



FEATURES |

MPSC Issues Consumer Tips Sheet on Rural Telephone Call Completion Problems |

Note: The Michigan Public Service Commission issued the following Press Release on January 12, 2012. For additional information contact Judy Palnau at (517) 241-3323.

The Michigan Public Service Commission (MPSC) today issued a new consumer tips sheet on rural telephone call completion problems also known as “least cost routing.”

For the past several months, rural telephone companies in Michigan - and across the country - have been experiencing call completion problems, and as a result, rural customers can have . . .

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. . . delayed or dropped calls.

Because rural areas traditionally are more expensive to serve because of lower population density, some of the rates that rural telephone providers charge other carriers for completing calls are higher than those in urban areas. Certain providers that route the long distance calls do not want to incur these higher charges and therefore, they either refuse to transport calls on certain rural telephone companies' networks or they route the call in a way to try and minimize the cost.

"While 'least cost routing' may be cheaper for the company routing the call, it may also lead to poorer service quality for customers," noted MPSC Chairman John D. Quackenbush. "The consumer tips sheet issued today provides telephone customers with useful information on this problem and actions to take while these issues are resolved by the Federal Communications Commission (FCC), which has regulatory authority over these long-distance telephone service providers.

Rural telephone service providers have reported a 2000 percent increase in call completion problems between April 2010 and March 2011, according to the FCC.

The FCC recently put in place new rules to provide both short and long-term solutions to rural call completion problems, and it is continuing to work on the issue.

The MPSC is an agency within the Department of Licensing and Regulatory Affairs.

For more information about LARA, please visit www.michigan.gov/lara. Follow us on Twitter www.twitter.com/michiganLARA, "Like" us on Facebook or find us on YouTube www.youtube.com/michiganLARA.

The aforementioned Tip Sheet is available at http://www.michigan.gov/documents/mpsc/rural_call_373366_7.pdf.

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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 |

Case No. U-16461

Eligible Telecommunications Carrier

Midwestern Telecommunications, Inc.

<http://efile.mpsc.state.mi.us/efile/viewcase.php?casenum=16461>

On January 12, 2012, the Michigan Public Service Commission (“Commission”) issued an Order dismissing, without prejudice, the September 12, 2011 Petition of Midwestern Telecommunications, Inc., pursuant to 47 USC § 214(e), for *ex parte* clarification of its designation as an Eligible Telecommunications Carrier (“ETC”) for purposes of universal service fund support throughout its licensed service area or for designation as an ETC for its wireless service. On December 28, 2011, Midwestern Telecommunications, Inc. filed a request to withdraw the Application.

Case No. U-16518

Interconnection Agreement

Quick Communications, Inc., and AT&T Michigan

<http://efile.mpsc.state.mi.us/efile/viewcase.php?casenum=16518>

Application filed on December 8, 2011 for approval of the Ninth Amendment to an Interconnection Agreement (establishes and/or clarifies the rates for and type of cross connects used with DS-1 loops, DS-1 transport, and DS-1 EELS)

On January 12, 2012, the Michigan Public Service Commission (“Commission”) issued an Order approving the above listed Interconnection Agreement Amendment.

Case No. U-16868

License

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

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

On January 12, 2012, the Michigan Public Service Commission (“Commission”) issued an Order granting a temporary license to provide basic local exchange service throughout the State of Michigan to Liberty Bell Telecom, L.L.C., d/b/a Dish Network Phone & Internet. The temporary license will expire upon issuance of a final order granting or denying Liberty Bell Telecom, L.L.C., d/b/a Dish Network Phone & Internet’s September 13, 2011 Application for a permanent license.

On January 12, 2012, the Michigan Public Service Commission (“Commission”) issued an Order granting a temporary amendment to TCG Detroit’s license to provide basic local exchange service in the State of Michigan. On November 14, 2011, as Amended on December 14, 2011, TCG Detroit filed an amended application to include all areas of the Upper Peninsula served by AT&T Michigan, and all areas of the state served by Frontier Midstates, Inc., Frontier Communications of Michigan, Inc., and CenturyTel of Upper Michigan, Inc., CenturyTel of Michigan, Inc., CenturyTel Midwest – Michigan Inc., and CenturyTel of Northern Michigan, Inc., (all d/b/a CenturyLink) in its license to provide basic local exchange service in the State of Michigan. The temporary license will expire upon issuance of a final order granting or denying TCG Detroit’s Application for a permanent license amendment.

On January 12, 2012, the Michigan Public Service Commission (“Commission”) issued an Order requesting that interested parties comment on the effect of the Federal Communications Commission’s (“FCC”) November 18, 2011 *Report and Order and Further Notice of Proposed Rulemaking*, FCC 11-161, WC Docket No. 10-90, *et al* (“November 18 Order”), which “comprehensively reforms and modernizes the universal service and intercarrier compensation systems.” November 18 order, ¶ 1. Section 310(18) of the Michigan Telecommunications Act (“MTA”), MCL 484.2310(18), provides that “[i]f the federal government adopts intercarrier compensation reforms or takes any action that causes or requires a significant change in interstate switched toll access service rates, the commission may initiate, or any interested party may file an application for, a proceeding pursuant to section 203 within 60 days of that action to determine whether any modifications to the size, operation, or composition of the restructuring mechanism are warranted.” The November 18 Order requires bill-and-keep as the end-state, default method for all intercarrier compensation traffic, including intrastate switched toll access traffic, and provides a path for certain types of traffic to transition from current rates to bill-and-keep rates. The November 18 Order also requires competitive local exchange carriers to transition to terminating intrastate switched access rates at levels no higher than corresponding interstate rates by July 1, 2013. Because of these factors, the Commission has opened this proceeding to allow interested persons to file comments on the effect of the November 18 Order on the access restructuring mechanism adopted by the Commission in Case No. U-16183, and on intrastate switched toll access tariff rates and filings, as well as any other topic relevant to the effect of the November 18 Order on the provisions of the MTA. Comments are due by February 13, 2012, and reply comments by March 13, 2012.

MINUTE ACTIONS |

The Michigan Public Service Commission (“Commission”) issued the following Minute Actions at its regularly scheduled meeting held on January 12, 2012 at 1:30 p.m.:

Case No. U-14000

Wireless Emergency Service Costs

AT&T Michigan

<http://efile.mpsc.state.mi.us/efile/viewcase.php?casenum=14000>

On January 12, 2012, the Michigan Public Service Commission (“Commission”) issued a Minute Action approving AT&T Michigan’s invoice No. 517 R41-0001 067 9, for the period of September 1, 2011 to November 30, 2011, for wireless emergency service costs of \$128,788.08, recoverable under 2007 PA 165, MCL 484.1408(4)(b) and authorizing reimbursement by the Michigan Department of Treasury.

Case No. U-14000

Wireless Emergency Service Costs

Frontier North Inc. and Frontier Midstates Inc.

<http://efile.mpsc.state.mi.us/efile/viewcase.php?casenum=14000>

On January 12, 2012, the Michigan Public Service Commission (“Commission”) issued a Minute Action approving AT&T Michigan’s Frontier North Inc. and Frontier Midstates Inc.’s invoices Nos. MI9NGMTS9111112 and MI9NZMTS9111112, for the period of September 1, 2011 to November 30, 2011, 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.

PROPOSALS FOR DECISION |

Case No. U-16906

Interconnection Agreement Arbitration

ACD Telecom, Inc., Arialink Telecom, LLC, CynergyComm.Net, Inc., DayStarr LLC, Lucre, Inc., Michigan Access, Inc., Osirus Communications, Inc., Superior Spectrum Telephone and Data, LLC, TC3 Telecom, Inc., and TelNet Worldwide, Inc. v AT&T Michigan

<http://efile.mpsc.state.mi.us/efile/viewcase.php?casenum=16906>

On January 9, 2012, an Arbitration Panel appointed on behalf of the Michigan Public Service Commission (“Commission”) issued its Decision of the Arbitration Panel (“DAP”) in the matter of the October 24, 2011, Petition for Arbitration of an Interconnection Agreement filed by ACD Telecom, Inc., Arialink Telecom, LLC, CynergyComm.Net, Inc., DayStarr LLC, Lucre, Inc., Michigan Access, Inc., Osirus Communications, Inc., Superior Spectrum Telephone and Data, LLC, TC3 Telecom, Inc., and TelNet Worldwide, Inc. (“Petitioners” or “CLECs”) against AT&T Michigan, pursuant to Section 252(b)(1) of the Federal Telecommunications Act, 47 USC § 252(b)(1). The Arbitration Panel consisted of Administrative Law Judge Sharon L. Feldman and Commission staff members Paul D. Negin and Ryan McAnany. Among the issues considered and recommendations made by the Arbitration panel were:

Waivers of subrogation provisions in Workers’ Compensation insurance policies – the Panel found that AT&T failed to establish sufficient basis to modify the general terms and conditions to require that the CLECs include waivers of subrogation in their workers compensation insurance policies. The Panel noted that AT&T has not established that the additional protection it seeks from liability for negligence causing injury to CLEC workers is necessary or appropriate;

Language regarding escrow deposits made pursuant to disputes -- AT&T had argued that it has experienced substantial defaults from CLECs through bankruptcy and non-payment, citing experiences with Lucre as an example, and escrow language is a reasonable way to allow the parties to pursue dispute resolution, while ensuring there are available funds to pay once the dispute is resolved. However the Panel found that AT&T has not shown that the potential for harm to the CLECs from erroneous billings is minimal, or that it does not have sufficient alternatives under the agreement as drafted to protect itself from significant losses;

Indemnification -- AT&T proposed to add language to the baseline agreement that would require indemnification if one party “incurs a Loss as a result” of the other party’s failure to include a limitation of liability in its tariffs or contracts. The Panel disagreed, noting that AT&T has not shown that it faces any risk of liability based on the failure of a CLEC to include a disclaimer of liability in one of its contracts or tariffs. Moreover, the Panel noted that AT&T appears adequately protected by other indemnification language in the Interconnection Agreement;

Entrance facilities interconnection methods – AT&T argued that entrance facilities cannot properly be used with collocation since the collocating CLEC owns the equipment in the collocation arrangement and as such the facility in question would be used for backhauling, not interconnection. The Panel disagreed noting that there are sufficient provisions in place to protect AT&T from the misuse of entrance facilities while still allowing the CLECs access to them to the extent that they are required to interconnect with AT&T. The CLECs proposed that the Interconnection Agreement include language permitting them to use entrance facilities with a variety of traffic such as 911, operator services, and directory assistance. However, believing that ancillary services could be considered to fall under the broad definition of Interconnection, the Panel found AT&T’s position that these services do not fall under the scope of Interconnection was more consistent with the Interconnection provisions that have already been mutually agreed to and should therefore be adopted. The CLECs argued that they should be able to lease dark fiber entrance facilities for the purposes of interconnection, believing that an entrance facility could be dark or lit and there is no reason to require them to purchase a lit facility if excess fiber is available. AT&T contended that dark fiber entrance facilities cannot exist since the CLEC leasing the fiber supplies the electronics on both ends of and, therefore, the fiber becomes a part of the CLEC’s network. The Panel agreed with the CLECs, that to the extent that it is used for Interconnection purposes dark fiber should be available to be used as an entrance facility the same as lit fiber;

Requirements for the use of two-way versus one-way trunking – AT&T argued that its proposed language, which provides that two-way trunking should be used whenever it is possible and appropriate, is identical to the two-way trunking language contained in the parties’ baseline Interconnection Agreement. The CLECs argued that they have a right to interconnect with an ILEC using any technically feasible method. The CLECs argue that they may elect to send their traffic to AT&T using either one-way or two-way trunks. The Panel agreed with AT&T because the language that AT&T proposed is identical to the baseline language. According to the Panel, the CLECs failed to show why there should be a deviation from the baseline language;

Use of relative usage factors in cost of transmission facilities – AT&T argued that it objects to the CLECs’ proposal to include language in the Interconnection Agreement that would allow a CLEC (but not AT&T) to assess a charge based on the application of a Relative Usage Factor (“RUF”) to the transmission facilities on the CLEC’s side of the point of interconnection (“POI”), in addition to reciprocal compensation charges. The CLECs argued that it is established law in Michigan that the cost of the transmission link between networks is to be shared in proportion to each party’s traffic. The Panel had concerns with both parties’ arguments. Noting that AT&T argued that since neither

party has exercised the baseline RUF provision, eliminating that option/provision would more accurately reflect the current operations of the parties. While it appears that both parties have not exercised this provision, the Panel found it worth noting that the parties have agreed on this language in the past and that the Panel has concerns about removing agreed upon provisions just because they have not been utilized. Since the CLECs are arguing to have RUF language/provisions, there appears to continue to be a need for such language, even if the language has not been utilized. However, the Panel recommended rejecting both parties' language. While AT&T would like the baseline RUF provision completely removed, the CLECs propose adding additional modifications to the baseline language which may be more one-sided. Since both parties have previously agreed to the baseline RUF language/provision, the Panel recommended the continuation of that language. If the parties do not wish to continue using the agreed upon baseline language, then the Panel recommended that the parties work together to create language that is mutually agreed upon and addresses both parties' concerns;

The number of high volume call in (choke) trunk groups that must be maintained – the Panel believed that both parties acknowledge that there is a concern regarding the negative impacts that high traffic volumes can have on a network's system. The disagreement between the parties is the technology that should be used to combat that problem. The Panel found that the CLECs presented a compelling case that choke trunk technology is not cost effective and is outdated. The Panel agreed that the CLECs should have the right to design their own system to address the high traffic volume problems, and that high traffic volume has not been a problem for them;

Negotiation of Internet protocol to Internet protocol interconnection terms – the Panel agreed with AT&T that state commissions do not have authority to require the inclusions of terms and conditions for IP-to-IP interconnection in an ICA under section 252 of the 1996 Act because that type of interconnection for the transmission of Voice over Internet Protocol (“VoIP”) service is not a form of interconnection that ILECs are required to provide under Section 251(c)(2) of the 1996 Act;

Appropriate rates for reciprocal compensation – the CLECs proposed that the Interconnection Agreement include a provision allowing them to charge AT&T a reciprocal compensation rate that includes AT&T's tandem interconnection rate when a CLEC serves an area geographically similar to that served by AT&T's tandem switch. Citing past Court decisions, the Panel finds for the CLECs on this issue. However the Panel also noted that not all of the CLECs in this proceeding operate switches, to avoid confusion the Panel stated “that this only applies to Telnet, ACD, Arialink, TC3, CynergyComm, DayStarr, and Lucre.” Finally, the Panel did not agree with AT&T that the language regarding both parties acknowledging that a CLEC has demonstrated it is eligible for the tandem rate could cause unintended consequences with regards to Section 252(i) of the Federal Telecommunications Act. As such, the Panel recommended that “the Commission direct the parties to this arbitration to develop language that more clearly states which CLECs this provision applies to;”

Should a carrier be required to purchase 9-1-1 trunks from the incumbent carrier – the CLECs proposed modifying the baseline agreement to allow them to provide 9-1-1 service without being required to purchase dedicated trunks from AT&T to each selective router. They argued that AT&T should not dictate to the CLECs how they engineer their networks and that the requirements AT&T seeks to impose are outdated. The Panel found for the CLECs on this issue, stating that “there is no prohibition on the use of a third party 9-1-1 provider in the Emergency 9-1-1 Service Enabling Act and AT&T does not cite any other legal authority in support of its position.

The Panel ordered that written objections to the DAP, if any, must be filed with the Commission on or before January 19, 2012. A Commission Order in this matter is due, pursuant to statute, no later than February 16, 2012.

APPLICATIONS AND COMPLAINTS |

Case No. U-16955

Consumer Complaint: Service Quality

Barrie Lieberman v AT&T Michigan

On January 2, 2012, Barrie Lieberman, of Franklin, Michigan, filed a formal Complaint with the Michigan Public Service Commission (“Commission”) against AT&T Michigan. According to the Complaint, AT&T Michigan has not installed telephone, internet and satellite television service ordered on November 9, 2011. The Complaint also alleges that AT&T Michigan has invoiced Mr. Lieberman for services not received.

Case No. U-16957

Interconnection Agreement

AT&T Michigan and American Broadband and Telecommunications Company

<http://efile.mpsc.state.mi.us/efile/viewcase.php?casenum=16957>

On January 18, 2012, AT&T Michigan and American Broadband and Telecommunications Company jointly filed an Application with the Michigan Public Service Commission (“Commission”) seeking approval of a multi-state Interconnection Agreement.

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-16943

Intercarrier Compensation Reform

Commission’s Own Motion

<http://efile.mpsc.state.mi.us/efile/viewcase.php?casenum=16943>

Comments Due: Monday, February 13, 2012

Reply Comments Due: Tuesday, March 13, 2012

On January 12, 2012, the Michigan Public Service Commission (“Commission”) issued an Order requesting that interested parties comment on the effect of the Federal Communications Commission’s (“FCC”) November 18, 2011 *Report and Order and Further Notice of Proposed Rulemaking*, FCC 11-161, WC Docket No. 10-90, *et al* (“November 18 Order”), which “comprehensively reforms and modernizes the universal service and intercarrier compensation systems.” November 18 order, ¶ 1. Section 310(18) of the Michigan Telecommunications Act (“MTA”), MCL 484.2310(18) provides that “[i]f the federal government adopts intercarrier compensation reforms or takes any action that causes or requires a significant change in interstate switched toll access service rates, the commission may initiate, or any interested party may file an application for, a proceeding pursuant to section 203 within 60 days of that action to determine whether any modifications to the size, operation, or composition of the restructuring mechanism are

warranted.” The November 18 Order requires bill-and-keep as the end-state, default method for all intercarrier compensation traffic, including intrastate switched toll access traffic, and provides a path for certain types of traffic to transition from current rates to bill-and-keep rates. The November 18 Order also requires competitive local exchange carriers to transition to terminating intrastate switched access rates at levels no higher than corresponding interstate rates by July 1, 2013. Because of these factors, the Commission has opened this proceeding to allow interested persons to file comments on the effect of the November 18 Order on the access restructuring mechanism adopted by the Commission in Case No. U-16183, and on intrastate switched toll access tariff rates and filings, as well as any other topic relevant to the effect of the November 18 Order on the provisions of the MTA. Written and electronic comments may be filed with the Commission no later than 5:00 p.m. on **Monday, February 13, 2012**. Reply Comments may be filed with the Commission no later than 5:00 p.m. on **Tuesday, March 13, 2012**.

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 **(JANUARY 23, 2012 THROUGH FEBRUARY 3, 2012)**

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)

FUTURE TELECOM HEARINGS SCHEDULED

There are no known Telecommunications hearings scheduled with the Michigan Public Service Commission past the current fortnight.

2012 REGULAR MPSC MEETING DATES* |

<u>Month & Date</u>	<u>Day</u>	<u>Time</u>
January 26, 2012	Thursday	1:30 p.m.
February 15, 2012	Wednesday	1:30 p.m.
February 23, 2012	Thursday	1:30 p.m.
March 8, 2012	Thursday	1:30 p.m.
March 27, 2012	Tuesday	1:30 p.m.
April 17, 2012	Tuesday	1:30 p.m.
May 1, 2012	Tuesday	1:30 p.m.
May 24, 2012	Thursday	1:30 p.m.
June 7, 2012	Thursday	1:30 p.m.
June 26, 2012	Tuesday	1:30 p.m.
July 10, 2012	Tuesday	1:30 p.m.
July 31, 2012	Tuesday	1:30 p.m.
August 14, 2012	Tuesday	1:30 p.m.
August 28, 2012	Tuesday	1:30 p.m.
September 11, 2012	Tuesday	1:30 p.m.
September 25, 2012	Tuesday	1:30 p.m.
October 9, 2012	Tuesday	1:30 p.m.
October 23, 2012	Tuesday	1:30 p.m.
November 8, 2012	Thursday	1:30 p.m.
December 4, 2012	Tuesday	1:30 p.m.
December 20, 2012	Thursday	1:30 p.m.

*All meetings of the Michigan Public Service Commission (“Commission”) are open to the public. Until further notice, all meetings will be held at the Commission’s temporary offices, which are located at 4300 W. Saginaw St., Lansing, MI 48917, unless posted and notified in accordance with the Open Meetings Act. Persons with disabilities needing accommodations for effective participation at a Commission meeting should contact the Commission’s Executive Secretary at 517-241-6160 to request mobility, visual, hearing, or other assistance.

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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