

# M ICHIGAN

# T ELECOMMUNICATIONS

# R EPORT™

A CLARK HILL P.L.C. Publication, Roderick S. Coy\*, Editor

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## Orders:

*issued February 6, 2002 (MPSC Special Meeting)*

**U-12465:** AT&T/TGCT Detroit and Ameritech: interconnection arbitration

**U-13013:** Commission's Own Motion: quality of telecommunications service

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**U-12382:** Coast to Coast Telecommunications/Ameritech: ICA

**U-12987:** Allegiance Telecom/Ameritech: ICA

**U-13005:** TelNet Worldwide/Ameritech: ICA

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## FEATURES

### **BROADBAND UPDATE**

The Senate Technology and Energy Committee, on February 13, 2002, reported out legislation to hasten the deployment of high-speed Internet access in Michigan. Absent from the three-bill tie-barred package, was Senate Bill 998, which would have eliminated the end user common line charge (EUCL), currently charged by Ameritech and Verizon, unless the companies could justify the charge before the Michigan Public Service Commission.

Senate Bills 880, 881 and 999 approved by the Senate Committee now include:

A statewide fee for telecommunications infrastructure in the public rights-of-way to be paid by providers set at 2 cents per lineal foot in the first year and five cents a lineal foot thereafter. A discount would be available for providers who share facilities.

A one-time application fee of \$500.00 for new facilities.

A stipulation that no provider would pay more in right-of-way fees than SBC/Ameritech, which has the most access lines.

An exemption from the fees for education institutions if they complied with the Michigan Telecommunications Act.

A provision that would allow telecommunications companies to seek approval from the Michigan Public Service Commission for a dollar-for-dollar state tax credit if they could show an "adverse impact" from the right-of-way fees.

A provision to allow the Broadband Development Authority the power to issue low-interest loans to broadband developers, but not to make grants.

A December 31, 2008 sunset on new low-interest loans.

### **MPSC SEEKS COMMENTS ON REVISED QUALITY OF SERVICE RULES**

**On February 6, 2002 the Michigan Public Service Commission announced in a press release that it would hold a public hearing to receive comments on revised proposed rules governing the quality of telecommunications service in Michigan.**

**“The Commission encourages interested persons to attend and present comments at the hearing scheduled for Thursday March 14, 2002 at 9:00 a.m. at the Commission's office in Lansing. Written comments may also be submitted by Thursday March 21, 2002. Written comments should reference Case No. U-13013, and an original and fifteen copies should be sent to the Commission at the following address: Office of the Executive Secretary, Michigan Public Service Commission, P.O. Box 30221, Lansing, Michigan 48909. To obtain a free copy of the proposed rules, see the Commission's Web site at <<http://cis.state.mi.us/mpsc/>>, or write the MPSC at the above address or call 517.241.6200 or 1.800.292.9555. The revised proposed rules address a broad range of issues, including repair and installation, emergency repairs, engineering standards, identity verification, customer billing, and billing accuracy. The Commission received numerous comments on its initial proposed rules governing quality of telecommunications services at an earlier public hearing on August 8, 2001, and through written comments. The Commission has revised the proposed rules for further comment.”**

### **AT&T ENTERS MICHIGAN'S RESIDENTIAL LOCAL PHONE MARKET**

In a press release issued February 13, 2002, AT&T announced that it has begun offering Michigan consumers currently served by SBC Ameritech a new choice for residential local phone service. “The company is offering Michigan residents several local calling plans with the ability to add an attractively priced long distance plan and receive a single monthly bill. ‘Gov. Engler and the Michigan Public Service Commission are to be commended for setting wholesale prices that reflect the cost of providing local service in the state of Michigan,’ said Phil Tonge, president of local markets, AT&T Consumer. ‘We look forward to offering Michigan residents the convenience of dealing with one company for their local and long distance calls along with competitive pricing and high-quality customer service.’” **AT&T states that it is “initially providing local service to Michigan residents by leasing parts -- unbundled network elements -- provided by the state's monopoly provider of local service, SBC Ameritech”, but that it ultimately intends to use its own facilities, where feasible, to serve many customers. AT&T already offers local service to businesses in the Detroit metropolitan area.**

### **MPSC ANNOUNCES NEW TELECOM DATABASE**

The Michigan Public Service Commission announced on February 15, 2002 that a new searchable database, the Telecommunications Data Base, is now available that provides the ability to look-up Intrastate Telecommunications Service Providers (ITSPs). Information is available on the company's location, phone numbers, services provided, and customer service contacts. All ITSPs are required to be registered with the Commission. The Web site is located at <<http://efile.mpsc.cis.state.mi.us/itsp/>>.

## 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.

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
SB 1058 Sikkema	02/05/02	Amends the Michigan Antitrust Act by eliminating the exemption for telecommunication providers	To Senate Committee on Technology/Energy

<b>House Bill # Representative</b>	<b>Date Introduced</b>	<b>Description</b>	<b>Status</b>
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-12465

AT&T Communications of Michigan, Inc. and TCG Detroit  
(arbitration of interconnection with Ameritech Michigan)

On February 6, 2002, the Michigan Public Service Commission (“Commission”) issued an order arbitrating various issues regarding interconnection rates, terms, and conditions and related arrangements between AT&T Communications of Michigan, Inc. and TCG Detroit (“AT&T”) and Ameritech Michigan. AT&T filed its Petition for Arbitration on June 12, 2000. Ameritech Michigan filed its response to the Petition on July 7, 2000. An Arbitration Panel was established and issued a Decision of the Arbitration Panel (“DAP”) on October 18, 2000, after which the parties filed 78 separate objections to the DAP. On November 20, 2000 the Commission issued an order adopting the DAP with certain modifications. On June 8, 2001, the parties filed an unsigned agreement noting that they were unable to agree to conforming language in all instances. The Commission’s order of February 6, 2002 addresses these disagreements and additional issues raised by the parties. The highlights of the order addressed the following:

**Compensation Arrangements for Third-Party Transiting Traffic.** The Commission rejected language proposed by Ameritech Michigan to require each party to provide transiting to the other, instead adopting language proposed by AT&T that contained a caveat that neither party should be required to act as the billing agent for other carriers.

**Availability, Use, and Combination of Unbundled Network Elements.** The Commission declined to address the parties’ rival definitions of what constitutes an “existing combination” for purposes of the UNE-Platform, deciding that the issue should be left for future resolution. For purposes of the arbitration, certain issues were resolved under the assumption that the requested combinations would be provided under the Mi2A amendment that would be attached to the agreement. With that statement, the Commission decided among various language proposals that provided the least risk of conflict between the specific wording of the interconnection agreement and the Mi2A. The Commission further limited the use of UNE combinations to service of AT&T’s end-user customers and to prevent the CLEC from using UNE combinations to avoid paying exchange access charges, and required the use of notice, negotiation, and amendment processes to incorporate future changes in regulations removing certain services as UNEs.

**Advance Notice of Changes in Resale Terms and Conditions.** The Commission reaffirmed that Ameritech must give 45 days notice to AT&T of changing the terms and conditions of services available for resale.

**Days and Hours for Number Porting.** The Commission rejected AT&T's proposal for allowing porting of numbers at any time where ten-digit triggering is available and to require Ameritech Michigan to offer number portability for telephone numbers that have mass calling capability.

**Intellectual Property Issues.** The Commission accepted language requested by AT&T for indemnity from claims arising from the alleged infringement of a third-party supplier's intellectual property rights, and as to the steps Ameritech Michigan must take to secure for AT&T's benefit intellectual property rights equal to those obtained by Ameritech Michigan.

**Local Loops.** The Commission adopted AT&T's proposed schedules relating to the availability of local loops and the requirement that "EELs [enhanced extended loops] may be included and should be defined consistent with" all pertinent Commission and FCC orders.

**Line Sharing and Line Splitting.** The Commission reaffirmed its decision in Case No. U-12540 that Ameritech Michigan must make available to CLECs Ameritech's fiber-based and combined voice and data service offerings under tariff and under interconnection agreement amendments, and that it had based its decision not to require unbundling of Project Pronto based on that representation. Consequently, the Commission rejected reservation of rights proposed by Ameritech Michigan to challenge that availability, and indicated the Project Pronto issues could be revisited if the previous access ordered is not in fact being made available. The Commission further adopted AT&T's proposed language that allows AT&T to replace Ameritech Michigan as the voice provider in a line sharing situation "without interruption or termination of services" provided over the high frequency portion of the loop. If different solutions are ultimately reached in Case No. U-12320, the agreement may be amended. The Commission further adopted AT&T's proposal to require pre-deployment testing of an operational support system capable of supporting both line sharing and line splitting, as well as the development of specific operational procedures. The Commission further modified an AT&T proposal to require Ameritech Michigan to permit appropriate line splitting arrangements, but not the splitter itself. AT&T is granted access to the splitter for testing purposes, but must be accompanied by Ameritech Michigan personnel and must pay all costs associated with access. With regard to loop qualification, new elements must be made available to CLECs and included in the ten cent dip charge, and AT&T must have manual access on the same terms and conditions as applied to any other CLEC. The Commission further found that Ameritech Michigan's line splitting provisioning activities not introduce a greater degree of service interruption or degradation than experienced when the ILEC itself engages in line sharing. The Commission further held pricing for overtime and premium time charges be removed and replaced with a reference to the pricing schedule.

**Dark Fiber.** The Commission rejected AT&T's proposed expansion of the definition of dark fiber to include all fiber "between" two points; rather, the fiber must "connect" the two

points to be considered dark fiber that must be provided to AT&T. The Staff is to monitor the situation to assure that Ameritech Michigan does not use this definition for anticompetitive purposes.

**Switching Issues.** The Commission adopted AT&T's proposal to expressly state that Ameritech Michigan must allow AT&T to commingle local and toll operator services and directory assistance traffic on existing OS or Feature Group D trunks. The Commission further found that AT&T should not be restricted to the bona fide request process for customized routing for local and toll calls.

**Shared Transport.** The Commission rejected an AT&T proposal to require that conflicts between the Shared Transport tariff and the interconnection agreement be resolved in favor of the agreement.

**Provisioning Requirements for UNEs and UNE Combinations.** The Commission addressed several issues regarding Schedule 9.5 of the interconnection agreement. The Commission adopted AT&T's proposals to strike language that would limit access to UNE combinations, and adopted language that all UNE combinations available under the prior agreement be made available under the new agreement. The Commission adopted a compromise that streamlines the notification process when Ameritech Michigan is unable to provide a requested service by the date in the firm order confirmation. The Commission further adopted AT&T schedules that reduce the chances of conflict with the Mi2A. The Commission further rejected Ameritech Michigan's proposed step-by-step process for moving OS/DA to market based rates as being premature, and rejected AT&T's proposal concerning its provisioning under custom routing as providing a different process for discontinuance of OS/DA as a UNE. The Commission also accepted a compromise for dealing with removal of collocated equipment.

**Pricing Schedule Issues.** The parties had mostly approved a price schedule based on the currently approved TSLRIC-based rates contained in Ameritech Michigan's tariffs. Ameritech Michigan must provide collocation services at tariffed, TSLRIC-based rates, and must provide any collocation services for which no tariff price was previously established by applying the price for intrastate tariffed collocation service most closely resembling that requested by AT&T. If prices are later agreed upon, the agreement may be amended at that time. The Commission rejected Ameritech Michigan's proposed contingency schedule for market-based rates for OS/DA services as being premature. The Commission further found that disputes regarding UNE Platform and UNE Loop pricing were moot in light of the adoption of the Mi2A. The Commission also rejected an Ameritech Michigan proposal to indicate that migration charges are subject to change if Ameritech Michigan is successful in its appeal of its current TSLRIC-based rates.

**Request for Clarification.** The Commission denied Ameritech Michigan's Request for Clarification to incorporate by reference the FCC's ISP Compensation Remand Order, finding that it can be covered by the existing regulatory changes language in the interconnection agreement, which would require an amendment to the interconnection agreement.

The Commission has ordered AT&T and Ameritech Michigan to file, within 14 days of the date of the order, a signed copy of their approved, modified interconnection agreement.

Case No. U-13013  
Commission's Own Motion  
(service quality rules)

On February 6, 2002 the Michigan Public Service Commission ("Commission") issued revised proposed rules to govern the quality of telecommunications services and ordered that a public hearing regarding the adoption of the proposed rules will be held at 9:00 a.m. on March 14, 2002 in the offices of the Commission. The hearing will be legislative in nature and any person may present data, views, questions, and arguments regarding the proposed rules. All written comments must be filed no later than 5:00 p.m. on March 21, 2002.

The proposed rules represent a revision to the previous proposed rules, issued by the Commission on July 11, 2002, and are based on a series of comments that have been received by the Commission in the intervening time period. The revised proposed rules address a variety of issues, including repair and installation, emergency repairs, engineering standards, and identity verification. Among the Commission's revisions to the proposed rules are the addition of a specific applicability of the proposed rules, clarification that specific provisions will be applicable only to facilities-based providers; elimination of proposed requirements to have billing offices within every county, elimination of customer billing standards (which are contained in other Commission rules), and, the addition of a recourse provision when a violation of the rules is caused by the action of an underlying provider. Remaining in the proposed rules are some provisions about which several telecommunications carriers expressed serious concerns. These provisions include automatic credits when certain performance standards are not met, additional requirements for consumer information that must appear on a customer's bill, various required installation time frames that do not take into account resale provider's underlying carriers, and vague waiver and exception circumstances.

The Commission commenced its proceeding to adopt new rules to govern the quality of telecommunications services in response to a Commission established expiration date of September 1, 2001, for the standards currently in effect. On August 16, 2001, the Commission extended the expiration of the existing rules, until such time as new rules take effect.

\* \* \*

### **PROPOSALS FOR DECISION**

**Case No. U-13164**

**Marilyn Pattison v AT&T Communications of Michigan Inc  
(consumer complaint: slamming)**

On February 14, 2002 Administrative Law Judge Barbara A. Stump (“ALJ”) issued a proposal for decision recommending that the Michigan Public Service Commission (“Commission”) find that AT&T Communications of Michigan, Inc. (“AT&T”) violated Section 505(1) of the Michigan Telecommunications Act when it switched Marilyn Pattison’s (“Complainant”) long distance telephone service without her authorization. However, the ALJ states that “the overwhelming evidence demonstrates that the unauthorized switch by AT&T was “an unintentional and bona fide error notwithstanding AT&T’s maintenance of procedures designed to prevent such an error” and recommends that no fine be imposed. The ALJ concludes, however, that AT&T should pay \$656.00 to Complainant to compensate her for her time and expenses related to the proceeding.

\* \* \*

### **NOTICES OF HEARING**

**Case No. U-13278**

**Campus Communications Group  
(license)**

The January 30, 2002 application of Campus Communications Group for a license to provide telecommunications services throughout the state in the exchange areas presently served by Verizon North Inc., Verizon North Systems, and Ameritech Michigan is set for an evidentiary hearing at 9:00 a.m. on March 13, 2002. Interventions are due on or before March 11, 2002.

\* \* \*

## PSC HEARINGS SCHEDULE

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

<b>Hearings Scheduled for Last Week (February 4 - 7, 2002)</b>
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February 6, 2002, 9:00 a.m.  
Case No. U-13194/evidentiary hearing  
grid4 Communications (license)

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

<b>Hearings Scheduled for This Week (February 11 - 15, 2002)</b>
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Feb. 15, 2002, 9:00 a.m.  
Case No. U-13219/motion hearing  
BigNet Inc/BigNet Holdings v MCI WorldCom  
(billing dispute)

<b>Future Hearings Scheduled</b>
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Feb. 21, 2002, 9:00 a.m.  
Case No. U-13253/evidentiary hearing  
Masters v LDMI (slamming)

Feb. 25-26, 2002, 9:00 a.m.  
Case No. U-13193/cross-exam all parties  
CLEC Association et al. v Ameritech  
(anti-competitive practices)

## APPLICATIONS AND COMPLAINTS

**Case No. U-12382**  
**Coast to Coast Telecommunications Inc and Ameritech Michigan**  
**(interconnection agreement)**

On February 1, 2002 Coast to Coast Telecommunications, Inc. and Ameritech Michigan jointly applied to the Michigan Public Service Commission for approval of the Second Amendment to their Interconnection Agreement. The Second Amendment, executed as of December 6, 2001, incorporates into the Agreement certain terms and conditions pertaining to the payment of reciprocal compensation, interconnection, and trunking.

**Case No. U-12987**  
**Allegiance Telecom of Michigan Inc and Ameritech Michigan**  
**(interconnection agreement)**

On February 1, 2002 Allegiance Telecom of Michigan, Inc. and Ameritech Michigan jointly applied to the Michigan Public Service Commission for approval of the Fourth Amendment to their Interconnection Agreement. The Fourth Amendment, executed as of December 6, 2001, incorporates into the Agreement certain terms and conditions pertaining to the payment of reciprocal compensation, interconnection, and trunking.

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

**On February 8, 2002 TelNet Worldwide, Inc. and Ameritech Michigan jointly applied to the Michigan Public Service Commission (“Commission”) for approval of the Mi2A amendment to their Interconnection Agreement approved by the Commission on September 27, 2001.**

**Case No. U-13276**  
**Keith B. Akers v Ameritech Michigan**  
**(consumer complaint: easement dispute)**

**On January 29, 2002 Keith B. Akers (“Complainant”), of Warren, filed a formal complaint with the Michigan Public Service Commission alleging that Ameritech Michigan “has illegally assumed an easement in the center of [his] yard.” Complainant states that he is unable to build an addition to his house because his “options and property rights are limited because of these wires.” Complainant further states that although his neighbor has agreed to give Ameritech an underground easement which would give Ameritech access to existing utility easements, Ameritech has refused to move the wires unless Complainant assumes responsibility for all costs that would be associated with the rearrangement of the lines.**

**Case No. U-13277**  
**Shaheen Enterprises v Long Distance of Michigan Inc**  
**(consumer complaint: slamming)**

**On January 30, 2002 Shaheen Enterprises (“Complainant”), of Eastpointe, filed a formal complaint with the Michigan Public Service Commission alleging that Long Distance of Michigan, Inc. (“LDMI”) switched its long distance telephone service without authorization. Complainant seeks reimbursement of out-of-pocket expenses in the amount of \$20,200.00, the imposition of fines and the entry of a cease and desist order against LDMI.**

**Case No. U-13278**  
**Campus Communications Group Inc**  
**(license)**

**On January 30, 2002 Campus Communications Group, Inc. (“CCG”) applied to the Michigan Public Service Commission for a license to provide basic local exchange service in the areas and exchanges in which Ameritech Michigan, Verizon North, Inc., and Verizon North Systems are the incumbent local exchange carriers. CCG proposes to provide services on both a resold and facility-based basis. CCG states that it is a Delaware corporation headquartered in Jacksonville, Florida.**

**Case No. U-13282**

**Bloomington Telephone Company and Verizon North Inc and  
Contel of the South, Inc., d/b/a Verizon North Systems  
(interconnection agreement)**

**On January 30, 2002 Bloomington Telephone Company (“Bloomington”) and Verizon North, Inc. and Contel of the South, Inc., d/b/a Verizon North Systems (collectively, “Verizon”) jointly applied to the Michigan Public Service Commission (“Commission”) for approval of their Interconnection Agreement (“Agreement”). The Agreement results from Bloomington’s decision to adopt the terms of the interconnection agreement, as amended, between BRE Communications, L.L.C., d/b/a Phone Michigan and Verizon approved by the Commission in Case No. U-11551.**

**Case No. U-13284**

**United Telecom Inc and Ameritech Michigan  
(interconnection agreement)**

**On February 1, 2002 United Telecom, Inc. and Ameritech Michigan jointly applied to the Michigan Public Service Commission for approval of their multi-state Interconnection Agreement executed as of December 13, 2002. The Agreement has an initial term that expires on December 9, 2003.**

**Case No. U-13288**

**Bravo Kilo Inc, d/b/a Burger King v Ameritech Michigan  
(consumer complaint: slamming)**

**On February 1, 2002 Bravo Kilo, Inc., d/b/a Burger King (“Complainant”), of Farmington, filed a formal complaint with the Michigan Public Service Commission alleging that Ameritech Michigan switched its long distance telephone service from WorldCom to AT&T without authorization. Complainant seeks reimbursement for approximately \$400.00 in out-of-pocket expenses, the imposition of fines, and the entry of a cease and desist order against Ameritech.**

**Case No. U-13289**

**Donald C. and Mary E. McNaught v SBC Ameritech Michigan  
(consumer complaint: quality of service)**

On February 1, 2002 Donald C. and Mary E. McNaught (“Complainants”) filed a formal complaint with the Michigan Public Service Commission against SBC Ameritech Michigan alleging that they were without a connection to their alarm service company, EPS Security (“EPS”), for 733 days. Complainants state that after their alarm failed to work, they called Ameritech who claimed that it had previously notified Complainants that EPS incorrectly installed the wires, that Ameritech had cut the wires and told Complainants that they were responsible to have the situation corrected. Complainants state they told Ameritech that they never received Ameritech’s notification, and that Ameritech’s Loss Prevention/Risk Management office had agreed to reimburse Complainants for two years of lost security but later refused to pay. Complainants further state that EPS claims Ameritech cut the lines of 14 EPS customers. Complainants request reimbursement of \$810.00 for their economic loss, the imposition of fines and the entry of a cease and desist order against Ameritech.

**Case No. U-13290**

**Business Strategy Inc v AT&T Communications of Michigan Inc  
(consumer complaint: unauthorized charges)**

On February 1, 2002 Business Strategy, Inc. (“Complainant”), of Grand Rapids, filed a formal complaint with the Michigan Public Service Commission against AT&T Communications of Michigan, Inc. (“AT&T”) alleging unauthorized charges. Complainant states that its monthly phone bills include charges from AT&T for a One-Rate Off-Peak II Plan totaling \$10.68, but that this service was not ordered and that all of the company’s “lines are PIC’d to another long distance provider.” Complainant seeks reimbursement for its economic loss of \$197.55, the imposition of fines and the entry of a cease and desist order against AT&T.

**Case No. U-13291**

**John Moog v MCI  
(consumer complaint: false, misleading and deceptive statements)**

On February 1, 2002 John Moog (“Complainant”), of Jackson, filed a formal complaint with the Michigan Public Service Commission alleging that MCI had offered him a calling package that included free calling within the state and seven cents per minute for calls made outside the state. Complainant said his wife was first quoted the monthly price of \$14.99, then he was quoted the price of \$24.99, and that the final bill was for \$34.99, and included calling features which he did not order. Complainant states that MCI customer service told that no such package as he said he was offered is available. Complainant seeks reimbursement for his

**economic loss of approximately \$70.00, the imposition of fines and the entry of a cease and desist order against MCI.**

**Case No. U-13292**

**Raymond Cochran v Ameritech Michigan  
(consumer complaint: privacy rights)**

**On February 6, 2002 Raymond Cochran (“Complainant”), of Farmington Hills, filed a formal complaint with the Michigan Public Service Commission alleging that Ameritech Michigan and Ameritech Publishing have “engaged in a four year campaign of harassment, violation of the privacy rights of the complainant, and in every judicial venue; engaged in a concerted scheme of misrepresentations, fraudulent statements and claims, and conduct in violation of Michigan state laws and statutes, and in addition, violations of US Code Title 47 . . . .” Complainant states that Ameritech has publicly disclosed his residential address, social security number, date of birth, and driver’s license number, which has irreversibly compromised and damaged his private affairs. Complainant requests compensation for damages in excess of \$700,000.00.**

**Case No. U-13293**

**Way Transportation v Alliance Group/LCR  
(consumer complaint: slamming)**

**On February 5, 2002 Way Transportation (“Complainant”), of Charlevoix, filed a formal complaint with the Michigan Public Service Commission alleging that Alliance Group/LCR switched its long distance telephone service on four phone lines without authorization. Complainant seeks reimbursement of out-of-pocket expenses totaling \$5,000.00, the imposition of fines and the entry of a cease and desist order against Alliance Group/LCR.**

**Case No. U-13294**

**Mpower Communications Corp and Ameritech Michigan  
(interconnection agreement)**

**On February 7, 2002 Mpower Communications Corporation and Ameritech Michigan jointly applied to the Michigan Public Service Commission for approval of their multi-state Interconnection Agreement executed as of August 29, 2001. The Agreement has an initial term that expires on May 14, 2002.**

**Case No. U-13295**

**DSLnet Communications LLC and Ameritech Michigan  
(interconnection agreement)**

**On February 7, 2002 DSLnet Communications, LLC. (“DSLnet”) and Ameritech Michigan jointly applied to the Michigan Public Service Commission (“Commission”) for approval of their Interconnection Agreement executed as of December 31, 2001 (“Agreement”).**

**The application states that DSLnet requested the sectional adoption of terms and conditions of the interconnection agreement dated January 12, 2001 between Level 3 Communications, LLC and Ameritech Michigan that was approved by the Commission on February 5, 2001 in Case No. U-12460, and that the Negotiated Reciprocal Compensation Appendix is a negotiated document that replaced that Reciprocal Compensation section included in the Level 3 Agreement. Further, the parties state that the First Amendment, executed as of December 31, 2001, incorporates into the Agreement, among other things, performance measures and remedies, line sharing rates, terms and conditions, and loop provisioning intervals for stand-alone xDSL capable loops.**

**Case No. U-13296**

**Frontier Communications of Michigan Inc  
(amended license)**

**On February 6, 2002 Frontier Communications of Michigan, Inc. (“Frontier”) filed an application with the Michigan Public Service Commission for approval to alter the geographic area of its license to allow additional provisioning of basic local exchange service. Frontier seeks approval to alter the current boundary between its North Adams Exchange and Verizon North Systems’ Addison Exchange so it can provide services to a customer in an area where Verizon North facilities currently do not exist. Frontier states that Verizon North supports this boundary change and that no rate or charge to existing customers will be increased as a result of the proposed alteration.**

**Case No. U-13298**

**Top Radio Supply v SBC Communications  
(consumer complaint: disconnection of service)**

**On February 11, 2002 Top Radio Supply (“Complainant”), of Detroit, filed a formal complaint with the Michigan Public Service Commission alleging that SBC Communications disconnected its phone service subsequent to an “ongoing problem with Smurfing of the ringing signal using E.L.M.O.S.” . . . and with “call Smurfing outside 313 area code using E.L.M.O.S., randomly blocking calls” to Complainant.**

**Case No. U-13299**

**Access One Inc and Ameritech Michigan  
(interconnection agreement)**

**On February 11, 2002 Access One, Inc. and Ameritech Michigan jointly applied to the**

**Michigan Public Service Commission for approval of their multi-state Interconnection Agreement executed as of December 14, 2001 (“Agreement”). The Agreement has an initial term that expires on January 16, 2003.**

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**PSC NOTICES OF OPPORTUNITY FOR COMMENT**

**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 FEBRUARY 2002**

February 1, 2002	Regular Meeting	9:00 a.m.
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February 6, 2002	Special Meeting	10:00 a.m.
February 25, 2002	Regular Meeting	4:00 p.m.

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