

M ICHIGAN T ELECOMMUNICATIONS R EPORT™

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FEATURES

NEW \$8 MILLION BROADBAND LINK WILL “BRIDGE” MICHIGAN’S PENINSULAS

On December 18, 2002, the Michigan Broadband Development Authority issued the following press release:

Ann Arbor: Today the Michigan Broadband Development Authority (MBDA) announced it will finance a link between the lower and upper peninsulas with a new fiber optic telecommunications network extending across the Mackinac Bridge. Charter Communications will construct new fiber from Petoskey to Sault Ste. Marie and from Sault Ste. Marie to Munising, linking the western U.P. to the lower-peninsula, selling a portion of their backbone capacity on these and other links to Merit Network, Inc. Merit will gain access to nearly 900 miles of fiber wavelengths. Additional participants in the initiative include the Michigan Economic Development Corporation (MEDC) and the Mackinac Bridge Authority.

The Broadband Authority, a new state agency proposed by the Governor and created earlier this year by the Michigan Legislature, is designed to help the state attract more private sector investment in high-speed Internet infrastructure and to increase demand for (and utilization of) broadband services. This project is the first initiative to be financed by the Authority. When complete in late 2003, the project will:

- Provide a fiber “backbone” across the bridge linking the lower and upper peninsula;
- Provide Merit Network with a stable, long-term cost structure that will save Lake Superior State University, Michigan Technological University, Northern Michigan University and Merit’s other customers, including school and library users, millions of dollars over the next decade;
- Provide a redundant fiber loop to the upper peninsula for increased reliability and security (today service into the region is only supported by a connection extending through Wisconsin into the Western U.P.); and
- Provide a mechanism for Charter Communications to upgrade its network operations and make broadband service more readily available in Sault Ste. Marie and other U.P. markets.

“No other project could better exemplify my hope and vision for the type of initiative I wanted to spur with the creation of this new agency,” noted Governor Engler. “This will build a “virtual bridge” between Michigan’s two great peninsulas. I am confident that this is the first of many new broadband investments we will see developed by the Broadband Authority in the future.”

A key element in this project is the collaboration between Charter Communications and Merit Network, Inc. Historically, the cable industry has not sought shared infrastructure arrangements of this nature. Under the terms of the deal, Merit will purchase (through financing provided by the Authority) fiber wavelengths from Charter. Merit will then own and operate these wavelengths to serve their university, college, school and library customers throughout the U.P.

and Northern Lower Michigan, particularly Michigan Tech, Northern Michigan University and Lake Superior State, who will provide financial backing to Merit for the initiative.

“It is an appropriate symbol for our new agency to have this important project as its first major initiative,” noted William Rosenberg, Chairman and President of the Broadband Authority. “Access to high-speed Internet highways is vital for all regions of the state. This new link will fill a major gap in the state’s network infrastructure and represents a unique public/private partnership that we hope to replicate in other parts of Michigan.” In particular, Rosenberg noted the important assistance to be provided by the Bridge Authority and the MEDC. “Without access to the Bridge and without grant assistance from the MEDC, this project would simply not be able to happen.”

MBDA Board member and Superiorland Librarian Suzanne Dees of Marquette added that the upper peninsula has long been an on-line leader and that this new investment will spur even greater opportunity for the schools, businesses and people of the region: “Whether it is on-line distance learning, telemedicine or e-commerce, the U.P. has been an innovative user of broadband. To continue, however, more regions need better and more affordable access to high-speed Internet services. For years there has been talk of a major east/west four lane highway for our region, but in terms of the infrastructure necessary to keep our schools, businesses and people competitive in the 21st century, this project may very well be more important.” Construction on the project will begin this spring with completion by the end of 2003.

Merit Network, Inc. is a non-profit corporation owned and managed by Michigan’s public universities. Merit is one of the state’s largest Internet Service Providers (ISPs) and provides such service to the majority of schools, colleges and libraries in Michigan. More information about Merit and its network can be found at <www.Merit.edu>.

Charter Communications, A Wired World Company, is among the country’s leading broadband communications companies. Charter serves approximately 6.7 million customers. Charter offers an array of services including cable television under the Charter brand; high-speed Internet access via Charter Pipeline; advanced digital video programming services under the Charter Digital Cable brand. Charter is traded on the Nasdaq National Market under the symbol “CHTR”. In Michigan, Charter Communications serves 623,000 customers in over 900 communities. For more information about Charter Communications, go to <www.Charter.com>.

The MBDA was created to help the state attract more private sector investment in high-speed Internet infrastructure, and to increase demand for and utilization of broadband services. It does so by offering 1) low-cost loans to telecommunications companies willing to make such investments and 2) by offering organizations or “broadband users” low-cost financing for the acquisition of hardware/software applications that will improve or increase their use of broadband service. More information about the Michigan Broadband Development Authority and its programs can be found at www.BroadbandAuthority.org.

* * *

PUBLIC ACTS OF 2002

Public Act #	Effective Date	Description	Bill Number and Sponsor
PA 48	03/14/02	Provides for fee structures for use of public rights-of-way. Creates new act and repeals secs. 251, 252, 253 & 254 of 1991 PA 179 (MCL 484.2251 et seq.). Tie bar with: Senate Bill 881 and Senate Bill 999.	Enrolled SB 880 Schwarz R - District 24
PA 49	03/14/02	Creates Michigan community communications development authority. Creates new act.	Enrolled SB 881 Stille R-District 32
PA 50	03/14/02	Provides for credit for the purchase and installation of certain telecommunications equipment. Amends 1905 PA 282 (MCL 207.1 - 207.21) by adding sec. 13B. Tie bar with: Senate Bill 880	Enrolled SB 999 Garcia R - District 26

* * *

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.

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 998 Sikkema	01/9/02	Clarifies end-user line charge	To Senate Committee on Technology/Energy
SB 1058 Sikkema	02/05/02	Amends the Michigan Antitrust Act by eliminating the exemption for telecommunication providers	To Senate Committee on Technology/Energy
SB 1238 Emmons	4/18/02	Revises assessment of telecommunications property	12/12/02 Ordered Enrolled and given Immediate Effect
SB 1330 Peters	05/15/02	Amends MTA to requires customer consent for the disclosure of certain information	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

House Bill # Representative	Date Introduced	Description	Status
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	6/27/02 passed Senate (34-0) and given immediate effect; To 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
HB 5886 Bishop	04/11/02	Amends MTA to allow transfer of cellular telephone number with change of service	To House Committee on Energy/Technology
HB 5926 Woronchak	04/17/02	Amends MTA by eliminating fees for unlisted telephone numbers for persons 65 years of age and over	To House Committee on Energy/Technology
HB 6092 Vander Roest	05/21/02	Amends sec. 305 of 1991 PA 179 by prohibiting the disclosure of certain account information without written consent from the customer	To House Committee on Energy/Technology
HB 6097 Allen	5/21/02	Amends sec. 304 of 1991 PA 179 by providing requirement for companies under 250,000 customers to make adjacent calling areas a local call	12/04/02 passed House (100-0) and given immediate effect, to Senate
HB 6164 Shulman	06/04/02	Amends sec. 7 of 1964 PA 183 by providing for the issuance of bonds for equipment associated with telecommunications on the campuses of Michigan institutions of higher education with lease options back to the institutions and the state	To House Committee on Energy/Technology
HB 6564 Lemmons	12/03/02	Amends sec. 317 of 1991 PA 178 by revising the allowable charge for operator or toll service.	To House Committee on Energy/Technology

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ORDERS

Orders issued at a special MPSC meeting on Friday, December 20, 2002 are not included in this issue, but will appear in the next issue of the MTR.

MPSC orders issued December 6, 2002:

Case No. U-12627

New Edge Network and Ameritech

Application filed November 18, 2002 for approval of the fourth amendment (revised pricing schedule)

Case No. U-12758

VoiceStream Wireless and Ameritech

Application filed September 30, 2002 for approval of the first amendment (911 wireless emergency number service access appendix)

Case No. U-12758

VoiceStream Wireless and Ameritech

Application filed November 7, 2002 for approval of the second amendment (change notice information amendment)

Case No. U-12886

1-800-Reconex and Ameritech

Application filed November 7, 2002 for approval of the third amendment (extends the term one year and changes other general terms and conditions)

Case No. U-12927

Covad Communications and Ameritech

Application filed October 31, 2002 for approval of the fifth amendment (state-specific performance measures)

Case No. U-13211

Ameritech Advanced Data Services of Michigan and Ameritech

Application filed October 31, 2002 for approval of the sixth amendment (bridged tap removal).

Case No. U-13211

Ameritech Advanced Data Services of Michigan and Ameritech

Application filed November 4, 2002 for approval of the seventh amendment (HFPL central office sync testing maintenance)

Case No. U-13254 VarTec Telecom and Ameritech

Application filed November 7, 2002 for approval of the second amendment (rates for OS and DA branding)

Case No. U-13614

ACN Communication Services and Ameritech

Application filed October 31, 2002 for approval of an interconnection agreement (adoption, pursuant to 47 USC 525(i), of an agreement approved on March 21, 2002 in Case No. U-12465 for AT&T Communications of Michigan) and the first amendment (negotiated reciprocal compensation)

Case No. U-13615

Talk Unlimited Now, Inc., and Ameritech Michigan

Application filed on November 4, 2002 for approval of an interconnection agreement.

Case No. U-13629

CenturyTel of Michigan and RACC Enterprises, LLC

Application filed November 13, 2002 for approval of an interconnection agreement.

On December 6, 2002 the Michigan Public Service Commission issued an order approving the interconnection agreements and amendments listed above.

Case No. U-13488

Keuhne & Nagel Inc v Ameritech

(consumer complaint: quality of service)

On December 6, 2002 the Michigan Public Service Commission ("Commission") issued an order dismissing with prejudice the complaint of Keuhne & Nagel, Inc. against Ameritech Michigan regarding the quality of service. On October 31, 2002 the complainant filed a request to withdraw the complaint.

Case No. U-13501

AMERITECH MICHIGAN and

ACE TELEPHONE CO, ALLENDALE TELEPHONE CO,

BARAGA TELEPHONE CO, BARRY COUNTY TELEPHONE CO,

BLANCHARD TELEPHONE) CO, BLOOMINGDALE TELEPHONE

CO, CARR TELEPHONE CO, CENTURYTEL MICHIGAN,

CENTURYTEL MIDWEST, CENTURYTEL NORTHERN MICHIGAN,

CENTURYTEL UPPER MICHIGAN, CHAPIN TELEPHONE CO,

CHIPPEWA COUNTY TELEPHONE CO, DEERFIELD FARMERS'

TELEPHONE COMPANY, DRENTHÉ TELEPHONE CO, HIAWATHA

TELEPHONE CO, KALEVA TELEPHONE CO, LENNON TELEPHONE

CO, MIDWAY TELEPHONE CO, OGDEN TELEPHONE CO,

ONTONAGON COUNTY TELEPHONE CO, PIGEON TELEPHONE CO,

TDS TELECOM, INC, UPPER PENINSULA TELEPHONE CO,

WALDRON TELEPHONE CO, WESTPHALIA TELEPHONE CO, and

WINN TELEPHONE CO

(FGA revenue sharing contracts dispute)

On December 6, 2002, the Michigan Public Service Commission ("Commission") issued an order dismissing the application of Ameritech Michigan seeking Commission resolution of a dispute related to the Feature Group A (FGA) revenue sharing contracts it has with: Ace Telephone Company, Allendale Telephone Company, Baraga Telephone Company, Barry County Telephone Company, Blanchard Telephone Company, Bloomingdale Telephone Company, Carr Telephone Company, CenturyTel Michigan, CenturyTel Midwest, CenturyTel Northern Michigan, CenturyTel Upper Michigan, Chapin Telephone Company, Chippewa County Telephone Company, Deerfield Farmers' Telephone Company, Drenthe Telephone Company, Hiawatha Telephone Company, Kaleva Telephone Company, Lennon Telephone Company, Midway Telephone Company, Ogden Telephone Company, Ontonagon County Telephone Company, Pigeon Telephone Company, Sand Creek Telephone Company, Springport

Telephone Company, TDS Telecom, Inc., Upper Peninsula Telephone Company, Waldron Telephone Company, Westphalia Telephone Company, and Winn Telephone Company (collectively, the rural LECs). On August 5, 2002, the rural LECs filed a civil action in the Ingham County Circuit Court, Case No. 02-1133-CK. On August 30, 2002, the rural LECs filed a motion with the Commission to dismiss the case, which was granted on September 16 by the Administrative Law Judge. The Commission, in its order, affirms the ALJ's determination. The Commission sets forth that when a call must be jointly carried by two FGA providers, the revenue is shared between them according to their contractual arrangement for revenue sharing, but that those contracts are not subject to Commission regulation or approval. The Commission further states that the disputed contract was negotiated privately between the parties, with no Commission participation or approval needed, and that the dispute does not relate to a regulated telecommunications issue.

Case No. U-13505

**AT&T Communications of Michigan Inc,
TCG Detroit, Z-Tel Communications Inc,
LDMI Telecommunications Inc,
CMC Telecom Inc,
McLEODUSA Telecommunications Services Inc,
MCImetro Access Transmission Services Inc,
Brooks Fiber Communications of Michigan Inc,
and MCI Worldcom Communications Inc
(application for declaratory ruling requiring SBC Ameritech to provide access to ULS)**

On December 6, 2002 the Michigan Public Service Commission ("Commission") issued an order dismissing without prejudice the petition filed by the CLEC Coalition for an investigation into Ameritech Michigan's provision of unbundled local switching. The Commission states that "[a]s the CLEC Coalition concedes in its response to [Ameritech's] motion to dismiss, at page 4, whether to commence an investigation is a matter of judgment. The Commission addressed the manner in which Ameritech Michigan should offer the unbundled network element platform, which includes switching, in its November 7, 2002 order in Case No. U-12320. The Commission does not find it necessary at this time to go beyond the conclusions expressed in that order."

Case No. U-13517

**Innaiah Pothacamury v Opex Communications Inc
(consumer complaint: slamming)**

On December 6, 2002 the Michigan Public Service Commission ("Commission") issued an order dismissing without prejudice the complaint of Innaiah Pothacamury filed against Opex Communications, Inc., alleging an unauthorized switch of service providers. On October 24, 2002, the complainant filed a request to withdraw the complaint without prejudice.

Case No. U-13525

**Net Express Inc d/b/a Advent Telecom
(license)**

On December 6, 2002 the Michigan Public Service Commission issued an order granting to Net Express, Inc., d/b/a Advent Telecom, a license to provide basic local exchange service in

all exchange areas currently served by Verizon North Inc., Contel of the South, Inc., d/b/a Verizon North Systems, and Ameritech Michigan.

Case No. U-13533
Waldron Telephone Company
(local calling and rate adjustment)

On December 6, 2002 the Michigan Public Service Commission issued an order authorizing Waldron Telephone Company (“Waldron”) to expand its local calling area, increase its rates for basic local exchange service, and establish a 2,000-minute adjacent exchange calling cap, all as proposed in Waldron’s application and revised in its November 19, 2002 filing.

Case No. U-13537
Attorney General Jennifer M. Granholm v
MCI WorldCom Inc and McLeodUSA Telecommunications Services Inc
(slamming)

On December 6, 2002 the Michigan Public Service Commission issued an order dismissing the complaint of Attorney General Jennifer M. Granholm against MCI WorldCom, Inc., and McLeodUSA Telecommunications Services, Inc. on behalf of consumer Harold A. Meredith alleging an unauthorized switch of service providers. On October 16, 2002 the complainant filed a request to withdraw the complaint against MCI WorldCom.

Case No. U-13617
XO Michigan Inc
(amended license and request for temporary license)

On December 6, 2002 the Michigan Public Service Commission issued an order granting to XO Michigan, Inc. a temporary license to provide basic local exchange service in all exchanges currently served by Ameritech Michigan, Verizon North Inc., and Contel of the South, Inc., d/b/a Verizon North Systems. XO sought the temporary license because it has the immediate potential to serve customers in certain areas.

* * *

NOTICES OF HEARING

Case No. U-13613
Daystarr LLC d/b/a DayStarr Communications
(license)

The October 30, 2002 application of DayStarr LLC d/b/a DayStarr Communications for a license to provide telecommunications services in the Verizon and Ameritech Michigan exchange areas of Owosso, South Haven, Flushing, and Bath is set for an evidentiary hearing at 9:00 a.m. on January 14, 2003. Interventions are due on or before January 10, 2003.

* * *

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 (December 9-13, 2002)

Hearings Scheduled for Last Week (December 16-20, 2002)

Future Hearings Scheduled

January 14, 2003, 9:00 a.m.
Case No. U-13613/evidentiary hearing
DayStarr, LLC, d/b/a DayStarr Communications (license)

* * *

APPLICATIONS AND COMPLAINTS

Case No. U-13328 RVP Fiber Co LLC and Ameritech Michigan (interconnection agreement)

On December 3, 2002 RVP Fiber Company, LLC and Ameritech Michigan jointly applied to the Michigan Public Service Commission ("Commission") for approval of the Third Amendment to their Interconnection Agreement approved by the Commission on March 29, 2002 ("Agreement"). The parties state that the Third Amendment fully executed as of November 20, 2002 adds UNE Combining Appendix into the Agreement.

Case No. U-13352 Ameritech Michigan (interconnection agreement with AccuTel of Texas Inc)

On December 9, 2002 Ameritech Michigan filed with the Michigan Public Service Commission ("Commission") a motion for approval of an amendment to the existing interconnection agreement between Ameritech and AccuTel of Texas, Inc. ("AccuTel") in lieu of a new interconnection agreement. Ameritech states that on April 8, 2002 AccuTel filed a petition for arbitration regarding the pricing, terms, and conditions for interconnection with Ameritech, and that on July 23, 2002 the Commission issued an order largely adopting the decision of the Arbitration Panel, with some minor modifications, and directed the companies to file a signed interconnection agreement within 10 days. Ameritech states that while this arbitration docket was pending, the parties filed a negotiated interconnection agreement

("Negotiated Agreement") in a separate docket (Case No. U-13448) and agreed to modify the Negotiated Agreement consistent with the Commission's orders in the arbitration docket upon final resolution of all matters in this docket. The Commission approved the Negotiated Settlement in an order issued September 16, 2002. Ameritech states that although the parties have been negotiating in good faith, they have failed to agree on the appropriate amendment and pricing schedule. As a result, SBC Ameritech Michigan proposes that the parties execute either a) the UNE Combinations Tariff Amendment (UNE Combo Amendment) with Optional Pricing Schedule, or, in the alternative, the Amendment attached which contains rates and charges as approved by the Commission. Ameritech requests that the Commission approve one of the two amendments to the existing Negotiated Agreement in Case No. U-13448 in lieu of filing a new conforming agreement in this arbitration docket.

Case No. U-13588
Choctaw Communications Inc and Ameritech Michigan
(interconnection agreement)

On December 11, 2002 Choctaw Communications, Inc. and Ameritech Michigan jointly filed with the Michigan Public Service Commission ("Commission") several corrections to their interconnection agreement, which was previously filed with the Commission on October 17, 2002.

Case No. U-13645
Enid Hilton Brown v AT&T Communications of Michigan Inc
(consumer complaint: unauthorized charges)

On December 5, 2002, Enid Hilton Brown ("Complainant"), of Franklin, filed a formal complaint with the Michigan Public Service Commission ("Commission") alleging that AT&T Communications of Michigan, Inc. "knowingly and intentionally billed and continues to bill many former customers, including [herself], after being properly switched to another telephone carrier and terminating services according to the Third Party Verification. Complainant seeks, among other things, a contested case hearing, reimbursement for expenses related to filing the complaint, and the entry of a cease and desist order against AT&T.

Case No. U-13647
Crudo Bros Co Inc v AT&T Communications of Michigan Inc
(consumer complaint: unauthorized charges)

On November 25, 2002 Crudo Bros. Co. Inc. ("Complainant"), of Livonia, filed a formal complaint with the Michigan Public Service Commission ("Commission") against AT&T Communications of Michigan, Inc. ("AT&T") alleging that AT&T installed a T1 line at Complainant's place of business that has never been activated or carried traffic. Complainant states that AT&T has improperly charged over \$23,000.00 in monthly fees for what AT&T describes as "Ghost or Phantom T1 service." Complainant seeks reimbursement for out-of-pocket expenses, economic loss, the imposition of fines and the entry of a cease and desist order against AT&T.

Case No. U-13648

Sandra L. White v Horizon Telecom

(consumer complaint: false, misleading and deceptive statements)

On November 27, 2002 Sandra L. White (“Complainant”), of Ludington, filed a formal complaint with the Michigan Public Service Commission (“Commission”) alleging that Horizon Telecom (“Horizon”) contacted her claiming to be contracted by Verizon to handle its long distance service. Complainant states that Horizon also told her that her 800 business number and her three-year contract with Verizon would not be affected and that Complainant’s rates would be lowered “to compensate for any inconvenience” to her. Complainant states that when she was notified by Verizon that she had changed carriers, she changed back to Verizon. Complainant seeks reimbursement for her out-of-pocket expenses that total \$102.97, the imposition of fines and the entry of a cease and desist order against Horizon.

Case No. U-13649

CenturyTel and ICG Telecom Group Inc

(interconnection agreement)

On December 6, 2002 CenturyTel and ICG Telecom Group, Inc. jointly applied to the Michigan Public Service Commission (“Commission”) for approval of their Interconnection Agreement.

Case No. U-13651

Sun Communications LLC

(license)

On December 9, 2002 Sun Communications LLC (“SunCom”) applied to the Michigan Public Service Commission (“Commission”) for a license to provide basic local exchange service on a reseller basis in the zone and exchange areas in which Ameritech Michigan, Verizon North Incorporated, and Verizon North Systems are the incumbent local exchange carriers. The application states that the “[a]pplicant originally filed an application for a license to provide basic local exchange service on October 21, 2002 under the name of “GlobalCom, LLC” (Case No. U-13596. However, GlobalCom withdrew its application on November 25, 2002”, as GlobalCom changed its name to SunCom, LLC. SunCom states that it is a privately-held company located in Grosse Pointe Farms, Michigan.

Case No. U-13652

Tammy Fisher v MCI metro Access Transmission Services LLC

(consumer complaint: slamming)

On December 9, 2002 Tammy Fisher (“Complainant”), of Lansing, filed a formal complaint with the Michigan Public Service Commission (“Commission”) alleging that MCI metro Access Transmission Services, LLC (“MCI”) had switched her long distance telephone service without her authorization. Complainant requests relief including a refund of any overcharges, the imposition of fines and the entry of a cease and desist order against MCI.

Case No. U-13658

Julie F. Travis v MCI WorldCom

(consumer complaint: unauthorized charges)

On December 13, 2002 Julie F. Travis, a/k/a Julie F. Thelen, (“Complainant”), of Chicago, Illinois, filed a formal complaint with the Michigan Public Service Commission ("Commission") against MCI WorldCom Communications Inc. (“MCI”) for unauthorized basic local charges on billing statements for a Michigan phone number that was cancelled in April 2002. Complainant states she has now received several monthly bills and that the total amount due is over \$100.00. Complainant states that she filed an information complaint with the Commission in September 2002, but that MCI did not respond to the Commission’s inquiry. Complainant requests reimbursement for out-of-pocket expenses \$1,237.50, the imposition of fines and the entry of a cease and desist order against MCI.

Case No. U-13659

Village of Elberta v Small Business of America

(consumer complaint: false, misleading and deceptive statements)

One December 16, 2002 the Village of Elberta (“Complainant”) filed a formal complaint with the Michigan Public Service Commission against Small Business of America (“SB of A”). Complainant states that when it was contacted by a SB of A telemarketer offering to consolidate Complainant’s monthly telephone bills, Complainant was lead to believe that it was dealing with a billing company representing AT&T, Complainant’s local toll and long distance carrier. After Complainant agreed to what it thought was a billing consolidation, it received a Notice of Change from Ameritech indicating that Complainant’s long distance carrier had been changed to QWEST432. However, a bill received from Ameritech indicated that Complainant’s new long distance carrier was USBI, who doubled the rate Complainant had paid AT&T and covered only the state to state calls. When contacted by Complainant, USBI stated it represented SB of A (not Qwest). Although Complainant requested to be changed back to AT&T, Complainant still receives bills from USBI. Complainant seeks \$830.00 in reimbursement for its total economic loss, the imposition of fines and the entry of a cease and desist order against SB of A.

Case No. U-13661

Mortgage Concepts Inc v First Step.net

(consumer complaint: false, misleading and deceptive statements)

On December 17, 2002 Mortgage Concepts, Inc. (“Complainant”), of Canton, filed a formal complaint with the Michigan Public Service Commission ("Commission") against First Step.net , its Internet Service Provider (ISP) for making false, misleading and deceptive statements. Complainant states that it became aware that its ISP, Advanced Data Network, was sold to First Step.net when it lost Internet service. Complainant states that First Step.net then provided it with a new local dial-up number. However, after changing numbers, Complainant’s first telephone bill totaled over \$8,000.00, because the new dial-up number was a local toll call. Complainant was then told by First Step.net that the charges were made as a result of a “non-intentional error” and that consequently Ameritech would work out the bill with Complainant. When Complainant called Ameritech to discuss the matter, Ameritech had no record of a discussion with First Step.net and said that First Step.net did not give Complainant a local number, even though that information is readily available on Ameritech’s Web site. Ameritech then sent Complainant’s account of nearly \$15,000.00 to its collections department.

Complainant seeks to have its account credited for charges over and above what it was paying to Advance Data Systems using a local number.

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PSC NOTICES OF OPPORTUNITY FOR COMMENT

**Case No. U-13617
XO Michigan Inc
(amended license)**

On October 20, 2002 XO Michigan, Inc. ("XO") filed an application with the Michigan Public Service Commission ("Commission") for approval to expand the geographic area of its license to include all of the service territory of the incumbent providers SBC Ameritech Michigan, Verizon North and Verizon North Systems, and for a temporary license while its application to expand is under consideration. The Commission has directed XO to issue notice of its request by November 27, 2002. Written and electronic comments may be filed with the Commission and must be received no later than 5:00 p.m. on December 26, 2002.

**Case No. U-13640
Gryphon Place
(2-1-1 call center designation)**

On November 22, 2002 Gryphon Place filed an application with the Michigan Public Service Commission ("Commission") requesting assignment of the abbreviated telephone digits 2-1-1 and designation as the community resource information and referral answering point for any telephone exchange located, in whole or in part, within Kalamazoo County, Michigan. Gryphon Place also filed clarifying information, concerning its application with the Commission on December 12, 2002. The Commission directs Gryphon Place to issue a notice of opportunity to comment by January 2, 2003, and to mail a copy of the published notice to all human services agencies and organizations within Kalamazoo County, to all local exchange carriers providing service in Kalamazoo County, and to the Michigan Attorney General, within two days of newspaper publication. Written and electronic comments may be filed with the Commission no later than 5:00 p.m. on January 17, 2003.

**Case No. U-13643
Island Telephone Company
(local calling and rate adjustment)**

On November 27, 2002 Island Telephone Company filed an application with the Michigan Public Service Commission ("Commission") for authority to: 1) offer expanded local calling from the Beaver Island exchange to the Charlevoix exchange, and the Bois Blanc exchange to the Cheboygan exchange, and 2) implement a revenue-neutral adjustment in its basic local exchange rates related to the provision of such expanded local calling. The Commission directs Island Telephone Company to issue a notice of opportunity to comment in accordance with the Michigan Telecommunications Act, 1991 PA 179. Written and electronic comments must be filed with the Commission no later than 5:00 p.m. on January 30, 2003.

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SCHEDULED MPSC MEETINGS

December 20, 2002	Special Meeting	3:00 pm
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