



### FEATURES |

#### **MPSC Gives 24 Michigan Counties an Opportunity to Submit Briefs on Their 2008 9-1-1 Funding Levels**

*Note: The Michigan Public Service Commission issued the following Press Release on June 24, 2010. For additional information contact Judy Palnau (517) 241-3323.*

The Michigan Public Service Commission (MPSC) today said 24 Michigan counties should be given an opportunity to submit briefs containing specific and precise information regarding their necessary and reasonable 9-1-1 funding levels for 2008, based on the existing record. The briefs are due on or before July 26. The parties may submit reply briefs on or before August 16. . . .

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**MPSC Gives 24 Michigan Counties an Opportunity to Submit Briefs on Their 2008 9-1-1 Funding Levels** | continued from Page 1

... Today's order comes after the Michigan Court of Appeals vacated a portion of the Commission's March 11, 2008 order that dealt with 9-1-1 surcharges for several counties. The Court directed the MPSC to decide anew each 9-1-1 surcharge adjustment for the 24 counties that were part of the appeal. The Court found that the Commission erred in treating the 2007 revenues plus 2.7 percent formula specified in Public Act 164 of 2007 as a cap. The Court determined that the formula is a trigger and invited the MPSC to review with great particularity whether the surcharge exceeds the "amounts necessary and reasonable to implement, maintain and operate the 9-1-1 system in the county."

The 24 counties involved in this case are: Alcona, Alpena, Cass, Charlevoix, Cheboygan, Chippewa, Delta, Dickinson, Emmet, Gogebic, Grand Traverse, Hillsdale, Houghton, Huron, Ionia, Mackinac, Menominee, Montcalm, Newaygo, Ogemaw, Saginaw, St. Clair, Tuscola, and Van Buren.

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

Case No. U-15489

# # #

**Internet2 Names New CEO: H. David Lambert** |

*Note: Internet2 issued the following Press Release on July 8, 2010. For additional information contact Lauren Rotman at <lauren@internet2.edu> or (202) 331-5345.*

Ann Arbor, Mich. – July 7, 2010 – Internet2 today announced the appointment of H. David (Dave) Lambert as its new president and CEO. Lambert brings over 30 years of distinguished experience in the advanced research and education networking and information technology fields. Lambert will replace Internet2's current president and CEO Douglas Van Houweling effective July 13, 2010.

The announcement of Lambert's appointment comes on the heels of the news last week that Internet2 and several partners have been awarded a \$62.5 million grant from the National Telecommunications and Information Administration's Broadband Technology Opportunities Program ("BTOP"). The grant will provide funding to construct a national infrastructure called the United States Unified Community Anchor Network ("U.S. UCAN") that will, in partnership with regional and state research and education networks, connect America's community anchor institutions to enable the use of life-changing applications not possible with today's typical Internet service.

"We are honored to have Dave join Internet2 as its new president and CEO. I know that in Dave we have found a worthy successor to Doug, someone with the broad range of skills that will be required to lead Internet2 through an exciting next chapter of its development," said Jeff Lehman, chair of the Internet2 Board of Trustees. "Dave's many years of service in higher education, coupled with his sustained record of engagement with Internet2, provide him with deep insight into the changing landscape that confronts our members every day. He understands the opportunities and challenges that await our community, and over the course of his career he has built a broad and deep level of respect and trust that will serve our community extremely well."

Lambert currently serves as the Vice President for Information Services and Chief Information Officer at Georgetown University where for the past twelve years he has successfully moved the university forward in the strategic application of information technology across a wide range of university programs and services. His leadership efforts focused on deployment of an advanced technology infrastructure, modern information systems, and responsive technology support services.

Lambert is a founding member of the Mid-Atlantic Crossroads (“MAX”), a regional advanced Internet consortium, which provides critical connectivity for the research and education community and for many government agencies in the Greater Washington D.C. region. Lambert has also had active involvement in other national higher education technology initiatives such as the Common Solutions Group.

“I am humbled and extremely honored to have been chosen by the Board of Trustees as the second President and Chief Executive Officer for Internet2,” said Lambert. “My involvement in Internet2 from its founding in 1996 has given me a keen appreciation of the critical role Internet2's programs and services play in enabling America's foremost universities' and corporations' use of advanced networking technologies. I am excited to have the opportunity to lead Internet2's advanced networking communities into the next decade.”

Prior to joining Georgetown, Lambert served as Vice President for Information Technology at Cornell University from 1994 through 1997 and as Director of Network Services from 1989 through 1993. As Director of Network Services, Lambert was responsible for networking and communications technologies and services for the university and for Cornell National Supercomputer Facility.

Doug Van Houweling, Internet2's current president and CEO said, "I am delighted that the Internet2 Board has chosen Dave Lambert to lead Internet2. His consultative approach to leadership will serve us well as the community addresses its new opportunity to broaden its service to the nation and enhance its support for research and education."

Lambert is also currently the co-chair of the Internet2 External Research Advisory Council (“ERAC”), and Chair of the Standing Committee on International Strategy. He has held a number of leadership positions in higher education technology associations, including service as Board Chairman of the New York State Education and Research Network (“NYSERNet”). He represents Georgetown University as Trustee of the Southeastern Universities Research Association (“SURA”) where he serves as the Chair of the SURA IT Committee and on the Executive Committee of its Board of Trustees. Lambert has also served on the board of the National Association of College and University Business Officers (“NACUBO”).

“I have had the pleasure of working with and learning from Dave in many contexts,” said ERAC chair Tim Lance, NYSERNet's president and board chair. “I have benefited from his guidance in my work at NYSERNet, on ERAC, and in a host of other areas. I cannot think of a more worthy or talented successor to Doug, and we are indeed fortunate that he has agreed to take on this challenging role.”

The CEO search process began in December of 2009 with the appointment of a special Board CEO Search committee, which was led by Molly Corbett Broad, President of the American Council on Education (“ACE”). Supported by the Executive Search Firm, Storbeck Pimentel, the committee reviewed over 70 qualified applicants for the position.

Corbett Broad said, “Dave Lambert brings broad-gauged understanding of the rapidly transforming capabilities and uses of information technology to Internet2. He has a deep knowledge of advanced uses of IT in applications that serve our most complex research universities, and he is extraordinarily skilled in bringing people together to maximize the potential of collaboration.”

Lambert's academic background includes a B.A. in Political Science from West Virginia University (1971) and doctoral studies in Political Science at Indiana University, Bloomington (1972-1976). He also holds the Professional Manager Certificate from Indiana University's Graduate School of Business.

About Internet2<sup>®</sup>: Internet2 is an advanced networking consortium led by the research and education community. An exceptional partnership spanning U.S. and international institutions who are leaders in the worlds of research, academia, industry and government, Internet2 is developing breakthrough cyberinfrastructure technologies that support the most exacting applications of today—and spark the most essential innovations of tomorrow. Led by its members and focused on their current and future networking needs since 1996, Internet2 blends its human, IP and optical networks to develop and deploy revolutionary Internet technologies. Activating the same partnerships that produced today’s Internet, the Internet2 community is forging the Internet of the future. For more information, see <http://www.internet2.edu>.

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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.
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.

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.	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.
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.

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

House Bill # Primary Sponsor	Date Introduced	Description	Status (revisions in bold)
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	02/24/2009	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.	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.
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.

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.	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.
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.

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

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

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

Public Act #	Effective Date	Description	Enrolled Bill # and Sponsor
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 July 1, 2010 at 1:30 p.m.:

**Case No. U-15966**

**License**

**Virgin Mobile USA, L.P.**

**<http://efile.mpsc.state.mi.us/efile/viewcase.php?casenum=15966>**

On July 1, 2010, the Michigan Public Service Commission (“Commission”) issued an Opinion and Order declining to consider the April 19, 2010, Petitions to Intervene and for Rehearing filed by TracFone Wireless, Inc. (“TracFone”), and Capital Area Community Services, Inc. (“CACs”), and the May 10, 2010 Petition to Intervene filed by Advocates for Universal Access, LLC (“AUA”), challenging the propriety of the Commission’s March 18, 2010 Order acknowledging Virgin Mobile USA, L.P. (“Virgin Mobile”) as a facilities-based provider for purposes of Eligible Telecommunications Carrier (“ETC”) funding from the Federal Communications Commission (“FCC”). In its March 18, 2010 Order, the Commission found that Virgin Mobile satisfied the requirements for designation as a facilities-based ETC under 47 USC § 214(e)(1)(A). The Commission also granted Virgin Mobile’s request to expand its Lifeline service to additional rate centers. With the change in ETC designation from a wireless reseller to a facilities-based carrier, the Commission removed certain conditions that had been delineated in its December 1, 2009 Order initially granting Virgin Mobile’s ETC Status. The Commission declined to act on TracFone, CACS, and AUA’s Petitions because TracFone and AUA had, on April 19, 2010 and April 21, 2010, respectively, filed appeals of the Commission’s March 18, 2010 Order with the Michigan Court of Appeals. Because of these pending appeals, the Commission found that it is prohibited from setting aside or modifying the order from which TracFone, CACS, and AUA seek relief, pursuant to MCR 7.208(A).

## **MINUTE ACTIONS**

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

**Case No. U-14000**

**Wireless Emergency Service Costs**

**Verizon North, Inc. and Verizon North Systems**

On July 1, 2010, the Michigan Public Service Commission (“Commission”) issued a Minute Action approving Verizon North, Inc. and Verizon North Systems Invoice Nos. M19NZMTS911 and M19NGMTS911 for the period of March 1, 2010 to May 31, 2010, for wireless emergency service costs of \$168,485.61, recoverable under 2007 PA 165, MCL 484.1408(4)(b), and authorizing reimbursement by the Michigan Department of Treasury.

## **APPLICATIONS AND COMPLAINTS**

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**Case No. U-13758**

**Interconnection Agreement**

**AT&T Michigan and MCImetro Access Transmission Services, LLC**

**<http://efile.mpsc.cis.state.mi.us/efile/viewcase.php?casenum=13758>**

On July 1, 2010, AT&T Michigan and MCImetro Access Transmission Services, LLC jointly filed an Application with the Michigan Public Service Commission (“Commission”) seeking approval of the Thirteenth Amendment to their Interconnection Agreement. According to the Application, the Thirteenth Amendment replaces the collocation rates and terms in the Interconnection Agreement.

**Case No. U-16386**

**Billing Dispute**

**City of Corunna v Verizon North Systems**

On June 30, 2010, the City of Corunna filed a formal Complaint against Verizon North Systems with the Michigan Public Service Commission (“Commission”). According to the Complaint, Verizon North Systems allegedly charged the City of Corunna more than had been promised when the City signed up for Verizon’s Service. The City seeks reimbursement of an economic loss of \$2,195.32 and imposition of fines against Verizon pursuant to the Michigan Telecommunications Act.

**Case No. U-16387**

**Interconnection Agreement**

**AT&T Michigan and Navigator Telecommunications, LLC**

**<http://efile.mpsc.cis.state.mi.us/efile/viewcase.php?casenum=16387>**

On June 29, 2010, AT&T Michigan and Navigator Telecommunications, LLC jointly filed an Application with the Michigan Public Service Commission (“Commission”) seeking 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 between AT&T Michigan and CMC Telecom, Inc. that was approved by the Commission in an order issued on March 14, 2006 in MPSC Case No. U-14795.

**Case No. U-16394**

**Interconnection Agreement Dispute**

**US Signal Company, LLC d/b/a RVP Fiber Co v AT&T Michigan**

**<http://efile.mpsc.cis.state.mi.us/efile/viewcase.php?casenum=16394>**

On June 29, 2010, US Signal Company, LLC d/b/a RVP Fiber Co (“US Signal”) filed a Motion to Compel Compliance with Arbitration Decision at the Michigan Public Service Commission (“Commission”) seeking to compel AT&T Michigan to comply with the Commission’s determination in its June 2, 2009 Order in MPSC Case No. U-15788, in which the Commission ordered AT&T to extend Sprint Communications Company L.P.’s Interconnection Agreement by three (3) years pursuant to the Federal Communications Commission (“FCC”) order approving the merger between AT&T, Inc. and BellSouth. US Signal requests that the Commission order AT&T to provide it with the same extension of its Interconnection Agreement.

**Case No. U-16396**

**9-1-1 Funding Dispute**

**City of South Haven v Van Buren County and Van Buren County Consolidated Dispatch Center**

**<http://efile.mpsc.cis.state.mi.us/efile/viewcase.php?casenum=16396>**

On July 1, 2010, the City of South Haven filed a formal Complaint against Van Buren County and Van Buren County Consolidated Dispatch Center with the Michigan Public Service Commission (“Commission”). According to the Complaint, Van Buren County has refused to distribute to the City of South Haven, which operates a Primary Public Safety Answering Point (“PSAP”) its share of funds collected by the County pursuant to the Emergency 9-1-1 Service Enabling Act, MCL 484.1101 *et seq.*

**Case No. U-16397**

**License**

**Communications Venture Corporation d/b/a INdigital Telecom**

**<http://efile.mpsc.cis.state.mi.us/efile/viewcase.php?casenum=16397>**

On July 2, 2010, Communications Venture Corporation d/b/a INdigital Telecom filed an Application with the Michigan Public Service Commission (“Commission”) seeking a temporary and a permanent license to provide basic local exchange service throughout the State of Michigan. According to the Application, Communications Venture Corporation d/b/a INdigital Telecom is an Indiana corporation, headquartered in Fort Wayne, Indiana.

## **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: <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-16183. 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.

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 |**

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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.

*There are no known notices of hearing for telecommunications proceedings currently pending before the Michigan Public Service Commission.*

## **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 12, 2010 THROUGH JULY 23, 2010)**

*There are no known telecommunications hearings scheduled before the the Michigan Public Service Commission during the next fortnight..*

### **FUTURE TELECOM HEARINGS SCHEDULED**

August 10 and 11, 2010, 9:00 a.m.  
Case No. U-16162/Evidentiary Hearing  
B&S Telecom v AT&T Michigan (interconnection dispute)

## **2010 REGULAR MPSC MEETING DATES\* |**

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<u>Month &amp; Date</u>	<u>Day</u>	<u>Time</u>
July 13, 2010	Tuesday	1:30 p.m.

<u>Month &amp; Date</u>	<u>Day</u>	<u>Time</u>
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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