

# **M** ICHIGAN **T** ELECOMMUNICATIONS **R** EPORT™

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## FEATURES

# LEGISLATURE ENACTS CHANGES IN MICHIGAN TELECOMMUNICATIONS ACT (HB 5237)

On November 3, 2005, the Michigan Legislature enacted changes to the Michigan Telecommunications Act that were signed into immediate effect on November 22, 2005.

The most publicized change is to create a specific regulated package of phone service expressly defined as "Primary Basic Local Exchange Service." This service relates only to residential service and replaces the former Section 304b calling plans (unlimited, 50 call plan, and 400 call plan), which are no longer required. Primary Basic Local Exchange Service includes one primary access line to a residential customer for voice communication and must include all of the following: (i) Not fewer than 100 outgoing calls per month, (ii) Not less than 12,000 outgoing minutes per month, and (iii) Unlimited incoming calls. The 100-call limit cannot apply to persons with disabilities or certain persons providing services to charitable organizations. Under new Section 301a, MCL 484.2301a, all licensed providers must offer primary basic local exchange service to each residential customer within the provider's service area where the provider is offering any kind of basic local exchange service to residential users.

The initial rate for primary basic local exchange service must be established no later than April 1, 2006. In general, the initial rates may not exceed the rates for the lowest cost calling plan that includes a limited number of outgoing calls. If the provider does not offer such a calling plan, the initial rate must be just and reasonable and may be subject to Commission review. Only one rate change per year is then allowed for primary basic local exchange service. The provider can now set the

price for basic local exchange service, including any packages that include the primary basic local exchange service, so long as the provider offers a stand-alone primary basic local exchange service at a regulated price.

For those customers using the primary basic local exchange service offering, the provider must offer all unregulated calling features on a stand-alone basis, and the purchase of the calling features cannot affect the regulated rate of the primary basic local exchange service offering.

No Commission approval is required to change the rates for commercial basic local exchange service, for residential basic local exchange service (except the primary basic local exchange service offering), or for additional features or unlimited calling plans, regardless of the location within the state. Any number of rate changes may occur without Commission approval.

A second change is in the disclosures that must be made to customers. All providers of all telecommunications services must provide, prior to a customer purchasing any service or on request, a clear and simple explanation of the terms and conditions of the services purchased, including a statement of all fees, charges, and taxes that will be included in the customer's monthly bill.

After June 1, 2007, providers of all services may not charge or assess on end users an intrastate subscriber line charge or end user line charge. Those providers that are charging such a fee at that time may file on or before June 1, 2007 a notice of an increase in the basic local exchange rate not to exceed the charge in effect.

The MTA had been silent as to transfers. Now a license is non-transferable except that, in the case of a bankruptcy, the Commission must establish procedures for the transfer of the license to another qualified provider.

The Act defines Virtual NXX as “the assignment of a telephone number to customers who are not physically located in the exchange to which the NXX is assigned.” The Act does not require nor prohibit Virtual NXX, but does not require other providers to cooperate with providers who wish to implement Virtual NXX. Instead, the Act requires the Commission to establish a work group of interested parties for the purpose of resolving issues relating to Virtual NXX, including issues as to utilization of Virtual NXX services to transport interexchange traffic and associated inter-carrier compensation. Prior to July 1, 2006, the Commission shall submit a report to the Governor and Legislature on the progress of the work group, including a Commission policy statement and recommendations for legislation, if any.

Under new Section 305a, MCL 484.2305a, and unless federal law provides otherwise, where technically feasible the provider originating or forwarding a call that is terminated on the network of another provider must transmit the telephone number of the party originating the call without alteration in the network signaling information. For forwarded calls, the provider further forwarding provider must transmit the telephone number of the party originating the call to the extent such information has been provided by the originating provider.

A provider that originates intrastate calls must agree to establish a reciprocal compensation arrangement for the termination of those calls. Originating and terminating providers must agree to begin negotiations no more than 30 days after receiving a request from a terminating provider to establish an arrangement, with an interim arrangement to apply during negotiations. A provider that originates an intrastate intra-LATA call subject to a terminating provider’s intrastate access tariffs shall pay the tariffed rate for termination of the call.

Rates for interconnection shall be at TSLRIC. Rates for network elements and combinations of network elements shall be at rates set by the Commission. Rates for network elements may not exceed: 1) the tariffed or contract rate for the retail functional equivalent, 2) the rate set by the Commission for the tariffed components of the retail service that includes the same elements. If the rate is too high under these tests, the rate must be reduced to the rate that would be imputed under these tests. Any party can initiate a proceeding for the Commission to change the UNE rates, but in order to increase them cost studies must be provided. MCL 484.2352. The Commission is to revisit, by January 1, 2007, the issues, scope, terms, and conditions for interconnection, and make a report to the Governor and Legislature. MCL 484.2353.

When a party seeks a new interconnection agreement, an agreement approved by the Commission in the previous 3 years before the request to negotiate must be used as a baseline document. The party requesting a change from the baseline document bears the burden in the arbitration to persuade the Commission that a change should be made. If a party takes a position contrary to a prior Commission ruling, the party opposing the change shall file a motion in the first 90 days after commencement of negotiations, and the Commission will rule on the motion within 21 days to determine to what extent the issue may be relitigated. MCL 484.2353a.

The requirements to offer all basic local exchange services for resale, to tariff wholesale rates, the requirement to set wholesale rates at levels no greater than retail less avoided costs, and to offer wholesale rates at or above TSLRIC expires after December 31, 2007.

In a change from prior law, appeals from telecommunications orders no longer follow the statutory track for appeals involving non-telecommunications orders. All

telecommunications orders issued under authority of the MTA now go directly to the Michigan Court of Appeals as an appeal of right, and must be filed within 30 days of issuance of the order or an order on rehearing.

As before, interconnection disputes must go to alternative dispute resolution. Now any complaint can go to ADR if all parties agree, and the time period is extended from 45 days to 60 days. MCL 484.2203a. The automatic extension of the 180-day period to issue orders on applications and complaints was also extended to 60 days.

A new section was added, MCL 484.2211a, requiring providers of a telecommunications service using a new or emerging technology to register with the Commission, including the provider's name, address, and phone number of the principal office, a description of the service provided, the address and phone number of the registered agent, and any other information the Commission considers necessary.

The new Act creates a new entity to serve as a state 2-1-1 coordinating agency. The Commission is to designate the entity by April 1, 2006.

A new section, Section 252, MCL 484.2252, addresses under what conditions a public entity may provide telecommunications services. In order to provide service within its boundaries, the public entity must: issue a request for competitive bids to provide the services; receive less than three qualified bids; wait at least 60 days from the date bids are issued; when providing the services, the public entity must provide the same service that was bid out. Outside the public entity's boundaries, the public entity cannot provide telecommunications services, unless any of several exceptions is met.

There are numerous changes in addition to those listed. The new Act repeals the MTA on

December 31, 2009, unless that date is later extended or a new Act is passed before that time.

\* \* \*

## **MPSC Chairman Hails New Michigan Telecommunications Act That Protects Customers**

*Note: the following press release was issued by the MPSC on November 22, 2005*

Contact: Judy Palnau (517) 241-3323

Michigan Public Service Commission (MPSC) today applauded Governor Jennifer M. Granholm for signing Michigan's new Telecommunications Act that protects customers.

"Michigan is among the states with the most competitive telecommunications market," said MPSC Chairman J. Peter Lark. "Customers will benefit even more with the new Michigan Telecommunications Act that maintains consumer protections while deregulating many rates."

Lark noted that the new telecommunications legislation:

Gives the MPSC the authority to promulgate service quality rules to protect both the retail customer as well as incumbent and competitive service providers;

Requires telecommunications service providers that use a new or emerging technology to register with the MPSC to protect customers;

Ensures that customers have access to enhanced 9-1-1 services or emergency response services; and

Gives the MPSC the authority to review the intrastate end user common line charge (EUCL) before it is included in customer bills.

*The MPSC is an agency within the Department of Labor & Economic Growth.*

**LEGISLATIVE UPDATE**

On November 11, 2005 Representative Chris Kolb introduced House Bill 5392 which would create a new act to be known as the Accessible Electronic Information Act. The bill defines “accessible electronic information” as news and other timely information, including newspapers, delivered through high-speed computers and telecommunication technology in a form appropriate for use by blind or disabled individuals.” The bill would also give the Michigan Public Service Commission (“Commission”) the authority to impose a maximum surcharge of up to \$0.01 per access line per month on customers of telecommunication providers of basic local exchange service. The Commission would then be required to determine the amount of money needed to operate the program for the year and establish the surcharge for the following year. According to an analysis prepared by the House Fiscal Agency, “a fee of \$0.01 per access line per month would generate approximately \$768,000.00. However, the actual fee is expected to be set at a lower rate sufficient to generate up to \$50,000.00 annually.” Basic local exchange service providers would then be required to remit the surcharge collected for the year to the state treasurer.

**PENDING LEGISLATION**

The following is a list of active telecommunications bills that have been introduced during the current legislative session. Copies of bills and public acts referred to in this column may be obtained by contacting your state senator or representative, on the Michigan Legislature Web site, <<http://www.michiganlegislature.org/>> or from the Legislative Service Bureau Document Room at (517) 373-0169.

<b>Senate Bill # Senator</b>	<b>Date Introduced</b>	<b>Description</b>	<b>Status</b>
SB 48 Johnson	1/25/05	State; authorities; 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; provide for. Amends sec. 7 of 1964 PA 183 (MCL 830.417).	To Senate Committee on Appropriations
SB 58 Cherry	1/25/05	Communications; telecommunications; 9-1-1 system to pinpoint caller location; provide for. Amends 1986 PA 32 (MCL 484.1101 – 484.1717) by adding sec. 408a	To Senate Committee on Technology and Energy

SB 127 Hardiman	2/1/05	Communications; cellular telephone; customer consent to list numbers in a cell phone directory; require. Amends 1991 PA 179 (MCL 484.2101 - 484.2701) by adding sec. 360a.	To Senate Committee on Technology and Energy
SB 221 McManus	2/17/05	Income tax; credit; tax credit for placement of a cell phone tower on an individual's property located in an underserved area; provide for. Amends 1967 PA 281 (MCL 206.1 - 206.532) by adding sec. 262.	5/25/05 passed Senate with Sub S-2, yeas 27, nays 9, excused 2, not voting 0; 5/25/05 referred to Committee on Tax Policy
SB 222 Barcia	2/17/05	Single business tax; credit; tax credit for companies that construct cell phone towers in rural areas; establish. Amends 1975 PA 228 (MCL 208.1 - 208.145) by adding sec. 35c.	5/25/05 passed Senate with Sub S-1, yeas 28, nays 9, excused 1, not voting 0; referred to House Committee on Tax Policy
SB 224 Van Woerkom	2/17/05	Communications; telecommunications; broadband development authority; require to designate a certain amount of financial assistance to rural underserved areas. Amends sec. 7 of 2002 PA 49 (MCL 484.3207).	6/7/05 passed, yeas 32, nays 2, excused 4, not voting 0; referred to House Committee on Energy and Technology
SB 528 Johnson	5/24/05	Communications; telecommunications; regulation of telecommunications industry; eliminate. Creates new act.	To Senate Committee on Technology and Energy
SB 595 Switalski	6/16/05	Use tax; rate; certain telecommunication services and motion picture films; include in taxable items. Amends sec. 3a of 1937 PA 94 (MCL 205.93a).	6/16 referred to Senate Committee on Appropriations
SB 737 Thomas III	9/6/05	Traffic control; violations; use of cellular telephone while operating a vehicle driving in a left lane of a highway; prohibit and provide penalties. Amends 1949 PA 300 (MCL 257.1 - 257.923) by adding sec. 682c.	To Senate Committee on Transportation; 11/9/05 reported favorably with recommendation for referral to Committee on Technology and Energy
SB 754 Brown	9/13/05	Communications; telecommunications; general amendments; provide for. Amends secs. 102, 202, 208 & 304 of 1991 PA 179 (MCL 484.2102 et seq.) & repeals sec. 304b of 1991 PA 179 (MCL 484.2304b).	10/11/05 Passed roll call - Yeas 38 Nays 0 Excused 0 not voting 0; 10/12/05 referred to House Committee on Energy and Technology
SB 806 Patterson	10/11/05	Public utilities; public service commission; regulation of public service commission; establish.	To Senate Committee on Technology and Energy
SB 814 Patterson	10/18/05	Traffic control; civil infraction procedures; points added to driver license record when determined that use	10/19/05 Reassigned to Senate Committee on Technology and Energy

		of cellular telephone contributed to cause of traffic violation; provide for, and prohibit novice drivers from using handheld cellular telephones while operating a motor vehicle.	
SB 885 Hardiman	11/10/05	Crimes; other; damaging, destroying, or preventing access to telecommunication device to prevent report of domestic violence or to summon assistance required as a result of domestic violence; prohibit and provide penalties. Amends 1931 PA 328 (MCL 750.1 - 750.568) by adding sec. 411u.	To Senate Committee on Judiciary
SCR 0021 Patterson	5/18/05	A concurrent resolution to urge the Federal Communications Commission (FCC) to use its authority post haste to require that Voice Over Internet Protocol (VOIP) service providers make enhanced 9-1-1 emergency call services available to all customers.	To Senate Committee on Technology and Energy

House Bill # Representative	Date Introduced	Description	Status
HB 4050 Lemmons III	1/27/05	Corrections; state facilities; telephone system for state correctional facilities; impose requirements. Amends 1953 PA 232, entitled "Corrections code of 1953," (MCL 791.201 to 791.283) by adding section 69b.	To House Committee on Judiciary
HB 4052 Lemmons III	1/27/05	Trade; consumer goods and services; sale of cellular telephones and pagers to a minor; require written parental consent. A bill to prohibit the sale of cellular telephones and pagers to certain minors without written parental consent; and to prescribe civil sanctions.	To House Committee on Judiciary
HB 4067 Schuitmaker	1/27/05	Communications; telecommunications; requirement for timely transfer of customers from 1 provider to another; provide for. A bill to amend 1991 PA 179, entitled "Michigan telecommunications act," (MCL 484.2101 to 484.2701) by adding section 364.	To House Committee on Energy and Technology

<b>House Bill # Representative</b>	<b>Date Introduced</b>	<b>Description</b>	<b>Status</b>
HB 4397 Sak	2/23/05	Communications; telecommunications; cell phone numbers listed with directory assistance; provide for. Amends sec. 309 of 1991 PA 179 (MCL 484.2309).	To House Committee on Energy and Technology
HB 4423 Wojno	3/1/05	Prohibits telemarketers from leaving certain messages requesting consumers to return call. Am. Sec. 1c, PA 227, 1971 (MCL 445.111c) as added by PA 612, 2002.	To House Committee on Energy and Technology
HB 4563 Garfield	3/24/05	A bill to repeal 2002 PA 49, entitled "Michigan broadband development authority act," (MCL 484.3201 to 484.3225).	To House Committee on Energy and Technology
HB 4600 Drolet	4/13/05	Communications; telecommunications; regulation of telecommunications industry; eliminate. Creates new act entitled the "communications act" to be effective 01/01/06. A bill to promote deployment of and investment in communications services in this state; and to prescribe the powers and duties of certain state agencies and officials.	To House Committee on Energy and Technology
HB 4952 Miller	6/16/05	Use tax; rate; certain telecommunication services and motion picture films; include in taxable items. Amends sec. 3a of 1937 PA 94 (MCL 205.93a).	To House Committee on Tax Policy
HB 5115 Bieda	9/6/05	Environmental protection; recycling; collection for recycling or disposal of used cellular telephones by retailers; require. Amends 1994 PA 451 (MCL 324.101 - 324.90106) by adding pt. 175.	To Committee on Natural Resources, Great Lakes, Land Use, and Environment
HB 5122 Vander Veen	9/6/05	Trade; antitrust; refusals to deal by providers of electronic data interchange and value added network services; prohibit. Amends title & sec. 1 of 1984 PA 274 (MCL 445.771) & adds sec. 3a.	To Committee on Energy and Technology
HB 5133 Law	9/7/05	Traffic control; violations; use of cell phone while operating a vehicle by an individual in the graduated licensing program; prohibit and establish penalties. Amends sec. 907 of 1949 PA 300 (MCL 257.907) & adds sec. 602b.	10/20/05 passed House; given immediate effect; Roll Call # 524 Yeas 78 Nays 27; 10/25/05 referred to House Committee on Technology and Energy

HB 5272 Elsenheimer	10/06/05	Communications; telecommunications; disclosure of early termination fees or penalties; require.	To Committee on Energy and Technology
HB 5392 Kolb	11/1/05	Disabilities; accessible electronic information service; establish and provide funding source. Creates new act.	To Committee on Energy and Technology

### **PUBLIC ACTS OF 2005**

Listed below are Public Acts related to telecommunications that have been passed during the current legislative session (2005-2006). Copies of public acts 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.

Public Act No.	Effective Date	Description	Enrolled Bill No. and Sponsor
2005 PA 58	6/30/05	Communications; telecommunications; rule making and eliminate sunset of the Michigan telecommunications act; provide for. Repeals enacting section 1 of 2004 PA 591.	SB 551 Patterson
2005 PA 103	07/22/05	Public utilities, other; use of highway by public utilities; provide for under certain conditions. Amends sec. 13 of 1925 PA 368 (MCL 247.183).	SB 522 McManus
2005 PA 235	11/22/05	Communications; telecommunications; general amendments; provide for. Amends secs. 101, 102, 103, 201, 202, 203, 203a, 204, 205, 210, 213, 214, 301, 302, 303, 304, 305, 306, 307, 309, 309a, 310, 312, 314a, 315, 316, 316a, 317, 321, 352, 353, 355, 357, 358, 359, 401, 502, 503, 504, 505 & 604 of <a href="#">1991 PA 179</a> (MCL <a href="#">484.2101</a> et seq.); adds secs. 211a, 252, 301a, 305a, 305b, 310a, 314b & 353a & repeals (See bill).	HB 5237 Nofs

## ORDERS

*Note: MPSC order issued November 22, 2005 at a special meeting.*

**Case No. U-14683  
Commission's Own Motion  
(virtual NXX)**

On November 22, 2005, at a special meeting of the Michigan Public Service Commission ("Commission"), the Commission issued an order commencing a collaborative proceeding to address virtual NXX issues. Section 3034(9) of 2005 PA 235, which revises Michigan's Telecommunication Act and was recently signed into law by Governor Jennifer M. Granholm, provides for the formation of a workgroup of interested parties and the issuance of a Commission report, before July 1, 2006, which will include a policy statement and recommendations for legislation, if any.

*Note: MPSC order issued November 30, 2005 at a special meeting.*

**Case No. U-11340  
SBC Michigan and Climax Telephone Company  
Application filed November 3, 2005 for approval of a  
seventh amendment to an interconnection agreement (TRO/TRRO)**

**Case No. U-12535  
SBC Michigan and American Fiber Network, Inc  
Application filed November 4, 2005 for approval of an  
eleventh amendment to an interconnection agreement (TRO/TRRO)**

**Case No. U-12774  
SBC Michigan and PaeTec Communications Inc  
Application filed November 10, 2005 for approval of  
a sixth amendment to an interconnection agreement (TRO/TRRO)**

**Case No. U-12886  
SBC Michigan and 1-800-Reconex Inc. d/b/a USTel  
Application filed November 10, 2005 for approval of a  
tenth amendment to an interconnection agreement (TRO/TRRO)**

**Case No. U-12927  
SBC Michigan and DIECA Communications Inc,  
d/b/a Covad Communications Company  
Application filed November 4, 2005 for approval of a fourteenth  
amendment to an interconnection agreement (TRO/TRRO)**

**Case No. U-12954  
SBC Michigan and Buckeye Telesystem Inc  
Application filed November 3, 2005 for approval of a seventh  
amendment to an interconnection agreement (TRO/TRRO)**

**Case No. U-12962**  
**SBC Michigan and Adelpia Business Solutions Operations Inc**  
**Application filed November 9, 2005 for approval of a fourth amendment**  
**to an interconnection agreement (name change to TelCove Operations Inc.)**

**Case No. U-13003**  
**SBC Michigan and US Xchange of Michigan LLC,**  
**d/b/a Choice One Communications**  
**Application filed November 9, 2005 for approval of a fifth amendment**  
**to an interconnection agreement (TRO/TRRO)**

**Case No. U-13032**  
**SBC Michigan and B & S Telecom Inc.**  
**Application filed November 14, 2005 for approval of a seventh**  
**amendment to an interconnection agreement (TRO/TRRO)**

**Case No. U-13118**  
**SBC Michigan and Borderland Communications LLC**  
**Application filed November 3, 2005 for approval of a seventh**  
**amendment to an interconnection agreement (TRO/TRRO)**

**Case No. U-13124**  
**SBC Michigan and McLeodUSA Telecommunications Services Inc**  
**Application filed November 4, 2005 for approval of an eighth**  
**amendment to an interconnection agreement (TRO/TRRO)**

**Case No. U-13175**  
**SBC Michigan and XO Communications Services Inc**  
**Application filed November 9, 2005 for approval of an eleventh**  
**amendment to an interconnection agreement (TRO/TRRO)**

**Case No. U-13295**  
**SBC Michigan and DSLNet Communications LLC**  
**Application filed November 4, 2005 for approval of an eighth**  
**amendment to an interconnection agreement (TRO/TRRO)**

**Case No. U-13371**  
**SBC Michigan and First Communications LLC**  
**Application filed November 17, 2005 for approval of the**  
**fifth amendment (TRO/TRRO)**

**Case No. U-13378**  
**SBC Michigan and Comcast Phone of Michigan LLC**  
**Application filed November 4, 2005 for approval of a fourth**  
**amendment to an interconnection agreement (TRO/TRRO)**

**Case No. U-13448**  
**SBC Michigan and AccuTel of Texas Inc**  
**Application filed November 4, 2005 for approval of a fifth**  
**amendment to an interconnection agreement (TRO/TRRO)**

**Case No. U-13483**  
**SBC Michigan and WilTel Local Network LLC**  
**Application filed November 4, 2005 for approval of a second**  
**amendment to an interconnection agreement (TRO/TRRO)**

**Case No. U-13493**  
**SBC Michigan and Navigator Telecommunications LLC**  
**Application filed November 10, 2005 for approval of a fourth**  
**amendment to an interconnection agreement (TRO/TRRO)**

**Case No. U-13530**  
**SBC Michigan and Budget Phone Inc**  
**Application filed November 3, 2005 for approval of a fourth**  
**amendment to an interconnection agreement (TRO/TRRO)**

**Case No. U-13569**  
**SBC Michigan and Talk America Inc**  
**Application filed November 7, 2005 for approval of a fifth**  
**amendment to an interconnection agreement (TRO/TRRO)**

**Case No. U-13580**  
**SBC Michigan and Sprint Communications Co LP**  
**Application filed November 8, 2005 for approval of a seventh**  
**amendment to an interconnection agreement (TRO/TRRO)**

**Case No. U-13614**  
**SBC Michigan and ACN Communication Services Inc**  
**Application filed November 3, 2005 for approval of a fifth**  
**amendment to an interconnection agreement (TRO/TRRO)**

**Case No. U-13701**  
**SBC Michigan and Net Express Inc**  
**Application filed November 3, 2005 for approval of a third**  
**amendment to an interconnection agreement (TRO/TRRO)**

**Case No. U-13710**  
**SBC Michigan and Trinsic Communications Inc**  
**Application filed November 1, 2005 for approval of a seventh**  
**amendment to an interconnection agreement (adds superseding**  
**intercarrier compensation provisions)**

**Case No. U-13710**  
**SBC Michigan and Trinsic Communications Inc**  
**Application filed November 4, 2005 for approval of an**  
**eighth amendment to an interconnection agreement (TRO/TRRO)**

**Case No. U-13725**  
**SBC Michigan and LDMI Telecommunications Inc**  
**Application filed November 9, 2005 for approval of a tenth**  
**amendment to an interconnection agreement (TRO/TRRO)**

**Case No. U-13741**  
**SBC Michigan and Broadview Networks Inc**  
**Application filed November 4, 2005 for approval of a fifth**  
**amendment to an interconnection agreement (TRO/TRRO)**

**Case No. U-13758**  
**SBC Michigan and MCImetro Access Transmission Services LLC**  
**Application filed November 9, 2005 for approval of an eighth**  
**amendment to an interconnection agreement (TRO/TRRO)**

**Case No. U-13805**  
**SBC Michigan and Grid 4 Communications Inc**  
**Application filed November 8, 2005 for approval of a second**  
**amendment to an interconnection agreement (TRO/TRRO)**

**Case No. U-13854**  
**SBC Michigan and New Rochelle Telephone Corp**  
**Application filed November 3, 2005 for approval of a third**  
**amendment to an interconnection agreement (TRO/TRRO)**

**Case No. U-13887**  
**SBC Michigan and Ernest Communications Inc**  
**Application filed November 3, 2005 for approval of a second**  
**amendment to an interconnection agreement (TRO/TRRO)**

**Case No. U-13921**  
**SBC Michigan and IDT America Corp**  
**Application filed November 7, 2005 for approval of an eighth**  
**amendment to an interconnection agreement (TRO/TRRO)**

**Case No. U-13924**  
**SBC Michigan and American Farm Bureau Inc,**  
**d/b/a The Farm Bureau Connection**  
**Application filed November 4, 2005 for approval of a seventh**  
**amendment to an interconnection agreement (TRO/TRRO)**

**Case No. U-13954**

**SBC Michigan and Superior Technologies Inc  
d/b/a Superior Spectrum Communications**

**Application filed November 3, 2005 for approval of an eighth amendment to an interconnection agreement (TRO/TRRO)**

**Case No. U-13985**

**SBC Michigan and Global Connection Inc of America**

**Application filed November 2, 2005 for approval of a third amendment to an interconnection agreement (TRO/TRRO)**

**Case No. U-13986**

**SBC Michigan and Coast to Coast Telecommunications Inc**

**Application filed November 1, 2005 for approval of a ninth amendment to an interconnection agreement (extends the term of their reciprocal compensations settlement agreement)**

**Case No. U-13986**

**SBC Michigan and Coast to Coast Telecommunications Inc**

**Application filed November 9, 2005 for approval of a tenth amendment to an interconnection agreement (TRO/TRRO)**

**Case No. U-14034**

**SBC Michigan and Easton Telecom Services LLC**

**Application filed November 7, 2005 for approval of a second amendment to an interconnection agreement (TRO/TRRO)**

**Case No. U-14045**

**SBC Michigan and United Telecom Inc**

**Application filed November 14, 2005 for approval of a fourth amendment to an interconnection agreement (TRO/TRRO)**

**Case No. U-14063**

**Verizon North Inc and Contel of the South Inc,**

**d/b/a Verizon North Systems, and American Cellular Corp**

**Application filed November 15, 2005 for approval of a first amendment (amends E911)**

**Case No. U-14222**

**SBC Michigan and The Winn Telephone Co,**

**d/b/a Winn Telecom**

**Application filed November 7, 2005 for approval of a thirteenth amendment to an interconnection agreement (TRO/TRRO)**

**Case No. U-14278**

**SBC Michigan and CenturyTel Acquisition LLC,  
as successor in interest to KMC Telecom III  
Application filed October 21, 2005 for approval of a fourteenth  
amendment to an interconnection agreement (incorporates certain  
rates, terms and conditions pertaining to loop and transport  
rate increases and embedded base transition)**

**Case No. U-14278**

**SBC Michigan and CenturyTel Acquisition LLC,  
as successor in interest to KMC Telecom III  
Application filed October 21, 2005 for approval of a fifteenth  
amendment to an interconnection agreement (mass market unbundled  
local switching rate increases and embedded base transition)**

**Case No. U-14279**

**SBC Michigan and KMC Telecom V Inc  
Application filed November 3, 2005 for approval of a thirteenth  
amendment to an interconnection agreement (TRO/TRRO)**

**Case No. U-14280**

**SBC Michigan and KMC Data LLC  
Application filed November 3, 2005 for approval of a thirteenth  
amendment to an interconnection agreement (TRO/TRRO)**

**Case No. U-14301**

**SBC Michigan and Quick Communications Inc  
Application filed November 14, 2005 for approval of a fourth  
amendment to an interconnection agreement (TRO/TRRO)**

**Case No. U-14317**

**SBC Michigan and BCN Telecom Inc  
Application filed November 3, 2005 for approval of a second  
amendment to an interconnection agreement (TRO/TRRO)**

**Case No. U-14398**

**SBC Michigan and Norlight Telecommunications Inc  
Application filed November 4, 2005 for approval of a fourth  
amendment to an interconnection agreement (TRO/TRRO)**

**Case No. U-14413**

**SBC Michigan and TelNet Worldwide Inc  
Application filed November 4, 2005 for approval of a seventh  
amendment to an interconnection agreement (TRO/TRRO)**

**Case No. U-14437**

**SBC Michigan and Ameritech Advanced Data Services of Michigan Inc  
Application filed November 3, 2005 for approval of a first  
amendment to an interconnection agreement (TRO/TRRO)**

**Case No. U-14592**

**SBC Michigan and Phone Co LP  
Application filed November 4, 2005 for approval of a sixth  
amendment to an interconnection agreement (TRO/TRRO)**

**Case No. U-14679**

**SBC Michigan and Sunset Coast Paging  
Application filed November 1, 2005 for approval of an  
interconnection agreement (paging facilities agreement)**

**Case No. U-14680**

**CenturyTel of Michigan Inc, CenturyTel Midwest--Michigan Inc,  
CenturyTel of Northern Michigan Inc, and CenturyTel of  
Upper Michigan Inc and Comcast Phone of Michigan LLC  
Application filed October 31, 2005 for approval of an interconnection  
agreement (traffic exchange agreement)**

**Case No. U-14685**

**Verizon North Inc and Contel of the South Inc,  
d/b/a Verizon North Systems, and DayStarr Communications  
Application filed November 1, 2005 for approval of an  
interconnection agreement and first amendment  
(supersedes original agreement in Case No. U-13770)**

**Case No. U-14687**

**Chatham Telephone Co, Communication Corp of Michigan,  
Island Telephone Co, Shiawassee Telephone Co, and Wolverine  
Telephone Co, and Thumb Cellular LLC  
Application filed November 10, 2005 for approval of an interconnection  
agreement (wireless traffic exchange agreement)**

**Case No. U-14691**

**Verizon North Inc and Contel of the South Inc,  
d/b/a Verizon North Systems, and ACD Telecom Inc  
Application filed on November 18, 2005 for approval of an  
interconnection agreement**

**Case No. U-14694**  
**SBC Michigan and Arialink Telecom LLC**  
**Application filed November 18, 2005 for approval of an**  
**interconnection agreement, including amendments one**  
**through six from the adopted agreement approved**  
**December 18, 2003 in Case No. U-13758 between**  
**SBC Michigan and MCImetro Access Transmission Services LLC**

On November 30, 2005 at a special meeting of the Michigan Public Service Commission ("Commission"), the Commission issued an order approving the interconnection agreements and amendments listed above.

\* \* \*

### **NOTICES OF HEARING**

*Unless otherwise noted, all hearings are held at the offices of the Michigan Public Service Commission, 6545 Mercantile Way, Suite 7, Lansing, Michigan.*

**Case No. U-14646**  
**Comtel Telecom Assets LP**  
**(license)**

On September 27, 2005 Comtel Telecom Assets LP ("Comtel") filed an application, and on October 20, 2005, Comtel filed an amended application, for a license to provide basic local exchange service in the areas served by SBC-Ameritech Michigan, Verizon North Incorporated and Verizon North Systems. The Michigan Public Service Commission has set this matter for an evidentiary hearing at **9:00 a.m. on December 8, 2005**. Interventions are due on or before **December 5, 2005**.

**Case No. U-14653**  
**PAC-West Telecomm, Inc**  
**(license)**

The October 6, 2005 application of PAC-West Telecomm, Inc., for a license to provide resold and facilities-based local exchange telecommunications services throughout the State of Michigan, was set by the Michigan Public Service Commission for an evidentiary hearing at **9:00 a.m. on December 6, 2005**. Interventions are due on or before **December 1, 2005**.

\* \* \*

## 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 November 21 - 25, 2005)**

Nov. 22, 9:00 a.m.  
Case No. U-14634/evidentiary hearing  
Vilaire Communications (license)

### **Hearings Scheduled for This Week November 28 – December 2, 2005)**

Dec. 1, 2005, 9:00 a.m.  
Case No. U-14639/evidentiary hearing  
Airdis Telecom (license)

### **Future Hearings Scheduled**

Dec. 6, 2005, 9:00 a.m.  
Case No. U-14653/evidentiary hearing  
PAC-West Telecomm (license)

Dec. 8, 2005, 9:00 a.m.  
Case No. U-14646/evidentiary hearing  
Comtel Telcom Assets (license)

## APPLICATIONS AND COMPLAINTS

### **Case No. U-13371 First Communications LLC and SBC Michigan (interconnection agreement)**

On November 17, 2005 First Communications LLC and SBC Michigan jointly applied to the Michigan Public Service Commission ("Commission") for approval of the Fifth Amendment to their Interconnection Agreement. The parties state that the Fifth Amendment incorporates into the Agreement terms and conditions mandated by the Commission in its order issued September 20, 2005 in Case No. U-14447 (TRO/TRRO Order).

### **Case No. U-13467 NOS Communications Inc and SBC Michigan (interconnection agreement)**

On November 28, 2005 NOS Communications, Inc. and SBC Michigan jointly applied to the Michigan Public Service Commission ("Commission") for approval of the Sixth Amendment to their Interconnection Agreement. The parties state that the Sixth Amendment incorporates into the Agreement terms and conditions mandated by the Commission in its order issued September 20, 2005 in Case No. U-14447 (TRO/TRRO Order).

**Case No. U-13513**  
**Sage Telecom Inc and SBC Michigan**  
**(interconnection agreement)**

On November 28, 2005 Sage Telecom, Inc. and SBC Michigan jointly applied to the Michigan Public Service Commission ("Commission") for approval of the Thirteenth amendment to their Interconnection Agreement. The parties state that the Thirteenth Amendment incorporates into the Agreement terms and conditions mandated by the Commission in its order issued September 20, 2005 in Case No. U-14447 (TRO/TRRO Order).

**Case No. U-14152**  
**Level 3 Communications and SBC Michigan**  
**(interconnection agreement)**

On November 30, 2005 Level 3 Communications and SBC Michigan jointly applied to the Michigan Public Service Commission for approval of the Third Amendment to their Interconnection Agreement. The parties state that the Third Amendment adds 911 Waiver Language into the Agreement

**Case No. U-14166**  
**Neutral Tandem-Michigan LLC and SBC Michigan**  
**(interconnection agreement)**

On November 17, 2005 Neutral Tandem-Michigan LLC and SBC Michigan jointly applied to the Michigan Public Service Commission ("Commission") for approval of the Twelfth Amendment to their Interconnection Agreement. The parties state that the Twelfth Amendment incorporates into the Agreement terms and conditions mandated by the Commission in its order issued September 20, 2005 in Case No. U-14447 (TRO/TRRO Order).

**Case No. U-14177**  
**Trans National Communications International Inc and SBC Michigan**  
**(interconnection agreement)**

On November 28, 2005 Trans National Communications International, Inc. and SBC Michigan jointly applied to the Michigan Public Service Commission ("Commission") for approval of the Second Amendment to their Interconnection Agreement. The parties state that the Second Amendment incorporates into the Agreement terms and conditions mandated by the Commission in its order issued September 20, 2005 in Case No. U-14447 (TRO/TRRO Order).

**Case No. U-14628**  
**Osirus Communications Inc and SBC Michigan**  
**(interconnection agreement)**

On November 28, 2005 Osirus Communications Inc. and SBC Michigan jointly applied to the Michigan Public Service Commission ("Commission") for approval of the First Amendment to their Interconnection Agreement. The parties state that the First Amendment incorporates into the Agreement terms and conditions mandated by the Commission in its order issued September 20, 2005 in Case No. U-14447 (TRO/TRRO Order).

**Case No. U-14654**  
**Charter Fiberlink-Michigan LLC**  
**(interconnection agreement)**

On November 21, 2005 Charter Fiberlink-Michigan LLC and SBC Michigan jointly applied to the Michigan Public Service Commission ("Commission") for approval of the Fifth Amendment to their Interconnection Agreement. The parties state that the Fifth Amendment incorporates into the Agreement terms and conditions mandated by the Commission in its order issued September 20, 2005 in Case No. U-14447 (TRO/TRRO Order).

**Case No. U-14686**  
**B. Arjeka Revels v MCI Corp**  
**(consumer complaint: quality of service)**

On November 9, 2005 B. Arjeka Revels ("Complainant"), of Detroit, filed a formal complaint with the Michigan Public Service Commission against MCI. Complainant alleges that since transferring her telephone service to MCI five months ago, she has been without additional services she had previously subscribed to, her calls were going into voice mail too quickly, and she is frequently "knocked off" when connected to the Internet on her second line which is used only for data transmission.

**Case No. U-14689**  
**LDMI Telecommunications Inc and Verizon North Inc and**  
**Contel of the South Inc, d/b/a Verizon North Systems**  
**(interconnection agreement)**

On November 17, 2005 LDMI Telecommunications Inc. and Verizon North Inc. and Contel of the South Inc., d/b/a Verizon North Systems, jointly applied to the Michigan Public Service Commission for approval of their Interconnection Agreement.

**Case No. U-14690**  
**Talk America Inc and Verizon North Inc and**  
**Contel of the South Inc, d/b/a Verizon North Systems**  
**(interconnection agreement)**

On November 17, 2005 Talk America Inc. and Verizon North Inc. and Contel of the South Inc., d/b/a Verizon North Inc. jointly applied to the Michigan Public Service Commission for approval of their Interconnection Agreement.

**Case No. U-14691**  
**ACD Telecom Inc and Verizon North Inc and**  
**Contel of the South Inc, d/b/a Verizon North Systems**  
**(interconnection agreement)**

On November 17, 2005 ACD Telecom Inc. and Verizon North Inc. and Contel of the South Inc., d/b/a Verizon North Inc. jointly applied to the Michigan Public Service Commission for approval of their Interconnection Agreement.

**Case No. U-14694**  
**Arialink Telecom LLC and SBC Michigan**  
**(interconnection agreement)**

On November 18, 2005 Arialink Telecom LLC and SBC Michigan jointly applied to the Michigan Public Service Commission ("Commission") for approval of their Interconnection Agreement executed as of November 9, 2005. The parties state that Arialink Telecom LLC requested to adopt the interconnection agreement between MCImetro Access Transmission Services LLC and SBC Michigan that was approved by the Commission in an order dated December 18, 2003 in Case No. U-13758, including several amendments.

**Case No. U-14695**  
**Spectrotel Inc and SBC Michigan**  
**(interconnection agreement)**

On November 21, 2005 Spectrotel Inc. and SBC Michigan jointly applied to the Michigan Public Service Commission ("Commission") for approval of their multi-state Interconnection Agreement executed as of November 7, 2005.

**Case No. U-14696**  
**Lakeshore Paints and Coatings v LDMI**  
**(consumer complaint: unauthorized charges)**

On November 17, 2005 the general manager of Lakeshore Paints and Coatings, Inc. ("Complainant"), of Grand Rapids, filed a formal complaint with the Michigan Public Service Commission ("Commission") against LDMI, alleging that it was improperly assessed toll rates for certain telephone calls on three telephone lines that should have been included in its basic local service. Complainant seeks reimbursement for out-of-pocket expenses in the amount of \$125.70. the imposition of fines and the entry of a cease and desist order against LDMI.

**Case No. U-14699**  
**MetroPCS Michigan Inc and SBC Michigan**  
**(interconnection agreement)**

On November 30, 2005 MetroPCS Michigan Inc. and SBC Michigan jointly applied to the Michigan Public Service Commission ("Commission") for approval of their Interconnection Agreement executed as of November 15, 2005. The parties state that MetroPSC Michigan Inc. chose to adopt the interconnection agreement dated September 4,2003 between Sprint Spectrum LP and SBC Michigan that was approved by the Commission in an order issued on October 7, 2003 in Case No. U-13879, including the First and Second Amendments.

**Case No. U-14721**  
**Winn Telephone Co v LDMI**  
**(interconnection agreement dispute regarding local transport and termination service)**

On November 23, 2005 Winn Telephone Company ("Winn") filed a formal complaint with the Michigan Public Service Commission ("Commission") against LDMI, alleging that LDMI refuses to pay

lawfully incurred charges for local call termination services (“LCTS”) provided by Winn to LDMI. Winn claims that its filed tariff sheets contain the rates, terms, and conditions under which it provides LCTS to other providers, and that those tariff sheets “control the rights and liabilities of Winn and users of LCTS service, including LDMI.”

**Case No. U-14723**  
**Carr Telephone Co and SBC Michigan**  
**(interconnection agreement)**

On November 30, 2005 Carr Telephone Company and SBC Michigan jointly applied to the Michigan Public Service Commission ("Commission") for approval of their Interconnection Agreement. The parties state that Carr Telephone Company requested to adopt the interconnection agreement dated August 17, 2004 between Drenthe Telephone Company and SBC Michigan that was approved by the Commission in an order issued on September 21, 2004 in Case No. U-14328 including several amendments.

\* \* \*

**PSC NOTICES OF OPPORTUNITY FOR COMMENT**

**Case No. U-14651**  
**Climax Telephone Company**  
**(rate increases)**

On October 13, 2005, Climax Telephone Company (“Climax”) filed an application with the Michigan Public Service Commission (“Commission”) for approval of certain rate increases for basic local exchange service. The Commission directs Climax to issue a notice of opportunity to comment in accordance with the Michigan Telecommunications Act, 1991 PA 179, as amended. The Commission further directs that written and electronic comments may be filed with the Commission and must be received no later than **5:00 p.m. on December 9, 2005**.

\* \* \*

**2005 REGULAR COMMISSION MEETING DATES\***

<b>Month &amp; Date</b>	<b>Day</b>	<b>Time</b>
December 20	Tuesday	1:30 p.m.

\*The MPSC may schedule special meetings, as needed, on 18 hours’ notice.

## SUBSCRIPTION INFORMATION

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