

# MICHIGAN TELECOMMUNICATIONS REPORT™

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## MICHIGAN TELECOMMUNICATIONS

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## FEATURES

### **MPSC ORDERS AMERITECH TO PROCESS COMPETITOR'S ORDERS: CHASTISES BOTH PARTIES**

The Michigan Public Service Commission has publicly chastised both MCImetro Access Transmission Services, Inc. and Ameritech Michigan and noted that “[t]hose responsible for the wasteful posturing that occurred in this matter would be well advised not to repeat such activity in the future.” In resolving a complaint filed last July 6 by MCIMetro involving a dispute in a provision of the interconnection agreement between MCImetro and Ameritech, the Commission ventured that both parties spent more time constructing “elaborate arguments” than they expended in good faith negotiations. In its January 3, 2000 order which requires Ameritech to immediately begin processing faxed telephone service change orders submitted by MCImetro, the Commission said that both parties “should be embarrassed by their conduct” and that both sides exhibited “the type of brinkmanship normally expected of playground bullies at an elementary school. “Such conduct”, observed the Commission, “is not only unprofessional in the ordinary course of business, but also is inconsistent with Section 28.3 of the interconnection agreement, which requires the parties to act in good faith in their effort to resolve disputes. It is quite evident that the parties could have easily resolved this dispute by themselves. That they chose to litigate rather than to negotiate a settlement is alarming, but not surprising.” The Commission warned the parties that it has “ample authority under the Michigan Telecommunications Act to craft sanctions in the event that either Ameritech Michigan or MCImetro, or both, decide to use the Commission’s scarce resources for the purpose of resolving a trivial dispute that could have easily been resolved had the parties only acted in good faith.” (See also Orders, Case No. U-12035, this issue).

\* \* \*

### **AMERITECH MICHIGAN FILES COMPLAINT IN FEDERAL DISTRICT COURT AGAINST COMMISSIONERS AND AIRTOUCH CELLULAR CONCERNING INTERCONNECTION AGREEMENT**

On January 4, 2000, Ameritech Michigan filed a Complaint in the United States District Court for the Eastern District of Michigan (Civil Action No. 00-70034) against the Commissioners of the Michigan Public Service Commission (in their official capacities) and AirTouch Cellular, Inc., requesting declaratory, injunctive and other relief relating to an Interconnection Agreement with AirTouch Cellular, Inc. The Agreement had been the subject of proceedings before an arbitration

panel and the Michigan Public Service Commission. In acting with regard to the Agreement, the Commission had ruled against Ameritech Michigan with regard to all of the open issues which were the subject of the arbitration. These issues include reciprocal compensation rates for switching, and rates for signaling, access services and entrance facilities, as well as Ameritech's request that AirTouch Cellular be required to construct direct trunking facilities under certain circumstances and that netting not be permitted under the Interconnection Agreement, both of which requests were rejected by the Commission. Ameritech has asked the federal court to declare that certain provisions of the Interconnection Agreement, as approved by the Commission, violate the federal Telecommunications Act of 1996, enjoin the enforcement of those provisions, and direct that the Interconnection Agreement be rewritten to include other contract language. Previously, Ameritech had filed three appeals with the Michigan Court of Appeals regarding the Commission's actions in connection with the Interconnection Agreement with AirTouch Cellular.

\* \* \*

### **MCTPA NOTES AMERITECH'S POOR RECORD FOR MEETING COMMITMENTS**

The Michigan Competitive Telecommunications Providers Association ("MCTPA") issued a press release in December 1999 which emphasized a recent Federal Communications Commission report ranking Ameritech Michigan in last place among all the local Bell telephone companies for meeting commitments to link competitors' networks with its own network. MCTPA states that according to the report, "Ameritech installed lines on time only 38.4 percent of the time and took on average 53 days to complete installation. Compare this to BellSouth . . . who installed lines on time 98.3 percent of the time, taking on average 24.6 days. All other companies completed installation more than 73 percent of the time, and in less than 39 days." MCTPA points out that Ameritech's percentage of meeting installation commitments has decreased greatly over the last few years. In 1996, Ameritech met 61.1 percent of its installation commitments, in 1997 it met 51.5 percent and in 1998, it met only 38.4 percent. Ameritech's record for making timely repairs also fell short: Ameritech's average time was 21.9 hours compared to BellSouth's average time of only 2.2 hours. Richard McLellan, Chair of the MCTPA, says, "Ameritech provides inadequate service to its customers and to those telephone service providers that must use the monopoly's infrastructure to compete. Rewriting Michigan's Telecommunications Act will bring relief to those companies that are trying to compete in our state, while improving the reliability that customers expect from the telephone providers."

\* \* \*

**PUBLIC ACTS OF 1999/2000**

Public Act #	Effective Date	Description	Bill Number and Sponsor
PA 31 (immediate effect)	05/28/99	Amends Section 316 of the Michigan Telecommunications Act (1991 PA 179, as amended by 1997 PA 183) by repealing the June 1, 1999 sunset on lifeline services	Enrolled HB 4418 Gilbert II (R-Algonac)
PA 32 (immediate effect)	08/01/99	Provides for increased penalties for use of Internet to commit or attempt certain crimes against minors	Enrolled SB 7 Rogers (R-26, Brighton)
PA 33 (immediate effect)	08/01/99	Prohibits sexually explicit material furnished to children over the Internet	Enrolled SB 117 Hammerstrom (R-17, Temperance)
PA 37 (immediate effect)	08/01/99	Provides for restricting certain Internet access to persons under 18 years of age	Enrolled HB 4191 Cassis (R-38, Novi)
PA 39 (immediate effect)	08/01/99	Includes in sentencing guidelines, felony of using the Internet to commit or attempt to commit certain crimes against minors	Enrolled HB 4345; Tie-barred with SB 7 (PA 32) Howell (R-94, St. Charles)
PA 78 (immediate effect)	06/28/99	Emergency Telephone Service Enabling Act; includes wireless emergency telephone service	Enrolled HB 4658; Tie-barred with HB 4659, SB 492, SB 493. Scranton (R-66, Brighton)
PA 79 (immediate effect)	06/28/99	Emergency Telephone Service Enabling Act; authorizes and regulates membership in a 9-1-1 emergency service district	Enrolled HB 4659; Tie-barred with HB 4658, SB 492, SB 493. Middaugh (R-80, Paw Paw)
PA 80 (immediate effect)	06/28/99	Emergency Telephone Service Enabling Act; Establishes training standards for emergency telephone services	Enrolled SB 492; Tie-barred with HB 4658, HB 4659, SB 493. Van Regenmorter (R-22, Hudsonville)
PA 81 (immediate effect)	06/28/99	Emergency Telephone Service Enabling Act; Includes wireless emergency telephone service	Enrolled SB 493; Tie-barred with HB 4658, HB 4659, SB 492. Goschka (R-33, Brant)

## 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, on the Michigan Legislature Web site, <<http://www.michiganlegislature.org/>> or from the Legislative Service Bureau Document Room at (517) 373-0169.

<b>Senate Bill # Senator</b>	<b>Date Introduced</b>	<b>Description</b>	<b>Status</b>
SB 6 Rogers	01/13/99	Prohibits telecommunications providers from charging for certain services without customers' consent; adds section 507 MTA	To Senate Committee on Technology/Energy
SB 121 Steil	01/27/99	Regulates certain commercial sales solicitations made by telephone and provides for the Attorney General to maintain a "do not call" list	To Senate Committee on Technology/Energy
SB 167 Hart	01/28/99	Provides for increased penalties for use of Internet to commit or attempt certain crimes against minors	To Senate Committee on Judiciary
SB 184 Byrum	02/02/99	Prohibits telephone companies from charging for certain services without customer consent	To Senate Committee on Judiciary
SB 286 Van Regenmorter	02/09/99	Eliminates the exemption for telecommunications providers under the Michigan antitrust reform act	To Senate Committee on Technology/Energy
SB 667 Dunaskiss	06/17/99	Provides equal access to broadband Internet access and provides for penalties	To Senate Committee on Technology/Energy
SB 886 Hammerstrom	11/10/99	Clarifies MPSC authority to investigate and create a state universal service fund	To Senate Committee on Technology/Energy

<b>House Bill # Representative</b>	<b>Date Introduced</b>	<b>Description</b>	<b>Status</b>
HB 4171 Bogardus	02/09/99	Establishes the Internet privacy act	To House Committee on Energy/Technology
HB 4250 DeHart	02/11/99	Allows means for consumers, upon request, to stop receiving junk telephone calls	To House Committee on Energy/Technology

HB 4252 DeHart	02/11/99	Requires the notification of long distance charges to customers using pay telephones	To House Committee on Energy/Technology
HB 4255 Brater	02/11/99	Prohibits employer monitoring of employee communications unless employer establishes an employee policy and discloses that policy to employees	To House Committee on Employment Relations, Training and Safety
HB 4376 Vear	03/04/99	Implements requirement for oversight of primary interexchange carrier charges	To House Committee on Energy/Technology
HB 4385 Sanborn	03/09/99	Amends definition of "end user" in sec. 505 of MTA to prohibit the unauthorized switching of a business as well as a residential retail subscriber's long distance carrier	To House Committee on Energy/Technology
HB 4406 Mortimer	03/10/99	Authorizes the transmission, receipt, and storage of information and signatures by electronic means	To House Committee on Insurance and Financial Services
HB 4506 Brewer	04/20/99	Provides for penalties for certain unauthorized revisions to residential telephone customers' services	To House Committee on Energy/Technology
HB 4562 Stallworth	04/22/99	Provides for a 5-member public service commission and prohibits more than 3 members from same political party	To House Committee on Energy/Technology
HB 4804 Shulman	06/17/99	Recodification of Michigan Telecommunications Act	To House Committee on Energy/Technology
HB 4948 Lemmons	10/05/99	Revises allowable charge for operator or toll service	To House Committee on Energy/Technology
HB 5116 Middaugh	11/09/99	Provides for a universal service fund	To House Committee on Energy/Technology
HB 5117 Middaugh	11/09/99	Clarifies MPSC's authority to investigate and create a state universal service fund and extends the deadline for carriers to restructure rates and implement restructured rates	To House Committee on Energy/Technology

## ORDERS

*Orders issued at a Special Commission meeting held January 3, 2000.*

**Case No. U-12035**

**MCImetro Access Transmission Services Inc v  
Ameritech Michigan  
(interconnection: resale services)**

On January 3, 2000, the Michigan Public Service Commission ordered Ameritech Michigan to process faxed move, add, change, and disconnect (MACD) service orders submitted by MCImetro Access Transmission Services, Inc. ("MWCOCM"), but chastised both companies for "allow[ing] corporate bravado to eclipse their duty to serve the public." On July 6, 1999, MWCOCM filed a complaint alleging that Ameritech was refusing to accept faxed MACDs orders which allow MWCOCM's resale customers to change the setup of their accounts with MWCOCM. MWCOCM asserted that faxed MACDs are allowed under Ameritech's Michigan tariff, under the interconnection agreement between the two companies, and under state and federal law. Further, MWCOCM states that Ameritech allows other carriers to fax MACDs, including MWCOCM's affiliate, WorldCom Technologies, Inc. (f/k/a MFS Intelenet of Michigan, Inc.).

The Commission finds that the parties' interconnection agreement specifically provides that both companies are required to use an electronic interface for the submission and receipt of service orders and that other sections imposing general nondiscriminatory obligations on Ameritech, such as a reference to Ameritech's resale tariff, have "no bearing on how MACD orders are to be submitted . . . ." The Commission also notes that it cannot be overlooked that during the arbitration of the interconnection agreement, MWCOCM "argued that manual access arrangements were simply not compatible with its needs as a new entrant" and that this dispute arises primarily because MWCOCM made a business decision not to purchase the Y2K compliant electronic interface upgrade that Ameritech Michigan has installed. However, the Commission finds that "the manual ordering provisions contained in Ameritech's [tariff] are not barred by the interconnection agreement and are available to MWCOCM under the circumstances presented in this complaint", especially since those provisions "will not substantially affect Ameritech Michigan's operations." The Commission notes that the interconnection agreement already requires Ameritech to receive faxed orders on an interim and backup basis and that Ameritech "routinely accepts faxed orders from other providers." The Commission rejected MWCOCM's request that Ameritech be ordered to write a letter of apology to MWCOCM's customers and found its request to require Ameritech to track and report on delays in the processing faxed MACD orders "premature." The Commission also denied MWCOCM request that Ameritech Michigan be fined and ordered to compensate MWCOCM for all of its costs and attorney fees. (See also, Features, page two, this issue).

On January 3, 2000, the Michigan Public Service Commission (“Commission”) rejected the total service long run incremental cost (“TSLRIC”) study submitted by Upper Peninsula Telephone Company (“Upper Peninsula”) finding that “the study raises more questions than it answers” . . . and “does not provide a reasonable means of evaluating Upper Peninsula’s costs.” The Commission states that “additional efforts are necessary on Upper Peninsula’s part to clarify its methodologies, justify seemingly excessive cost assumptions, and make appropriate modifications to comply with the TSLRIC standards set forth in the Michigan Telecommunications Act . . . as explained and applied in prior Commission orders.” The Commission suggested that “. . . it may be helpful for Upper Peninsula, the [Commission] Staff, and other interested persons to attempt to work out their differences and reach common understandings regarding a cost study before Upper Peninsula files another application.” Upper Peninsula had previously relied on a cost study prepared by GTE North Incorporated.

\* \* \*

**PROPOSALS FOR DECISION**

On December 27, 1999, Administrative Law Judge Daniel E. Nickerson, Jr. (“ALJ”) found that Michael and Jeanette Geno (“Complainants”), of Port Huron, “did not present evidence” to support any of their allegations against Ameritech Michigan, including violating the Michigan Telecommunications Act by failing to respond and assist in the crisis of loss of service, committing billing errors, refusing to remove discriminatory barriers, and allowing their long distance service to be slammed. The ALJ recommended that the Michigan Public Service Commission dismiss the Complaint in its entirety and reject Complainants’ request for fines and penalties.

On January 7, 2000, Administrative Law Judge Daniel E. Nickerson, Jr. (“ALJ”) issued a proposal for decision recommending that the Michigan Public Service Commission grant the request of Coast to Coast Telecommunications, Inc. (“Coast”) for reciprocal compensation and permit GTE North Incorporated and Contel of the South, d/b/a GTE Systems of Michigan (collectively, “GTE”) to separately challenge the reciprocal compensation rate for ISP-bound traffic. On August 18, 1999, Coast filed a complaint against GTE seeking resolution of a dispute regarding compensation for local

traffic termination (reciprocal compensation) for the period of March 9, 1999 to the present. GTE filed a motion to dismiss the complaint. Coast stated that although it did not have an interconnection agreement with GTE, prior Commission orders have upheld provisions of the Michigan Telecommunications Act (“MTA”) which permit interconnection via tariffs. Coast argued that it is irrelevant whether Coast has ever attempted to negotiate an interconnection agreement with GTE . The singular fact that over 7.9 million minutes of local telephone traffic were terminated provides sufficient evidence that the technical arrangements required for interconnection are functional. Further, Coast argued that Section 359 of the MTA specifically provides for the setting of rates for reciprocal compensation for the termination of local traffic. GTE argues that since virtually all the traffic consisted of ISP-bound traffic the Commission lacks jurisdiction pursuant to the Federal Communications Commission ruling that such ISP-bound traffic is interstate not intrastate. GTE asserts that the Commission only has authority when the Commission is construing written interconnection agreements or when arbitrating agreements. The ALJ agrees with the position set forth by Coast. He notes that GTE has already filed tariffs for local interconnection service and has indicated that it would provide service according to those tariffs if so ordered. The Commission has recognized that interconnection may be by tariff and has previously ordered reciprocal compensation for calls to ISP-bound traffic served by other LECs where interconnections are in place. The fact that in this case there is no interconnection agreement “in no way changes its position that GTE is responsible for paying reciprocal compensation.” The ALJ, however, finds that GTE should be permitted to separately challenge the issue of the level of reciprocal compensation accessed by Coast. Coast relies on the initial rate of \$0.015 for its reciprocal compensation charge to GTE which it claims is permitted by the MTA, set by the Commission in 1995 and set forth in its Tariff MPSC 1R. The ALJ, however, agrees with GTE that the rate of \$0.15 creates an “unfair, non-competitive environment inconsistent with the MTA, that GTE would lose money on the ISP-bound traffic at that rate, and that Coast would in effect receive a windfall. The ALJ observes that “the growing presence of ISP-bound traffic and its characteristics present unforeseen consequences which were not and could not have been envisioned in the Commission proceeding in 1995.”

\* \* \*

### **NOTICES OF HEARING**

**Note:** All the following hearings will be held in the offices of the Michigan Public Service Commission, 6545 Mercantile Way, Suite 7, Lansing.

**Case No. U-12216**

**Mitch Stevenson v  
Long Distance Savings  
(slamming)**

On November 22, 1999, Mitch Stevenson filed a formal complaint against Long Distance

Savings alleging that his telephone service had been “slammed.” A public hearing in this matter will be held at 9:00 a.m. on January 5, 2000.

**Case No. U-12242                      Alzheimers Association Northwest v Communications Billing  
(slamming)**

On December 2, 1999, Chris Weaner, Executive Director of Alzheimers Association Northwest, filed a formal complaint against Communications Billing alleging that its telephone service had been “slammed.” A public hearing in this matter will be held at 9:00 a.m. on January 13, 2000.

**Case No. U-12245                      Sheree Pratt v Sprint Communications  
(consumer complaint)**

On December 15, 1999, Sheree Pratt filed a formal complaint against Sprint Communications alleging that Sprint’s business practices were deceptive and fraudulent. A public hearing in this matter will be held at 9:00 a.m. on January 12, 2000.

**Case No. U-12219                      Land and Lake Maintenance Inc, d/b/a Crystal Water Works v  
Long Distance Savings  
(slamming)**

On November 30, 1999, Land and Lake Maintenance, Inc., d/b/a Crystal Water Works, filed a formal complaint against Long Distance Savings alleging that its telephone service had been “slammed.” A public hearing in this matter will be held at 9:00 a.m. on January 5, 2000.

**Case No. U-12253                      BroadBand Office Communications Inc  
(license)**

The December 22, 1999 application of BroadBand Office Communications, Inc. for a license to provide basic local exchange telecommunications services throughout the state of Michigan in the zones and exchanges of Ameritech Michigan, GTE North Incorporated and GTE Systems is set for a prehearing conference at 9:00 a.m. on January 10, 2000. Interventions are due on January 6, 2000.

**Case No. U-12254                      CTSI Inc  
(license)**

The December 22, 1999 application of CTSI, Inc. for a license to provide basic local exchange telecommunications services throughout the state of Michigan in the zones and exchanges of Ameritech Michigan, GTE North Incorporated and GTE Systems is set for a prehearing conference at 9:30 a.m. on January 10, 2000. Interventions are due on January 6, 2000.

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## PSC HEARINGS

### Hearings Scheduled for Last Week (ending December 31, 1999)

*No hearings were scheduled.*

### Hearings Scheduled for This Week (ending January 7, 2000)

January 4, 2000, 9:00 a.m.  
Case No. U-12180/cross-exam  
ACD Telecom (license)

January 5, 2000, 9:00 a.m.  
Case No. U-12216/public hearing  
Stevenson v Long Distance Savings (slamming)

January 5, 2000, 9:00 a.m.  
Case No. U-12219/public hearing  
Land and Lake Maintenance (slamming)

January 6, 2000, 10:00 a.m.  
Case No. U-12239/prehearing conference  
CF<sup>2</sup> (license)

January 6, 2000, 9:00 a.m.  
Case No. U-12165/cross-exam  
PaeTec Communications (license)

### Future Hearings Scheduled

*The Michigan Public Service Commission hearings listed below are subject to cancellation. Interested persons should confirm with the Commission all hearing information on the day before the hearing. Additional hearings not listed here may also be scheduled.*

January 10, 2000, 9:00 a.m.  
Case No. U-12253/prehearing conference  
BroadBand Communications (license)

January 10, 2000, 9:30 a.m.  
Case No. U-12254/prehearing conference  
CTSI (license)

January 12, 2000, 9:00 a.m./public hearing  
Case No. U-12245/public hearing  
Sheree Pratt v Sprint Comm. (consumer complaint)

January 13, 2000, 9:00 a.m.  
Case No. U-12242/public hearing  
Alzheimers Association Northwest (slamming)

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## APPLICATIONS AND COMPLAINTS

**Case No. U-12211**

**Ameritech Michigan  
(emergency number service access rates)**

On December 27, 1999, Ameritech Michigan notified the Michigan Public Service Commission that it was voluntarily withdrawing its November 23, 1999 application and stated, "Following reformation of its cost studies for Ameritech Michigan's Emergency Number Service Access (ENSA) and Wireless Emergency Number Service Access (WENSA) services, consistent with the Commission's November 16, 1999 and December 16, 1999 Orders in Case No. U-11831, Ameritech Michigan intends to refile an application for approval of TSLRIC-based rates for ENSA and WENSA service on or before February 1, 2000."

**Case No. U-12226**

**Jato Communications Corporation and Ameritech Michigan  
(interconnection agreement: amendment)**

On December 27, 1999, Jato Communications Corporation and Ameritech Michigan jointly applied to the Michigan Public Service Commission ("Commission") for approval of the First Amendment ("Amendment") to the Interconnection Agreement between the two companies which was filed with the Commission on December 3, 1999, and awaiting approval. The Amendment, dated December 6, 1999, is the result of voluntary negotiations and incorporates the rates, terms, and conditions of additional collocation options approved by the Federal Communications Commission on March 31, 1999 in CC Docket No. 98-147.

**Case No. U-12243**

**Coast to Coast Telecommunications Inc v  
City of Rochester, Michigan  
(extent of authority of city telecommunications ordinance)**

On December 14, 1999, Coast to Coast Telecommunications, Inc. ("Coast") filed a complaint and request for declaratory rulings with the Michigan Public Service Commission ("Commission") against the City of Rochester, Michigan ("City"), alleging that Rochester's has exceeded the extent of authority which it may exercise over telecommunication providers and is in violation of the Michigan Telecommunications Act ("MTA"), and requesting that the Commission conduct contested case hearings and order the City to cease and desist any attempt to require compliance with its Telecommunications Ordinance ("Ordinance"). Coast states that it provides basic local exchange telephone service as a reseller of services obtained from Ameritech Michigan and claims to have approximately 5,000 installed resold telephone lines in the lower peninsula, its own switching equipment, and 47 Centrex services obtained from Ameritech, with approximately 5000 Centrex loops. Coast states it is engaged "in the final planing stages to build a 400+ mile fiber optic cable backbone network (the "Network") to enable it to provide facilities-based, competitive telecommunications service, including high speed digital subscriber line services and Centrex to

residential and business customers in the five counties of Oakland, Macomb, Wayne, Washtenaw, and Monroe. Coast plans to invest \$50 million in this network over the next 36 months. Although Coast notified the City that it planned to construct the Network and provide facilities-based services by November 1, 1999, Coast received a letter from the City Manager, dated November 2, 1999, that Coast did not have permission or authority to enter upon or into any right-of-way within the City pursuant to the City's Telecommunications Ordinance. Coast, however, asserts that "[n]umerous provisions" of the Ordinance "violate the MTA and are adverse to the public" because they are discriminatory and discourage competition.

Coast states that the ordinance "explicitly exempts Ameritech from its application", including the payment of annual license and franchise fees, however, new entrant providers are required to pay "exorbitant fees which exceed and have no relationship to the fixed and variable costs which the City incurs in granting a permit and maintaining the right-of-ways, easements, or public places to be used new providers." Coast further states that the ordinance also: 1) asserts jurisdiction to regulate and review rates, customers's service complaints, interconnection agreements between providers, and providers' insurance coverage and mortgages on facilities; 2) requires providers to comply with any license or permit even if they violate state or federal law; 3) requires providers to file annual financial records with the City and permit the City to inspect nonfinancial records; 4) includes a most favored nation clause which requires providers to increase the fees paid to the City to the highest level paid to any other local units of government to which the provider agrees; and, 5) makes any violation of the ordinance a crime.

**Case No. U-12258                      Ameritech Michigan and Ameritech Mobile Communications Inc  
(interconnection)**

On December 27, 1999, Ameritech Michigan and Ameritech Mobile Communications, Inc., on behalf of Detroit SMSA Ltd. Partnership, d/b/a Ameritech Cellular ("Ameritech Cellular") jointly applied to the Michigan Public Service Commission for approval of an Interconnection Agreement for a Wireless System ("Agreement") dated August 7, 1999. The Application indicates that Detroit SMSA is a Delaware partnership and an authorized commercial mobile radio service (CMRS) provider in Michigan. The prior interconnection agreement between the two companies was approved by the Commission on July 31, 1997 in Case No. U-11399 and expired on March 11, 1999. That agreement was extended "by mutual consent on a month-to-month basis until execution of the Agreement." The Agreement has an initial three-year term and establishes comprehensive financial and operational terms for the following: The physical interconnection between the companies' networks; "where appropriate, mutual and reciprocal compensation for exchange of traffic originated on their respective networks; and a variety of other business relationships."

**Case No. U-12261                      The Michigan Exchange Carriers Association Inc  
(joint TSLRIC study)**

On December 29, 1999, The Michigan Exchange Carriers Association, Inc. (“MECA”), on behalf of 14 of its 34 members, applied to the Michigan Public Service Commission for approval of a joint total service long run incremental cost (“TSLRIC”) study. MECA states that the participating 14 members, Ace Telephone Company of Michigan, Inc., Barry County Telephone Company, Blanchard Telephone Association, Inc., Bloomingdale Telephone Company, Carr Telephone Company, Chapin Telephone Company, Drenthe Telephone Company, Kaleva Telephone Company, Lennon Telephone Company, Ogden Telephone Company, Pigeon Telephone Company, Sand Creek Telephone Company, Springport Telephone Company, and Waldron Telephone Company, seek approval of the joint cost study and “to comply with the Commission’s biennial cost study filing requirement and for potential future use in setting rates.” MECA states that confidential versions of its TSLRIC study and supporting documentation were submitted to the Commission.

**Case No. U-12262**

**Concentric Carrier Services Inc  
(license)**

On December 23, 1999, Concentric Carrier Services, Inc. (“Concentric”) applied to the Michigan Public Service Commission for a license to provide basic local exchange service, on both a resold and facilities-based basis throughout Michigan in the zone and exchange areas in which GTE North Incorporated, Contel of the South, Inc., d/b/a GTE Systems of Michigan, and Ameritech Michigan are the incumbent local exchange carriers. Concentric is a Delaware corporation and a wholly-owned subsidiary of Concentric network Corporation, a publicly-traded corporation. Both companies are headquartered in San Jose, California. Concentric claims to possess the requisite financial, technical and managerial resources and abilities to provide the proposed service. Concentric will mirror the boundaries of the incumbent carriers’ zones and exchange areas.

**Case No. U-12263**

**GTE North Incorporated and Contel of the South Inc,  
d/b/a GTE Systems of Michigan and BlueStar Communications Inc  
(interconnection)**

On December 27, 1999, GTE North Incorporated and Contel of the South, Inc., d/b/a GTE Systems of Michigan (collectively, “GTE”) and BlueStar Communications, Inc. (“BlueStar”) filed a joint Application with the Michigan Public Service Commission (“Commission”) for adoption of an Interconnection Agreement (“Agreement”). The Application indicates that BlueStar, a “certified provider of local dialtone service in Michigan”, requested adoption of the terms of the interconnection agreement between GTE and AT&T Communications of Michigan, Inc. (“AT&T Agreement”) approved by the Commission in Case No. U-11165. Subsequently, GTE and BlueStar signed an “Agreement Letter” dated November 30, 1999 which indicates, “BlueStar’s adoption of the AT&T Terms shall become effective upon filing of this letter with the Michigan Public Service Commission and remain in effect no longer than the date the AT&T Terms are terminated. The AT&T agreement is currently scheduled to expire on August 2, 2002.”

**Case No. U-12264**

**Affinity Network, Incorporated,  
d/b/a QuantumLink Communications  
(license)**

On January 5, 2000, Affinity Network, Incorporated, d/b/a QuantumLink Communications (“QuantumLink”) applied to the Michigan Public Service Commission for a license to provide basic local exchange service within all zones and exchanges currently served by Ameritech Michigan, GTE North Incorporated, and GTE Systems. QuantumLink is a privately-owned California corporation which specializes in providing telecommunications services and is located in Los Angeles. QuantumLink claims to have the requisite financial, technical and managerial resources and abilities to provide the proposed service. QuantumLink currently provides international, interstate services, and intrastate long distance service in forty-six states.

**Case No. U-12265**

**Borderland Communications LLC  
(license)**

On January 5, 2000, Borderland Communications, LLC (“Borderland”) applied to the Michigan Public Service Commission for a license to provide basic local exchange service in all exchanges currently served by Ameritech Michigan in the Upper Peninsula. Borderland is a Wisconsin limited liability company located in Niagara, Wisconsin, and is wholly-owned by Niagara Telephone Company. Borderland states that it intends to operate as a facilities-based local exchange carrier and as a reseller, and that it possesses sufficient financial, managerial and technical resources and abilities to provide the proposed service.

\* \* \*

### **SLAMMING COMPLAINTS**

*No slamming complaints were filed in the previous two-week period.*

\* \* \*

## NOTICES OF OPPORTUNITY TO COMMENT

Note: All comments are to be filed with the Michigan Public Service Commission, 6545 Mercantile Way, P.O. Box 30221, Lansing, MI 48909-7721.

**Case No. U-12196**

**Deerfield Farmers' Telephone Company  
(consolidation of exchanges)**

The Michigan Public Service Commission has directed Deerfield Farmers' Telephone Company to publish a notice of opportunity to comment on its November 4, 1999 application to consolidate the Deerfield and Petersburg exchanges into one exchange. Written comments are due on January 11, 2000.

**Case No. U-12232**

**NEXTLINK Michigan Inc  
(amended license)**

On December 7, 1999, NEXTLINK Michigan, Inc. filed an application with the Michigan Public Service Commission ("Commission") for approval to amend its license to provide basic local exchange service by expanding its geographic service area to encompass additional exchanges served by GTE North Incorporated and Ameritech Michigan. The Commission has directed NEXTLINK to provide by January 10, 2000 notice of opportunity to comment on its application to all licensed local and competitive exchange companies in the proposed service areas. The deadline for written comments is January 31, 2000.

\* \* \*

### SCHEDULED PSC MEETINGS

January 10, 2000	Monday	4:00 p.m.
January 19, 2000	Wednesday	4:00 p.m.

\* \* \*

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## STATUS OF SELECTED TELECOMMUNICATIONS CASES BEFORE MICHIGAN PUBLIC SERVICE COMMISSION

Case No.	MPSC or Utility	Description	Application, Complaint or Order	Hearing	Briefs or Comments	Reply Brief or Comments	ALJ or Staff Report	Report or Order	Request for Rehearing or Appeal
U-11831	MPSC	Review of Ameritech's January 1999 biennial cost study	11/5/98	M					
U-11832	MPSC	Review of GTE North's January 1999 biennial cost study	11/5/98	M					
U-11981	MPSC	Investigation of AT&T and MCI procedures for transferring service	5/11						
U-12035	MCImetro	Complaint v Ameritech: resale services	7/6	8/16					
U-12039	AT&T	Complaint v Ameritech: interconnection	7/8	10/21 x-exam	11/5	11/12			
U-12056	The Free Network	Application: license to provide basic local exchange service	7/23	10/21 x-exam	11/4	11/18			
U-12072	MCI WorldCom	Complaint v Ameritech Michigan: provisioning of dedicated unbundled local transport	8/11	M	12/16	1/5			
U-12090	Coast	Complaint v GTE: local traffic termination compensation	8/18	11/5 x-exam	11/19	12/01			
U-12105	Midwest	Application: license to provide basic local exchange service	9/2	11/10 x-exam					
U-12130	MECA	Application: rate restructuring	9/13		11/15				
U-12132	Ameritech	Notice: interzone service	9/20						
U-12143	WorldCom	Request for Commission to promote local competition	9/23						
U-12146	Lennon	Application: rate restructuring	10/1						
U-12149	Chippewa	Application: TSLRIC study	9/30						
U-12155	TOTALink	Application: license to provide basic local exchange service	10/7						
U-12156	Horizon	Application: license to provide basic local exchange service	10/8	M	12/21	1/7			
U-12157	Choctaw	Application: license to provide basic local exchange service	10/8	12/17	1/5	1/12			

U-12158	Upper Peninsula	Application: TSLRIC study	10/7						
U-12165	PaeTec	Application: license to provide basic local exchange service	10/15	1/6 x-exam	1/13	1/20			
U-12171	O1 Comm	Application: license to provide basic local exchange service	10/20	11/8					
U-12173	New Edge	Application: license to provide basic local exchange service	10/20	1/11 x-exam	1/18	1/25			
U-12180	ACD	Application: license to provide basic local exchange service	10/28	1/4 x-exam	1/17	1/24			
U-12183	Buckeye	Application: license to provide basic local exchange service	10/28	1/18 x-exam	1/25	2/1			
U-12189	Volunteer & Info Services	Petition: 211 dialing code	10/25						
U-12190	GTE	Application: rate restructuring	11/02						
U-12198	MediaOne	Petition: arbitration of interconnection w/Ameritech	11/10						
U-12202	MGC	Application: license to provide basic local exchange service	11/16	1/31 x-exam	2/7	2/21			
U-12211	Ameritech	Application: emergency service rates	11/23						
U-12214	Sterling	Application: amended license	11/23						
U-12225	BlueStar	Application: license to provide basic local exchange service	12/03						