



NEWS

News media Information 202 / 418-0500
TTY 202 / 418-2555
Fax-On-Demand 202 / 418-2830
Internet: <http://www.fcc.gov>
<ftp.fcc.gov>

Federal Communications Commission
445 12th Street, S.W.
Washington, D. C. 20554

This is an unofficial announcement of Commission action. Release of the full text of a Commission order constitutes official action. See MCI v. FCC, 515 F 2d 385 (D.C. Circ 1974).

FOR IMMEDIATE RELEASE:
July 12, 2001

NEWS MEDIA CONTACT:
Michael Balmoris 202-418-0253
Email: mbalmori@fcc.gov

CORRECTED

FCC APPROVES RULES DESIGNED TO GIVE NEW ENTRANTS ACCESS TO INCUMBENT LOCAL PHONE COMPANIES' NETWORKS

Commission's Balanced Approach to Collocation Rules to Provide Regulatory Certainty

Washington, D.C. – Today, the Federal Communications Commission (FCC) adopted rules concerning collocation requirements of incumbent local exchange carriers (LECs). Collocation, an arrangement where a competitive carrier leases space for its equipment at an incumbent carrier's premises, and the FCC's collocation-related rules are intended to promote the development and deployment of new technologies and services on a more efficient and expeditious basis.

Today's action balances the interests of all parties by ensuring that competitive carriers have interconnection to incumbent carriers and nondiscriminatory access to unbundled network elements while protecting incumbents' property rights. Following is a summary of the Commission's rulings:

- The Commission concludes that collocating equipment is “*necessary* for interconnection or access to unbundled network elements” if an inability to deploy that equipment would, as a practical, economic, or operational matter, preclude the requesting carrier from obtaining interconnection or access to unbundled network elements.
- The Commission concludes that multifunction equipment meets the above “*necessary*” standard only if the primary purpose and function of the equipment, as the requesting carrier seeks to deploy it, are to provide the requesting carrier with “*equal in quality*” interconnection or “*nondiscriminatory access*” to one or more unbundled network elements. The Commission also finds that any function that would not meet its equipment standard as a stand-alone function must not cause the equipment to significantly increase the burden on the incumbent's property.
- The Commission finds that switching and routing equipment typically meets our equipment standard because an inability to deploy that equipment would, as a practical, economic, or operational matter, preclude a requesting carrier from obtaining nondiscriminatory access to an unbundled network element, the local loop.

As a general matter, an incumbent LEC therefore must allow requesting carriers to collocate switching and routing equipment. An incumbent LEC, however, generally need not allow collocation of traditional circuit switches, which are very large pieces of equipment compared to newer, more advanced switching and routing equipment.

- The Commission eliminates its previous requirement that an incumbent carrier allow competitive carriers to construct and maintain cross-connects outside of their immediate physical collocation space at the incumbent's premises. The Commission, however, finds that an incumbent carrier must provision cross-connects between collocated carriers, and requires an incumbent carrier to provide such cross-connects upon reasonable request.
- The Commission eliminates various physical collocation requirements, such as the requirement that gave requesting carriers the option of picking their physical collocation space from among the unused space in an incumbent carrier's premises. In their place, the Commission establishes principles to ensure that the incumbent carrier's policies and practices in assigning and configuring physical collocation space are consistent with the statutory requirement that the incumbent provide for physical collocation "on rates, terms, and conditions that are just, reasonable, and nondiscriminatory."

In March of 2000, the D.C. Circuit court affirmed many aspects of the Commission's then-existing collocation rules, but the D.C. Circuit court did vacate and remand for further consideration certain aspects of those rules. The Commission sought comment on these issues in August 2000 and today adopted its Order in response to the court remand. Specifically, the D.C. Circuit court vacated the following:

1. **Multifunctional Equipment** – A requirement that an incumbent carrier permit the physical collocation of equipment that provides functionalities in addition to interconnection and access to unbundled network elements.
2. **Collocator to Collocator Connection** – Rules requiring incumbent carriers to permit collocating carriers to connect their equipment with other collocating carriers through cross-connects.
3. **Placement of Collocated Equipment** – Rules that allowed a requesting carrier to select its physical collocation space and prohibited incumbent carriers from requiring requesting carriers to use separate or isolated rooms.

-FCC-

Docket No.: CC 98-147

Action by the Commission July 12, 2001, by Fourth Report and Order (FCC 01-204). Chairman Powell and Commissioners Tristani, and Copps; with Commissioner Martin approving in part, **concurring** in part and issuing a statement; with Commissioner Abernathy not participating.

Common Carrier Bureau Staff Contact: Bill Kehoe 202-418-1580

News about the Federal Communications Commission can also be found on the Commission's web site www.fcc.gov.