

M ICHIGAN **T** ELECOMMUNICATIONS **R** EPORT™

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FEATURES

MPSC STARTS CASE TO ESTABLISH COSTS THAT LOCAL EXCHANGE PROVIDERS MAY RECOVER RELATED TO WIRELESS EMERGENCY SERVICE ORDER, U-14000

Note: On January 15, 2004 the MPSC issued the following press release:

The Michigan Public Service Commission (MPSC) today issued an order that commences a contested case to establish costs that eligible local exchange providers may recover related to compliance with the wireless emergency service order.

These providers are required to install equipment at a specified law enforcement agency to take wireless 9-1-1 calls.

Today's order comes as a result of Public Act 244, which became effective on Jan. 1, 2004. That law gives the MPSC until **June 29, 2004** to complete the contested case process for all eligible providers.

Today's order requires all eligible local exchange carriers that anticipate seeking reimbursement of costs to file a notice of intent to participate and a cost recovery proposal with the MPSC by **January 23, 2004**.

A prehearing conference to determine a schedule for this contested case will be held at **9 a.m. on Jan. 28, 2004** at the MPSC's office.

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*See also **Orders**, this issue.*

* * *

PENDING LEGISLATION

The following is a list of active telecommunications bills that have been introduced during the current legislative session. Copies of bills and public acts referred to in this column may be obtained by contacting your state senator or representative, on the Michigan Legislature Web site, <<http://www.michiganlegislature.org/>> or from the Legislative Service Bureau Document Room at (517) 373-0169.

Senate Bill # Senator	Date Introduced	Description	Status
SB 1 VanWoerkom	1/08/03	Communications; telecommunications; end-user line charge; clarify. Amends sec. 310 of 1991 PA 179 (MCL 484.2310).	Passed by Senate; 28-9; goes to House Committee on Energy and Technology

Senate Bill # Senator	Date Introduced	Description	Status
SB 11 Johnson	1/8/03	State; authorities; issuance of bonds for equipment associated with telecommunications on the campuses of Michigan institutions of higher education with lease options back to the institutions and the state; provide for. Amends sec. 7 of 1964 PA 183 (MCL 830.417).	Senate Committee on Technology and Energy reported favorably; 3/21/03 referred to Senate Committee on Appropriations
SB 204 Allen	2/20/03	Communications; telecommunications; requirement for companies under 250,000 customers to make adjacent calling areas a local call; provide for. Amends sec. 304 of 1991 PA 179 (MCL 484.2304)	To Senate Committee on Technology and Energy
SB 294 Cherry	3/13/03	Education; school districts; student use of cellular phones and pagers in schools; provide authority to local school boards. Amends sec. 1303 of 1976 PA 451 (MCL 380.1303).	Sub S-3 passed by Senate 38-0; 3/28/03 referred to House Committee on Education
SB 357 Bishop	4/1/03	Communications; computers; regulation of electronic mail advertisements; provide for. Creates new act.	6/24/03 passed Senate 37-0; referred to House Committee on Energy and Technology
SB 675 Brater	9/16/03	Labor; fair employment practices; employer monitoring of employee communications; prohibit unless the employer establishes an employee monitoring policy and discloses that policy to employees. Creates new act.	To Senate Committee on Commerce and Labor
SB 760 Stamas	10/7/03	Communications; telecommunications; cramming provisions; expand to include "internet service providers". Amends sec. 507 of 1991 PA 179 (MCL 484.2507)	To Senate Committee on Technology and Energy

House Bill # Representative	Date Introduced	Description	Status
HB 4030 Shulman	1/28/03	Communications; telecommunications; end-user line charge; clarify. Amends sec. 310 of 1991 PA 179 (MCL 484.2310).	To House Committee on Energy and Technology
HB 4044 Bradstreet	1/28/03	Communications; telecommunications; structural separation of local exchange companies with more than 250,000 users; provide for. Amends sec. 101 of 1991 PA 179 (MCL 484.2101) by adding sec. 305a.	To House Committee on Energy and Technology
HB 4080 Woronchak	1/29/03	Communications; telecommunications; fees for unlisted telephone number for persons 65 years of age and over; eliminate.	To House Committee on Energy and Technology

House Bill # Representative	Date Introduced	Description	Status
HB 4187 Anderson	2/11/03	Communications; telecommunications; notification of long-distance charges to customer using a pay telephone; require. Amends 1991 PA 179 (MCL 484.2101 – 484.2701) by adding sec. 312c.	To House Committee on Energy and Technology
HB 4188 Shulman	2/11/03	Consumer protection; unfair trade practices; deceptive unsolicited commercial e-mail; regulate. Amends sec. 3 of 1976 PA 331 (MCL 445.903) & adds sec. 3e.	To House Committee on Energy and Technology
HB 4306 Kolb	2/27/03	Trade; consumer goods and services; sale of disposable cell phones; prohibit. Amends 1976 PA 331 (MCL 445.901 – 445.922) by adding sec. 903e.	To House Committee on Commerce
HB 4320 Johnson	3/11/03	Communications; telecommunications; disclosure of address to an unlisted telephone number or contract holder of a cellular telephone; allow state police access. Amends 1991 PA 179 (MCL 484.2101 – 484.2701) by adding sec. 255.	To House Committee on Energy and Technology
HB 4595 Bradstreet	4/29/03	Communications; telecommunications; Michigan antitrust act; eliminate exemption for telecommunication providers. Amends sec. 4 of 1984 PA 274 (MCL 445.774).	4/29/03 to House Committee on Energy and Technology
HB 4709 Bisbee	5/20/03	Communications; telecommunications; requirement for timely transfer of customers from 1 provider to another; provide for. Amends 1991 PA 179 (MCL 484.2101 - 484.2701) by adding sec. 364.	To House Committee on Energy and Technology
HB 4731 Shulman	5/22/03	Communications; telecommunications; rate filing; revise. Amends sec. 304 of 1991 PA 179 (MCL 484.2304).	To House Committee on Energy and Technology
HB 4802 Koetje	6/3/03	Communications; telecommunications; prohibited conduct with regard to telecommunications access; clarify a potential unintended consequence. Amends sec. 540c of 1931 PA 328 (MCL 750.540c).	7/1/03 passed; given immediate effect 104-0; 7/2/03 to Senate Committee on Judiciary
HB 4917 Rivet	7/2/03	Communications; telecommunications; unbundled network elements platform prices by incumbent local exchange carriers; allow public service commission to increase annually. Amends sec. 352 of 1991 PA 179 (MCL 484.2352).	To House Committee on Energy and Technology

House Bill # Representative	Date Introduced	Description	Status
HB 4936 Woodward	7/2/03	Communications; telecommunications; commission review of rate differentials; provide for. Amends sec. 304 of 1991 PA 179 (MCL 484.2304).	To House Committee on Energy and Technology
HB 5070 Daniels	9/25/03	Corrections; state facilities; telephone system for state correctional facilities; impose requirements. Amends 1953 PA 232 (MCL 791.201 – 791.283) by adding sec. 69b.	To House Committee on Criminal Justice
HB 5073 Spade	9/25/03	Public utilities; consumer services; disruption of service to radio stations, television stations, and cable providers; require public utilities to give priority to restore service. Amends 1939 PA 3 (MCL 460.1-460.10cc) by adding sec. 6q.	To House Committee on Energy and Technology
HB 5084 Accavitti	9/25/03	Traffic control; violations; an individual less than 18 years of age driving on a permit or graduated licensing status and using a handheld cellular telephone while operating a vehicle; prohibit. Amends 1949 PA 300 (MCL 257.1 – 257.923) by adding sec. 602b.	To House Committee on Transportation
HB 5085 Minore	9/25/03	Traffic control; violations; use of cellular telephone by individuals operating a vehicle with a driver permit; prohibit. Amends secs. 306 & 310e of 1949 PA 300 (MCL 257.306 & 257.310e).	To House Committee on Transportation

* * *

PUBLIC ACTS OF 2003

Public Act #	Effective Date	Description	Bill Number and Sponsor
PA 12	6/3/03	Prohibits state agencies from using a 900-telephone number or other telephone system that charges the caller for access to public information held or maintained by a state agency. Amends 1984 PA 431 (MCL 18.1101 - 18.1594) by adding sec. 224.	Enrolled SB 180 Stamas R – District 36
PA 42	7/15/03	Communications; computers; regulation of the transmission of electronic mail advertisements; provide for. Creates new act.	Enrolled HB 4519 Huizenga R – District 90

Public Act #	Effective Date	Description	Bill Number and Sponsor
PA 132	8/13/03	Education; school districts; student use of cellular phones and pagers in schools; provide authority to local school boards and public school academies to regulate or allow. Amends sec. 1303 of 1976 PA 451 (MCL 380.1303).	Enrolled HB 4218 Middaugh R – District 80
PA 206	11/26/03	Public utilities; other; disconnection of telephone service for certain military individuals; prohibit. Amends 1991 PA 179 (MCL 484.2101 - 484.2701) by adding sec. 314a.	Enrolled HB 4283 Pappageorge R – District 41
PA 244	1/1/04	Law enforcement; communications; wireless 9-1-1 fee; extend sunset. Amends secs. 408 & 717 of 1986 PA 32 (MCL 484.1408 & 484.1717) & repeals enacting section 1 of 1999 PA 78.	Enrolled HB 4439 Bradstreet R – District 105

ORDERS

Case No. U-14000
Commission's Own Motion
(wireless emergency service)

On January 15, 2004 the Michigan Public Service Commission (“Commission”) issued an order on its own motion to commence a contested case as required by Public Act 244 of 2003 to establish the costs that local exchange providers may recover related to compliance with the wireless emergency service order. PA 244, enrolled House Bill 4439, is effective January 1, 2004 and amends the Michigan Emergency Telephone Service Act, 1986 PA 32, as amended, by adding the following provision:

Notwithstanding any other provision of this act, the commission, following a contested case, shall issue an order within 180 days of the effective date of the amendatory act that added this subsection establishing the costs that a local exchange provider may recover in terms of the costs related to the wireless emergency service order. Any cost reimbursement allowed under this subsection shall not include a cost that is not related to complying with the wireless emergency service order. After the commission has issued the order, a local exchange provider may submit an invoice to the commission for reimbursement from the CMRS emergency telephone fund for costs incurred that are allowed under the commission order. Within 45 days after the date an invoice is submitted to the commission, the commission shall make a recommendation to the committee for the approval, either in whole or in part, or the denial of the invoice. The committee shall authorize payment of an invoice in accordance with the commission's recommendation.

MCL 484.1408(11).

Consequently, the Commission orders all eligible local exchange carriers that anticipate seeking reimbursement of costs pursuant to this section to file a notice of intent to participate and a cost recovery proposal with the Commission by **January 23, 2004**. Joint filings are strongly encouraged. Other interested parties can file petitions to intervene and statements of position also by January 23, 2004. A prehearing conference has been scheduled for **9:00 a.m. on January 28, 2004** to determine a schedule for a contested case to establish the costs that local exchange providers may recover related to compliance with the wireless emergency service order. The Commission has until **June 29, 2004** to complete the proceeding.

* * *

PROPOSAL FOR DECISION

Case No. U-13821

**CAT Communications International Inc v SBC Michigan
(consumer complaint: interconnection dispute)**

On January 6, 2004 Administrative Law Judge Mark E. Cummins (“ALJ”) issued his proposal for decision in the matter of the complaint of CAT Communications International, Inc. (“CAT”) against SBC Michigan, alleging that SBC “improperly billed CAT for toll charge calls that were not blocked by [SBC’s] defective call-blocking features, and thus had violated various sections of the Michigan Telecommunications Act. The ALJ finds no MTA violations to have been shown in this proceeding, and recommends that the Michigan Public Service Commission dismiss CAT’s case because CAT “failed to prove that any one of its currently disputed calls was actually mishandled or improperly billed by SBC.” Moreover, the ALJ finds that “SBC made repeated attempts to assist . . . CAT employees in their efforts to decipher EMI code strings and, thus, better understand their bills”. . . and that “testimony received in this case reveals that, on numerous occasions, SBC advised CAT that it needed to purchase TRS in order to obtain the CLEC’s desired level of control over its end-use customers.”

* * *

DECISION OF ARBITRATION PANEL

Case No. U-13892

**TruComm Corporation
(arbitration of interconnection with SBC Michigan)**

On January 5, 2003 an arbitration panel (“Panel”), consisting of John Kern of Kern and Associates, Inc., issued a decision in the matter of the Petition of TruComm Corporation (“TruComm”) for arbitration of interconnection rates, terms and conditions, and related arrangements with Michigan Bell Telephone Company, d/b/a SBC Michigan (“SBC”). The Arbitration Panel addressed a single issue.

TruComm submitted to the Arbitration Panel the sole question of whether or not SBC Michigan should be required to provide, as part of the port or switch port, a feature and function known as Flexible Automatic Number Identification (“Flex-ANI”). In particular, TruComm requested that SBC be ordered

to provide Flex-ANI to TruComm when TruComm purchases access to the port switch via the unbundled network elements platform (“UNE-P”). It was TruComm’s position that the terms and conditions of the AT&T Interconnection Agreement, which TruComm sought to opt into, placed an obligation upon SBC Michigan to provide, “any requesting carrier operating under the agreement all features and functions of the switch when that carrier purchases access to unbundled switching, either standalone or as part of the UNE-P service”. TruComm also noted that SBC specifically imposed a cost upon payphone service providers, between June 1998 and July 2000, to develop and implement Flex-ANI. It was SBC’s position that if it is required to provide Flex-ANI, it must recover its cost for doing so. SBC noted that TruComm must take the switching positions of the AT&T Interconnection Agreement, “as it finds them and cannot add to them or delete from them.” SBC asserted that the cost for network upgrades, which would allow Flex-ANI to work with UNE-P, “were not, and could not have been, recovered through the Federal Tariff imposed by SBC Michigan on payphone service providers.” SBC also noted that it currently makes Flex-ANI capabilities available at retail and TruComm could purchase them at retail or wholesale through the bona fide request process, but must pay SBC up front, on a per switch basis, for any conversions necessary to make Flex-ANI work with UNE-P.

The Panel found for TruComm on this issue, and noted that SBC had testified, “that the Flex-ANI functionality had been resident in SBC Michigan’s switches for years, and that SBC Michigan currently makes Flex-ANI available to CLECS such as TruComm at wholesale rates for resale.” The Panel found that since SBC is willing to provide Flex-ANI capability on a UNE-P basis, the Panel found, “that to do otherwise would place the Panel’s decision in direct conflict with Commission’s Order in the *MCI Arbitration Decision*.” In that decision, the Commission concluded that an arbitration case is not the appropriate forum for arguing about the TELRIC or Total Element Long-Run Incremental Cost (TELRIC) of an element. Examination and challenges to cost studies require more time and detail than can be legitimately achieved in arbitration cases.

TruComm and SBC have until January 15, 2004 to file any objections to the Panel’s decision. Once objections have been filed, the Commission will consider the arbitration and issue its decision.

* * *

NOTICES OF HEARING

Unless otherwise noted, all hearings are held at the offices of the Michigan Public Service Commission, 6545 Mercantile Way, Suite 7, Lansing, Michigan.

Case No. U-13957
Global Teldata II, LLC
(license)

The November 21, 2003 application of Global Teldata II, LLC, for a license to provide basic local exchange services in the LATA exchanges currently served by Ameritech Michigan, Verizon North, Inc. and Contel of the South, Inc., d/b/a Verizon North Systems is set for an evidentiary hearing at **9:00 a.m. on February 10, 2004**. Interventions are due on or before **February 6, 2004**.

Case No. U-13971
Mason Insurance Agency Inc v National Access Long Distance
(consumer complaint: slamming)

The Michigan Public Service Commission will consider the December 3, 2003 formal complaint of Mason Insurance Agency Inc. against National Access Long Distance (NALD), alleging that its telephone service had been switched without permission. A public hearing in this matter will be held at **9:00 a.m. on January 22, 2004.**

Case No. U-13981
McLeodUSA Telecommunication Services Inc v the City of Saginaw
(R-O-W dispute)

The Michigan Public Service Commission will consider the December 10, 2003 formal complaint of McLeodUSA Telecommunication Services, Inc. against the City of Saginaw alleging that it violated Section 203 of the Michigan Telecommunications Act (MTA), MCL 484.2203, and Section 18 of the Michigan Extension Telecommunications Rights-of-Way Oversight Act (Act 48), MCL 484.3118. A public hearing in this matter will be held: at **9:00 a.m. on February 4, 2004.** This hearing will be a prehearing conference to set future hearing dates and decide other procedural matters.

Case No. U-14000
Commission's Own Motion
(wireless emergency service)

On January 15, 2004 the Michigan Public Service Commission issued an order and notice of hearing in the matter, on the Commission's Own Motion, to commence a contested case as required by Public Act 244 of 2003 to establish the costs that local exchange providers may recover related to compliance with the wireless emergency service order. A prehearing conference is scheduled for **9:00 a.m. on January 28, 2004** to determine a schedule for a contested case. Interventions including statements of position are due on or before **January 23, 2004.**

* * *

PSC HEARINGS SCHEDULE

Note: *Unless indicated otherwise, hearings are held in the offices of the Commission, 6545 Mercantile Way, Suite 7, Lansing.*

Hearings Scheduled for Last Week (January 5-9, 2004)

January 6, 2004, 9:00 a.m.
Case No. U-13937/evidentiary hearing
Pacific Centrex Services (license)

January 7, 2004, 9:00 a.m.
Case No. U-13950/prehearing conference
Cecconie v ACN (slamming)

January 7, 2004, 9:00 a.m.
Case No. U-13938/prehearing
Walsh v AT&T (slamming)

Hearings Scheduled for This Week (January 12-16, 2004)

January 13, 2004, 9:00 a.m.

Case No. U-13940/evidentiary hearing
ACCXX Communications (license)

January 15, 2004, 9:00 a.m.

Case No. U-13977/prehearing conference
AT&T (switched access rates)

Future Hearings Scheduled

January 21, 2004

Case No. U-13961/evidentiary hearing
Advanced Integrated Technologies Inc (license)

January 22, 2004, 9:00 a.m.

Case No. U-13971/evidentiary hearing
Mason Insurance Agcy v National Access Long Distance
(slamming)

January 28, 2004, 9:00 a.m.

Case No. U-14000/prehearing conference
Commission's Own Motion (wireless emergency service)

February 4, 2004, 9:00 a.m.

Case No. U-13981/prehearing
McLeodUSA Telecom v City of Saginaw (R-O-W dispute)

February 10, 2004, 9:00 am

Case No. U-13957/evidentiary hearing
Global Teldata II (license)

APPLICATIONS AND COMPLAINTS

Case No. U-11989

CenturyTel Wireless Inc and SBC Michigan (interconnection agreement)

On January 7, 2004 CenturyTel Wireless, Inc. and SBC Michigan jointly applied to the Michigan Public Service Commission ("Commission") for approval of the First Amendment to their Interconnection Agreement previously approved by the Commission on January 10, 2000 ("Agreement"). The parties state that the First Amendment, fully executed as of December 19, 2003, updates the Reciprocal Compensation provisions in the Agreement in accordance with the requirements of the FCC's interim ISP terminating compensation plan contained in the ISP Compensation Order.

Case No. U-13493

Navigator Telecommunications LLC and SBC Michigan (interconnection agreement)

On January 12, 2004 Navigator Telecommunications LLC and SBC Michigan jointly applied to the Michigan Public Service Commission ("Commission") for approval of the Second Amendment to their Interconnection Agreement previously approved by the Commission on September 16, 2002 ("Agreement"). The parties state that the Second Amendment, fully executed as of December 1, 2003, updates the Reciprocal Compensation provisions in the Agreement in accordance with the requirements of the FCC's interim ISP terminating compensation plan contained in the ISP Compensation Order.

Case No. U-13513
Sage Telecom Inc and SBC Michigan
(interconnection agreement)

On January 7, 2004 Sage Telecom, Inc. and SBC Michigan jointly applied to the Michigan Public Service Commission (“Commission”) for approval of the Seventh Amendment to their Interconnection Agreement previously approved by the Commission on October 3, 2002 (“Agreement”). The parties state that the Seventh Amendment, fully executed as of December 16, 2003, updates the Reciprocal Compensation provisions in the Agreement in accordance with the requirements of the FCC’s interim ISP terminating compensation plan contained in the ISP Compensation Order.

Case No. U-13677
Line 1 Communications LLC, d/b/a Direct Line, and SBC Michigan
(interconnection agreement)

On January 9, 2004 Line 1 Communications, LLC, d/b/a Direct Line, and SBC Michigan jointly applied to the Michigan Public Service Commission (“Commission”) for approval of the Second Amendment to their Interconnection Agreement previously approved by the Commission on February 5, 2003 (“Agreement”). The parties state that the Second Amendment updates the Reciprocal Compensation provisions in the Agreement in accordance with the requirements of the FCC’s interim ISP terminating compensation plan contained in the ISP Compensation Order.

Case No. U-13725
LDMI Telecommunications Inc and SBC Michigan
(interconnection agreement)

On January 7, 2004 LDMI Telecommunications, Inc. and SBC Michigan jointly applied to the Michigan Public Service Commission (“Commission”) for approval of the Fifth Amendment to their Interconnection Agreement previously approved by the Commission on March 12, 2003. The parties state that the Fifth Amendment, fully executed as of December 10, 2003, adds DSL/RABT using Modified Maintenance Process to the DSL Appendix in the Agreement.

Case No. U-13992
Computer Network Technology Corporation
(license)

On December 23, 2003 Computer Network Technology Corporation (“CNT”), by and through its Agent, Paulette Bannack, Windfall Resources International, LLC, jointly applied to the Michigan Public Service Commission (“Commission”) for a license to provide non-switched local exchange and intrastate inter-exchange telecommunications services, on both a reseller and facilities-based basis, in the Grand Rapids LATA, Saginaw LATA, Lansing LATA, and Detroit LATA. CNT was incorporated in Minnesota on July 11, 1979 and is headquartered in Minneapolis.

Case No. U-13995
SBC Michigan
(rate increase)

On December 30, 2003 SBC Michigan provided notice to the Michigan Public Service Commission of a rate increase in certain of SBC Michigan’s basic local exchange services in an amount

not to exceed the Consumer Price Index (CPI) minus 1% (“CPI-1”). SBC states that notice of the rate increase will be included with or on the bill of each affected SBC customer prior to the effective date of the rate increases. The rate increases will apply to the following services:

- | | | |
|----|---|-------------------------|
| 1 | Business 1 Party or Trunk-Measured Service | Access Areas A, B and C |
| 2. | Independent Payphone Provider (IPP) Service
(formerly COCOTS)
Access Line and IPP Coin Line | Access Areas A, B and C |
| 3. | Business Centrex Loops | Access Areas A, B and C |
| 4. | Residence Call Plan 50 Service | Access Areas A, B and C |
| 5. | Residence Call Plan 400 Service | Access Areas A, B and C |
| 6. | Residence Call Plan Unlimited | Access Areas A, B and C |
| 7. | Residence Local Message Charge | |
| 8. | Business Local Message Charge | |
| 9. | Non-recurring Line Connection Charge | |

SBC states that the CPI-1% equals .61% and that unless the Commission determines that the amount of the increase exceeds CPI-1%, SBC will implement the rate increases 90 days from notice to customers.

Case No. U-13997

**Granite Telecommunications LLC and Verizon North Inc and Contel of the South Inc, d/b/a Verizon North Systems
(interconnection agreement)**

On December 30, 2003 Granite Telecommunications, LLC (“Granite”) and Verizon North Inc. and Contel of the South, Inc., d/b/a Verizon North Systems (collectively, “Verizon”) jointly applied to the Michigan Public Service Commission (“Commission”) for approval of their Interconnection Agreement. The parties state that Granite agreed to the adoption of the terms of the interconnection agreement between Clear Rate Communications, Inc. and Verizon, previously approved by the Commission.

Case No. U-13998

**CenturyTel and TelNet Worldwide Inc
(interconnection agreement)**

On January 6, 2004 CenturyTel, on behalf of its Michigan companies, and Tel Net Worldwide, Inc. jointly applied to Michigan Public Service Commission (“Commission”) for approval, within 90 days, of their Interconnection Agreement. The parties state that Telnet Worldwide requested the adoption of terms and conditions of the interconnection agreement between CenturyTel and ICG Telecom, Inc., that was approved by the Commission in an order dated December 20, 2002.

Case No. U-14002
TransWorld Network Corp
(license)

On January 7, 2004 TransWorld Network Corp. (“TWN”) applied to the Michigan Public Service Commission for a license to provide basic local exchange telecommunications service, on both a facilities-based and reseller basis, in the zones and exchanges presently served by SBC Michigan, Verizon North Inc. and Verizon North Systems. A temporary license, pending the grant of its permanent license, was also requested. TWN states that it is a Minnesota corporation headquartered in Tampa, Florida, and that it maintains technical service and sales support centers in Traverse City, Michigan, Minneapolis, Minnesota, and Tampa, Florida. Further, TWN states that PCC Holdings, Inc., a Florida corporation, holds all of the issued and outstanding capital stock of TWN. TWN reports that its predecessor corporation, Strategic Alliances Inc., was incorporated in Minnesota in December 1988 and in April 1999 changed its name to TWN.

Case No. U-14003
Waypoint Telecommunications LLC, d/b/a Waypoint Fiber Networks, and
SBC Michigan
(interconnection agreement)

On January 9, 2004 Waypoint Telecommunications LLC, d/b/a Waypoint Fiber Networks, (“WFN”) and SBC Michigan jointly applied to the Michigan Public Service Commission (“Commission”) for approval of the Interconnection Agreement executed as of December 16, 2003. The parties state that WFN requested the sectional adoption of terms and conditions of the interconnection agreement between AT&T Communications of Michigan, Inc. and SBC Michigan, that was approved by the Commission on March 21, 2002 in Case No. U-12465. WFN adopted four amendments from the AT&T and SBC agreement, and the parties voluntarily negotiated Amendments Five, which adds AT&T’s Reciprocal Compensation provisions as negotiated, and Six, which adds ISP All Traffic Adopting FCC Interim Terminating Compensation Plan into the Agreement.

Case No. U-14004
MCImetro Access Transmission Services LLC v
SBC Michigan
(interconnection dispute)

On January 9, 2004 MCImetro Access Transmission Services, LLC (“MCIm”) filed with the Michigan Public Service Commission a formal complaint against SBC Michigan alleging that SBC has improperly charged MCIm for loops used in conjunction with UNE-P, local number portability surcharge and USOC NR9UV. MCIm claims this matter relates to SBC’s excessive and improper billing of charges to MCIm related to: 1) MCIm’s access to unbundled basic loops; 2) a \$0.28 per line per month local number portability charge applied to lines on which MCIm uses Unbundled Network Element – Platform (UNE-P) to provide service to end users; and 3) a \$3.18 charge associated with the Universal Service Ordering (USO) NR9UV.

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PSC NOTICES OF OPPORTUNITY FOR COMMENT

Case No. U-11830

**MCImetro Access Transmission Services, LLC, Brooks Fiber
Communications of Michigan Inc and MCI WorldCom Communications Inc
(performance standards and remedy plan)**

On November 7, 2003, MCImetro Access Transmission Services, LLC, Brooks Fiber Communications of Michigan, Inc. and MCI WorldCom Communications, Inc. filed a motion with the Michigan Public Service Commission (“Commission”) to establish performance standards and an appropriate performance remedy plan for Verizon North Inc. and Contel of the South, Inc., d/b/a Verizon North Systems (Verizon). The Commission directs MCI to issue a notice of opportunity to comment in accordance with the Michigan Telecommunications Act, 1991 PA 179, as amended. In addition, Verizon and all other parties to Case No. U-11830 must be noticed. Comments may be filed with the Commission and must be received no later than **5:00 p.m. on January 7, 2004**. Reply comments may be filed with the Commission and must be received no later than **5:00 p.m. on January 21, 2004**. Comments received in this matter will become public information.

* * *

SCHEDULED MPSC MEETINGS

January 15, 2004	special meeting	4:00 pm
January 22, 2004	regular meeting	1:30 pm

SUBSCRIPTION INFORMATION

Annual subscription rates (U.S. currency): single subscription: \$400; each additional subscription within the same firm: \$175. Please make checks payable to Clark Hill PLC and mail orders to Circulation Mgr., Clark Hill, PLC, 2455 Woodlake Circle, Okemos, MI 48864-5941, or fax to (517) 381-0268. You can reach us by phone at (517) 381-9193.

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