

In this issue . . .

page no.

- 2 Features**
 - *Ameritech on schedule with Y2K readiness plan*

- 2 Pending Legislation**
- 4 Public Acts**
- 5 Orders**
- 7 Proposals for Decision**
- 8 Notices of Hearing**
- 9 PSC Hearings**
- 10 Applications and Complaints**
- 12 Opportunities for Comment**
- 12 PSC Meetings**
- 13 MTR Subscription Information**
- 14 Status of Selected PSC Cases**

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<i>Index of cases highlighted</i>	
<u>Orders</u>	
U-11551:	BRE/GTE: interconnection agreement
U-11783:	JAS: license application
U-11815:	Chatham, et al.: TSLRIC studies
U-11817:	Bilan: license application
U-11859:	US Xchange: license
<u>Proposals for Decision</u>	
U-11735:	BRE v Ameritech: breach of interconnection agreement
<u>Notices of Hearing</u>	
U-11854:	G. Rzeppa v GTE: consumer complaint
U-11881:	R. Cochran: consumer complaint
<u>Applications and Complaints</u>	
U-11854:	G. Rzeppa v GTE: consumer complaint
U-11874:	Navigator/Ameritech: interconnection agreement
U-11880:	Bloomington Telco, et al.: interim intrastate toll access rates
U-11881:	R. Cochran: consumer complaint
U-11885:	Qwest: license application

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FEATURES

AMERITECH ON SCHEDULE WITH Y2K READINESS PLAN

Ameritech Michigan has announced that it is on schedule to reach “its ambitious goal of having nearly all its Year 2000 mission-critical systems ready in January 1999, a full year early.” Those systems, designated by Ameritech as “mission-critical” include: network and supporting systems that enable Ameritech to provide its customers with local switched and data telecommunications services (e.g., residence and business telephone lines, PBX trunks, Centrex and ISDN service and dedicated voice and data transport services), cellular and paging services and Ameritech’s cable television service. According to Ameritech’s third quarter report, by the end of September, 90 percent of its central office switches had been evaluated and updated for Year 2000 and 93 percent of the computer code that Ameritech owns was also Year 2000 ready. Other Ameritech Y2K activities include: handling more than 7,000 customer inquiries; mailing thousands of letters, reports and other information regarding its Y2K initiative; proactively contacting customers who had equipment that was not Y2K ready; participating in the Telco Forum, which will conduct more than 2,000 tests to make sure different companies networks are connecting smoothly; and conducting customer seminars in 10 cities within its five-state region, which will continue throughout 1999. Ameritech notes, however, that its Year 2000 readiness plans do not include customer-owned equipment or customer-owned peripheral hardware not provided by Ameritech that may be linked to equipment that Ameritech owns.

* * *

PENDING LEGISLATION

The following is a list of active telecommunications bills that have been introduced during the current legislative session. Copies of bills and public acts referred to in this column may be obtained by contacting your state senator or representative or from the Legislative Service Bureau Document Room at (517) 373-0169.

Bill No. Sponsor	Date Introduced	Description	Status
SR 004 Dunaskiss	01/08/97	Senate resolution to request FCC to authorize Ameritech Michigan to provide interLATA long distance	To Senate Technology & Energy Committee

SB 24 Vaughn	01/28/97	Creates the Michigan Distance Learning Consortium Act	To Senate Education Committee
HB 4128 Dobb	01/28/97	Telecommunications Act - Amends codification statute relating to telecommunications; tie bar w/HB 4126	To House Public Utilities Committee
HB 4132 Dobb	01/28/97	Telecommunications Act - Amends codification statute relating to telecommunications; tie bar w/HB 4126	To House Public Utilities Committee
HB 4509 Dobb	03/13/97	Provides for uncollectible account exemption for telecommunication service	Vetoed by Gov. 12/1/97
SB 641 Byrum	07/01/97	Establishes educational institutional discounts	To Senate Technology & Energy Committee
HB 5283 DeHart	10/15/97	Requires notification of long distance charges to customer using a pay telephone	Passed House 2/17/98; to Senate Technology & Energy Committee
SB 762 Rogers	10/21/97	Requires consent of customer for telephone companies switching local or long distance services	To Senate Technology & Energy Committee
HB 5322 Brater	10/29/97	Requires notification to customers that a regulated service cannot be discontinued for failure to pay charges for a nonregulated service	To House Public Utilities Committee
SB 823 Hoffman	12/02/97	Requires adequate service area for residents' local exchange	To Senate Technology & Energy Committee
HB 5440 Scranton	01/14/98	Prohibits charge for payphone directory assistance calls or residential phone calls for in state out of local calling area directory assistance	To House Public Utilities Committee
SB 1009 Dingell	03/11/98	Emergency Telephone Service Enabling Act--includes wireless emergency telephone service; tie bar w/SB 1010	Sub (S-3) +amendments passed Senate 6/11; to House Judiciary Comm
SB 1010 Van Regenmorter	03/11/98	Emergency Telephone Service Enabling Act--establishes training standards for emergency telephone services; tie bar w/SB 1009	Sub (S-3) +amendments passed Senate 6/11; to House Judiciary Comm

HB 5653 Scranton	03/11/98	Emergency Telephone Service Enabling Act--includes wireless emergency telephone service	To House Public Utilities Committee
HB 5770 Stallworth	04/23/98	Provides for 5-member public utility commission and prohibits more than 3 from same political party	To House Public Utilities Committee
HB 5970 Brater	06/25/98	Prohibits employer monitoring of employee communications without monitoring policy and disclosure Tie bar w/ HB 5971	To House Committee on Labor and Occupational Safety
HB 5971 Hanley	06/25/98	Provides for regulation of employer monitoring of employee communications Tie bar w/ HB 5970	To House Committee on Labor and Occupational Safety
SB 1233 Van Regenmorter	06/30/98	Provides for elimination of exemption for telecommunications providers under the Michigan Antitrust Reform Act	To Senate Comm on Economic Dev., Int'l Trade and Reg. Affairs
HB 5988 Gubow	07/02/98	Telephone; complaint process and interconnection disputes; revise	To House Comm on Public Utilities
SB 1344 Rogers	09/24/98	Prohibits telephone companies from charging for certain services without customer consent	To Senate Comm on Technology & Energy
HB 6207 Dobronski	09/24/98	Prohibits certain telecom providers from billing for services or products unrelated to telecommunications	To House Comm on Public Utilities

PUBLIC ACTS OF 1997

PA No.	Date Effective	Description	Bill Number Sponsor
PA 95	09/23/97	Allows certain rates for Public Service Commission to opt in to the federal telecommunications K-12 program	SB 637 Stille

PA 96	09/23/97	Allows certain rates for Public Service Commission to opt in to the federal telecommunications K-12 program	HB 4997 Schauer
PA 183	12/30/97	Amends lifeline services and provides for the pole attachments of telecommunications systems established by education institutions	SB 788 Dunaskiss

PUBLIC ACTS OF 1998

PA No.	Date Effective	Description	Bill Number Sponsor
PA 234		Requires message to terminate when consumer hangs up telephone for automated tape recorded messages	HB 4694 DeHart
PA 253		Prohibits businesses blocking their telephone number when soliciting a product or service during certain hours	HB 5387 Crissman
PA 259	10/01/98	Requires consent of customer for telephone companies switching local or long distance services	SB 837 tie bar with HB 5280 Rogers
PA 260	10/01/98	Requires customer consent for telephone companies switching local or long distance service	HB 5280 tie bar with SB 837 Dobronski

* * *

ORDERS

Case No. U-11551

**BRE Communications LLC
(petition for arbitration of interconnection agreement
with GTE Systems of Michigan)**

The Michigan Public Service Commission (“Commission”), on January 6, 1999, ordered BRE Communications, L.L.C. (“BRE”) and GTE North Incorporated and Contel of the South, Inc., d/b/a GTE Systems of Michigan (collectively, “GTE”) to submit, by January 16, 1999, a properly executed interconnection agreement that is consistent with prior Commission orders and rendered moot the parties’ request for an extension of time. On January 28, 1998, the Commission issued an order

approving with modification the decision of the arbitration panel concerning the interconnection agreement between the two parties. The parties were instructed to continue negotiations on certain issues for which neither party's position was acceptable. The parties were unsuccessful in reaching a mutually agreeable resolution of some of those issues and requested Commission intervention. On November 5, 1998, the Commission issued an order resolving those remaining issues and directing the parties to file within 30 days an executed interconnection agreement consistent with the order. On December 8, 1998, GTE filed, with BRE's concurrence, a motion for extension of time to file the agreement, stating that it intended to file the agreement on December 17. On that date the Commission received "what purports to be an interconnection agreement", but which "is not properly executed" because the signature page of the document contains the notation that GTE "does not consent to this purported agreement (which does not comply with the Federal Telecommunications Act of 1996) and does not authorize any of its representatives to consent to it." GTE further states, "The signature of a GTE representative has been placed on this document only under the duress of an order of the Michigan Public Service Commission requiring such signature."

Case No. U-11783

**JAS Networks Inc
(license application)**

The Michigan Public Service Commission ("Commission") on January 6, 1999, approved the application of JAS Networks, Inc. ("JAS") for a license to provide basic local exchange service within Ameritech Michigan's Albion, Battle Creek, Jackson, Kalamazoo, Marshall, Otsego, Plainwell, and Vicksburg Exchanges and with GTE North Incorporated's Fruitport and Muskegon Exchanges. JAS is a privately held Michigan corporation located in Linden, Michigan, and claims to possess sufficient technical, financial, and managerial resources and abilities to provide its proposed service.

Case No. U-11815

**Chatham Telephone Company, et al.
(TSLRIC study)**

On January 6, 1998, the Michigan Public Service Commission ("Commission") approved with modifications the total service long run incremental cost ("TSLRIC") studies submitted by Chatham Telephone Company, Communications Corporation of Michigan, Island Telephone Company, Shiawassee Telephone Company, and Wolverine Telephone Company (collectively, the "TDS companies"), all wholly-owned subsidiaries of TDS Telecom, Inc. The TDS companies initially requested approval of just one study. However, in response to comments by the parties, the Commission Staff, Ameritech Michigan, and AT&T Communications Corporation of Michigan, Inc., they "agreed (1) to file an amended application to request approval of a separate TSLRIC study for each of the five companies; (2) to use projected minutes of use in calculating switching costs, to provide notice of the projection they use in their calculations, to show the basis for the projection, and to reflect a proper matching of switching minutes and costs in calculating the cost per minute, (3) to move the cost of vertical features from traffic-sensitive switching costs to port costs, (4) to derive

direct and shared expenses by reducing 1997 costs by 20%, and (5) to use 12-strand fiber cable rather than 16-strand fiber in the TSLRIC studies.” The TDS companies must file with the Commission within 28 days revised TSLRIC studies consistent with this order.

Case No. U-11817

**Bilan Communications Inc
(license application)**

The Michigan Public Service Commission on January 6, 1999, approved the application of Bilan Communications, Inc. (“Bilan”) for a license to provide basic local exchange service on both a resold and facilities basis within the Monroe Exchange, which is currently served by Ameritech Michigan. Bilan is a Michigan corporation and is located in Monroe, Michigan.

Case No. U-11859

**US Xchange of Michigan LLC
(request to hold certification in abeyance)**

On January 6, 1999, the Michigan Public Service Commission approved the application of US Xchange of Michigan, L.L.C., (“US Xchange”) to hold in abeyance its license to provide basic local exchange service within the exchanges currently served by GTE North Incorporated, “until such time as adequate exchange maps and legal descriptions are filed depicting those exchanges, or for two years, whichever occurs first.” US Xchange made the request in order to begin service in the Ameritech Michigan exchanges while it continues the process of obtaining maps and legal descriptions of GTE’s exchanges.

* * *

PROPOSALS FOR DECISION

Case No. U-11735

**BRE Communications LLC, d/b/a Phone Michigan v
Ameritech Michigan
(breach of interconnection agreement)**

On January 7, 1999, Administrative Law Judge James N. Rigas. (“ALJ”) recommended that the Michigan Public Service Commission (“Commission”) issue an order granting the complaint of BRE Communications, L.L.C. (“Phone Michigan”), d/b/a Phone Michigan, against Ameritech Michigan for violations of the Michigan Telecommunications Act. Phone Michigan, a licensed basic local exchange telephone service provider in competition with Ameritech claims that Ameritech “is imposing special construction charges on Phone Michigan for the installation of unbundled loops, in addition to tariffed nonrecurring and recurring charges for unbundled loops, ostensibly on the theory that these charges are supported” by Ameritech’s special construction tariff. Phone Michigan asserts that the interconnection agreement does not provide for the application of this tariff, and even if it did, Ameritech is not applying the tariff to Phone Michigan in the same manner as it is applied to Ameritech’s own retail customers. Phone Michigan asserts that a loop is available as an unbundled

loop, and not subject to special construction charges, if the loop is available for Ameritech to connect that customer if the customer is a retail customer of Ameritech. Further, Phone Michigan “takes the position that a loop is unavailable only where there is a new, unassigned territory where facilities do not exist, and major facilities would have to be built.” Ameritech, however, asserts that since it provides unbundled loops to Phone Michigan under the terms of the interconnection agreement, that this case should be dismissed. Ameritech argues “that a loop is available if the required component parts already exist in a fully connected fashion or if all the required contiguous components exist and are terminated at the appropriate outside plant interfaces so that the components can be readily connected by a simple dispatch of an Ameritech technician.” Ameritech states that it is entitled under the agreement to quote special construction charges in specific situations and that it has applied these charges on 64 orders, comprising only “1.15% of Phone Michigan’s total unbundled loop orders since Phone Michigan commenced operation in June of 1997.”

The ALJ, in his proposal for decision, finds Ameritech’s position “unpersuasive.” He states that the Commission determined in Case No. U-11654 that a loop “is available when an area is served by Ameritech” and states that Ameritech “is allowed to impose special construction charges under circumstances that are the exception rather than the rule.” The ALJ also notes that if Ameritech were allowed to impose the special construction charges, it would be making a double recovery of costs, since these costs are recovered in the monthly recurring and nonrecurring charges for unbundled loops. He concludes that Ameritech has discriminated against Phone Michigan by not treating Phone Michigan as it would itself.

The ALJ recommends that the Commission order Ameritech to cease and desist demanding special construction charges and from requiring Phone Michigan to waive its rights to dispute special construction charges as a condition of providing service. The ALJ also recommends that the Commission impose fines against Ameritech, as proposed by the Commission Staff in the amount of \$130,000 (\$2,000 for each of the 65 cites instances of improper application of Ameritech’s special construction tariff), and recommends that the Commission award reasonable attorney fees and costs. However, although Phone Michigan requested reimbursement for its economic loss for customers lost due to the imposition of the special construction charges, the ALJ finds that Phone Michigan failed to establish the value of the loss of the 15 customers allegedly lost.

* * *

NOTICES OF HEARING

Case No. U-11854

**Gerry Rzeppa v GTE North Incorporated
(consumer complaint)**

A public hearing in the matter of the complaint of Gerry Rzeppa against GTE North Incorporated will be held on January 21, 1999, at 9:00 a.m., in the offices of the Michigan Public

Service Commission, 6545 Mercantile Way, Lansing, Michigan. (See also Applications and Complaints, this issue).

Case No. U-11854

**Qwest Communications Corporation
(license application)**

A prehearing conference in the matter of the application of Qwest Communications Corporation for a license to provide basic local exchange service on a resold and facilities-basis throughout the state of Michigan in areas currently served by Ameritech Michigan and GTE North Incorporated will be held on January 19, 1999, at 9:00 a.m., in the offices of the Michigan Public Service Commission, 6545 Mercantile Way, Lansing, Michigan. Petitions to intervene are due on January 14, 1998. (See also Applications and Complaints, this issue).

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PSC HEARINGS

Hearings Scheduled for Last Week (week ending January 1, 1998)
Dec. 30, 1998, 9:00 a.m. Case No. U-11873 CoreComm Michigan (license application) Prehearing conference

Hearings Scheduled for This Week (week ending January 8, 1999)
Jan. 7, 1999, 9:00 a.m. Case No. U-11872 Allegiance Telecom of Michigan Inc (license application) Prehearing conference

Future Hearings Scheduled
Jan. 19, 1999, 9:00 a.m. Case No. U-11885 Qwest Communications Corporation (license application) Prehearing conference
Jan. 21, 1999 Case No. U-11757 Commission's Own Motion (procedures to prohibit slamming) Cross-exam

Future Hearings Scheduled <i>(continued)</i>
Jan. 21, 1999, 9:00 a.m. Case No. U-11854 Gerry Rzeppa v GTE North Incorporated (consumer complaint) Public hearing

APPLICATIONS AND COMPLAINTS

Case No. U-11851

**Gerry Rzeppa v GTE North Inc
(consumer complaint)**

Gerry Rzeppa (“Complainant”), of Omer, Michigan, on December 23, 1998, filed a complaint against GTE North, Inc. (“GTE”) with the Michigan Public Service Commission (“Commission”) alleging that GTE insists on charging him approximately \$5,000 to connect his phone service, and refuses to allow him to take service from Century Telephone who would connect his service at no charge. Complainant is requesting that the Commission “force” GTE to allow him to take service from Century. (See also Notices of Hearing, this issue).

Case No. U-11874

**Navigator Telecommunications LLC and
Ameritech Michigan
(interconnection agreement)**

On December 23, 1998, Navigator Telecommunications, L.L.C. and Ameritech Michigan (collectively, “Applicants”) filed a joint application with the Michigan Public Service Commission (“Commission”) for approval of an interconnection agreement (“Agreement”) dated as of June 18, 1998. Navigator, an Arkansas limited liability company with offices located in Little Rock, was granted a license in November 1998 to provide basic local exchange service in the areas of the state served by Ameritech Michigan and GTE. The Agreement has a three-year term and establishes comprehensive financial and operational terms for the following: the physical interconnection between the Applicants’ networks; mutual and reciprocal compensation for exchange of traffic originated on their respective networks, unbundled access to Ameritech Michigan network elements; physical collocation; number portability; resale, access to databases; and a variety of other business relationships. Applicants submit that the Agreement is consistent with the public interest and is not discriminatory.

Case No. U-11880

Bloomington Telephone Co, et al.

(Interim intrastate toll access rates)

On January 4, 1999, Bloomingdale Telephone Company, Carr Telephone Company, Hiawatha Telephone Company, Midway Telephone Company, Ogden Telephone Company, Ontonagon County Telephone Company, Peninsula Telephone Company, Upper Peninsula Telephone Company, Waldron Telephone Company, and Westphalia Telephone Company (collectively, "Telcos") filed an application with the Michigan Public Service Commission ("Commission") for certain determinations regarding their proposal to implement interim intrastate toll access rates. The Telcos, all Michigan corporations with offices located in various locations in Michigan, submit that in addition to basic local exchange service, they provide toll access service to the public in rural, insular and high-cost service areas. The Telcos state that they have proposed, pursuant to Section 310 of the Michigan Telecommunications Act ("MTA"), revised rates for intrastate toll access service, but seek Commission pre-approval of the proposed rates because (i) issues of 'first impression' are presented regarding the interpretation of Section 310; and (ii) the Telcos desire to avoid potential post-implementation disputes with the purchasers of their access service." The Telcos represent that implementation of their Access Rate Proposal is necessary in light of: 1) the new toll access cost recovery mechanisms authorized by the FCC, effective Jan. 1, 1998, 2) the Jan. 1, 1999 dissolution of the Michigan Exchange Carriers Association access pool; and, 3) the lack of a Michigan universal service fund. The Telcos state that "on average", the Access Rate Proposal will generate approximately \$9.00 additional revenues per month per access line for the Telcos. If the new rates are not implemented, the Telcos indicate that their local exchange customers will be required to pay significantly higher monthly rates for local exchange service. In the event that the Commission finds that the Access Rate Proposal is not lawful, the Telcos have also submitted an alternative proposal, which would implement a new "Intrastate Access Support Service" charge to "apply to both originating and terminating intrastate minutes of use. This new intrastate toll access rate would "reflect the cost of a new element of intrastate access service, namely the provisioning of access in rural, insular and high-cost service areas" in Michigan.

Case No. U-11881

**Raymond Cochran v
AT&T Communications of Michigan and Ameritech Michigan
(consumer complaint)**

On December 18, 1998, Raymond Cochran ("Complainant") filed complaint with the Michigan Public Service Commission ("Commission") alleging that either AT&T Communications of Michigan, Inc. ("AT&T") or Ameritech Michigan, or both, are responsible for publishing his unpublished number and address in the "October 1998-1999 Ameritech Pages Plus Telephone Directory, Farmington/Farmington Hills Neighborhood Metropolitan Detroit", and have thus violated Sections 502 and 503 of the Michigan Telecommunication Act ("MTA"). Complainant states that he currently takes local service from AT&T, but that he has requested and paid for unpublished service since 1991, even when a customer of Ameritech Michigan. He asserts that the "wrongful and unlawful" publication of his phone number and address has violated his right to privacy, brought "unwarranted danger" to his family's lives and livelihood, "and has utterly destroyed their previously enjoyed safety and solitude of a private residence unknown to the general public." Further, Complainant alleges that his phone number and address were published in the directories and over the Internet "for commercial gain, and to solicit business." Complainant requests that the Commission award damages in a sufficient amount to reestablish the privacy and security of his family, pursuant to Section 601 of the

MTA, and asks to be reimbursed \$52,000 for his moving expenses and the loss of his home equity. He also requests to “be awarded additional damages in the amount of \$1,000 per day, for each day that the directories bearing his name, unlisted telephone number, and home address are outstanding in the metropolitan-area public community.”

Case No. U-11885

**Qwest Communications Corporation
(license application)**

Qwest Communication Corporation (“Qwest”), on January 4, 1999, filed an application with the Michigan Public Service Commission for a license to provide basic local exchange service on both a resale and facilities basis throughout Michigan in the exchanges currently serviced by Ameritech Michigan and GTE North, Inc. Qwest is a Delaware corporation headquartered in Arlington, Virginia, and purports to have the requisite managerial, financial, and technical resources and abilities to provide the proposed services. Qwest states that in addition to providing telecommunications services, it also constructs and installs fiber optic communications systems for other communications companies. Qwest anticipates the completion this year of a fiber optic network which will cover in excess of 16,285 domestic routes miles and connect more than 125 cities. (See also Notices of Hearing, **MTR**, this issue).

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NOTICES OF OPPORTUNITY TO COMMENT

No Notices of Opportunity to Comment has been issued by the Commission during the two-week period ending January 8, 1999.

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SCHEDULED PSC MEETINGS

January 19, 1999	Tuesday	4:00 p.m.
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SUBSCRIPTION INFORMATION

Michigan Telecommunications Report, Vol. 15, No. 1, January 8, 1999

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STATUS OF SELECTED TELECOMMUNICATIONS CASES BEFORE MICHIGAN PUBLIC SERVICE COMMISSION

Case No.	MPSC or Utility	Description	Application or Complaint	Hearing	Briefs or Comments	Reply Brief or Comments	ALJ or Staff Report	Report or Order	Request for Rehearing or Appeal
U-11743	MCI	Complaint v Ameritech: access service	8/18	●	●	●	●		
U-11755	Mid-American	Application: license to provide basic local exchange service	8/19	●				11/18	
U-11756	MPTA	Complaint v Ameritech: payphone rates and services	8/10	●	12/9	12/23			
U-11757	Commission	Procedures to prohibit slamming (Public Acts 259 & 260)	8/20	1/21 x-exam	2/12	3/5			
U-11759	AT&T	Complaint v GTE: access charges	8/13	12/17 x-exam	12/29	1/5			
U-11783	JAS	Application: license to provide basic local exchange service	9/28	12/15 x-exam	1/6	1/18		●	
U-11810	CallUP	Application: license to provide basic local exchange service	10/6	1/5 x-exam	1/19	1/26			
U-11815	TDS	Application: for TSLRIC study	10/8					●	
U-11817	BILAN	Application: license to provide basic local exchange service	10/12	12/14 x-exam	1/20	1/27		●	
U-11821	Bierman	Complaint v CenturyTel re toll charges	10/16	1/19 x-exam	2/2	2/16			
U-11825	NEXTLINK	Complaint v Ameritech: reciprocal compensation	10/29	12/3					
U-11828	Lucre	Application: license to provide basic local exchange service	11/4	1/26 x-exam	2/18	2/25			
U-11830	Ameritech	Proposal on performance measurements	11/2						
U-11831	MPSC	Review of Ameritech's January 1999 biennial cost study	11/5	2/4 x-exam					
U-11832	MPSC	Review of GTE North's January 1999 biennial cost study	11/5	2/4 x-exam					
U-11838	LDM	Application: licenses to provide basic local exchange service	11/6	1/28 x-exam	2/11	2/18			
U-11839	NEXTLINK	Petition: arbitration of interconnection agreement w/Ameritech	11/6	12/17 x-exam					
U-11840	Prein & Newhof	Complaint v Business Discount Plan: slamming	11/10						
U-11841	Accelerated Connections	Joint Application: interconnection agreement w/Ameritech	11/12						

U-11845	Pigeon Telco	Application: rate restructuring	11/24						
U-11848	Navigator	Application: license to provide basic local exchange service	11/20	2/8 x-exam	2/28	3/8			
U-11850	Ameritech	Notice: rate increase	11/16						
U-11851	Ameritech & GTE North	Joint application: boundary alterations	11/25						
U-11855	NOS	Application: to provider basic local exchange service	12/3	12/21					
U-11857	Ameritech & GTE North	Joint application: boundary alteration	12/2						
U-11859	US Xchange	Application: to hold certification in abeyance	12/4					●	
U-11872	Allegiance	Application: license to provide basic local exchange service	12/21	1/7					
U-11873	CoreComm	Application: license to provide basic local exchange service	12/18	12/30					
U-11880	Bloomingdale Telco, et al.	Joint application: interim intrastate toll access rates	1/4						
U-11874	Navigator	Joint application: interconnection agreement w/Ameritech	12/23						
U-11885	Qwest	Application: license to provide basic local exchange service	1/4						