



FEATURES |

Test Demonstrates Texting While Behind The Wheel Can Be Even More Dangerous Than Impaired Driving

Road Test Comparing Driver Reaction Times Indicates Potential Deadly Scenario

Note: Car and Driver magazine issued the following Press Release on June 25, 2009 through PRNewswire.. For additional information please call (248) 935-2911.

ANN ARBOR, Mich., June 25 /PRNewswire/ -- Text messaging is on the rise, and undoubtedly, some "texters" or "tweeters" are sending and receiving messages while driving. In December 2008, more than 110 billion messages were being . . .

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Clark Hill PLC
212 East Grand River Avenue
Lansing, Michigan 48906-4328
P: 517.318.3100 | F: 517.318.3099

INDEX OF HIGHLIGHTED CASES |

ORDERS |

The Michigan Public Service Commission ("Commission") did not issue any telecommunications Orders during the previous fortnight.

APPLICATIONS AND COMPLAINTS |

U-16004 TC3 Telecom, Inc. (etc)

Test Demonstrates Texting While Behind The Wheel Can Be Even More Dangerous Than Impaired Driving | continued from Page 1

. . . sent each month, up from less than 10 billion just three years ago. To gauge the effect of these road messagers, *Car and Driver* magazine decided to conduct a road test to determine just how dangerous texting and driving can be. The results were eye-opening.

Previous academic studies have shown texting while driving using simulators impairs a driver's abilities. But as far as we know, no study has been conducted in a real vehicle that is being driven. In addition, *Car and Driver* also compared the results of texting to the effects of drunk driving, on the same day and under the exact same conditions.

The focus of the test was solely on the driver's reaction time. All of the driving was done in a straight line on an 11,800-foot runway. Given the prevalence of the BlackBerry, the iPhone, and other text-friendly mobile phones, the test subjects would have devices with full QWERTY keypads and would be familiar with text messaging. A web intern, 22, armed with an iPhone, would represent the younger crowd. The older demographic would be covered by Editor-in-Chief, Eddie Alterman, 37.

After conducting the texting tests on both drivers at 35 mph and 70 mph, the test subjects then drank alcoholic cocktails until they reached the legal driving limit of 0.08 percent blood-alcohol content. They then went back behind the wheel and ran the identical test without any texting distractions.

The results showed even using a straight road without any traffic, road signals, or pedestrians, and looking just at reaction times, the texting results were even worse than the negative impaired driving results.

Both socially and legally, drunk driving is completely unacceptable. Texting, on the other hand, is still in its formative period with respect to laws and opinion. A few jurisdictions have passed ordinances against texting while driving. But even if sweeping legislation were passed today to outlaw any typing behind the wheel, it would still be very difficult to enforce the law.

As summarized by Alterman, "In our test, neither of us had any idea texting would slow down our reaction time so much. Like most folks, we believe we are good drivers, but the real key to driving safely is keeping your eyes and your mind on the road. Text messaging distracts any driver from those primary tasks."

Full test results can be read in this month's *Car and Driver* magazine, hitting newsstands today, or available online at <<http://CarandDriver.com>>.

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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.	06/11/2009 Passed Senate, 34 Yeas, 0 Nays, 3 Excused; Referred to House Committee on Military and Veterans Affairs and Homeland Security; 06/04/2009 Reported favorably without amendment by the Senate Committee on Senior Citizens and Veterans Affairs.

Senate Bill # Primary Sponsor	Date Introduced	Description	Status (revisions in bold)
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.
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.
SB 611 Thomas	05/27/2009	Communications; telecommunications; provision relating to toll access service rates; modify. Amends sec. 310 of 1991 PA 179 (MCL 484.2310).	Referred to Senate Committee on Energy Policy and Public Utilities.

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.

House Bill # Primary Sponsor	Date Introduced	Description	Status (revisions in bold)
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.
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.

House Bill # Primary Sponsor	Date Introduced	Description	Status (revisions in bold)
HB 5079 Warren	06/11/2009	Crimes; computer; unauthorized use of internet; remove prohibition and penalty. Amends sec. 540 of 1931 PA 328 (MCL 750.540).	Referred to House Committee on Judiciary.
HB 5102 LeBlanc	06/16/2009	Communications; cellular telephone; termination of cellular telephone contracts by certain active military personnel; allow. Creates new act.	Referred to House Committee on Military and Veterans Affairs and Homeland Security.

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 |

The Michigan Public Service Commission (“Commission”) did not issue any telecommunications Orders during the previous fortnight.

APPLICATIONS AND COMPLAINTS |

Case No. U-16004

TC3 Telecom, Inc.

<http://efile.mpsc.cis.state.mi.us/efile/viewcase.php?casenum=16004>

Eligible Telecommunications Carrier

On June 15, 2009, TC3 Telecom, Inc. filed an Application with the Michigan Public Service Commission (“Commission”) requesting designation as an Eligible Telecommunications Carrier (“ETC”) in the State of Michigan for the purpose of receiving Lifeline/Link-Up support from the Low Income Program of the Federal Universal Service Fund (“USF”).

NOTICES OF OPPORTUNITIES TO COMMENT |

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: <mpscefilecases@michigan.gov>. Any comments should reference the applicable docket number.

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>. All comments should reference MPSC Case No. U-15968.

NOTICES OF HEARINGS |

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-15961

License

Liquid Web, Inc.

<http://efile.mpsc.cis.state.mi.us/efile/viewcase.php?casenum=15961>

Public Hearing: Tuesday, June 30, 2009, at 9:00 a.m.

The April 29, 2009 Application of Liquid Web, 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 AT&T Michigan will be heard by the Michigan Public Service Commission ("Commission") at an evidentiary hearing at **9:00 a.m. on Tuesday, June 30, 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-15994

License

Conversent Communications Resale, L.L.C. d/b/a One Communications

<http://efile.mpsc.cis.state.mi.us/efile/viewcase.php?casenum=15994>

Public Hearing: Tuesday, July 21, 2009, at 9:00 a.m.

The June 3, 2009 Application of Conversent Communications Resale, L.L.C. d/b/a One Communications 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 AT&T Michigan will be heard by the Michigan Public Service Commission (“Commission”) at an evidentiary hearing at **9:00 a.m.** on **Tuesday, July 21, 2009**, before Administrative Law Sharon Feldman at the offices of the Michigan Public Service Commission, 6545 Mercantile Way, Suite 7, Lansing, Michigan.

Case No. U-15995

License

CTC Communications Corp. d/b/a One Communications

<http://efile.mpsc.cis.state.mi.us/efile/viewcase.php?casenum=15994>

Public Hearing: Tuesday, July 21, 2009, at 9:30 a.m.

The June 3, 2009 Application of CTC Communications Corp. d/b/a One Communications 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 AT&T Michigan will be heard by the Michigan Public Service Commission (“Commission”) at an evidentiary hearing at **9:30 a.m.** on **Tuesday, July 21, 2009**, before Administrative Law Sharon Feldman at the offices of the Michigan Public Service Commission, 6545 Mercantile Way, Suite 7, Lansing, Michigan.

MPSC HEARINGS SCHEDULE |

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 29, 2009 THROUGH JULY 10, 2009)**

June 30, 2009, 9:00 a.m

Case No. U-15961/Evidentiary Hearing
Liquid Web, Inc. (license)

July 9, 2009, 10:00 a.m

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

FUTURE TELECOM HEARINGS SCHEDULED

July 21, 2009, 9:00 a.m

Case No. U-15994/Evidentiary Hearing
Conversent Communications Resale, L.L.C.
d/b/a One Communications (license)

July 23, 2009, 9:00 a.m

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

July 21, 2009, 9:30 a.m

Case No. U-15995/Evidentiary Hearing
CTC Communications Corp. d/b/a One
Communications (license)

2009 REGULAR MPSC MEETING DATES* |

<u>Month & Date</u>	<u>Day</u>	<u>Time</u>
June 25 ¹	Friday	4:00 p.m
July 1 ²	Wednesday	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

¹ The Michigan Public Service Commission ("Commission") has announced a Special Commission Meeting for Friday, June 25, 2009 at 4:00 p.m. in the Commission's Lansing office.

² The Michigan Public Service Commission ("Commission") has rescheduled its June 30, 2009 Regular Commission Meeting to Wednesday July 1, 2009 at 1:30 p.m. in the Commission's Lansing office.

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