

M ICHIGAN

T ELECOMMUNICATIONS

R EPORT™

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- U-13005: TelNet/Ameritech: ICA
- U-13217: KMC Telecom/Ameritech: ICA
- U-13249: EZ Phone/Verizon: ICA
- U-13250: Tilds v AT&T: billing dispute
- U-13252: Taylor v MCI: unauthorized charges
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- U-13259: Bourdeau v McLeodUSA: slamming

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FEATURES

BROADBAND UPDATE

The Michigan Senate Technology and Energy Committee is continuing its review of Governor Engler's Michigan High Speed Internet Plan this month. The High Speed Internet Plan, proposed by the Governor in November, would establish a new statewide fee of 5 cents per lineal foot of telecommunications infrastructure in the public rights-of-way. Of the 5 cents per lineal foot, 4 cents, or about \$40 million per year, would go to municipalities, which last week told the Committee that currently they collect only about \$11 million per year. One cent would go to a newly created Michigan Broadband Development Authority. Under Senate Bill 881, the Broadband Development Authority would be charged with the task of expanding the availability of high-speed broadband infrastructure to all residential and commercial customers in Michigan. The Authority would be granted bonding and other financing power to facilitate the acquisition, construction, maintenance, and operation of broadband infrastructure throughout the state.

As part of the High Speed Internet Plan, Senate Bill 880 would create the Metropolitan Extension Telecommunications Rights-of-Way Oversight Authority to standardize the permits, fees, and policies for access to public rights-of-way by telecommunications providers. This would simplify and replace the hodgepodge of local telecommunications ordinances and permit processes currently in place throughout Michigan.

The next Senate Technology and Energy Committee meeting, in consideration of the High Speed Internet Plan, will be held on Wednesday, January 23, 2002, at 1:00 p.m.

ATTORNEY GENERAL INVESTIGATES AMERITECH'S PRIVACY NOTICES

In a press release issued January 15, 2002, Michigan Attorney General Jennifer M. Granholm "urged residential customers of SBC/Ameritech to pay close attention to privacy notices the company is currently distributing in its monthly billing statements. The notice, says Granholm, is easily missed but is critical for consumers who do not want their personal information, including their telephone habits and histories, sold to other companies that may use the information for telemarketing or direct mail advertising."

"The notice--a small, nondescript slip of paper accompanying recent Ameritech telephone bills --tells consumers they should call the company within 30 days if they do not wish to have their personal information shared with third parties. According to the insert, the information at issue includes the types of services a consumer might have ordered from Ameritech or its affiliates, billing information, and 'usage information' about how the consumer uses their telecommunication services. The insert states that SBC/Ameritech may share this customer information, collected by Ameritech and other companies in the SBC family of companies, with affiliated companies and 'authorized

agents' for marketing 'other products and services.'”

“Granholm said: ‘At best, the notice is unclear and raises troubling questions for consumers. What if you don’t call? What personal information is the company planning to share? Who are these ‘authorized agents’? What other kinds of products and services will they be marketing and how? At worst, the notice is so nondescript that many customers will probably throw it away before they even get to ask these questions. Consumers must be aware of the notices so they can actively participate in the decisions being made about their personal information.’”

“She added: ‘The whole idea that a company can freely market their customers’ sensitive or personal information unless a customer expressly tells them not to is troubling to me and should be troubling to anyone who values personal privacy.’”

“Granholm urged consumers to call the toll-free number listed on the bill insert--1-800-303-7260--to at least get additional information about the company’s information-sharing plan and to ask the company what other options consumers have to limit the release of their information.”

* * *

“Granholm today is sending a letter to Ameritech asking the company to provide her office with a more detailed explanation of its information-sharing plan and practices, as well as consumers’ available options for limiting the release of their personal information and reducing telemarketing contacts from within the Ameritech family. Granholm has asked the company to extend its opt-out deadline and to prepare clearer materials for consumers explaining this new plan.”

* * *

PUBLIC ACTS OF 2001

Public Act #	Effective Date	Description	Bill Number and Sponsor
PA 48	07/23/01	Provides for the clarification of the definition of public utility	Enrolled SB 446 Dunaskiss (R-District 16)

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.

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Senate Bill # Senator	Date Introduced	Description	Status
SB 280 Dunaskiss	03/07/01	Creates new act; provides for definition of public utility	To Senate Committee on Technology/Energy
SB 879 Schwarz	11/29/01	Provides amendments to certain telecommunications rates for customers of providers with more than 250,000 customers	To Senate Committee on Technology/Energy
SB 880 Schwarz	11/29/01	Creates the "metropolitan extension telecommunications rights-of-way oversight act": creates an oversight authority, establishes a Michigan telecommunications service improvement fund, provides for fee structures for use of public rights-of-way, prescribes the powers and duties of certain state agencies and officials, and provides for penalties	To Senate Committee on Technology/Energy
SB 881 Stille	11/29/01	Creates the "Michigan community communications development authority act": creates funds and accounts, authorizes the issuing of bonds and notes, prescribes the powers and duties of the authority, makes an appropriation	To Senate Committee on Technology/Energy
SB 998 Sikkema	01/9/02	Clarifies end-user line charge	To Senate Committee on Technology/Energy
SB 999 Garcia	01/09/02	Provides for tax credit for the purchase and installation of certain telecommunications equipment	To Senate Committee on Technology/Energy

House Bill # Representative	Date Introduced	Description	Status
HB 4219 Mortimer	02/13/01	Creates new Cellular Tower Attachment Act to require approval of MPSC regarding construction of cellular communication towers Tie bar with HB 4220	To House Committee on Energy/Technology
HB 4220 Mortimer	02/13/01	Amends MTA to establish MPSC authority regarding proposed Cellular Tower Attachment Act. Tie Bar with HB 4219	To House Committee on Energy/Technology
HB 4307 Anderson	02/20/01	Amends MTA by adding section 312c to require notification of long-distance charges to a customer using a pay telephone	To House Committee on Energy/Technology
HB 4764 Neumann	05/15/01	Amends MTA to provide for the structural separation of local exchange companies with more than 250,000 users	To House Committee on Energy/Technology

HB 4991 Kuipers	06/26/01	Provides authority to local school board to regulate or allow student use of cellular phones and pagers in school	11/29/01 Referred to Second Reading in House
HB 5460 Shulman	11/28/01	Amends MTA by clarifying end-user line charges	To House Committee on Energy/Technology
HB 5527 Kolb	12/13/01	Prohibits employer monitoring of employee communications unless the employer establishes an employee monitoring policy and discloses that policy to employees	To House Committee on Employment Relations

ORDERS

Case No. U-11168

MCI Telecommunications Corporation

(arbitration of interconnection with Ameritech Michigan)

On January 8, 2002 the Michigan Public Service Commission issued an order approving the Second and Third Amendments to the Interconnection Agreement between MCImetro Access Transmission Services, LLC, and Ameritech Michigan. The Second Amendment incorporates into the agreement certain rates, terms, and conditions pertaining to the payment of reciprocal compensation, interconnection, and trunking. The Third Amendment incorporates into the Agreement Appendix Performance Measurements.

Case No. U-11356

Alltel Communications Inc and Ameritech Michigan

(interconnection agreement)

On January 8, 2002 the Michigan Public Service Commission ("Commission") issued an order approving the First Amendment to the Interconnection Agreement between Alltel Communications, Inc., f/k/a 360_ Communications Company, and Ameritech Michigan. The First Amendment incorporates into the agreement the rates approved by the Commission in Case no. U-11831.

Case No. U-11973

AirTouch Cellular Inc and Ameritech Michigan

(interconnection agreement)

On January 8, 2002 the Michigan Public Service Commission ("Commission") issued an order approving the First Amendment to the Interconnection Agreement between AirTouch Cellular, Inc. and Ameritech Michigan. The First Amendment incorporates into the agreement the rates approved by the Commission in Case No. U-11831 for reciprocal compensation and signaling.

**Case No. U-12646
NationNet Communications Corporation and Ameritech Michigan
(interconnection agreement)**

On January 8, 2002 the Michigan Public Service Commission (“Commission”) issued an order approving the Second Amendment to the Interconnection Agreement between NationNet Communications Corporation and Ameritech Michigan. The Second Amendment incorporates into the Agreement the rates and charges approved by the Commission in Case No. U-12696.

**Case No. U-13003
US Xchange of Michigan LLC and Ameritech Michigan
(interconnection agreement)**

On January 8, 2002 the Michigan Public Service Commission (“Commission”) issued an order granting the motion of US Xchange of Michigan, L.L.C. (“US Xchange”) for clarification that its interconnection agreement with Ameritech Michigan approved by the Commission’s September 7, 2001 order is the interconnection agreement between Coast to Coast Telecommunications, Inc. (“Coast”) and Ameritech Michigan as it existed on October 24, 2000, without what US Xchange terms “‘unauthorized pricing schedules’ that Ameritech Michigan ‘unilaterally submitted’ to the joint filing.” The Commission notes that at the time of the September 7, 2001 order, “the only approved interconnection agreement between Coast and Ameritech was that approved by the Commission on October 24, 2000, without any revised pricing schedules or rate structures. That is the agreement approved by the Commission’s September 7, 2001 order in this case.”

**Case No. U-13123
Truly Clear Communications Inc and Ameritech Michigan
(interconnection agreement)**

On January 8, 2002 the Michigan Public Service Commission (“Commission”) issued an order approving the First Amendment to the Interconnection Agreement between Truly Clear Communications, Inc. and Ameritech Michigan. The First Amendment addresses new combinations of unbundled network elements at the prices, terms, and conditions set forth in the Mi2A amendment, as previously approved by the Commission.

**Case No. U-13128
VarTec Telecom Inc
(license)**

On January 8, 2002 the Michigan Public Service Commission issued an order granting to VarTec Telecom, Inc. a license to provide basic local exchange service in all exchanges currently served by Verizon North, Inc., Contel of the South, Inc., d/b/a Verizon North Systems, and Ameritech Michigan.

Case No. U-13137

**Local Exchange Carriers of Michigan Inc and Ameritech Michigan
(interconnection agreement)**

On January 8, 2002 the Michigan Public Service Commission issued an order approving the Interconnection Agreement between Local Exchange Carriers of Michigan, Inc. and Ameritech Michigan, which results from the adoption of the agreement between Coast to Coast Telecommunications, Inc. and Ameritech Michigan, that was approved on October 24, 2000 in Case No. U-12382.

Case No. U-13138

**EagleNet Inc and Ameritech Michigan
(interconnection agreement)**

On January 8, 2002 the Michigan Public Service Commission issued an order approving the Interconnection Agreement between EagleNet, Inc., and Ameritech Michigan, which results from the adoption of the agreement between Coast to Coast Telecommunications, Inc. and Ameritech Michigan, that was approved on October 24, 2000 in Case No. U-12382.

Case No. U-13140

**VoiceStream Wireless Corporation and Verizon North, Inc. and
Contel of the South, Inc., d/b/a Verizon North Systems
(interconnection agreement)**

On January 8, 2002 the Michigan Public Service Commission issued an order approving the First Amendment to the Interconnection Agreement between VoiceStream Wireless Corporation and Verizon North, Inc. and Contel of the South, Inc., d/b/a Verizon North Systems. The First Amendment changes certain terms regarding compensation that may be due in connection with the exchange of traffic.

Case No. U-13151

**Z-Tel Communications Inc
(amended license)**

On January 8, 2002 the Michigan Public Service Commission ("Commission") issued an order amending the license of Z-Tel Communications, Inc. to provide basic local exchange service to include all exchanges currently served by Verizon North, Inc. and Contel of the South, Inc., d/b/a Verizon North Systems. The Commission notes that Z-Tel served a notice of opportunity to comment on other local exchange carriers and that no comments were filed with the Commission.

**Case No. U-13175
XO Michigan Inc and Ameritech Michigan
(interconnection agreement)**

On January 8, 2002 the Michigan Public Service Commission issued an order approving the Interconnection Agreement (“Agreement”) between XO Michigan, Inc. and Ameritech Michigan, and the First, Second, and Mi2A Amendments to the Agreement. The First Amendment incorporates into the Agreement Appendix DSL, Appendix Merger Conditions, Appendix DA, Appendix Performance Measures, associated pricing tables, and provisions regarding unbundled network elements, toll free database service, LIDB database service, LPN query service, operator services, and number portability. The Second Amendment incorporates into the agreement rates, terms, and conditions related to the payment of reciprocal compensation, interconnection, and trunking. The Mi2A Amendment governs the purchase of certain new combinations of unbundled network elements.

**Case No. U-13202
Preferred Carrier Services Inc and Verizon North Inc and Contel of the South Inc,
d/b/a Verizon North Systems
(interconnection agreement)**

On January 8, 2002 the Michigan Public Service Commission issued an order approving the Interconnection Agreement between Preferred Carrier Services, Inc., d/b/a Phones for All and Teléfonos Para Todos and Verizon North Inc. and Contel of the South, Inc., d/b/a Verizon North Systems.

**Case No. U-13208
IG2 Inc and Verizon North Inc and
Contel of the South Inc d/b/a Verizon North Systems
(interconnection agreement)**

On January 8, 2002 the Michigan Public Service Commission issued an order approving the Interconnection Agreement between IG2, Inc. and Verizon North, Inc. and Contel of the South, Inc., d/b/a Verizon North Systems.

**Case No. U-13212
Preferred Carrier Services Inc and Ameritech Michigan
(interconnection agreement)**

On January 8, 2002 the Michigan Public Service Commission issued an order approving the Interconnection Agreement between Preferred Carrier Services, Inc. and Ameritech Michigan.

Case No. U-13214
RACC Enterprises LLC and Verizon North Inc and
Contel of the South Inc d/b/a Verizon North Systems
(interconnection agreement)

On January 8, 2002 the Michigan Public Service Commission issued an order approving the Interconnection Agreement between RACC Enterprises, LLC and Verizon North, Inc. and Contel of the South, Inc., d/b/a Verizon North Systems.

Case No. U-13218
RACC Enterprises LLC and Ameritech Michigan
(interconnection agreement)

On January 8, 2002 the Michigan Public Service Commission issued an order approving the Interconnection Agreement between RACC Enterprises, LLC and Ameritech Michigan.

* * *

NOTICES OF HEARING

Case No. U-13194
grid4 Communications Inc
(license)

The November 14, 2001 application of grid4 Communications, Inc. for a license to provide telecommunications services in the exchange areas presently served by Verizon North Inc. and Contel of the South, Inc., d/b/a Verizon North Systems, and Ameritech Michigan is set for an evidentiary hearing at 9:00 a.m. on February 6, 2002. Interventions are due on or before February 4, 2002.

Case No. U-13242
Globalcom Inc
(license)

The December 27, 2001 application of Globalcom, Inc. for a license to provide telecommunications services in the exchange areas presently served by Verizon North Inc. and Contel of the South, Inc., d/b/a Verizon North Systems, and Ameritech Michigan is set for an evidentiary hearing at 9:30 a.m. on February 6, 2002. Interventions are due on or before February 4, 2002.

* * *

PSC HEARINGS SCHEDULE

Note: *Unless indicated otherwise, hearings are held in the offices of the Commission, 6545 Mercantile Way, Suite 7, Lansing.*

Hearings Scheduled for Last Week (January 7 - 11, 2002)

Jan. 7, 2002, 9:00 a.m.
Case No. U-13164/evidentiary hearing
Pattison v AT&T (slamming)

January 10, 2002, 9:00 a.m.
Case No. U-13158/public hearing
Century 21 Cornerstone v Mpower (slamming)

January 8, 2002, 9:00 a.m.
Case No. U-13196/public hearing
Moore v MCI WorldCom (unauthorized charges)

Hearings Scheduled for This Week January 14 - 18, 2002)

January 16, 2002, 1:30 p.m.
Case No. U-13125/cross-exam all parties
AT&T v Verizon North Systems
(intrastate access rates)

January 17, 2002, 9:00 a.m.
Case No. U-13125/cross-exam all parties
AT&T v Verizon North Systems
(intrastate access rates)

January 16, 2002, 1:30 p.m.
Case No. U-13193/motion hearing
CLEC Assn v Ameritech (anti-competitive practices)

January 18, 2002, 9:00 a.m.
Case No. U-13198/motion hearing
Provide Net v Ameritech Michigan and AT&T
(unauthorized charges)

January 17, 2002, 9:00 a.m.
Case No. U-13219/prehearing conference
BigNet Inc and BigNet Holdings Inc v WorldCom
(billing dispute)

Future Hearings Scheduled

February 6, 2002, 9:00 a.m.
Case No. U-13194/evidentiary hearing
grid4 Communications (license)

Feb. 25-Mar. 1, 2002, 9:00 a.m.
Case No. U-13193/cross-exam all parties
CLEC Association et al. v Ameritech
(anti-competitive practices)

February 6, 2002, 9:30 a.m.
Case No. U-13242/evidentiary hearing
Globalcom Inc (license)

APPLICATIONS AND COMPLAINTS

Case No. U-11606
Centennial Communications Corporation and Ameritech Michigan
(interconnection agreement)

On January 10, 2002 Centennial Communications Corporation and Ameritech Michigan filed a joint application with the Michigan Public Service Commission (“Commission”) requesting approval of the Second Amendment to their Interconnection Agreement (“Agreement”) approved by the Commission on February 25, 1998. The Second Amendment executed as of December 19, 2001 incorporates into the Agreement the rates and charges approved by the Commission in Case No. U-11831. Although the Agreement, by its terms, terminated on September 14, 2000, the parties state that they continue to operate under the terms and conditions of the Agreement during negotiations until a successor agreement can be reached.

**Case No. U-13005
TelNet Worldwide Inc and Ameritech Michigan
(interconnection agreement)**

On January 3, 2002 TelNet Worldwide, Inc. and Ameritech Michigan jointly applied to the Michigan Public Service Commission (“Commission”) for approval of the First Amendment to their Interconnection Agreement approved by the Commission on September 27, 2001. The First Amendment executed as of June 1, 2001 incorporates into the Agreement four additional implementation sites

**Case No. U-13217
KMC Telecom Holdings Inc and Ameritech Michigan
(interconnection agreement)**

On January 3, 2002 KMC Telecom Holdings, Inc., on behalf of its subsidiaries KMC Telecom II, Inc., KMC Telecom III, Inc., and KMC Telecom V, Inc., and Ameritech Michigan jointly filed with the Michigan Public Service Commission the revised pricing schedules that were “inadvertently omitted” from the Interconnection Agreements previously filed by the parties on December 10, 2001.

**Case No. U-13249
EZ Phone Inc and Verizon North Inc and
Contel of the South Inc d/b/a Verizon North Systems
(interconnection agreement)**

On January 8, 2002 EZ Phone, Inc. and Verizon North, Inc. and Contel of the South, Inc., d/b/a Verizon North Systems jointly submitted to the Michigan Public Service Commission for approval their Interconnection Agreement. The Agreement remains in effect from the effective date of the Agreement until August 16, 2003.

**Case No. U-13250
Barry N. Tilds v AT&T Communications of Michigan Inc
(consumer complaint: billing dispute)**

On January 4, 2002 Barry N. Tilds (“Complainant”), of Bloomfield Hills, requested that the Michigan Public Service Commission dismiss his original complaint against AT&T Communications of Michigan, Inc. (“AT&T”), filed July 18, 2001 in Case No. U-13025, and filed a new complaint on January 8, 2002. Complainant alleges that AT&T sold him a long distance calling plan that was to include 11 cents per minute on calls to Denmark, but that after Complainant called to complain that he was charge 29 cents per minute, AT&T denied that the lower rate existed. Further, Complainant states that was charged \$4.95 for the calling plan but that the charge was supposed to be waived for six months, \$4.00 for a global plan, and \$4.00 for “underbilling” of a global plan, and that AT&T had failed to adjust his previous bill as AT&T had agreed to do. Complainant has since replaced his long distance carrier, but states that AT&T’s collection department continues to contact him regarding his unpaid balance.

Case No. U-13252

Barbara Taylor v MCI WorldCom

(consumer complaint: unauthorized charges)

On January 8, 2002 Barbara Taylor (“Complainant”), of Michigan Center, filed a formal complaint with the Michigan Public Service Commission against MCI WorldCom. Complainant alleges that after MCI WorldCom charged her ninety cents for a call return, a service which she claims she did not use, she requested MCI WorldCom to remove the (*69) service from her phone service. Complainant states that the ninety-cent charge was removed but that MCI WorldCom charged her \$5.00 to remove it. Complainant then switched her local service to Ameritech Michigan. Complainant states that when she attempted to cancel her long distance service with MCI WorldCom she was offered \$.5 per minute and \$100.00, however, her next bill did not reflect this offer and MCI WorldCom told her that no such offer existed and that the company did not have to honor its telemarketers’ offers, but that they could offer her a \$.7 per minute plan. Complainant states that when her next bill arrived the rate was \$.7 per minute, but she was also charged a monthly fee of \$3.95 for this plan. Complainant asks to be credited for approximately \$165.00 in unauthorized charges.

Case No. U-13253

Mark F. Masters v Long Distance of Michigan Inc

(consumer complaint: slamming)

On January 11, 2002 Mark F. Masters (“Complainant”), of Royal Oak, filed a formal complaint with the Michigan Public Service Commission alleging that Long Distance of Michigan, Inc. (“LDMI”) switched his long distance and toll telephone service without authorization. An affidavit attached to the complaint states that Forecomm LLC is Complainant’s telecommunications agent and that after Forecomm LLC switched Complainant’s long distance and toll service from LDMI to Opex (a/k/a ‘Global Crossing’), LDMI switched it back.

Case No. U-13254

VarTec Telecom Inc and Ameritech Michigan

(interconnection agreement)

On January 10, 2002 VarTec Telecom, Inc. and Ameritech Michigan jointly submitted to the Michigan Public Service Commission their multi-state Interconnection Agreement (“Agreement”) executed as of November 7, 2001. The Agreement has an initial term that expires on January 10, 2003.

Case No. U-13259

Michael Bourdeau v McLeodUSA

(consumer complaint: slamming)

On January 15, 2002 Michael Bourdeau (“Complainant”), of Burton, filed a formal complaint with the Michigan Public Service Commission alleging that McLeodUSA switched his local telephone service without authorization. Complainant states that he when he attempted to switch his service back to Ameritech, he was informed by Ameritech that McLeodUSA refused to release his line. Complainant states that nearly three months after being slammed, McLeodUSA still refused to release the line because Complainant had not paid his McLeodUSA invoices. Later, Complainant discovered that he could call out on his phone, but could not receive calls. Complainant requests reimbursement for out-of-pocket expenses of \$600.00, the imposition of a fine and the entry of a cease and desist order against McLeodUSA.

*** * ***

PSC NOTICES OF OPPORTUNITY FOR COMMENT

Case No. U-13191

Winn Telephone Company

(TSLRIC study)

On November 13, 2001 Winn Telephone Company (“Winn”) filed an application with the Michigan Public Service Commission (“Commission”) for approval of a total service long run incremental cost study. The Commission has directed Winn to issue by December 21, 2001 a notice of opportunity to comment upon its request to the State of Michigan Attorney General and to all licensed local exchange companies and facility-based interexchange companies operating in Michigan as of November 15, 2001. Written comments must be filed with the Commission no later than 5:00 p.m. on January 15, 2002 and with reply comments due by January 22, 2002.

Case No. U-13238

Baraga Telephone Company

(TSLRIC study)

On December 26, 2001 Baraga Telephone Company (“Baraga”) filed an application with the Michigan Public Service Commission (“Commission”) for approval of a total service long run incremental cost study. The Commission has directed Baraga to issue by January 22, 2002 a notice of opportunity to comment upon its request to the State of Michigan Attorney General and to all licensed local exchange companies and facility-based interexchange companies operating in Michigan as of January 15, 2002. Written comments must be filed with the Commission no later than 5:00 p.m. on February 26, 2002, with reply comments due on March 5, 2002.

**Case No. U-13241
Allegiance Telecom of Michigan Inc
(amended license)**

On December 28, 2001 Allegiance Telecom of Michigan, Inc. (“Allegiance”) filed an application with the Michigan Public Service Commission (“Commission”) to amend the geographic service area of its license to provide basic local exchange service to include all zones and exchanges in Michigan presently served by Ameritech Michigan and Verizon North, Inc. The Commission has directed Allegiance to issue a notice of opportunity to comment regarding its request by January 29, 2002. Written comments must be filed with the Commission no later than 5:00 p.m. on February 19, 2002.

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SCHEDULED MPSC MEETINGS FOR JANUARY 2002

January 22, 2002	Regular Meeting	4:00 p.m.
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SUBSCRIPTION INFORMATION

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