

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of)
)
Frontier Telephone of Rochester, Inc. and)
Frontier Communications of Seneca-Gorham) CCB/CPD File No. 01-07
Inc.'s Petition for Pricing Flexibility for)
Special Access and Dedicated Transport)
Services)

**REPLY COMMENTS OF FRONTIER TELEPHONE OF ROCHESTER, INC.
AND FRONTIER COMMUNICATIONS OF SENECA-GORHAM, INC.**

Pursuant to the Commission's Public Notice (DA 01-73, released March 22, 2001), Frontier Telephone of Rochester, Inc. and Frontier Communications of Seneca-Gorham, Inc. (together "Frontier") file these Reply Comments to the Opposition filed by AT&T Corp. ("AT&T") to Frontier's March 20, 2001 petition for pricing flexibility for special access and dedicated transport services.

At the outset, it should be noted that only AT&T filed Comments. Although AT&T's affiliates were among the carriers included in Frontier's showing of collocators with non-Frontier entrance facilities and transport, AT&T's facilities were only cumulative and not a necessary part of Frontier's showing. Thus AT&T's facilities could be eliminated from the analysis without affecting the result.

AT&T claims (AT&T Opposition at 1-2) that two of its listed collocation facilities do not actually use non-Frontier entrance facilities. In determining wire centers where a collocator uses non-Frontier transport facilities, Frontier used applications for collocation. Attached as Confidential Exhibit 1 are copies of AT&T's collocation applications for the facilities in

question. Each application clearly states that AT&T applied for Frontier to install cable facilities that would enable AT&T to use its own transport facilities.

In addition, Frontier has in the last two weeks physically inspected all of the buildings that all of the collocators in question occupy. Frontier found as follows:

- (a) All of the collocation spaces have been turned over to the collocators;
- (b) With one exception, each collocation space has cable in place capable of being used for non-Frontier transport, and to the best of Frontier's knowledge the cable is actually being so used or is capable of being so used without notification to Frontier;
- (c) The sole exception is one AT&T location at which Frontier has installed conduit for AT&T's use in which AT&T could place non-Frontier transport cable, but AT&T has not yet done so. This location is Frontier's [**CONFIDENTIAL INFORMATION DELETED**] central office, one of the two locations challenged by AT&T; and
- (d) In the other location challenged by AT&T, Frontier has installed cable capable of being used for non-Frontier transport to AT&T's collocation cage. This cable could be used by AT&T for non-Frontier transport at any time. This location is Frontier's [**CONFIDENTIAL INFORMATION DELETED**] central office.

To summarize the facts, AT&T's claim that it is exclusively using Frontier transport in two locations is in error in one location, as is apparent both from AT&T's collocation application and from physical inspection. In the other location, AT&T's collocation application indicates that it will use alternative transport and Frontier has installed conduit for AT&T to use alternative transport, but AT&T has not yet pulled the necessary cable. Thus, AT&T's use of alternative transport is either existent or imminent in all locations. AT&T has therefore failed to show any significant error in Frontier's petition. Moreover, even if all of AT&T's facilities were

set aside, including the collocation(s) undisputed by AT&T, Frontier's relief would be fully established by the facilities of other collocators.

The remainder of AT&T's Opposition objects to the use of MSA-level revenue as the basis of Frontier's relief. AT&T Opposition at 2-4. AT&T's position is a belated attack on the Commission's Pricing Flexibility Order, CC Docket Nos. 96-262, 94-1, 98-157 and CCB/CPD File No. 98-63, Fifth Report and Order and Further Notice of Proposed Rulemaking, 14 FCC Rcd 1222 (1999). Frontier has made precisely the revenue showing required by this order, and AT&T's demand for wire center level data merely rehashes arguments that AT&T has now made and lost at least twice. AT&T's Opposition admits that the Common Carrier Bureau explicitly rejected AT&T's position in the BellSouth pricing flexibility proceeding, *BellSouth Petition for Pricing Flexibility for Special Access and Dedicated Transport Services*, CCB/CPD No. 00-20, DA 00-2793 (released Dec. 15, 2000), ¶¶18-19. Frontier provided precisely the same level of detail as did BellSouth, and should be given the same relief.

AT&T's two objections therefore have no merit. No other carrier or party filed comments. Frontier respectfully submits that it should be granted the pricing flexibility requested in its Petition.

Respectfully submitted,

FRONTIER TELEPHONE OF ROCHESTER, INC. and
FRONTIER COMMUNICATIONS OF SENECA-GORHAM, INC.

By: _____

Gregg C. Sayre
Of Their Attorneys

180 South Clinton Avenue
Rochester, New York 14646-0700
(716) 777-7270 (voice)
(716) 546-7823 (facsimile)

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