time that AT&T requested virtual collocation in one of Verizon's central offices in New England outside of Massachusetts.
3. As Ms. Reney should be aware, AT&T and Verizon often communicate informally with one another regarding actual, physical collocation space availability so as to avoid needless paperwork associated with submitting applications when there is no available space that is suitable for AT&T. When suitable space is not immediately available, Verizon will

sometimes create a “waiting list” and agree to notify AT&T when the space becomes available. Sometimes Verizon follows through with its commitment to let AT&T know; other times, however, it does not.

4. On occasion throughout Verizon’s footprint, due to AT&T’s business imperatives, AT&T cannot wait for Verizon to notify AT&T that suitable physical space is available. For example, if a large customer needs to have service installed quickly, AT&T proceeds with a virtual arrangement to ensure that the customer is not lost to AT&T or inconvenienced. In addition, on occasion, after AT&T submits a virtual collocation application, Verizon notifies AT&T that suitable space has become available, and AT&T nevertheless proceeds with the virtual arrangement. There are several different reasons for AT&T deciding not to start all over with a physical collocation application, one or more of which can apply in any given situation. Usually, it is a time issue: the need to provide service to a customer immediately. However, it could also be the cost that would be incurred to redesign a project from the start or, significantly, Verizon’s inability to guarantee the physical space until a valid collocation application is received. Verizon’s inability to guarantee physical space availability until the application is deemed valid by Verizon could potentially leave AT&T with neither physical nor virtual collocation at the site, thus requiring a third application submission to switch back to the virtual collocation request.

5. Further, even if a central office is listed in Verizon’s records as one which is open to some amount of physical collocation, the space that is available may not be suitable for AT&T’s needs. There may not be sufficient space available, or the support services, such as cooling or power, may not be configured for, or sufficient to meet, the needs of AT&T’s equipment planned for that location.

6. After reading Ms. Reney's affidavit, I again checked AT&T's records regarding the collocation arrangement in question. Based on my review of the records, I can confirm that AT&T had sought physical collocation space and that space suitable for AT&T's requirements was not available. AT&T had requested that it be placed on a waiting list for such space and, in the meantime, applied for virtual collocation space. I reach this conclusion on the basis of an e-mail in our files from Verizon to AT&T advising AT&T that physical collocation space had become available. A redacted copy of that e-mail is attached hereto.

7. I have been unable to locate anyone at AT&T who has a memory of the particular incident. Many of the people who were involved in collocation in the area of the collocation arrangement at issue no longer work for AT&T. I, therefore, have not been able to determine why AT&T did not end up with a physical collocation arrangement. As I noted above, however, there are a number of different reasons, including the possibility that the space that Verizon referenced in the e-mail as becoming available was not suitable for AT&T's needs. It is also possible that the rather unrealistically short turn around time required by Verizon – five days – prevented AT&T from responding. (We don't know, for example, whether the one recipient of that e-mail was on vacation when Verizon sent it.)

8. In conclusion, AT&T's records indicate that AT&T had sought physical collocation space and that suitable space had not been available at the time it was sought. Ms. Reney, therefore, was incorrect when she claimed in her affidavit that my response to Verizon's record request (RR-VZ-ATT-2) was erroneous. I stand by my response to that record request. My statement that the collocation arrangement "was obtained as virtual because no physical was available at the time it was ordered" is entirely accurate.

SIGNED UNDER PAINS AND PENALTIES OF PERJURY, this 15th day of August, 2002.

Anthony Fea