



FEATURES |

MPSC Designates Community Access Line of the Lakeshore, Inc. as the 2-1-1 Community Resource Information and Referral Answering Point for Seven Exchanges in Manistee County

Note: The Michigan Public Service Commission issued the following press release on October 29, 2009, for additional information, contact Judy Palnau at (517) 241-3323 .

The Michigan Public Service Commission (“MPSC”) today designated Community Access Line of the Lakeshore, Inc. as the 2-1-1 community resource information and referral answering point for seven exchanges in Manistee County. . . .

Continued on page 2

IN THIS ISSUE:

- 1 Features
 - ♦ Community Access Line of the Lakeshore Designated 2-1-1 Answering Point
- 2 2009 Legislation
- 7 Public Acts of 2009
- 7 Orders issued by MPSC
- 8 Proposals for Decision
- 9 Applications & Complaints
- 9 Opportunities to Comment
- 10 Notices of Hearings
- 10 MPSC Hearings Schedule
- 11 MPSC Meetings
- 12 MTR Subscriptions

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INDEX OF HIGHLIGHTED CASES |

ORDERS |

- U-13302 AT&T Michigan and Bullseye Telecom, Inc.(ica)
- U-16060 Cincinnati Bell Any Distance, Inc. (license)
- U-16071 Community Access Line of the Lakeshore, Inc. d/b/a Call 2-1-1 (211)
- U-16095 AT&T Michigan and Entelegent Solutions, Inc. (ica)
- U-16104 Alltel Communications, LLC and Carr Telephone Company, LLC (ica)
- U-16110 Comcast Phone of Michigan, LLC (license)

PROPOSALS FOR DECISION |

- U-16018 Ann Ethington v AT&T Michigan (consumer complaint: billing dispute)

APPLICATIONS AND COMPLAINTS |

- U-16118 TC3 Telecom, Inc. (etc)
- U-16121 AT&T Michigan and Talk America, Inc. d/b/a Cavalier Telephone and LDMI Telecommunications, Inc. (ica)

MPSC Designates Community Access Line of the Lakeshore, Inc. as the 2-1-1 Community Resource Information and Referral Answering Point for Seven Exchanges in Manistee County | continued from Page 1

. . . The abbreviated dialing number 2-1-1 has been assigned by the Federal Communications Commission (“FCC”) to enable callers to reach community resource and referral answering points.

The seven exchanges are: Bear Lake, Brethren, Copemish-Thompsonville, Dublin, Kaleva, Onekama, and Wellston.

Community Access Line of the Lakeshore, Inc. will provide operation of the 2-1-1 telephone number 24 hours per day, seven days per week. The Commission concluded that its approval is provisional, in part, due to the FCC's ability to recall the 2-1-1 number.

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

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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.

Senate Bill # Primary Sponsor	Date Introduced	Description	Status (revisions in bold)
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.	08/19/09 Reported by House Committee on Judiciary with recommendation and amendment; referred to second reading.
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.
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.

Senate Bill # Primary Sponsor	Date Introduced	Description	Status (revisions in bold)
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.
SB 770 Patterson	08/26/2009	Criminal procedure; sex offender registration; use of commercial social networking websites by sex offenders; prohibit. Amends 1994 PA 295 (MCL 28.721 - 28.736) by adding sec. 37.	Referred to Senate Committee on Judiciary.
SB 883 Deborah Cherry	09/17/2009	Use tax; collections; definition of interstate telecommunications services; expand to include international services.	Referred to Senate Committee on Finance.

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.
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.

House Bill # Primary Sponsor	Date Introduced	Description	Status (revisions in bold)
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.	10/22/2009 Substitute H-2 reported with recommendation by House Committee on Transportation; referred to second reading.
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.	10/22/2009 Substitute H-3 reported with recommendation by House Committee on Transportation; referred to second reading.
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.
HB 4999 Mayes	05/26/2009	Traffic control; violations; weight restrictions during frost restriction periods; provide exemption for public utility subcontractors. Amends sec. 722 of 1949 PA 300 (MCL 257.722).	08/19/2009 Substitute H-1 Passed House, given immediate effect, 100 Yeas, 6 Nays, transmitted to Senate.
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.	09/10/2009 Passed House, given immediate effect, 104 Yeas, 1 Nay; transmitted to Senate. 9/15/2009 Referred to Senate Committee on Senior Citizens and Veterans Affairs.

House Bill # Primary Sponsor	Date Introduced	Description	Status (revisions in bold)
HB 5282 Haveman	08/26/2009	Criminal procedure; sex offender registration; use of commercial social networking websites by sex offenders; prohibit. Amends 1994 PA 295 (MCL 28.721 - 28.736) by adding sec. 37.	Referred to House Committee on Judiciary.
HB 5378 DeShazor	09/17/2009	Campaign finance; campaign practices; telephonic communications; require disclosure stating who is paying for call.	Referred to House Committee on Ethics and Elections.
HB 5390 Cushingberry	09/17/2009	Property tax; utility property; broadband investment credit; increase and sunset. Amends sec. 13b of 1905 PA 282 (MCL 207.13b) & repeals sec. 13b of 1905 PA 282 (MCL 207.13b).	Referred to House Committee on Tax Policy.
HB 5419 Meadows	09/17/2009	Use tax; collections; definition of interstate telecommunications services; expand to include international services. Amends sec. 3a of 1937 PA 94 (MCL 205.93a).	Referred to House Committee on Tax Policy.
HB 5459 Geiss	09/23/2009	Communications; video services; assessment of public service commission's costs against competitive video service providers; extend sunset. Amends sec. 6 of 2006 PA 480 (MCL 484.3306).	Referred to House Committee on Energy and Technology.
HB 5468	09/25/2009	Communications; technology; validity of judgment or order created with an electronic record or signature; clarify. Amends sec. 7 of 2000 PA 305 (MCL 450.837).	Referred to House Committee on Judiciary.
HB 5556	10/28/2009	Communications; broadcasting; local zoning restrictions for amateur radio; require to conform to federal regulations. Amends 2006 PA 110 (MCL 125.3101 - 125.3702) by adding sec. 205a.	Referred to House Committee on Intergovernmental and Regional Affairs.

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”) issued the following Orders at its regularly scheduled meeting held on October 29, 2009 at 9:00 a.m.:

Case No. U-13302 **Interconnection Agreement**
AT&T Michigan and BullsEye Telecom Inc.
<http://efile.mpsc.cis.state.mi.us/efile/viewcase.php?casenum=13302>
Application filed October 7, 2009 for approval of a Seventh Amendment to an Interconnection Agreement (adds CompleteLink 2.0 Win/Winback Pricing application).

Case No. U-16095 **Interconnection Agreement**
AT&T Michigan and Entelegent Solutions, Inc.
<http://efile.mpsc.cis.state.mi.us/efile/viewcase.php?casenum=16095>
Application filed October 13, 2009 for approval of an Interconnection Agreement.

Case No. U-16104 **Interconnection Agreement**
Alltel Communications, LLC and Carr Telephone Company
<http://efile.mpsc.cis.state.mi.us/efile/viewcase.php?casenum=16104>
Application filed September 18, 2009 for approval of an Interconnection Agreement.

On October 29, 2009, the Michigan Public Service Commission (“Commission”) issued an Order approving the above-listed Interconnection Agreements and Amendments.

Case No. U-16060 **License**
Cincinnati Bell Any Distance Inc.
<http://efile.mpsc.cis.state.mi.us/efile/viewcase.php?casenum=16060>

On October 29, 2009, the Michigan Public Service Commission (“Commission”) issued an Order granting to Cincinnati Bell Any Distance Inc. a license to provide basic local exchange service throughout the State of Michigan in the zone and exchange areas in which 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 issued to Cincinnati Bell Any Distance Inc. on September 15, 2009.

Case No. U-16071

2-1-1

Community Access Line of the Lakeshore, Inc. d/b/a Call 2-1-1

<http://efile.mpsc.cis.state.mi.us/efile/viewcase.php?casenum=16071>

On October 29, 2009 the Michigan Public Service Commission (“Commission”) issued an Order designating Community Access Line of the Lakeshore, Inc. d/b/a Call 2-1-1 the information and referral entity and the 2-1-1 answering point for Manistee County, including the following exchanges: Bear Lake, Brethren, Copemish-Thompsonville, Dublin, Kaleva, Manistee (previously approved in an Order by the MPSC in Case U-15469), Onekama, and Wellston. The Commission had previously designated Community Access Line of the Lakeshore, Inc. d/b/a Call 2-1-1 the 2-1-1 answering point for parts of Mason, Muskegon Oceana and Ottawa Counties.

Case No. U-16110

License

Comcast Phone of Michigan, LLC

<http://efile.mpsc.cis.state.mi.us/efile/viewcase.php?casenum=16110>

On October 29, 2009, the Michigan Public Service Commission (“Commission”) issued an Order granting to Comcast Phone of Michigan, LLC a temporary license expanding the geographic scope of Comcast Phone of Michigan, LLC’s license to provide local exchange service to include the following additional municipalities: These 12 additional municipalities are: City of Bay City (Bay County), City of Benton Harbor (Berrien County), City of Charlevoix (Charlevoix County), Village of Dimondale (Eaton County), City of Farmington Hills (Oakland County), City of Kalamazoo (Kalamazoo County), City of Livonia (Wayne County), Redford Township (Wayne County), City of Rockford (Kent County), City of Saginaw (Saginaw County), Traverse City (Grand Traverse County), City of Wyandotte (Wayne County). Comcast was previously licensed to provide basic local exchange service in 471 additional communities throughout Michigan. This temporary license will expire upon the issuance of a Commission Order granting or denying the October 5, 2009 Application of Comcast Phone of Michigan, LLC for issuance of a permanent license expansion.

PROPOSALS FOR DECISION |

Case No. U-16018

Consumer Complaint: Billing Dispute

Ann Ethington v AT&T Michigan

On October 19, 2009, Michigan Public Service Commission (“Commission”) Administrative Law Judge Sharon L. Feldman (“ALJ”) issued a Proposal for Decision (“PFD”) in the matter of the July 10, 2009, Complaint of Ann Ethington (“Complainant”) against AT&T Michigan (“AT&T”), alleging that AT&T violated Section 502(1)(e) of the Michigan Telecommunications Act (“MTA”), which prohibits stating to an end-user that their basic local exchange service or other regulated service will be discontinued unless the end-user pays a charge that is due for an unregulated service. On August 5, 2009 AT&T filed a Motion to Dismiss. By agreement of the Parties, that Motion was heard on September 11, 2009, with supplemental filings thereafter. The PFD reflects a ruling on the Motion to Dismiss.

AT&T’s Motion contended that there was no genuine issue of material fact in this dispute, and that the complaint failed to state a claim on which relief can be granted. According to the PFD, “[a]

careful review of the complaint establishes that it alleges only a violation of MCL 484.2502(1)(e), and the Complainant confirmed this at the hearing. Section 502(1)(e) makes it unlawful for a telecommunications provider such as AT&T Michigan to: 'state to an end-user that their basic local exchange service or other regulated service will be discontinued unless the end-user pays *a charge that is due for an unregulated service.*' MCL 484.2502(1)(e), emphasis added." The Complainant acknowledged that the only service she ordered from AT&T was basic local exchange service, but argued that line connection and late fees are unregulated services. The ALJ found that "[s]ince Ms. Ethington ordered and received only basic local exchange service from AT&T Michigan, either through the 'call plan unlimited' or 'lifeline' programs, the 'line connection' and 'late fee' charges cannot reasonably be considered as charges for distinct or 'unregulated' services." The PFD recommended the Complaint be dismissed, with prejudice, for failure to state a claim on which relief can be granted.

Exceptions to the PFD, if any, may be filed on or before November 9, 2009. If exceptions are filed, replies thereto may be filed on or before November 19, 2009.

APPLICATIONS AND COMPLAINTS |

Case No. U-16118

Eligible Telecommunications Carrier

TC3 Telecom, Inc

<http://efile.mpsc.cis.state.mi.us/efile/viewcase.php?casenum=16118>

On October 19, 2009, TC3 Telecom, Inc filed an Application with the Michigan Public Service Commission ("Commission") requesting designation as an Eligible Telecommunications Carrier ("ETC") in order to receive Universal Service Fund ("USF") support in various wire centers in the State of Michigan. TC3 seeks to be designated an ETC to receive both high cost support, including High Cost Loop ("HCL"), Local Switching Support ("LSS"), High Cost Model ("HCM"), and Interstate Common Line Support ("ICLS"), and Lifeline/Link-Up support in the wire centers.

Case No. U-16121

Interconnection Agreement

AT&T Michigan and Talk America, Inc. d/b/a Cavalier Telephone and LDMI Telecommunications, Inc.

<http://efile.mpsc.cis.state.mi.us/efile/viewcase.php?casenum=16121>

On October 22, 2009, AT&T Michigan and Talk America, Inc. d/b/a Cavalier Telephone and LDMI Telecommunications, Inc. jointly filed an Application with the Michigan Public Service Commission ("Commission") requesting approval of an Interconnection Agreement. According to the Application, the Interconnection Agreement is an adoption, pursuant to 47 USC § 252(i), of the Interconnection Agreement by and between AT&T Michigan and TDS Metrocom, LLC, approved by the Commission in MPSC Case No. U-12952 on December 22, 2001.

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

Case No. U-16110

License

Comcast Phone of Michigan, LLC

<http://efile.mpsc.cis.state.mi.us/efile/viewcase.php?casenum=16110>

Comments Due: Monday, November 23, 2009

The Michigan Public Service Commission (“Commission”) is considering the October 5, 2009, Application of Comcast Phone of Michigan, LLC for approval to amend the geographic service area of its license to provide basic local exchange service. Comcast Phone of Michigan, LLC requests authority to expand its geographic areas to include the following municipalities: City of Bay City (Bay County), City of Benton Harbor (Berrien County), City of Charlevoix (Charlevoix County), Village of Dimondale (Eaton County), City of Farmington Hills (Oakland County), City of Kalamazoo (Kalamazoo County), City of Livonia (Wayne County), Redford Township (Wayne County), City of Rockford (Kent County), City of Saginaw (Saginaw County), City of Traverse City (Grand Traverse County), and City of Wyandotte (Wayne County). Written and electronic comments regarding Comcast Phone of Michigan, LLC’s Application may be filed with the Commission by 5:00 p.m. on **Monday, November 23, 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-16110.

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-16051

License

Tennessee Telephone Service, LLC d/b/a Freedom Communications USA, LLC

<http://efile.mpsc.cis.state.mi.us/efile/viewcase.php?casenum=16051>

Public Hearing: Thursday, November 5, 2009, at 9:00 a.m.

The July 23, 2009 Application of Tennessee Telephone Service, LLC d/b/a Freedom Communications USA, LLC for a license to provide basic local exchange service throughout the State of Michigan in the zone and exchange areas served by Verizon North, Inc., Contel of the South, Inc., d/b/a 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, November 5, 2009**, before Administrative Law Judge Sharon Feldman at the offices of the Michigan Public Service Commission, 6545 Mercantile Way, Suite 7, Lansing, Michigan. Parties wishing to intervene in this proceeding must do so by November 3, 2009.

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
(NOVEMBER 2, 2009 THROUGH NOVEMBER 13, 2009)

November 5, 2009, 9:00 a.m.
Case No. U-16051/Evidentiary Hearing
Tennessee Telephone Service, LLC d/b/a Freedom
Communications USA, LLC (license)

FUTURE TELECOM HEARINGS SCHEDULED

November 24, 2009, 9:00 a.m.
Case No. U-16082/Prehearing Conference
Lucre, Inc. v Verizon North, Inc. and Contel of the
South, Inc., d/b/a Verizon North Systems
(interconnection dispute)

2009 REGULAR MPSC MEETING DATES* |

<u>Month & Date</u>	<u>Day</u>	<u>Time</u>
November 6 ¹	Friday	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 On October 29, 2009, the Michigan Public Service Commission announced that its will hold its next Regular Commission Meeting on Friday, November 6, 2009 at 1:30 p.m and that the November 10, 2009 Regular Commission Meeting will not be held.

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