

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

A CLARK HILL PLC Publication, Roderick S. Coy*, Editor

Vol. 22, No. 2, January 27, 2006

In this issue . . .

page no.

2

- **Gov. Granholm wants legislation to stop release of cell phone records**
- **MPSC expands paperless filings**
- **FCC: form 477 due March 1 now available on web site**

● **FCC WTB seeks comments on CMRS market competition**

- 6 Pending Legislation
- 10 Public Acts of 2005
- 11 Orders
- 11 Notices of Hearing
- 11 PSC Hearings Schedule
- 12 Applications and Complaints
- 14 Opportunities for Comment
- 14 PSC Meetings
- 15 MTR Subscription Information

MICHIGAN TELECOMMUNICATIONS REPORT (ISSN 08980357) is published every other week by Clark Hill PLC., 212 East Grand River Avenue, Lansing, Michigan 48906-4328. Although considerable care is exercised in reporting critical information (filing and hearing dates, etc.), such information should be confirmed with the original source. This newsletter should not be construed as legal advice or legal opinion on any specific facts or circumstances. The contents are intended for general informational purposes only, and you are urged to consult a lawyer concerning your own situation and any specific legal questions you may have. Editor, Roderick S. Coy; Assistant Editor, Kristine M. Clements; Contributors, Haran C. Rashes and Leland R. Rosier; Annual Subscription \$400.00 (US).

*** MR. COY IS A MEMBER
IN THE CLARK HILL PLC LAW FIRM
DETROIT • BIRMINGHAM • LANSING**

COPYRIGHT © 2006

Index of Highlighted Cases

ORDERS:

No MPSC orders have been issued in the last two-week period.

APPLICATIONS & COMPLAINTS

- U-12988 – ACD/AT&T: ICA
- U-13175 – XO Communications/AT&T: ICA
- U-13212 – Preferred Carrier Services/AT&T: ICA
- U-13492 – C.L.Y.K./AT&T: ICA
- U-14748 – Osirus/Verizon ICA
- U-14755 – Pac-West/Verizon: ICA
- U-14757 – Rhodes v Planet Access: unauthorized charges
- U-14758 – Fetibegovic v AT&T: unauthorized billing
- U-14760 – CenturyTel and Granite Telecom: ICA
- U-14761 – Bain v Talk America: failure to provide service
- U-14763 – LMDS Holdings: license
- U-14765 – TDS Companies/T-Mobile: ICA

**CLARK HILL PLC
212 East Grand River Avenue
Lansing, MI 48906-4328
(517) 318-3100 – phone
(517) 318-3099 –fax**

FEATURES

Note: the following press release was issued by the Office of the Governor on January 19, 2006.

Granholm Calls for Legislation to Prevent Unauthorized Sale, Release of Telephone Records

Seeks Michigan Public Service Commission Investigation

LANSING – Governor Jennifer M. Granholm today called upon the Michigan Legislature to enact new criminal laws prohibiting the unauthorized sale or release of telephone records and other personal information by telecommunications service providers and information brokers. Granholm also asked the Michigan Public Service Commission to investigate whether telecommunications service providers in Michigan have permitted the unauthorized release of telephone records.

“Unauthorized use of phone records violates a person’s privacy and creates serious threats to public safety,” Granholm said. “The state of Michigan must send a clear message that the private, personal information of Michigan consumers is not a commodity and is not for sale.”

Within the last two weeks, members of the Federal Communications Commission (FCC) and attorneys general in several states have called for swift action to prohibit the sale of private phone records and initiated

investigations into several websites offering to sell phone records for around \$100. The Electronic Privacy Information Center has filed with the FCC a list of 40 websites that offer phone records for sale. Investigators already have determined that a corporate officer of one of the websites is a convicted felon.

“It is outrageous that anyone with an Internet connection can buy this private information,” Granholm said. “Unfortunately, that includes criminals who might be looking for records of law enforcement officials and others who would use the information for illegal or inappropriate purposes. This must be stopped.”

Granholm indicated that the Department of State Police has already warned law enforcement officers throughout the state that their cellular phone records may be available for purchase on the Internet.

Legislation proposed by Granholm, applicable to both cellular and land line providers, would:

- prohibit a telecommunications service provider from releasing or selling customer information without the consent of the customer;
- make it a crime to obtain customer information from a telecommunications service provider by providing false information or false pretenses;
- criminalize the unauthorized sale or release by brokers of telecommunications service account records, identifying information, or

personal data relating to Michigan residents or businesses; and

- require telecommunications service providers to maintain appropriate measures to safeguard consumer privacy and notify consumers of any security breaches or unauthorized release of information.

In addition to the call for legislation, Governor Granholm has also asked the Michigan Public Service Commission (MPSC) to identify how information brokers on the Internet are accessing consumer records. MPSC Chair J. Peter Lark expressed his concern about the apparent infringement of individual privacy rights and urges quick legislative action saying, "We'll be looking at how these websites are getting this information and whether Michigan telecommunications providers have improperly released sensitive personal information about their customers without permission."

Granholm's proposal has been submitted to the Legislative Service Bureau for introduction in the House of Representative and the Senate.

* * *

**MPSC IMPLEMENTS
EXPANDED PAPERLESS
FILING ON FEB. 1, 2006**

Note: the MPSC issued the following notice on January 17, 2006.

In September 2003, the Michigan Public Service Commission implemented the Paperless Electronic Case Filings Pilot, initially selecting 21 gas cost

recovery/power supply cost recovery cases as the first paperless cases. On June 1, 2005, the MPSC expanded the paperless electronic filings program to include all natural gas and electric cases filed with the Commission, other than residential and small business complaints. On June 1, 2005, the MPSC also expanded the paperless electronic filing program to include all expanded local calling applications for telecommunications providers. To date, the MPSC has designated 169 cases for paperless electronic filing.

I wish to thank the many participants whose questions, comments and feedback allowed the paperless electronic program to evolve into an efficient and user friendly program, reducing copying and distribution costs and providing nearly immediate access to filings on the Commission's web site. You have encouraged the Commission to expand the paperless program to other types of cases. Based on your feedback and enhanced operating efficiency, the MPSC will expand the paperless electronic program to include all telecommunications cases filed with the Commission, other than residential and small business complaints, effective February 1, 2006.

Michigan Public Act 305 of 2000, the Uniform Electronic Transaction Act, allows for the submission of electronic documents in place of paper copies provided that both parties voluntarily agree to the use of electronic submissions. The MPSC will continue to accept paper filings for those who are unable to take advantage of paperless electronic filings. MPSC Executive Secretary staff will continue to post Portable Document Format (PDF) filings

for those participants that do not have the capability to electronically file.

Please be assured that paperless docket filing does not mean that staff or parties to the paperless cases cannot have a paper copy of a filing. At the prehearing conference, staff and/or parties may request that filings also be served in paper format or e-mailed to each requestor. Transcripts will continue to be submitted simultaneously in both paper and electronic formats, due to contract stipulations and parties' interest in maintaining the option of receiving paper copies.

To assist you, the Electronic Case Filings Users Manual has been updated. Debra Berry is also available to provide assistance with electronic filings and may be reached at 517.241.5412 or by e-mailing mpscefilecases@michigan.gov.

Please feel free to contact me at 517.241.6160 or mjkunkl@michigan.gov with any comments or questions on the paperless electronic filings program. Thank you again for your cooperation.

* * *

**FCC ANNOUNCES ELECTRONIC
POSTING OF FCC FORM 477
(LOCAL TELEPHONE
COMPETITION AND BROADBAND
REPORTING)
FOR THE MARCH 1, 2006 FILING**

***Clarifies Reporting of Presubscribed
Interstate Long Distance Carrier Status
DA 06-77***

Note: the FCC released the following public notice on January 18, 2006.

The FCC Form 477 for the filing due on or before March 1, 2006 is now available electronically on the Commission's website. Filers may obtain the form, and the accompanying detailed reporting instructions, at <http://www.fcc.gov/formpage.html#477>.

All facilities-based providers of wired or wireless broadband connections to end user locations, all local exchange carriers, and all non-reseller commercial mobile radio service (CMRS) providers offering mobile telephony are required to file Form 477 twice each year. In the filing that is due on or before March 1, 2006, filers will report information about broadband connections and local telephone service as of December 31, 2005.

For the purposes of Form 477, a broadband connection is one that enables the end user to receive information from and/or send information to the Internet at information transfer rates exceeding 200 kilobits per second. The facilities-based provider of a broadband connection is the entity that owns the portion of the wired broadband connection that terminates at the end user location, that provisions/equips over licensed or unlicensed spectrum the broadband wireless channel that terminates at the end user location, or that obtains an unbundled network element, special access line, or other leased facility to the end user location and provisions/equips it as broadband.

The term "presubscribed interstate long distance carrier" replaces "default interstate long distance carrier" wherever the latter term previously appeared in the form and the detailed reporting instructions. For the purposes of Form

477, the new term “presubscribed interstate long distance carrier” has the same definition and calls for the same information as the prior term, but is more consistent with industry usage.

For further information, please contact James Eisner (james.eisner@fcc.gov), Ellen Burton (ellen.burton@fcc.gov), or the FCC Form 477 Team at the Industry Analysis and Technology Division, Wireline Competition Bureau, at (202) 418-0940 or via TTY at (202) 418-0484.

* * *

WTB SEEKS COMMENT
ON CMRS MARKET
COMPETITION

DA 06-62

WT Docket No. 06-17

Comments Due: February 17, 2006

Reply Comments Due: March 6, 2006

Note: the FCC released the following public notice on January 18, 2006.

In 1993, Congress created the statutory classification of Commercial Mobile Services¹ to promote the consistent regulation of similar mobile radio services.² At the same time, Congress established the promotion of competition as a fundamental goal for Commercial Mobile Radio Services (“CMRS”) policy formation and regulation. To measure progress toward this goal, Congress required the Commission to submit annual reports (“*CMRS Reports*”) that analyze competitive conditions in the industry.³

This *Public Notice* solicits data and information in order to evaluate the state of competition among providers of CMRS for its Eleventh Annual Report and Analysis of Competitive Market Conditions with Respect to Commercial Mobile Services (“*Eleventh Report*”). The statute requiring the Commission to submit annual reports providing an analysis of competitive market conditions with respect to CMRS stipulates that this analysis shall include, among other things, “an analysis of whether or not there is effective competition.”⁴

In this proceeding, the Wireless Telecommunications Bureau (the Bureau) seeks to update the indicators of competition for the next report to Congress and to determine whether or not there is effective competition in the CMRS market. The Bureau seeks public input to facilitate this determination. Industry members, members of the public, and other interested parties should submit information, comments, and analyses regarding competition in the provision of CMRS. Commenters desiring confidential treatment of their submissions should request that their submission, or a specific part thereof, be withheld from public inspection.⁵ In order to facilitate its analysis of competitive trends over time, the Commission requests that parties submit current data as well as historic data that are comparable over time.

This *Public Notice* follows the format of the Ninth and Tenth Annual Reports and Analyses of Competitive Market Conditions with Respect to Commercial Mobile Services (“*Ninth Report*” and “*Tenth Report*”), which used a framework that grouped

indicators into four categories: (1) market structure; (2) carrier conduct; (3) consumer behavior; and (4) market performance. For purposes of this *Public Notice*, the Bureau focuses its inquiry on the mobile telephone sector, with particular emphasis on wireless operators that are integrated providers of both interconnected mobile voice and mobile data services. In addition to the issues discussed below, the Bureau seeks comment on which indicators are useful for analyzing competitive market conditions with respect to CMRS, and also on what specific criteria should be used to determine whether there is effective competition among CMRS providers.⁶

¹ The term “commercial mobile service” is defined by the Communications Act of 1934, as amended (“the Act”), as “any mobile service ... that is provided for profit and makes interconnected service available (A) to the public or (B) to such classes of eligible users as to be effectively available to a substantial portion of the public, as specified by the Commission.” Communications Act § 332(d)(1), 47 U.S.C. § 332(d)(1). “Mobile service” is defined at Section

3 of the Act. Communications Act § 3(27), 47 U.S.C. § 153(27). The term “commercial mobile service” came to be known as the “commercial mobile radio service” (“CMRS”). 47 C.F.R. § 20.3.

² The Omnibus Budget Reconciliation Act of 1993, Pub. L. No. 103-66, Title VI, § 6002(b), amending the Communications Act of 1934 and codified at 47 U.S.C. § 332(c).

³ 47 U.S.C. § 332(c)(1)(C).

⁴ *Id.*

⁵ 47 C.F.R. § 0.459.

⁶ In view of a separate ongoing proceeding on roaming obligations of CMRS providers, this *Public Notice* omits questions about roaming. See Reexamination of Roaming Obligations of Commercial Mobile Radio Service Providers, WT Docket No. 05-265, *Memorandum Opinion & Order and Notice of Proposed Rulemaking*, 20 FCC Rcd 15047 (2005).

This public notice can be found in its entirety on the FCC’s web site:

http://hraunfoss.fcc.gov/edocs_public/attachmatch/DA-06-62A1.doc

* * *

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 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; Reported favorably without amendment; referred to Committee of the Whole
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	10/11/05 Passed roll call -Yeas 38 Nays 0 Excused 0 not voting 0; 10/12/05 referred to

		PA 179 (MCL 484.2304b).	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 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.	10/19/05 Reassigned to Senate Committee on Technology and Energy
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
SB 0960	1/18/06	Communications; telecommunications; transfer of funds from the CMRS emergency telephone fund to the general fund; provide for. Amends sec. 408 of 1986 PA 32 (MCL 484.1408).	To Senate Committee on Appropriations
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

House Bill # Representative	Date Introduced	Description	Status
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
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 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
HB 5483 Pearce	12/6/05	Traffic control; civil infraction procedures; points added to driver license record when determined that use 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. Amends secs. 320a & 907 of 1949 PA 300 (MCL 257.320a & 257.907) & adds sec. 602b.	To Committee on Energy and Technology
HB 5488 Farhat	12/7/05	Public utilities; other; pole attachment authority; establish. Amends sec. 6g of 1939 PA 3 (MCL 460.6g).	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 1991 PA 179 (MCL 484.2101 et seq.); adds secs.	HB 5237 Nofs

		211a, 252, 301a, 305a, 305b, 310a, 314b & 353a & repeals (See bill).	
--	--	--	--

* * *

ORDERS

Note: no orders have been issued by the MPSC in the last two-week period. The next regular meeting is scheduled for January 31, 2006 at 1:30 pm.

* * *

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.

Note: No notices of hearing have been issued by the MPSC in the past two-week period.

* * *

PSC HEARINGS SCHEDULE

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

Telecom Hearings Scheduled for Last Week January 16 - 20, 2006)

Telecom Hearings Scheduled for This Week January 23 – 27, 2006)

Future Telecom Hearings Scheduled

APPLICATIONS AND COMPLAINTS

Case No. U-12988

ACD Telecom Inc and AT&T Michigan, f/k/a SBC Michigan (interconnection agreement)

On January 17, 2006 ACD Telecom, Inc. and AT&T Michigan, f/k/a SBC Michigan, jointly applied to the Michigan Public Service Commission for approval of the Fourth Amendment to their Interconnection Agreement. The parties state that the Fourth 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-13175

XO Communications Services Inc and AT&T Michigan, f/k/a SBC Michigan (interconnection agreement)

On January 13, 2006 XO Communications Services, Inc. and AT&T Michigan, f/k/a SBC Michigan, jointly applied to the Michigan Public Service Commission for approval of the Twelfth Amendment to their Interconnection Agreement. The parties state that the Twelfth Amendment adds "Amendment Superseding Certain Intervening Law, Compensation, Interconnection and Trunking Provisions to extend the term to 12/31/06 into the Agreement."

Case No. U-13212

Preferred Carrier Services, Inc. and AT&T Michigan, f/k/a SBC Michigan (interconnection agreement)

On January 17, 2006 Preferred Carrier Services, Inc. and AT&T Michigan, f/k/a SBC Michigan jointly applied to the Michigan Public Service Commission for approval of the Fourth Amendment to their Interconnection Agreement. The parties state that the Fourth 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-13492

C.L.Y.K. Inc, d/b/a CloseCall America Inc, and AT&T Michigan, f/k/a SBC Michigan (interconnection agreement)

On January 19, 2006 C.L.Y.K. Inc., d/b/a CloseCall America, Inc., and SBC Michigan jointly applied to the Michigan Public Service 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-14748

**Osirus Communications Inc, d/b/a Talk America and
Verizon North Inc and Contel of the South Inc, d/b/a Verizon North Systems
(interconnection agreement)**

On January 12, 2006 Osirus Communications, Inc., d/b/a Talk America (“Osirus”), 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 and Amendment. The parties state that Osirus elected to adopt the terms of the interconnection agreement between TelNet Worldwide, Inc. and Verizon, approved by the Commission in Case No. U-13931.

Case No. U-14755

**Pac-West Telecomm Inc and Verizon North Inc and
Contel of the South Inc, d/b/a Verizon North Systems
(interconnection agreement)**

On January 17, 2006 Pac-West Telecomm, Inc. (“Pac-West”) 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. The parties state that Pac West elected to adopt the terms of the interconnection agreement between TelNet Worldwide, Inc. and Verizon, approved by the Commission in Case No. U-13931.

Case No. U-14757

**Norman Charles Rhodes v Planet Access
(consumer complaint: unauthorized charges)**

On January 12, 2006, Norman Charles Rhodes (“Complainant”), on behalf of Signmaker, located in Fair Haven, filed with the Michigan Public Service Commission a formal complaint against Planet Access, alleging that unauthorized charges were billed to Complainant and that Planet Access has refused Complainant’s request for verification.

Case No. U-14758

**Aidan Fetibegovic v AT&T Michigan, f/k/a SBC Michigan
(consumer complaint: unauthorized billing)**

On January 13, 2006 Aidan Fetibegovic (“Complaint”), of Hamtramck, filed with the Michigan Public Service Commission a formal complaint against AT&T Michigan, f/k/a SBC Michigan, alleging that AT&T billed him over \$700 for a telephone service account he did not authorize.

Case No. U-14760

**CenturyTel and Granite Telecommunications LLC
(interconnection agreement)**

On January 13, 2006 CenturyTel, on behalf of its Michigan companies, and Granite Telecommunications, LLC jointly applied to the Michigan Public Service Commission for approval of their voluntarily negotiated Resale Agreement.

Case No. U-14761
Michelle Bain v Talk America
(consumer complaint: failure to provide service)

On January 13, 2006 Michelle Bain (“Complainant”), of Fraser, filed with the Michigan Public Service Commission a formal complaint against Talk America, alleging that because Talk America failed to provide service within the promised 7-10 days, her mother was not able to contact 9-1-1 when she suffered and subsequently died from a heart attack. Complainant request, among other things, that Talk America be fined and pay for the funeral expenses incurred by her mother’s death.

Case No. U-14763
LMDS Holdings Inc
(license)

On January 23, 2006 LMDS Holdings, Inc. (“LMDS”) applied to the Michigan Public Service Commission for a license to provide basic local exchange service throughout the state, on both a resale and facilities-based basis. LMDS states that it is a Delaware corporation and a wholly-owned subsidiary of XO Communications, Inc., a publicly traded Delaware corporation, in which Carl. C Icahn holds a majority interest, and that the company is located in Reston, Virginia.

Case No. U-14765
Chatham Telephone Co, Communication Corp of Michigan,
Island Telephone Co, Shiawassee Telephone Co, and Wolverine Telephone Co
and T-Mobile
(interconnection agreement)

On January 24, 2006 T-Mobile USA, Inc. and Chatham Telephone Company, Communication Corporation of Michigan, Island Telephone Company, Shiawassee Telephone Company, and Wolverine Telephone Company. (collectively, “TDS Companies”) and T-Mobile USA, Inc. jointly applied to the Michigan Public Service Commission for approval of their Wireless Traffic Exchange Agreement.

* * *

PSC NOTICES OF OPPORTUNITY FOR COMMENT

Note: no notices of opportunity to comment have been issued by the MPSC in the previous two-week period.

* * *

2006 REGULAR MPSC MEETING DATES*

<i>Month & Date</i>	<i>Day</i>	<i>Time</i>
January 31	Tuesday	1:30 p.m.
February 9	Thursday	1:30 p.m.
February 21	Tuesday	1:30 p.m.
March 14	Tuesday	1:30 p.m.
April 4	Tuesday	1:30 p.m.
April 25	Tuesday	1:30 p.m.

May 9	Tuesday	1:30 p.m.
May 23	Tuesday	1:30 p.m.
June 13	Tuesday	1:30 p.m.
June 27	Tuesday	1:30 p.m.
July 11	Tuesday	1:30 p.m.
July 25	Tuesday	1:30 p.m.
August 8	Tuesday	1:30 p.m.
August 22	Tuesday	1:30 p.m.
September 12	Tuesday	1:30 p.m.
September 26	Tuesday	1:30 p.m.
October 12	Thursday	1:30 p.m.
October 24	Tuesday	1:30 p.m.
November 9	Thursday	1:30 p.m.
December 12	Tuesday	1:30 p.m.
December 21	Thursday	1:30 p.m.

• *Additional Special Meetings may be scheduled, as needed, on 18 hours notice as permitted by Section 5(4) of the Michigan Open Meetings Act, MCL 15.265(4).* • *Agendas for all Regular and Special Meetings will be posted on 18 hours notice. A posted agenda is subject to amendment as determined by the Commission.* • *Any person with a question about a Regular or a Special Meeting of the Michigan Public Service Commission may make an inquiry by calling the Commission's Executive Secretary at (517) 241-6160.*

* * *

SUBSCRIPTION INFORMATION

Annual subscription rates (U.S. currency): single subscription: \$400; each additional subscription within the same firm: \$175. Please make checks payable to Clark Hill PLC and mail orders to Circulation Mgr., Clark Hill, PLC, 212 E. Grand River Avenue, Lansing, MI 48906-4328, or fax to (517) 318-3099. You can reach us by phone at (517) 318-3100.

Name: _____

Title: _____

Company: _____

Address: _____

City, State, Zip: _____

Phone number: _____

E-mail address _____