



### FEATURES |

#### ***Library of Michigan Holds Broadband Summit***

The Library of Michigan, in conjunction with the American Library Association Office of Information Technology Policy held a summit on May 20, 2009 at Michigan State University. The purpose of the summit was to examine how Michigan can take advantage of the \$7.2 Billion that will be made available to build and enhance broadband technologies through the American Recovery and Reinvestment Act (“ARRA”). ARRA provided for \$4.7 Billion administered through the National Telecommunications and Information . . .

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. . . Administration (“NTIA”), in cooperation and consultation with the Federal Communications Commission (“FCC”) and \$2.5 Billion administered through the United States Department of Agriculture’s Rural Utilities Service (“RUS”).

John Windhausen, Jr., a telecommunications consultant with Telepoly Consulting, noted that “the United States is facing a crisis in broadband connectivity.” While other industrialized countries are putting plans in place to greatly expand the bandwidth available to their citizens, no such systematic plan exists in the United States. Mr. Windhausen noted that the increasing demand for information and such types of traffic as telephony, high definition video, gaming, social networking, and distance learning is rapidly outpacing the broadband infrastructure in place. Pursuant to Moore’s Law, the demand for broadband bandwidth will double approximately every two years. (Moore’s Law, named for Intel co-founder Gordon E. Moore in a 1965 paper, states that since the invention of the integrated circuit, the number of transistors that can be placed inexpensively on an integrated circuit has increased exponentially, doubling approximately every two years.)

Other speakers addressing the summit noted the advances that have taken place in broadband technology in Michigan over the last decade. However, the general theme was that no matter how much bandwidth a library or other user currently has, it is not or soon will not be enough.

While NTIA and RUS have not yet released application forms or procedures for accessing the \$7.2 Billion available under the ARRA for broadband technology, several speakers, including George Boersma from the Michigan Department of Information Technology Policy, noted that the best chance of getting ARRA grants will be if Michigan libraries and state and local governments team together for cooperative and collaborative projects. The Department of Information Technology Policy hopes to coordinate statewide and regional grant applications when the process is announced by the NTIA and RUS. The process is expected to begin shortly with quick deadlines. It is hoped that ARRA money will begin funding Michigan broadband and bandwidth expansion by this coming Fall.

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## 2009 LEGISLATION |

The following list of telecommunications bills 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 # Primary Sponsor	Date Introduced	Description	Status (revisions in bold)
SB 012 Hardiman	01/14/2009	Campaign finance; public disclosure; disclosure of committees that employ and registration of persons who make “robocalls” in campaigns.	Referred to Senate Committee on Campaign and Election Oversight.
SB 013 Hardiman	01/14/2009	Administrative procedure; rules; state office of administrative hearings and rules; require policy posting of revisions and assessment of impact on the rules in the private sector.	Referred to Senate Committee on Government Operations and Reform.
SB 036 Pappageorge	01/27/2009	Education; curricula; internet safety instruction in schools; require. Amends 1976 PA 451 (MCL 380.1 - 380.1852) by adding sec. 1163.	Referred to Senate Committee on Education.
SB 149 Patterson	01/29/2009	Communications; internet; obtaining personal information by false pretenses; prohibit. Amends secs. 3, 7 & 9 of 2004 PA 452 (MCL 445.63 <i>et seq.</i> ) & adds sec. 7a.	04/23/09 Passed Senate, 34 Yeas, 0 Nays; Referred to House Committee on Judiciary.
SB 190 2009 PA 4 Thomas	02/04/2009	Communications; video services; dispute resolution process; provide for. Amends sec. 10 of 2006 PA 480 (MCL 484.3310).	04/02/2009 Signed by Governor Granholm’ assigned 2009 PA 4 with immediate effect.
SB 371 Garcia	03/12/2009	Communications; cellular telephone; active duty military personnel; allow to cancel cellular telephone contract without penalties. Creates new act.	Referred to Senate Committee on Senior Citizens and Veterans Affairs.
SB 397 Thomas	03/19/2009	Communications; video services; video service provider; clarify public, education, and government access fee. Amends sec. 6 of 2006 PA 480 (MCL 484.3306).	Referred to Senate Committee on Energy Policy and Public Utilities.
SB 402 Thomas	03/24/2009	Traffic control; violations; operation of a vehicle while using certain electronic devices; prohibit. Amends sec. 320a of 1949 PA 300 (MCL 257.320a).	Referred to Senate Committee on Transportation.

Senate Bill # Primary Sponsor	Date Introduced	Description	Status (revisions in bold)
SB 417 Basham	03/31/2009	Traffic control; violations; use of hand-free wireless telephones while operating a motor vehicle; allow. Amends sec. 320a of 1949 PA 300 (MCL 257.320a) & adds sec. 602b.	Referred to Senate Committee on Transportation.
SB 467 Kahn	04/23/2009	Transportation; school vehicles; use of cellular telephone while operating a school bus; prohibit, and provide penalties. Amends 1990 PA 187 (MCL 257.1801 - 257.1877) by adding sec. 58.	Referred to Senate Committee on Education.
SB 468 Kahn	04/24/2009	Traffic control; violations; use of handheld wireless telephone while operating a motor vehicle; prohibit under certain circumstances and permit use of hands-free wireless telephone. Amends sec. 320a of 1949 PA 300 (MCL 257.320a) by adding sec. 602b.	Referred to Senate Committee on Transportation.
<b>SB 611 Thomas</b>	<b>05/27/2009</b>	<b>Communications; telecommunications; provision relating to toll access service rates; modify. Amends sec. 310 of 1991 PA 179 (MCL 484.2310).</b>	<b>Referred to Senate Committee on Energy Policy and Public Utilities.</b>

House Bill # Primary Sponsor	Date Introduced	Description	Status (revisions in bold)
HB 4232 Horn	02/10/2009	Communications; telecommunications; disclosure of person paying for automated telephone communication; require. Amends 1976 PA 388 (MCL 169.201 - 169.282) by adding sec. 48.	Referred to House Committee on Ethics and Elections.
HB 4247 Mayes	02/11/2009	Communications; video services; dispute resolution process; provide for. Amends sec. 10 of 2006 PA 480 (MCL 484.3310).	03/04/2009 Passed House with amendment, 108 Yeas, 0 Nays, given immediate effect; transmitted to Senate; 03/05/2009 Referred to Senate Committee on Energy Policy and Public Utilities.
HB 4257 Melton	02/11/2009	Communications; telecommunications; provision relating to toll access service rates; modify. Amends sec. 310 of 1991 PA 179 (MCL 484.2310).	Referred to House Committee on Energy and Technology.

House Bill # Primary Sponsor	Date Introduced	Description	Status (revisions in bold)
HB 4362 Rocca	02/19/2009	Transportation; school vehicles; use of cellular telephone while operating a school bus; prohibit.	Referred to House Committee on Transportation.
HB 4369 Polidori	02/19/2009	Traffic control; violations; use of mobile phones while operating a motor vehicle; prohibit, and provide penalties.	Referred to House Committee on Transportation.
HB 4370 Polidori	02/19/2009	Traffic control; violations; entry of points for operating a motor vehicle while sending or receiving a message on an electronic wireless device; prohibit.	Referred to House Committee on Transportation.
HB 4394 Gonzales	02/24/2009	Traffic control; violations; penalties for operating a motor vehicle while reading, writing, or sending a message on an electronic wireless device; provide for. Amends sec. 320a of 1949 PA 300 (MCL 257.320a) & adds sec. 602b.	Referred to House Committee on Transportation.
HB 4451 Smith	02/24/2009	Crimes; other; knowing an individual needs emergency help; require to call 9-1-1. Amends 1931 PA 328 (MCL 750.1 - 750.568) by adding sec. 499.	Referred to House Committee on Judiciary.
HB 4576 Barnett	03/12/2009	Communications; other; video service provider; clarify public, education, and government access fee. Amends sec. 6 of 2006 PA 480 (MCL 484.3306).	Referred to House Committee on Energy and Technology.
HB 4833 McMillin	04/29/2009	Libraries; policies and practices; installation of internet filter software on computers; require. Amends sec. 6 of 1982 PA 455 (MCL 397.606).	Referred to House Committee on Judiciary.

## PUBLIC ACTS OF 2009

Listed below are Public Acts related to telecommunications that were passed during the current legislative session (2009-2010). 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. Acts passed since the previous edition of the *Michigan Telecommunications Report* are in bold.

Public Act #	Effective Date	Description	Enrolled Bill # and Sponsor
2009 PA 4	04/02/2009	Communications; video services; dispute resolution process; provide for. Amends sec. 10 of 2006 PA 480 (MCL 484.3310).	SB 190 Thomas

## ORDERS ISSUED BY MPSC |

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The Michigan Public Service Commission (“Commission”) issued the following Orders at its regularly schedule meeting held on May 26, 2009 at 1:30 p.m.:

U-13614 Interconnection Agreement  
AT&T Michigan and ACN Communication Services, Inc.  
<http://efile.mpsc.cis.state.mi.us/efile/viewcase.php?casenum=13614>  
Application filed May 5, 2009 for approval of a Seventh Amendment to an Interconnection Agreement (adds the FCC ISP option and extends the term of the Interconnection Agreement by three years).

U-15956 Interconnection Agreement  
TDS Telecom and Sprint Communications Company Limited Partnership.  
<http://efile.mpsc.cis.state.mi.us/efile/viewcase.php?casenum=15956>  
Application filed April 30, 2009 for approval of an Interconnection Agreement.

U-15969 Interconnection Agreement  
AT&T Michigan and Alger Communications, Inc.  
<http://efile.mpsc.cis.state.mi.us/efile/viewcase.php?casenum=15969>  
Application filed May 4, 2009 for approval of a Paging Interconnection Agreement.

On May 26, 2009, the Michigan Public Service Commission (“Commission”) issued an Order approving the Interconnection Agreements and Amendments listed above.

Case No. U-15171 Interconnection Agreement  
AT&T Michigan and Ygnition Networks, Inc.  
<http://efile.mpsc.cis.state.mi.us/efile/viewcase.php?casenum=15171>

On May 26, 2009, the Michigan Public Service Commission (“Commission”) issued an Order dismissing the August 5, 2008 Joint Application filed by AT&T Michigan and Ygnition Networks, Inc., for approval of a Seventh Amendment to an Interconnection Agreement, without approval. The Commission found “that it is not in the public interest to grant the application for Approval [of the Interconnection Agreement Amendment] because [Ygnition Networks, Inc.] is no longer registered with the Department of Energy, Labor & Economic Growth to do business in Michigan, and is not registered with the Intrastate Telecommunications Service Provider Database.”

Case No. U-15913 License  
Broadvox-CLEC, LLC  
<http://efile.mpsc.cis.state.mi.us/efile/viewcase.php?casenum=15913>

On May 26, 2009, the Michigan Public Service Commission (“Commission”) issued an Order granting the March 4, 2009 Application of Broadvox-CLEC, LLC for a license to provide basic local exchange service throughout the State of Michigan in the zones and exchanges where Verizon North Inc., Contel of the South, Inc., d/b/a Verizon North Systems, and AT&T Michigan are the incumbent local exchange carriers. This license replaces the temporary license granted by the Commission to Broadvox-CLEC, LLC on April 16, 2009.

Case No. U-15933  
Entelegent Solutions, Inc.  
<http://efile.mpsc.cis.state.mi.us/efile/viewcase.php?casenum=15933>

License

On May 26, 2009, the Michigan Public Service Commission (“Commission”) issued an Order granting a temporary license to Entelegent Solutions, Inc. to provide basic local exchange service throughout the State of Michigan in the zones and exchanges where Verizon North Inc., Contel of the South, Inc., d/b/a Verizon North Systems, and AT&T Michigan are the incumbent local exchange carriers. This license expires upon issuance of a Commission Order granting or denying Entelegent Solutions, Inc.’s March 31, 2009 Application for a permanent license.

Case No. U-15950  
Kashif Chaudhry v AT&T Michigan

Consumer Complaint: Cramming

On May 26, 2009, the Michigan Public Service Commission (“Commission”) issued an Order dismissing, with prejudice, the Complaint of Kashif Chaudhry against AT&T Michigan, alleging that AT&T had charged him an early termination fee that he was not aware he would be charged when he subscribed with AT&T for service. On May 14, 2009, Mr. Chaudhry filed a request to withdraw his Complaint.

Case No. U-15957  
ACD Telecom, Inc.  
<http://efile.mpsc.cis.state.mi.us/efile/viewcase.php?casenum=15957>

License Expansion

On May 26, 2009, the Michigan Public Service Commission (“Commission”) issued an Order granting a temporary expansion of ACD Telecom, Inc.’s license to provide basic local exchange service. The expansion includes all zones and exchange areas served by incumbent local exchange carriers throughout the State of Michigan. This temporary license expansion expires upon issuance of a Commission Order granting or denying ACD Telecom, Inc.’s April 30, 2009 Application for a permanent license expansion.

Case No. U-15961  
Liquid Web, Inc.  
<http://efile.mpsc.cis.state.mi.us/efile/viewcase.php?casenum=15961>

License

On May 26, 2009, the Michigan Public Service Commission (“Commission”) issued an Order granting a temporary license to Liquid Web, Inc. to provide basic local exchange service throughout the State of Michigan in the zones and exchanges where AT&T Michigan is the incumbent local exchange carriers. This license expires upon issuance of a Commission Order granting or denying Liquid Web, Inc.’s April 28, 2009 Application for a permanent license.

## **APPLICATIONS AND COMPLAINTS**

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Case No. U-11596  
AT&T Michigan and Qwest Communications Company, Inc.  
<http://efile.mpsc.cis.state.mi.us/efile/viewcase.php?casenum=11596>

Interconnection Agreement

On May 21, 2009, AT&T Michigan and Qwest Communications Company, Inc. jointly filed an Application with the Michigan Public Service Commission (“Commission”) requesting approval of the Third Amendment to their Interconnection Agreement. According to the Application, the Third

Amendment revises the definition of business lines to comply with the Order and the FCC's rule which provides that entrance facilities are not required to be provided by incumbent carriers to CLECs on an unbundled basis, in conformance with the United States District Court for the Eastern District of Michigan's September 26, 2007 Order reversing, in part, the Commission's TRO/TRRO order in Case No. U-14447.

Case No. U-15974

Eligible Telecommunications Carrier

NSW Telecom, Inc.

<http://efile.mpsc.cis.state.mi.us/efile/viewcase.php?casenum=15974>

On May 18, 2009, NSW Telecom, Inc. filed an Application with the Michigan Public Service Commission ("Commission") requesting designation as an Eligible Telecommunications Carrier ("ETC") in the wire centers in the State of Michigan where AT&T Michigan and Verizon are the incumbent local exchange carriers, pursuant to 47 USC § 214(e)(2) and 47 USC § 254. According to the Application, NSW seeks to receive from Universal Service Fund ("USF") both high cost support, including High Cost Loop, Local Switching Support, High Cost Model, Interstate Common Line Support, and Lifeline/Link-Up support.

Case No. U-15976

Interconnection Agreement

AT&T Michigan and Midwestern Telecommunications, Inc.

<http://efile.mpsc.cis.state.mi.us/efile/viewcase.php?casenum=15976>

On May 18, 2009, AT&T Michigan and Midwestern Telecommunications, Inc. jointly filed an Application with the Michigan Public Service Commission ("Commission") requesting approval of an Interconnection Agreement.

Case No. U-15984

Eligible Telecommunications Carrier

Michigan Central Broadband Company, LLC

<http://efile.mpsc.cis.state.mi.us/efile/viewcase.php?casenum=15984>

On May 26, 2009, Michigan Central Broadband Company, LLC filed an Application with the Michigan Public Service Commission ("Commission") requesting designation as an Eligible Telecommunications Carrier ("ETC") in the Amble, Chester, Grace Harbor, and Manistee River exchanges for purposes of receiving high cost and lifeline/linkup support from the federal Universal Service Fund ("USF").

## **NOTICES OF OPPORTUNITIES TO COMMENT |**

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The following Notices of Opportunity to Comment have been issued by the Michigan Public Service Commission's Executive Secretary. Any interested person may submit comments on the application by sending written comments to the Commission by mail to: Executive Secretary, Michigan Public Service Commission, P.O. Box 30221, Lansing, Michigan 48909. Electronic comments may be e-mailed to: <[mpscfilecases@michigan.gov](mailto:mpscfilecases@michigan.gov)>. Any comments should reference the applicable docket number.

Case No. U-15939

USF disaggregation

Upper Peninsula Telephone Company

<http://efile.mpsc.cis.state.mi.us/efile/viewcase.php?casenum=15939>

Comments Due: Thursday, June 4, 2009

The Michigan Public Service Commission (“Commission”) has requested that interested parties comment on the April 6, 2009 Application of Upper Peninsula Telephone Company to change its disaggregation plan, related to its Eligible Telecommunications Carrier (“ETC”) service area code under 47 CFR 54.315. Written and electronic comments may be filed with the Commission by 5:00 p.m. on Thursday, **June 4, 2009**. Written comments should be sent to the: Executive Secretary, Michigan Public Service Commission, P.O. Box 30221, Lansing, Michigan 48909. Electronic comments may be e-mailed to: <[mpscdockets@michigan.gov](mailto:mpscdockets@michigan.gov)>. All comments should reference MPSC Case No. U-15939.

Case No. U-15957

License Amendment

ACD Telecom, Inc.

<http://efile.mpsc.cis.state.mi.us/efile/viewcase.php?casenum=15957>

Comments Due: Friday, June 12, 2009

The Michigan Public Service Commission (“Commission”) has requested that interested parties comment on the April 30, 2009 Application of ACD Telecom, Inc. to amend the geographic area of its license to provide basic local exchange service to include all zone and exchange areas served by incumbent local exchange carriers in the State of Michigan. Written and electronic comments may be filed with the Commission by 5:00 p.m. on Friday, **June 12, 2009**. Written comments should be sent to the: Executive Secretary, Michigan Public Service Commission, P.O. Box 30221, Lansing, Michigan 48909. Electronic comments may be e-mailed to: <[mpscdockets@michigan.gov](mailto:mpscdockets@michigan.gov)>. All comments should reference MPSC Case No. U-15957.

Case No. U-15968

License Amendment

Granite Telecommunications, Inc.

<http://efile.mpsc.cis.state.mi.us/efile/viewcase.php?casenum=15968>

Comments Due: Thursday, July 2, 2009

The Michigan Public Service Commission (“Commission”) has requested that interested parties comment on the May 4, 2009 Application of Granite Telecommunications, Inc. to amend the geographic area of its license to provide basic local exchange service to include all zone and exchange areas in which CenturyTel and Frontier Communications are the incumbent carriers in the State of Michigan. Written and electronic comments may be filed with the Commission by 5:00 p.m. on Thursday, **July 2, 2009**. Written comments should be sent to the: Executive Secretary, Michigan Public Service Commission, P.O. Box 30221, Lansing, Michigan 48909. Electronic comments may be e-mailed to: <[mpscdockets@michigan.gov](mailto:mpscdockets@michigan.gov)>. All comments should reference MPSC Case No. U-15968.

## NOTICES OF HEARINGS |

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The following Notices of Hearings have been issued by the Michigan Public Service Commission's Executive Secretary. 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-15917 License  
Charter Fiberlink CC VIII, LLC  
<http://efile.mpsc.cis.state.mi.us/efile/viewcase.php?casenum=15917>  
Public Hearing: Tuesday, June 2, 2009, at 9:00 a.m.

The March 13, 2009 Application of Charter Fiberlink CC VIII, LLC for a temporary and a permanent license to provide basic local exchange telecommunications service throughout the State of Michigan will be heard by the Michigan Public Service Commission ("Commission") at an evidentiary hearing at **9:00 a.m.** on **Tuesday, June 2, 2009**, before Administrative Law Judge Barbara A. Stump at the offices of the Michigan Public Service Commission, 6545 Mercantile Way, Suite 7, Lansing, Michigan.

Case No. U-15916 License  
NSW Telecom, Inc.  
<http://efile.mpsc.cis.state.mi.us/efile/viewcase.php?casenum=15916>  
Public Hearing: Thursday, June 4, 2009, at 9:00 a.m.

The March 12, 2009 Application of NSW Telecom, Inc. for a temporary and a permanent license to provide basic local exchange telecommunications service throughout the State of Michigan will be heard by the Michigan Public Service Commission ("Commission") at an evidentiary hearing at **9:00 a.m.** on **Thursday, June 4, 2009**, before Administrative Law Judge Daniel E. Nickerson, Jr. at the offices of the Michigan Public Service Commission, 6545 Mercantile Way, Suite 7, Lansing, Michigan.

Case No. U-15933 License  
Entelegent Solutions, Inc.  
<http://efile.mpsc.cis.state.mi.us/efile/viewcase.php?casenum=15933>  
Public Hearing: Thursday, June 18, 2009, at 9:00 a.m.

The March 31, 2009 Application of Entelegent Solutions, Inc. for a temporary and a permanent license to provide basic local exchange service throughout the State of Michigan in the zone and exchange areas served by Verizon North, Inc., Verizon North Systems, and AT&T Michigan will be heard by the Michigan Public Service Commission ("Commission") at an evidentiary hearing at **9:00 a.m.** on **Thursday, June 18, 2009**, before Administrative Law Judge Barbara A. Stump at the offices of the Michigan Public Service Commission, 6545 Mercantile Way, Suite 7, Lansing, Michigan.

## MPSC HEARINGS SCHEDULE |

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Note: Unless indicated otherwise, hearings are held in the offices of the Commission, 6545 Mercantile Way, Suite 7, Lansing, Michigan. Hearing dates and times are subject to change or cancellation. Please check with the Commission's Executive Secretary at (517) 241-6160 to confirm that a hearing will be taking place.

### KNOWN TELECOM HEARINGS SCHEDULED FOR THE NEXT FORTNIGHT (JUNE 1, 2009 THROUGH JUNE 12, 2009)

June 2, 2009, 9:00 a.m.

Case No. U-15917/Evidentiary Hearing  
Charter Fiberlink CC VII, LLC (license)

June 4, 2009, 9:00 a.m.

Case No. U-15916/Evidentiary Hearing  
NSW Telecom, Inc. (license)

### FUTURE TELECOM HEARINGS SCHEDULED

June 18, 2009, 9:00 a.m.

Case No. U-15933/Evidentiary Hearing  
Entelegent Solutions, Inc. (license)

July 23, 2009, 9:00 a.m.

Case No. U-15947/Evidentiary Hearing  
CMC Telecom, Inc. v Verizon (access charges)

July 9, 2009, 10:00 a.m.

Case No. U-15947/Motion Hearing  
CMC Telecom, Inc. v Verizon (access charges)

## 2009 REGULAR MPSC MEETING DATES\* |

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<u>Month &amp; Date</u>	<u>Day</u>	<u>Time</u>
June 2	Tuesday	1:30 p.m.
June 30	Tuesday	1:30 p.m.
July 16	Thursday	1:30 p.m.
July 30	Thursday	1:30 p.m.
August 11	Tuesday	1:30 p.m.
August 25	Tuesday	1:30 p.m.
September 8	Tuesday	1:30 p.m.
September 24	Thursday	1:30 p.m.
October 13	Tuesday	1:30 p.m.
October 27	Tuesday	1:30 p.m.
November 10	Tuesday	1:30 p.m.
December 1	Tuesday	1:30 p.m.
December 15	Tuesday	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

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