



FEATURES |

Five Year Reprieve for Costly Changes Mandated for Multiline Phone Systems |

Michigan entities that maintain an internal phone system, either a Plain Old Telephone Network or connected via Voice over Internet Protocol, have received a five (5) year reprieve from implementation of new rules that may have required significant and costly changes to their phone systems. On December 19, 2011, Governor Rick Snyder signed into law 2011 PA 271 (formerly H.B. 4683) which changes the effective date for newly enacted rules requiring all Michigan telecommunications service users with a . . .

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***Five Year Reprieve for Costly Changes
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... multiline telephone systems to install the necessary equipment and software to provide specific location information of a 9-1-1 call. The rules will now become effective on December 31, 2016, rather than December 31, 2011.

The Michigan Public Service Commission (“Commission”) enacted the rules on October 20, 2011 in MPSC Case No. U-16439. The rules interpret the Michigan 9-1-1 Emergency Services Act, MCL 484.1101, et seq. (the “Act”) to require that any service user that installs or currently operates a multiline telephone system (“MLTS”) must assure that the telephone system can transmit the specific location within a building where a 9-1-1 call is originating. The term “specific location” is defined in the proposed rules as “a room or unit number, or room name, or equivalent unique designation of a portion of a structure or building to which a 9-1-1 emergency response team may be dispatched, and the caller quickly located, that is not more than 7,000 square feet.” For example, in a school building, the MLTS must be able to identify the specific classroom a 9-1-1 call originates from as opposed to the general address of the school building.

The Act required the Commission to issue rules to address emergency response personnel delays because a MLTS provides only a main telephone number and a single address to a public safety answering point (“PSAP”), and is not equipped to provide the 9-1-1 caller’s specific location during the emergency. This problem commonly occurs within schools, hospitals, governmental property, and shopping complexes that span multiple locations, or even multiple cities or townships. At the time the Commission adopted the rules, they were scheduled to become effective, pursuant to statute, on December 31, 2011.

However, the Legislature recognized that most current MLTS systems do not provide this function as a standard feature, requiring a costly upgrade. Many older MTLs systems may not even have the ability to be upgraded to add such features, requiring their replacement. In Comments filed with the Commission, MiCTA, a telecommunications association representing state and local units of government, universities, independent colleges, school districts, health care providers, and non-profit organizations, surveyed its Michigan members, with 12% indicating they would not incur any "significant" costs to comply with the rules, while 57% indicated that they would incur "significant" costs to comply with the rules. Additionally, the MiCTA survey indicated that nearly one-third (32%) of respondents said that they would be able to comply with the rules by December 31, 2011. Sixteen percent said they wouldn't be able to meet the deadline, while 51% did not know.

The Legislature, through passage of 2011 PA 271, has given Michigan businesses, schools, individuals, governmental agencies, and non-profit organizations an additional five years to implement the necessary changes for compliance with the new rules. Telecommunications service providers will continue to be exempt from the new rules, by statute.

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2011 & 2012 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 016 Hardiman	01/19/2011	Michigan business tax; gross receipts; certain media property and live radio or television programming; exclude from gross receipts tax base.	Referred to Senate Committee on Finance.
SB 045 Anderson	01/19/2011	Education; discipline; policy prohibiting harassment and bullying at school (including using school telecommunications device); require.	11/02/2011 Discharge committee postponed.
SB 383 Kowall 2011 PA 77	05/12/2011	Michigan business tax; credits; qualified film production credits; modify credit amounts. Amends secs. 455, 457, & 459 of 2007 PA 36 (MCL 208.1455 et seq.).	07/12/2011 Signed by Governor Snyder; assigned 2011 PA 77; with immediate effect.
SB 499 Casperson	06/16/2011	Recreation; trails; rail trails; authorize installation of telecommunication facilities. Amends 1994 PA 451 (MCL 324.101 - 324.90106) by adding sec. 72116.	12/14/2011 Substitute S-2 recommended by Senate Committee on Energy and Technology with immediate effect; referred to Committee of the Whole.
SB 565 Anderson	07/13/2011	Communications; cellular telephone; certain unsolicited commercial text messages; prohibit. Amends title & secs. 1, 2, 7 & 8 of 2003 PA 42 (MCL 445.2501 et seq.) & adds sec. 6a.	Referred to Senate Committee on Energy and Technology.
SB 756 Walker	10/13/2011	Traffic control; driver license; individuals with level 2 graduated driver license; prohibit cell phone use while operating a vehicle. Amends secs. 320a & 732 of 1949 PA 300 (MCL 257.320a & 257.732) & adds sec. 602c.	Referred to Senate Committee on Transportation.

House Bill # Primary Sponsor	Date Introduced	Description	Status (revisions in bold)
HB 4163 Potvin 2011 PA 241	02/01/2011	Education; discipline; local policies prohibiting harassment and bullying at school (including using school telecommunications device); require. Amends 1976 PA 451 (MCL 380.1 - 380.1852) by adding sec. 1310b.	12/07/2011 Approved by Gov. Snyder; filed with Secretary of State; assigned 2011 PA 241 with immediate effect
HB 4173 Meadows	02/01/2011	Education; discipline; policy prohibiting harassment and bullying at school (including using school telecommunications device); require.	11/10/11 Substitute H-4 passed House, Yeas 88, Nays 18, given immediate effect; Rep. Burnstead removed as co-sponsor; transmitted to Senate.
HB 4314 Horn 2011 PA 58	02/22/2011	Communications; telecommunications; certain Michigan telecommunications act provisions; modify. Amends secs. 101, 102, 103, 202, 205, 210, 211a, 213, 303, 305, 305b, 309, 310a, 313, 315, 316, 401, 503 & 601 of 1991 PA 179 (MCL 484.2101 et seq.) & repeals secs. 301a, 304, 306, 308, 309a, 309b, 311, 312, 314, 321, 351, 352, 353, 355, 356, 357, 358, 359, 362, 363, 375, 376, 402, 502, 504 & 602 of 1991 PA 179 (MCL 484.2301a et seq.).	06/15/2011 Signed by Governor Snyder; Assigned 2011 PA 58.
HB 4453 McMillin	03/16/2011	Local government; public services; public entities competing against private competition; prohibit under certain circumstances. Creates new act.	Referred to House Committee on Oversight, Reform, and Ethics.
HB 4683 Opsommer 2011 PA 271	05/26/2011	Communications; telecommunications; requirement for installation of equipment and software to provide specific location information of a 9-1-1 call; modify. Amends sec. 405 of 1986 PA 32 (MCL 484.1405).	12/28/2011 Approved by Governor Snyder; assigned 2011 PA 271; 12/13/2011 Passed Senate 38 Yeas, 0 Nays; ordered enrolled; immediate effect.
HB 4787 MacGregor	06/21/2011	Communications; other; public safety communications system; provide for. Amends sec. 408 of 1986 PA 32 (MCL 484.1408).	09/20/2011 Approved by Governor Rick Snyder; Assigned 2011 PA 146 with immediate effect.
HB 4890 Hooker	08/24/2011	Libraries; policies and practices; installation of internet filter software on computers; require. Amends sec. 6 of 1982 PA 455 (MCL 397.606)	08/24/2011 Referred to House to Committee on Local, Intergovernmental, and Regional Affairs.

House Bill # Primary Sponsor	Date Introduced	Description	Status (revisions in bold)
HB 5027 Lindberg	09/28/2011	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.	09/28/2011 Referred to House Committee on Local, Intergovernmental, and Regional Affairs.
HB 5202 Rutledge	12/6/2011	Crimes; other; individual who knows another individual needs emergency assistance; require to call emergency services provider. Amends 1931 PA 328 (MCL 750.1 - 750.568) by adding sec. 499.	Referred to House Committee on Judiciary.

PUBLIC ACTS OF 2011 & 2012 |

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
2011 PA 58	06/15/2011	Communications; telecommunications; certain Michigan telecommunications act provisions; modify. Amends secs. 101, 102, 103, 202, 205, 210, 211a, 213, 303, 305, 305b, 309, 310a, 313, 315, 316, 401, 503 & 601 of 1991 PA 179 (MCL 484.2101 et seq.) & repeals secs. 301a, 304, 306, 308, 309a, 309b, 311, 312, 314, 321, 351, 352, 353, 355, 356, 357, 358, 359, 362, 363, 375, 376, 402, 502, 504 & 602 of 1991 PA 179 (MCL 484.2301a et seq.).	HB 4314 Horn
2011 PA 77	07/12/2011	Michigan business tax; credits; qualified film production credits; modify credit amounts. Amends secs. 455, 457, & 459 of 2007 PA 36 (MCL 208.1455 et seq.).	SB 383 Kowall
2011 PA 146	09/20/2011	Communications; other; public safety communications system; provide for. Amends sec. 408 of 1986 PA 32 (MCL 484.1408).	HB 4787 MacGregor

Public Act #	Effective Date	Description	Enrolled Bill # and Sponsor
2011 PA 241	12/07/2011	Education; discipline; local policies prohibiting harassment and bullying at school (including using school telecommunications device); require. Amends 1976 PA 451 (MCL 380.1 - 380.1852) by adding sec. 1310b.	HB 4163 Potvin
2011 PA 271	12/13/2011	Communications; telecommunications; requirement for installation of equipment and software to provide specific location information of a 9-1-1 call; modify. Amends sec. 405 of 1986 PA 32 (MCL 484.1405).	HB 4683 Opsommer

ORDERS ISSUED BY THE COMMISSION |

The Michigan Public Service Commission (“Commission”) issued the following Orders at its regularly scheduled meeting held on December 20, 2011 at 1:30 p.m. at the Commission’s temporary offices located at 4300 West Saginaw in Lansing, Michigan:

Case No. U-15512

Interconnection Agreement

Bloomington Telephone Company, Inc., and Verizon Wireless
<http://efile.mp.sc.state.mi.us/efile/viewcase.php?casenum=15512>

Application filed on November 28, 2011, for approval of a Second Amendment to an Interconnection Agreement (includes the exchange of traffic between Bloomington and Alltel at the same rates, terms, and conditions, and terminates the Alltel agreement; extends the term of the agreement for one year beginning on the date the Interconnection Agreement Amendment is approved, and continues the Interconnection Agreement on a month-to-month basis until replaced by another Interconnection Agreement or terminated by either party; and updates the names and contact information for both parties).

Case No. U-15539

Interconnection Agreement

Springport Telephone Company and Verizon Wireless
<http://efile.mp.sc.state.mi.us/efile/viewcase.php?casenum=15539>

Application filed on November 28, 2011, for approval of a Second Amendment to an Interconnection Agreement (includes the exchange of traffic between Springport and Alltel at the same rates, terms, and conditions, and terminates the Alltel agreement; extends the term of the agreement for one year beginning on the date the Interconnection Agreement Amendment is approved, and continues the Interconnection Agreement on a month-to-month basis until replaced by another Interconnection Agreement or terminated by either party; and updates the names and contact information for both parties).

Case No. U-16908

Interconnection Agreement

CenturyTel of Michigan, Inc., CenturyTel of Mid-West Michigan, Inc., CenturyTel of Northern Michigan, Inc., and CenturyTel of Upper Michigan, Inc., (all d/b/a CenturyLink), and Comcast Phone of Michigan, LLC, d/b/a Comcast Digital Phone

<http://efile.mpsc.state.mi.us/efile/viewcase.php?casenum=16908>

Application filed on November 16, 2011, for approval of an Interconnection Agreement.

Case No. U-16919

Interconnection Agreement

The Deerfield Farmers' Telephone Company and Frontier Communications of Michigan, Inc.

<http://efile.mpsc.state.mi.us/efile/viewcase.php?casenum=16919>

Application filed on November 16, 2011, for approval of an Interconnection Agreement (adopts the Interconnection Agreement between Frontier Communications of Michigan, Inc. and TC3 Telecom, Inc., previously approved by Commission on the June 16, 2011 in Case No. U-16783).

Case No. U-16930

Interconnection Agreement

Crexendo Business Solutions, Inc., and AT&T Michigan

<http://efile.mpsc.state.mi.us/efile/viewcase.php?casenum=16930>

Application filed on November 16, 2011, for approval of an Interconnection Agreement (incorporates certain rates, terms, and conditions that were not voluntarily negotiated by AT&T-22 State, but instead result from determinations made in various arbitrations under 47 USC 252, or from other state or federal regulatory agencies, or pursuant to state law).

On December 20, 2011, the Michigan Public Service Commission ("Commission") issued an Order approving the above-listed Interconnection Agreements and Amendments.

Case No. U-16844

License

Rockford Telephone Company, Inc.

<http://efile.mpsc.state.mi.us/efile/viewcase.php?casenum=16844>

On December 20, 2011, the Michigan Public Service Commission ("Commission") issued an Order granting the August 19, 2011 Application, as amended, of Rockford Telephone Company, Inc. ("Rockford") for a license to provide basic local exchange service in the Rockford exchange. Noting that Rockford shares a number of executive and management personnel with Lucre, Inc., a competitive local exchange carrier licensed in Michigan that has recently undergone Chapter 11 bankruptcy reorganization, the Commission conditioned the license on Rockford keeping the Commission Staff apprised of any issues related to the Lucre bankruptcy that may affect Rockford's managerial, technical, or financial qualifications, or ability to provide service. This license replaces the temporary license issued by the Commission on December 6, 2011.

Case No. U-16845

License

Sparta Telephone Company, Inc.

<http://efile.mpsc.state.mi.us/efile/viewcase.php?casenum=16845>

On December 20, 2011, the Michigan Public Service Commission ("Commission") issued an Order granting the August 19, 2011 Application, as amended, of Sparta Telephone Company, Inc. ("Sparta") for a license to provide basic local exchange service in the Sparta exchange. Noting that Sparta shares a number of executive and management personnel with Lucre, Inc., a competitive local exchange carrier licensed in Michigan that has recently undergone Chapter 11 bankruptcy reorganization, the Commission conditioned the license on Sparta keeping the Commission Staff apprised of any issues related to the Lucre bankruptcy that may affect Sparta's managerial, technical,

or financial qualifications, or ability to provide service. This license replaces the temporary license issued by the Commission on December 6, 2011.

APPLICATIONS AND COMPLAINTS |

Case No. U-16940

Eligible Telecommunications Carrier

Q Link Wireless, LLC

<http://efile.mpsc.state.mi.us/efile/viewcase.php?casenum=16940>

On December 19, 2011, Q Link Wireless, LLC filed an Application with the Michigan Public Service Commission seeking Designation as an Eligible Telecommunications Carrier (“ETC”) in the State of Michigan. According to the Application, Q Link Wireless, LLC seeks ETC designation solely to provide Lifeline and Link-Up service to qualifying Michigan consumers and will not seek access to funds from the federal Universal Service Fund (“USF”) for the purpose of providing service to high cost areas.

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-16914

License

Ogden Telephone Company

<http://efile.mpsc.state.mi.us/efile/viewcase.php?casenum=16914>

Comments Due: Friday, January 13, 2012, at 5:00 p.m.

The Michigan Public Service Commission (“Commission”) has invited interested persons to comment on the November 10, 2011, Application of Ogden Telephone Company for approval to amend the geographic area of its license to provide basic local exchange service. Ogden Telephone Company requests authority to expand the geographic service area of its Ogden Center Exchange into specified areas of Frontier North Inc.’s Adrian and Blissfield exchanges. Written and electronic comments may be filed with the Commission no later than 5:00 p.m. on **Friday, January 13, 2012**. Written comments should be sent to Executive Secretary, Michigan Public Service Commission, P.O. Box 30221, Lansing, Michigan 48909. Electronic comments may be sent via e-mail to: <mpscdockets@michigan.gov>. All comments should reference Case No. U-16914.

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 Constitution Hall, 525 W. Allegan, Lansing, Michigan.

Case No. U-16868

License

Liberty-Bell, LLC d/b/a Dish Network Phone & Internet

<http://efile.mpsc.state.mi.us/efile/viewcase.php?casenum=16868>

Evidentiary Hearing: Tuesday, January 24, 2012 at 9:00 a.m.

The September 13, 2011 application of Liberty-Bell, LLC d/b/a Dish Network Phone & Internet for a license to provide basic local exchange telecommunications services in the State of Michigan is set for an evidentiary hearing at 9:00 a.m. on Tuesday, January 24, 2012, before Administrative Law Judge Theresa Sheets. The hearing is scheduled to be held at Constitution Hall, 525 W. Allegan, Lansing, Michigan. Interested parties wishing to intervene in this proceeding must do so by January 20, 2012.

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 (DECEMBER 27, 2011 THROUGH JANUARY 6, 2012)

There are no known Telecommunications hearings scheduled with the Michigan Public Service Commission during the next fortnight.

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FUTURE TELECOM HEARINGS SCHEDULED

January 24, 2012, 9:00 a.m.

Case No. U-16868/Evidentiary Hearing

Liberty Bell Telecom, L.L.C. d/b/a Dish Network
Phone & Internet (license)

2012 REGULAR MPSC MEETING DATES* |

The Michigan Public Service Commission has yet to announce its schedule of meetings for the 2012 Calendar year.

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From the Telecommunications Group at

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