



FEATURES |

MPSC Issues 2009 Report on Status of Telecommunications Competition in Michigan, Showing an Increase in Competitively-Owned Facilities

Note: The Michigan Public Service Commission issued the following Press Release on June 17, 2010. For additional information contact Judy Palnau (517) 241-3323.

The Michigan Public Service Commission (MPSC) today issued its 10th annual report on the status of telecommunications competition in Michigan. The report, required by the Michigan Telecommunications Act (MTA) as amended in 2005, primarily examines the state of competition in the toll and local exchange service markets in Michigan. . . .

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... "Once again, Michigan saw a significant increase in the percent of competitive lines served by competitive providers' own facilities," noted MPSC Chairman Orjiakor Isiogu. "This is an indication of continued investment in Michigan's competitive telecommunications infrastructure."

Highlights of the report include:

- The total number of wirelines in Michigan decreased by over 400,000 lines in 2009, or 9 percent, from the 2008 line count, a trend that began in 2002.
- Competitive providers held 24.2 percent of the total wireline market in 2009, an increase of 4.2 percentage points from the previous year.
- The total number of competitive lines increased 9 percent from 2008.
- The percent of competitive lines served by competitive providers' own facilities increased to 34.5 percent in 2009, compared to 32.5 percent the previous year.
- AT&T Michigan's share of the market was 60.8 percent, a decrease of 3.4 percentage points, from the previous year.

The entire report is available on the MPSC Web site: <<http://michigan.gov/mpsc>>.

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

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2009 & 2010 LEGISLATION |

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.

Senate Bill # Primary Sponsor	Date Introduced	Description	Status (revisions in bold)
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.	06/16/2009 Substitute S-1 Passed Senate, 20 Yeas, 16 Nays, 1 Excused; 06/17/2009 referred to House Committee on Great Lakes and Environment.
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.	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.	11/10/2009 Reported with recommendation and without amendment by the House Committee on Military and Veterans Affairs and Homeland Security; Referred to Second Reading
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). Tie-Bar to SB 468.	01/26/2010 Substitute S-3 passed Senate, 31 Yeas, 6 Nays, 1 Excused; Referred to House 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.

Senate Bill # Primary Sponsor	Date Introduced	Description	Status (revisions in bold)
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 2010 PA 59	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.	05/04/2009 Signed into law by Governor Jennifer M. Granholm.
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.
SB 989 Switalski	12/09/2009	Traffic control; violations; use of handheld cellular telephone device while operating a motor vehicle; prohibit, and provide penalties. Amends sec. 320a of 1949 PA 300 (MCL 257.320a) & adds sec. 602b.	Referred to Senate Committee on Transportation.
SB 1068 Basham	01/20/2010	Communications; broadcasting; employment contracts for broadcasters; prohibit certain provisions.	Referred to Senate Committee on Commerce and Tourism.
SB 1133 Garcia	02/10/2010	Communications; telecommunications; distribution of emergency 9-1-1 service enabling funds; modify. Amends sec. 408 of 1986 PA 32 (MCL 484.1408).	Referred to Senate Committee on Appropriations.

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 2009 PA 182	02/11/2009	Communications; telecommunications; provision relating to toll access service rates; modify. Amends sec. 310 of 1991 PA 179 (MCL 484.2310).	12/17/2009 Signed by Governor Granholm; assigned 2009 PA 182 with immediate effect.
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 2010 PA 58	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.	05/04/2009 Signed into law by Governor Jennifer M. Granholm.
HB 4394 Gonzales 2010 PA 60	02/24/209	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.	05/04/2009 Signed into law by Governor Jennifer M. Granholm.
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.

House Bill # Primary Sponsor	Date Introduced	Description	Status (revisions in bold)
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 2009 PA 146	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).	11/19/2009 Enrolled bill approved by Governor Granholm; assigned 2009 PA 146 with immediate effect.
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.
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.

House Bill # Primary Sponsor	Date Introduced	Description	Status (revisions in bold)
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 Haveman	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 Lindberg	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.
HB 5574 Geiss 2009 PA 191	11/05/2009	Communications; video services; assessment against video service providers for public service commission costs; modify. Amends 2006 PA 480 (MCL 484.3301 - 484.3314) by adding sec. 15.	12/21/2009 Signed by Governor Granholm; Assigned 2009 PA 191, with immediate effect.
HB 5599 Cushingberry	11/12/2009	Communications; telecommunications; distribution of emergency 9-1-1 service enabling funds; modify. Amends sec. 408 of 1986 PA 32 (MCL 484.1408).	Referred to House Committee on Appropriations.
HB 5622 Schuitmaker	12/1/2009	Communications; telecommunications; funding for implementation of an integrated IP-based 9-1-1 mapping system; provide for. Amends sec. 408 of 1986 PA 32 (MCL 484.1408).	2/23/2010 House Committee on Energy and Technology reported substitute H-1 with recommendation; referred to second reading.
HB 5750 Miller	01/19/2010	Communications; broadcasting; employment contracts for broadcasters; prohibit certain provisions. Amends sec. 4a of 1984 PA 274 (MCL 445.774a).	Referred to House Committee on Judiciary.
HB 5927 Neumann	03/09/2010	Communications; telecommunications; 9-1-1 call centers; require consolidation plans. Amends 1986 PA 32 (MCL 484.1101 - 484.1717) by adding sec. 322.	Referred to House Committee on Appropriations.

House Bill # Primary Sponsor	Date Introduced	Description	Status (revisions in bold)
HB 6049 Sheltrown	04/20/2010	Appropriations; other; appropriation of public funds to a professional sports team; prohibit if home sporting event is blacked out in the previous fiscal year. Amends 1984 PA 431 (MCL 18.1101 - 18.1594) by adding sec. 399.	Referred to House Committee on Appropriations.
HB 6153 Espinoza	05/11/2010	Appropriations; supplemental; funding for implementation of an IP-based 9-1-1 mapping system; provide for. Creates appropriation act.	05/11/2010 Referred to House Committee on Appropriations; 05/12/2010 Reported with recommendation and without amendment; referred to second reading.

Senate Resolution # Primary Sponsor	Date Introduced	Description	Status (revisions in bold)
SCR 041 Kuipers	05/18/2010	A concurrent resolution to memorialize the President, the Congress, and the Federal Communications Commission of the United States to refrain from regulating Internet broadband services as common carrier services under Title II of the Communications Act of 1934.	05/19/2010 Adopted; 06/02/2010 House Concurrence Received.
SR 160 Patterson	05/18/2010	A resolution to memorialize the President, the Congress, and the Federal Communications Commission of the United States to refrain from regulating Internet broadband services as common carrier services under Title II of the Communications Act of 1934.	05/19/2010 Adopted.

House Resolution # Primary Sponsor	Date Introduced	Description	Status (revisions in bold)
HCR 057 Warren	05/14/2010	A resolution to memorialize the President, the Congress, and the Federal Communications Commission of the United States to refrain from regulating Internet broadband services as common carrier services under Title II of the Communications Act of 1934.	05/26/2010 Adopted

House Resolution # Primary Sponsor	Date Introduced	Description	Status (revisions in bold)
HR 231 Byrum	03/18/2010	A resolution to urge Google to select Mid-Michigan as a test market community for its proposed super high-speed broadband fiber network.	03/18/2010 Referred to House Committee on Energy and Technology.
HR 285 Mayes	05/14/2010	A resolution to memorialize the President, the Congress, and the Federal Communications Commission of the United States to refrain from regulating Internet broadband services as common carrier services under Title II of the Communications Act of 1934.	05/14/2010 Adopted

PUBLIC ACTS OF 2009 & 2010

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
2009 PA 146	11/19/2009	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).	HB 4999 Mayes
2009 PA 182	12/17/2009	Communications; telecommunications; provision relating to toll access service rates; modify. Amends sec. 310 of 1991 PA 179 (MCL 484.2310).	HB 4257 Melton
2009 PA 191	12/21/2009	Communications; video services; assessment against video service providers for public service commission costs; modify. Amends 2006 PA 480 (MCL 484.3301 – 484.3314) by adding sec. 15.	HB 5574 Geiss

Public Act #	Effective Date	Description	Enrolled Bill # and Sponsor
2010 PA 58	07/01/2010	Traffic control; violations; entry of points for operating a motor vehicle while sending or receiving a message on an electronic wireless device; prohibit.	HB 4370 Polidori
2010 PA 59	07/01/2010	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.	SB 468 Kahn
2010 PA 60	07/01/2010	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.	HB 4394 Gonzales

ORDERS ISSUED BY THE COMMISSION |

The Michigan Public Service Commission (“Commission”) issued the following Orders at its regularly scheduled meeting held on June 24, 2010 at 1:30 p.m.:

Case No. U-13888

Interconnection Agreement

Verizon North Inc. and Contel of the South, Inc., d/b/a Verizon North Systems, and MCImetro Access Transmission Services LLC

<http://efile.mpsc.cis.state.mi.us/efile/viewcase.php?casenum=13888>

Application filed June 10, 2010 for approval of a Fourth and Fifth Amendment to an Interconnection Agreement (amends the terms and conditions with respect to resale).

Case No. U-16370

Interconnection Agreement

AT&T Michigan and Intellifiber Networks, Inc.

<http://efile.mpsc.cis.state.mi.us/efile/viewcase.php?casenum=16370>

Application filed May 27, 2010 for approval of an Interconnection Agreement (adoption of the Interconnection Agreement approved for AT&T Michigan and TDS Metrocom, LLC, in Case No. U-12952: and the First Amendment (adding Trouble Isolation Charges); Second Amendment (adding Performance Remedies); Third Amendment (adding Collocation Power); Fourth Amendment (name change approval); Fifth Amendment (adopting the FCC’s ISP reciprocal compensation plan); Sixth Amendment (adding final rates from Case No. U-13531); Seventh Amendment (adding TRO/TRRO provisions from Case No. U-14447); Eighth Amendment (revising Terms and Conditions of the fifth Amendment regarding ISP Reciprocal Compensation); Ninth Amendment (establishing Monthly Recurring Charges for Collocation Security Access/ID Cards); Tenth Amendment (DS-1 Cross Connect Rates); Eleventh Amendment (adding Post TRO Remand provisions); Twelfth Amendment (extending the Term of the Agreement approved June 3, 2008); Thirteenth Amendment (adding Midwest Performance Measures); and

Fourteenth Amendment (adding Trouble Isolation Charges and DS1 Nonrecurring Charges) (collectively, the MFN Agreement).

Case No. U-16380

Interconnection Agreement

AT&T Michigan and Netarx LLC

<http://efile.mpsc.cis.state.mi.us/efile/viewcase.php?casenum=16380>

Application filed June 15, 2010 for approval of an Interconnection Agreement.

Case No. U-16381

Interconnection Agreement

AT&T Michigan and Halo Wireless, Inc.

<http://efile.mpsc.cis.state.mi.us/efile/viewcase.php?casenum=16381>

Application filed June 3, 2010 for approval of an Interconnection Agreement (adoption of the Interconnection Agreement approved for AT&T Michigan and T-Mobile USA, Inc., f/k/a VoiceStream Wireless Corporation, in Case No. U-12758; and the First Amendment (adding 911 WENSA); Second Amendment (changing notice information); Third Amendment (changing carrier name); Fourth Amendment (adopting FCC Interim Terminating Compensation Plan for all traffic); Fifth Amendment (incorporating rates from Case No. U-13531); Sixth Amendment (extending the term of the underlying agreement); Seventh Amendment (adding a Whereas Clause in the introduction of the General Terms and Conditions of the agreement) (collectively, the MFN Agreement).

On June 24, 2010, the Michigan Public Service Commission (“Commission”) issued an Order approving the above-listed Interconnection Agreements.

Case No. U-15489

9-1-1 Surcharges

Commission’s Own Motion

<http://efile.mpsc.cis.state.mi.us/efile/viewcase.php?casenum=15489>

On June 24, 2010, the Michigan Public Service Commission (“Commission”) issued an Order on remand from an April 20, 2010 Michigan Court of Appeals decision. In its March 11, 2008 Order, setting county 9-1-1 surcharges, the Commission approved surcharges for several counties and adjusted all estimated surcharges to bring revenues exceeding 2007 levels plus 2.7% down to that level, treating this formula as the statutory ceiling. Several counties, including Grand Traverse County and Huron County, petitioned the Commission for rehearing. The Commission issued an order rejecting Huron County’s assertion that the Commission had acted arbitrarily in modifying its surcharge to recover 2007 revenues plus 2.7%. The Commission stated that Huron County failed to submit sufficient evidence to support a surcharge that would likely generate revenues nearly 27% above the 2007 level, which is ten times the approved statutory level. Several counties appealed the Commission’s order. On April 20, 2010, the Court of Appeals vacated the portion of the Commission’s orders that adjusted downward the counties’ surcharges to 2007 revenues plus 2.7% and remanded the case to the Commission to review “each adjustment with individualized attention to what each affected county’s necessary and reasonable 9-1-1 funding levels for 2008 were.”

To implement the remand, the Commission has ordered parties to submit briefs containing specific arguments addressing why, on the record previously submitted, the parties are entitled to a 2008 surcharge greater than the rates granted in the March 11, 2008 order. Briefs in this matter are due on or before July 26, 2010 and Reply Briefs are due on or before August 16, 2010.

On June 24, 2010, the Michigan Public Service Commission (“Commission”) issued an Order Granting Temporary Waivers from several provisions of the rules governing the migration of customers from one basic local exchange service provider to another, pursuant to the requirements in MCL 484.2202(1)(c) to XO Communications Services, Inc. (“XO”). The Commission had formally adopted such rules on May 17, 2010 and on June 14, 2010, XO filed an application for temporary waiver for 60 days from the effective date of the Commission’s rules related to handling and content of customer service record (“CSR”) requests. In its Application, XO stated that it is working to revise both its automated and manual processes used to respond to CSR requests. For its automated system, XO states that it is not yet able to comply with R 484.86(1)(i)(i)(C) and R 484.86(1)(i)(ii)(E), which relate to directory listings information and service options, respectively. For its manual process, which is used in limited circumstances, XO requested a temporary waiver for the same period from the requirement for responses to include account level and line level information. XO stated that in order to provide the required information in a timely manner, it is undertaking certain enhancements to its systems. This portion of its waiver request involves R 484.86(1)(i)(i)(B), (C), and (D), and R 484.86(1)(i)(ii)(D), (E), (H), (I), and (J). Finally, XO requests a temporary waiver of R 484.86(1)(j), which relates to providing loop circuit identification with either the CSR or the firm order confirmation. XO states that it is working to populate the required database in order to provide this information. The Commission granted the waiver requests until August 16, 2010.

Case No. U-16234**Consumer Complaint****Dordell Business Products v Billing Concepts, Inc. d/b/a USBI**

On June 24, 2010, the Michigan Public Service Commission (“Commission”) issued an Order dismissing with prejudice the March 1, 2010, formal complaint of Dordell Business Products against Billing Concepts, Inc., d/b/a USBI alleging violations of the Michigan Telecommunications Act, MCL 484.2101 *et seq.* Neither party appeared at a public hearing which was held on April 15, 2010 nor at a rescheduled public hearing which was held on April 29, 2010. Finding that “a complainant has the burden of moving the case forward by appearing at the scheduled hearing and presenting requisite testimony or other evidence to support its claims,” the Commission dismissed the complaint, with prejudice.

Case No. U-16240**License****tw telecom data services llc****<http://efile.mpsc.state.mi.us/efile/viewcase.php?casenum=16240>**

On June 24, 2010, the Michigan Public Service Commission (“Commission”) issued an Order approving the March 11, 2010 Application of tw telecom data services llc for a license to provide basic local exchange service in the incumbent service territories of AT&T Michigan, Verizon North Inc., and Verizon North Systems. This license replaces a temporary license issued by the Commission on June 3, 2010.

On June 24, 2010, the Michigan Public Service Commission (“Commission”) issued an Order dismissing with prejudice the April 8, 2010, formal complaint of Carol Johnson against AT&T Michigan. On May 20, 2010, Ms. Johnson filed a request to withdraw the complaint with prejudice.

Case No. U-16286

License

Netarx, LLC

<http://efile.mpsc.state.mi.us/efile/viewcase.php?casenum=16286>

On June 24, 2010, the Michigan Public Service Commission (“Commission”) issued an Order approving a temporary license for Netarx, LLC to provide basic local exchange service throughout the State of Michigan. The temporary license shall expire upon issuance of a final order granting or denying Netarx, LLC’s May 19, 2010 Application for a permanent license.

MINUTE ACTIONS |

The Michigan Public Service Commission (“Commission”) issued the following Minute Action at its regularly scheduled meeting held on June 24, 2010 at 1:30 p.m.:

Various Providers

METRO Act

On June 24, 2010 the Michigan Public Service Commission (“Commission”) issued a Minute Action amending the Commission’s June 3, 2010 Minute Action approving allowable tax credits for telecommunications providers under Section 8(14) of Public Act 48 of 2002, MCL 484.3108(14), the Metropolitan Extension Telecommunications Rights-of-Way Oversight (“METRO”) Act. The Amendment adds NextG Networks of Illinois, Inc. (CLEC), which filed for a tax credit after the Commission issued the June 3, 2010 minute. The current list of METRO Act tax credits is as follows:

ILEC PROVIDERS:	Billed Amount	Date Paid	Amount of METRO ACT Credit Sec. 8
AT&T Michigan*	\$15,332,583.18	04/14/2010	\$15,333,359.70
Ace Telephone Company of Michigan	\$31,301.90	04/14/2010	\$31,301.90
Allband Communications Cooperative	\$794.53	04/28/2010	\$794.53
Allendale Communications	\$33,000.55	04/22/2010	\$33,000.55
Baraga Telephone Company	\$29,390.90	04/28/2010	\$29,390.90
Barry County Telephone Company	\$46,007.62	04/14/2010	\$46,007.62
Blanchard Telephone Association, Inc	\$8,096.03	04/26/2010	\$8,096.03
Bloomington Telephone Company, Inc	\$10,924.84	04/20/2010	\$10,924.84
Carr Telephone Company	\$8,822.07	04/12/2010	\$8,822.07
CenturyTel Midwest - Michigan	\$149,824.43	04/21/2010	\$149,824.43
CenturyTel of Michigan, Inc	\$315,635.43	04/21/2010	\$315,635.43
CenturyTel of Northern Michigan, Inc	\$17,144.12	04/21/2010	\$17,144.12
CenturyTel of Upper Michigan, Inc	\$68,165.53	04/21/2010	\$68,165.53
Chapin Telephone Company	\$4,239.80	04/22/2010	\$4,239.80
Chippewa County Telephone Company	\$7,828.90	04/28/2010	\$7,828.90
Climax Telephone Company	\$4,651.25	04/20/2010	\$4,651.25
Contel of the South	\$294,046.03	04/30/2010	\$294,046.03
Deerfield Farmers Telephone Company	\$13,397.49	04/20/2010	\$13,397.49
Drenthe Telephone Company	\$4,705.56	04/27/2010	\$4,705.56
Frontier Communications of Michigan	\$121,091.07	04/20/2010	\$121,091.07

Hiawatha Telephone Company	\$29,836.12	04/27/2010	\$29,836.12
Kaleva Telephone Company	\$12,575.55	04/14/2010	\$12,575.55
Lennon Telephone Company	\$6,938.47	04/14/2010	\$6,938.47
Michigan Central Broadband Company	\$9,061.80	04/14/2010	\$9,061.80
Midway Telephone Company	\$5,020.63	04/27/2010	\$5,020.63
Ogden Telephone Company	\$2,308.26	04/14/2010	\$2,308.26
Ontonagon County Telephone Company	\$25,383.99	04/27/2010	\$25,383.99
Peninsula Telephone Company	\$8,157.67	04/14/2010	\$8,157.67
Pigeon Telephone Company	\$19,027.72	04/20/2010	\$19,027.72
Sand Creek Telephone Company	\$6,643.95	04/30/2010	\$6,643.95
Springport Telephone Company	\$9,150.84	04/14/2010	\$9,150.84
TDS Telecom Chatham Telephone Company	\$16,404.38	04/14/2010	\$16,404.38
TDS Telecom Communication Corp. of MI (CCM)	\$24,623.70	04/14/2010	\$24,623.70
TDS Telecom Island Telephone Company	\$8,006.98	04/14/2010	\$8,006.98
TDS Telecom Shiawassee Telephone Company	\$31,582.72	04/14/2010	\$31,582.72
TDS Telecom Wolverine Telephone Company	\$51,939.23	04/20/2010	\$51,939.23
Upper Peninsula Telephone Company	\$40,822.60	04/14/2010	\$40,822.60
Verizon North Incorporation	\$4,268,804.51	05/07/2010	\$4,268,804.51
Waldron Telephone Company	\$3,349.37	04/12/2010	\$3,349.37
Westphalia Telephone Company	\$6,602.85	04/23/2010	\$6,602.85
Winn Telephone Company	\$4,294.59	04/22/2010	\$4,294.59
TOTAL ILEC PROVIDERS	<u>\$21,092,187.16</u>		<u>\$21,092,963.68</u>

* Includes an additional approved amount of \$770.00 from direct payments to municipalities and \$6.52 overpayment

CLEC PROVIDERS:	Billed Amount	Date Paid	Amount of METRO ACT Credit Sec. 8
AT&T Communications of Michigan Inc.**	0.00	N/A	\$3,820.75
AboveNet Communications, Inc	\$2,617.55	04/23/2010	\$2,617.55
Baraga Telephone Company	\$15,754.75	04/28/2010	\$15,754.75
Borderland Communications	\$2,434.75	04/27/2010	\$2,434.75
Broadwing c/o Level 3 Communications, LLC	\$4,423.65	04/23/2010	\$4,423.65
CenturyTel Fiber Company, LLC	\$186,001.96	04/21/2010	\$186,001.96
Climax Telephone Company	\$30,378.76	04/20/2010	\$30,378.76
Consumers Energy	\$982.20	04/16/2010	\$982.20
DayStarr LLC d/b/a DayStarr Communications	\$5,189.47	04/28/2010	\$5,189.47
ExteNet Systems, Inc.	\$7,436.75	04/16/2010	\$7,436.75
Global Crossing North American Networks, Inc	\$19,223.65	05/11/2010	\$19,223.65
Great Lakes Comnet, Inc	\$58,111.46	04/26/2010	\$58,111.46
KMC Telecom III, LLC (CenturyTel Acquisitions, LLC)	\$16,405.5	04/30/2010	\$16,405.50
Kentucky Data Link, Inc.	\$138.90	04/22/2010	\$138.90
Level 3 Communications, LLC	\$27,346.18	04/23/2010	\$27,346.18
MCImetro Access Transmission Services, LLC	\$144,532.20	04/14/2010	\$144,532.20
McLeodUSA Telecommunications Services, Inc	\$366,242.77	04/27/2010	\$366,242.77
Media One Communications, LLC	\$540.45	04/16/2010	\$540.45
Midwest Communication Services, Inc	\$4,383.85	04/14/2010	\$4,383.85
NextG Networks of Illinois, Inc.	\$7,198.90	06/08/2010	\$7,198.90
Norlight Telecommunications, Inc	\$122,114.99	04/22/2010	\$122,114.99
Peninsula Fiber Network, LLC	\$28,667.85	04/14/2010	\$28,667.85
Southwest Michigan Communications, Inc.	\$3,196.24	04/20/2010	\$3,196.24
TC3 Telecom, Inc	\$19.37	04/14/2010	\$19.37
TCG Detroit	\$7,769.95	05/11/2010	\$7,769.95
TDS Metrocom, LLC	\$23,058.90	04/22/2010	\$23,058.90
TelCove Operations, Inc	\$40,504.00	04/23/2010	\$40,504.00
US Signal Company, LLC	\$83,004.26	04/20/2010	\$83,004.26
WilTel Communications, LLC	\$19,945.35	04/23/2010	\$19,945.35
Winn Telecom	\$27,529.26	04/27/2010	\$27,529.26

XO Communication Services, Inc	\$20,569.40	04/27/2010	\$20,569.40
TOTAL CLEC PROVIDERS	<u>\$1,275,723.27</u>		<u>\$1,279,544.02</u>

** No dollars were paid this year. Credits were approved based on amounts previously paid.

BROADBAND PROVIDERS:	Billed Amount	Date Paid	Amount of METRO ACT Credit Sec. 8
ACDnet	\$816.25	04/14/2010	\$816.25
Arialink Telecom	\$3,946.35	05/04/2010	\$3,946.35
Westphalia Broadband, Inc	<u>\$5,497.61</u>	04/23/2010	<u>\$5,497.61</u>
TOTAL BROADBAND PROVIDERS	<u>\$10,260.21</u>		<u>\$10,260.21</u>
TOTAL ALL PROVIDERS	<u>\$22,378,170.64</u>		<u>\$22,382,767.91</u>

APPLICATIONS AND COMPLAINTS |

Case No. U-16380

Interconnection Agreement

AT&T Michigan and Netarx, LLC

<http://efile.mpsc.cis.state.mi.us/efile/viewcase.php?casenum=16380>

On June 15, 2010, AT&T Michigan and Netarx, LLC jointly filed an Application with the Michigan Public Service Commission (“Commission”) seeking approval of an Interconnection Agreement.

Case No. U-16389

License

Crexendo Business Solutions, Inc.

<http://efile.mpsc.cis.state.mi.us/efile/viewcase.php?casenum=16389>

On June 18, 2010, Crexendo Business Solutions, Inc. filed an Application with the Michigan Public Service Commission (“Commission”) seeking a temporary and a permanent license to provide basic local exchange service in the zone and exchange areas in which AT&T Michigan, Verizon North, Inc., and Verizon North Systems are the incumbent local exchange carriers. According to the Application, Crexendo Business Solutions, Inc. is an Arizona corporation headquartered in Phoenix, Arizona.

Case No. U-16391

License

IBC Telecom Corp.

<http://efile.mpsc.cis.state.mi.us/efile/viewcase.php?casenum=16391>

On June 16, 2010, IBC Telecom Corp. filed an Application with the Michigan Public Service Commission (“Commission”) seeking a temporary and a permanent license to provide basic local exchange service in the zone and exchange areas in which AT&T Michigan, Verizon North, Inc., and Verizon North Systems are the incumbent local exchange carriers. According to the Application, IBC Telecom Corp. is a Delaware corporation headquartered in Pamona, New York.

Case No. U-16393

License

U.S. Metrotel, LLC, d/b/a S7 Digital Communications

<http://efile.mpsc.cis.state.mi.us/efile/viewcase.php?casenum=16393>

On June 17, 2010, U.S. Metrotel, LLC, d/b/a S7 Digital Communications filed an Application with the Michigan Public Service Commission (“Commission”) seeking a temporary and a permanent

license to provide basic local exchange service in the zone and exchange areas in which Verizon North, Inc., Contel of the South, Inc., d/b/a Verizon North Systems, CenturyTel Midwest-Michigan, Inc., CenturyTel of Michigan, Inc., CenturyTel of Northern Michigan, Inc., CenturyTel of Upper Michigan, Inc., and AT&T Michigan are the incumbent local exchange carriers. According to the Application, U.S. Metrotel, LLC, d/b/a S7 Digital Communications is a Michigan limited liability company headquartered in Spring Lake, Michigan.

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-16183

Intrastate Toll Access Reform

Commission's Own Motion

<http://efile.mpsc.cis.state.mi.us/efile/viewcase.php?casenum=16183>

Reply Comments Due: Monday, July 12, 2010

On May 17, 2010, the Michigan Public Service Commission ("Commission") issued an Opinion and Order soliciting comments regarding the future of the restructuring fund required under 2009 PA 182 ("Act 182"). Act 182 amends MCL 484.2310 of the Michigan Telecommunications Act, 1991 PA 179, MCL 484.2101 *et seq.* in an effort to reform toll access service rates in Michigan.

Act 182 required that the Commission administer a fund known as the intrastate switched toll access rate restructuring mechanism ("restructuring mechanism"). The restructuring mechanism is to be funded via "a mandatory monthly contribution by all providers of retail intrastate telecommunications services and all providers of commercial mobile service." MCL 484.2310(12). This restructuring mechanism must "be established and shall begin operation within 270 days after the effective date" of Act 182, or by September 13, 2010. In order to better design the mechanics of the fund, the Commission is now soliciting comments on certain aspects of the restructuring mechanism. Specifically, the Commission's Order seeks comment on the following issues:

- 1.) 2009 PA 182 allows the Commission to increase or decrease the contribution assessment on a quarterly or other basis as necessary to maintain sufficient funds for disbursements. MCL 484.2310(14). The Commission Staff will actively monitor the fund and immediately inform the Commission should an increase or decrease become necessary. However, as a regular review period, should the Commission seek revenue information from all providers in order to review the contribution assessment on a quarterly, semi-annual, annual, or other basis?
- 2.) Revenue for some providers is so small that calculating the monthly amount results in a few cents or (in one case, at least) less than one cent per month. How should the Commission handle this issue? Should an annual payment be permitted for providers with small enough revenues? If so, how should any review period apply to these providers? Should the Commission set a minimum payment amount below which the Commission would not pursue payment?

- 3.) Will the regular review process discussed above adequately address:
 - a.) New providers entering the market?
 - b.) Industry mergers, acquisitions, or other provider transactions?

If not, what measures should the Commission take to address these issues?

- 4.) The Commission has deemed Allband Communications Cooperative to be an eligible provider given that the Federal Communications Commission (“FCC”) granted that company incumbent local exchange carrier (“ILEC”) status. How should the Commission address other potential providers that may gain FCC ILEC status? Would these providers become eligible providers immediately, not until the next review of the fund size (either four or eight years from the operational date of the fund) or should such providers be excluded from the definition of eligible provider?
- 5.) The Commission anticipates that the first contribution payment into the fund will be due in September 2010, with contribution payments due on a date certain for each subsequent month throughout the life of the restructuring mechanism. The Commission further anticipates that initial disbursements from the fund will be made in October 2010. Additional payments will be made on a date certain for each subsequent month throughout the life of the restructuring mechanism. The Commission also notes that providers must file new tariffs detailing revised intrastate switched toll access rates. Is this schedule appropriate?
- 6.) Are there other issues related to the restructuring mechanism that the Commission should address before the operational date of the restructuring mechanism?

Comments must be filed with the Commission and received not later than 5:00 p.m. on June 14, and should reference MPSC Case No. U-16251. Reply comments may be filed by July 12, 2010. The Commission has asked its Staff to submit a final recommendation to the Commission by the end of July.

Case No. U-16251

Rulemaking

Commission’s Own Motion

<http://efile.mpsc.cis.state.mi.us/efile/viewcase.php?casenum=16251>

Comments Due: Thursday, July 15, 2010

On April 27, 2010, the Michigan Public Service Commission (“Commission”) issued an Order and Notice of Hearing commencing a formal rulemaking proceeding to promulgate rules to maintain and enforce quality of service standards for the provision of basic local exchange service to end users. The Commission noted in its Order that under Section 202(2) of the Michigan Telecommunications Act, MCL 484.2202(2), the service quality rules promulgated by the Commission in 2007 (which these proposed rules mirror) expire three years after their promulgation. Because Section 202(2) permits the Commission to renew the expiring rules, this rule set is promulgating without change the service quality rules adopted in 2007. Members of the public are invited to comment on the proposed rules at a public hearing which will be held at 9:00 a.m. on Thursday, June 24, 2010 at the Commission’s Offices at 6545 Mercantile Way in Lansing, Michigan. In addition, any person may submit written or electronic comments regarding the proposed rules. Comments must be filed with the

Commission and received not later than 5:00 p.m. on July 15, 2010, and should reference MPSC Case No. U-16251.

Case No. U-16283

License

Metropolitan Telecommunications of Michigan, Inc., d/b/a MetTel
<http://efile.mpsc.cis.state.mi.us/efile/viewcase.php?casenum=16283>
Comments Due: Thursday, July 16, 2010

The Michigan Public Service Commission (“Commission”) has invited members of the public to comment on the May 18, 2010 Application of Metropolitan Telecommunications of Michigan, Inc., d/b/a MetTel filed to amend the geographic area of its license to provide basic local exchange service. Metropolitan Telecommunications of Michigan, Inc. requests authority to expand its geographic areas to include all zones and exchange areas served by the incumbent local exchange carrier Frontier Communications of Michigan, Inc. Written and electronic comments may be filed with the Commission and be received no later than 5:00 p.m. on **Thursday, July 16, 2010**. All comments should reference MPSC Case No. U-16283.

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-16286

License

Netarx, LLC
<http://efile.mpsc.cis.state.mi.us/efile/viewcase.php?casenum=16286>
Public Hearing: Thursday, July 8, 2010, at 9:00 a.m.

The May 19, 2010 Application of Netarx, LLC for a license to provide basic local exchange 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, July 8, 2010**, before Administrative Law Judge Mark Eyster 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 July 6, 2010.

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 28, 2010 THROUGH JULY 9, 2010)

July 8, 2010, 9:00 a.m.
Case No. U-16286/Evidentiary Hearing
Netarx, LLC (license)

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FUTURE TELECOM HEARINGS SCHEDULED

There are no known future telecommunications hearings scheduled before the Michigan Public Service Commission at this time.

2010 REGULAR MPSC MEETING DATES* |

<u>Month & Date</u>	<u>Day</u>	<u>Time</u>
July 1, 2010	Thursday	1:30 p.m.
July 13, 2010	Tuesday	1:30 p.m.
July 27, 2010	Tuesday	1:30 p.m.
August 10, 2010	Tuesday	1:30 p.m.
August 24, 2010	Tuesday	1:30 p.m.
September 14, 2010	Tuesday	1:30 p.m.
September 28, 2010	Tuesday	1:30 p.m.
October 14, 2010	Thursday	1:30 p.m.
October 26, 2010	Tuesday	1:30 p.m.
November 10, 2010	Wednesday	1:30 p.m.
December 7, 2010	Tuesday	1:30 p.m.
December 21, 2010	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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