# 10. Adjacent Structures
## 10.1 General

| 10.1.1 | Description |
|---|---|
| **A.** | In the event that the Telephone Company has no space available for physical collocation, the CLEC will be permitted to construct or otherwise procure controlled environment vaults (CEVs) or similar structures (adjacent structures) where technically feasible using Telephone Company approved vendors. |

# 10. Adjacent Structures
## 10.2 Responsibility of the Telephone Company

| 10.2.1 | Accommodations |
|---|---|
| **A.** | The Telephone Company will terminate its facilities on a CLEC provided point of termination located within the adjacent structure at a location designated by the CLEC. The CLEC will provide the Telephone Company with 24 x 7 direct access to the point of termination. The Telephone Company reserves the right to inspect the CLEC's structure, and any non conformances must be remedied in accordance with regulations for collocation specified in this tariff. |
| **B.** | The Telephone Company will make available, power and physical collocation support services to the CLEC in the same non-discriminatory manner as it provides to itself for the Telephone Company's own CEVs. |

# 10. Adjacent Structures
## 10.3 Responsibility of the CLEC

| 10.3.1 | Accommodations |
|---|---|
| **A.** | If the CLEC vacates the adjacent structure, the CLEC is responsible for restoring the land to the original condition. |

| 10.3.2 | Federal, State and Local Provisions |
|---|---|
| **A.** | The CLEC is responsible for complying with all zoning requirements, any federal, state or local regulations, ordinances and laws, and obtaining all associated permits. The Telephone Company may, where required, participate in the zoning approval and permit acquisitions. The CLEC may not take any action in establishing an adjacent structure that will force the Telephone Company to violate any zoning requirements or any federal, state or local regulations, ordinances or laws. |

| 10.3.3 | Rights of Way |
|---|---|
| **A.** | The CLEC is responsible for obtaining the right of way from the Telephone Company under the appropriate right of way provisions for the adjacent structure to the Telephone Company serving central office manhole. Granting such right of way will not be unreasonably withheld. |

| 10.3.4 | Safety and Technical Standards |
|---|---|
| **A.** | Any construction by the CLEC on Telephone Company premises must comply with Telephone Company technical specifications as they relate to environmental safety and grounding requirements as set forth in Telephone Company technical specifications and Bellcore documentation. Any protection as it relates to fire, safety, electrical, bonding, grounding and risk hazard is the responsibility of the CLEC. |
| **B.** | In the event the distance limitations are exceeded for digital services, any required signal regeneration will be the responsibility of the CLEC. |

| 10.3.5 | Liability |
|---|---|
| **A.** | The CLEC is responsible for any fines, penalties and expenses for zoning, environmental, safety, sanitation, property infringement, noise, quality of life or property violations or law suits associated with the structure and its associated power and any additional tax assessment levied on the Telephone Company as a result of the adjacent structure. |

# 10. Adjacent Structures
## 10.4 Application of Rates and Charges

| 10.4.1 | Description |
|---|---|
| **A.** | All costs incurred by the Telephone Company associated with the CLEC's deployment of an adjacent structure will be recovered by the Telephone Company on an individual case basis. |
| **1.** | The CLEC is responsible for all expenses incurred by the Telephone Company at the time they occur or for any ongoing expenses that result relating to zoning approval and permit acquisitions. |
| **B.** | Additional nonrecurring and recurring costs which may apply will be determined on an individual case basis. |