

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

A CLARK HILL PLC Publication, Roderick S. Coy*, Editor

Vol. 22, No.10, May 19, 2006

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MICHIGAN TELECOMMUNICATIONS REPORT (ISSN 08980357) is published every other week by Clark Hill PLC., 212 East Grand River Avenue, Lansing, Michigan 48906-4328. Although considerable care is exercised in reporting critical information (filing and hearing dates, etc.), such information should be confirmed with the original source. This newsletter should not be construed as legal advice or legal opinion on any specific facts or circumstances. The contents are intended for general informational purposes only, and you are urged to consult a lawyer concerning your own situation and any specific legal questions you may have. Editor, Roderick S. Coy; Assistant Editor, Kristine M. Clements; Contributors, Haran C. Rashes and Leland R. Rosier; Annual Subscription \$400.00 (US).

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FEATURES

UPDATE: DETROIT CITY COUNCIL PASSES BAN ON HAND-HELD CELLULAR PHONES

Although a Detroit ordinance prohibiting drivers from talking on their hand-held cell phones went into effect on May 16, Mayor Kwame Kilpatrick's office says the Mayor and the ban's sponsor, JoAnn Watson, have agreed to compromise and down-grade the violation from a primary to a secondary offense. If the City Council also agrees to the new language, police officers can issue a ticket to a motorist for improper cell phone use only if they have stopped the motorist for another violation. On May 3, 2006, in an 8-1 vote, the Detroit City Council passed an ordinance that would prohibit drivers from talking on their cell phones unless they are using hands-free phone devices such as headsets or speaker phones with car mounts. The ordinance included a fine of \$100 if a motorist was pulled over for improper cell phone use and automatically became law when the Mayor failed to either sign or veto it within two weeks. This issue will be reviewed at next week's Council meeting.

* * *

REMINDER:

ETCS, NEW AND CURRENT, MUST MEET NEW REQUIREMENTS AND FILE NEW APPLICATION BY JUNE 15, 2006

Note: the following order in Case No. U-14530 was issued by the Michigan Public Service Commission on April 13, 2006.

On March 17, 2005, the Federal Communications Commission (FCC) released a

Report and Order in CC Docket No. 96-45, In the Matter of Federal-State Joint Board on Universal Service, FCC 05-46 (FCC 05-46), in which the FCC amended its rules on universal service and added to the current minimum requirements for a provider to be designated an eligible telecommunications carrier (ETC) for purposes of receiving federal universal service fund (USF) support. In that order, the FCC recommended that states exercising jurisdiction over ETC designations should also adopt these additional requirements for determining whether to award ETC status pursuant to 47 USC 214(e)(2).

The FCC's added requirements for new and existing ETCs include the following items, which new and current ETCs must meet by October 1, 2006:

- (1) provide a five-year plan that demonstrates how high-cost universal service support will be used to improve coverage, service quality, or capacity in every wire center for which it seeks designation;
- (2) demonstrate an ability to remain functional in emergency situations;
- (3) demonstrate that it will satisfy consumer protection and service quality standards;
- (4) offer local usage plans comparable to those offered by the incumbent local exchange carrier (ILEC) in areas for which it seeks designation; and
- (5) acknowledge that it may be required to provide equal access if all other ETCs in the designated service area relinquish their designations pursuant to 47 USC 214(e)(4).

Additionally, FCC 05-46 provides an analytical framework for determining whether granting ETC status is in the public interest. The FCC also created annual reporting requirements for ETCs, including:

- (1) progress reports on the five-year service quality plan detailing how much USF monies were received and how they were used to improve service quality at the wire center level;

- (2) detailed reports on network outages caused by emergencies; and
- (3) a count of unfulfilled customer requests for service per 1,000 lines. State commissions were encouraged to adopt these additional reporting requirements.

On May 17, 2005, the Commission commenced this proceeding, seeking public comment on FCC 05-46. On October 18, 2005, the Commission adopted the new requirements for ETCs proposed in FCC 05-46.

As in previous years, the Commission must provide the FCC with information regarding approved ETC applicants by October 1 to begin the funding process by January 1 of the following year. Every current and new provider anticipating USF reimbursement for 2007, for either high-cost and/or Lifeline and Link-up service, must submit an application to the Commission for ETC designation based on FCC 05-46 by June 15, 2006. The following items must be submitted with the new application:

- (1) A five-year business plan outlining how the USF monies will be used to improve coverage, service quality, or capacity in each wire center receiving ETC designation;
- (2) Demonstration of functional ability in emergency situations;
- (3) Demonstration of satisfaction of consumer protection and service quality standards;
- (4) Demonstration of the ability to offer local usage plans comparable to the ILEC in areas where designation is sought; and
- (5) Acknowledgement that the applicant may be required to provide equal access to all customers should all other ETCs in the service area relinquish their designations.

In addition to these items, the applicant must demonstrate that it can provide:

- (a) Voice grade access to the Public Switched Telephone Network;
- (b) Local Usage;
- (c) Dual tone multi-frequency or a functional equivalent;

- (d) Single party service or a functional equivalent;
- (e) Access to 9-1-1 or E9-1-1;
- (f) Access to operator services;
- (g) Access to interexchange services;
- (h) Access to directory assistance; and
- (i) Toll limitation for qualifying low-income customers.

Public interest determinations will be based on whether the ETC designation will preserve and advance universal service in requested areas, and ensure the availability of quality telecommunications service at just, reasonable, and affordable rates while promoting the deployment of advanced telecommunications and information services to all regions, including rural and high-cost areas.

It is each provider's responsibility to provide information in their applications evidencing their ability to meet these criteria. The Commission will review applications for evidence of cream-skimming (i.e., requests for ETC designation in a disproportionate share of high-density population wire centers), and it will examine whether the service being offered is of benefit to consumers. Increased competition alone will not satisfy the public interest test.

Section 316 of the Michigan Telecommunications Act (MTA), MCL 484.2316, requires providers of residential basic local exchange service to offer basic local exchange service and access service at reduced rates to low-income customers. These reduced rates are then reimbursed to ETC designated providers through the USF under the Lifeline and Link-up program. Providers applying for only Lifeline and Link-up reimbursement must also apply for ETC status. Such providers are not required to submit the five-year business plan.

All applications must be processed prior to October 1, 2006. The Commission has no authority to grant extensions. Applications will be processed as they are received. Applications

received after June 15, 2006, will not be processed by September 15, 2006, and will not meet the October 1 deadline for submission to the FCC.

Following approval as an ETC, a provider must supply the Commission with all of the information required by FCC 05-46 by June 1 of each year. Annual submissions should include at least the items listed on Attachment A of this order. Any information deemed by the applicant to be competitively sensitive may be filed pursuant to Section 210 of the MTA, MCL 484.2210, and will be exempt from the Michigan Freedom of Information Act, 1976 PA 442, MCL 15.231 to 15.246.

The Commission FINDS that:

a. Jurisdiction is pursuant to 1991 PA 179, as amended, MCL 484.2101 *et seq.*; the

Communications Act of 1934, as amended by the Telecommunications Act of 1996, 47 USC 151 *et seq.*; 1969 PA 306, as amended, MCL 24.201 *et seq.*; and the Commission's Rules of Practice and Procedure, as amended, 1999 AC, R 460.17101 *et seq.*

b. Applications for ETC designation as outlined in this order are due by June 15, 2006.

THEREFORE, IT IS ORDERED that applications for designation as an eligible telecommunications carrier are due by **June 15, 2006** [*emphasis added*].

The Commission reserves jurisdiction and may issue further orders as necessary. Any party desiring to appeal this order must the Michigan Court of Appeals within 30 days of the issuance of this order, pursuant to MCL 484.2203(12).

* * *

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 (revisions in bold)
SB 48 Johnson	1/25/05	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).	To Senate Committee on Appropriations
SB 58 Cherry	1/25/05	Communications; telecommunications; 9-1-1 system to pinpoint caller location; provide for. Amends 1986 PA 32 (MCL 484.1101 – 484.1717) by adding sec. 408a	To Senate Committee on Technology and Energy

SB 127 Hardiman	2/1/05	Communications; cellular telephone; customer consent to list numbers in a cell phone directory; require. Amends 1991 PA 179 (MCL 484.2101 - 484.2701) by adding sec. 360a.	3/1/06 passed roll call #100, yeas 37, Nays 0, excused 0, not voting 0; referred to House Committee on Energy and Technology
SB 221 McManus	2/17/05	Income tax; credit; tax credit for placement of a cell phone tower on an individual's property located in an underserved area; provide for. Amends 1967 PA 281 (MCL 206.1 - 206.532) by adding sec. 262.	5/25/05 passed Senate with Sub S-2, yeas 27, nays 9, excused 2, not voting 0; referred to House Committee on Tax Policy
SB 222 Barcia	2/17/05	Single business tax; credit; tax credit for companies that construct cell phone towers in rural areas; establish. Amends 1975 PA 228 (MCL 208.1 – 208.145) by adding sec. 35c.	5/25/05 passed Senate with Sub S-1, yeas 28, nays 9, excused 1, not voting 0; referred to House Committee on Tax Policy
SB 224 Van Woerkom	2/17/05	Communications; telecommunications; broadband development authority; require to designate a certain amount of financial assistance to rural underserved areas. Amends sec. 7 of 2002 PA 49 (MCL 484.3207).	6/7/05 passed, yeas 32, nays 2, excused 4, not voting 0; referred to House Committee on Energy and Technology
SB 528 Johnson	5/24/05	Communications; telecommunications; regulation of telecommunications industry; eliminate. Creates new act.	5/24/06 referred to Senate Committee on Technology and Energy
SB 595 Switalski	6/16/05	Use tax; rate; certain telecommunication services and motion picture films; include in taxable items. Amends sec. 3a of 1937 PA 94 (MCL 205.93a).	6/16/05 referred to Senate Committee on Appropriations
SB 737 Thomas III	9/6/05	Traffic control; violations; use of cellular telephone while operating a vehicle driving in a left lane of a highway; prohibit and provide penalties. Amends 1949 PA 300 (MCL 257.1 – 257.923) by adding sec. 682c.	9/6/05 referred to Senate Committee on Transportation; 11/9/05 reported favorably with recommendation for referral to Senate Committee on Technology and Energy; referred to Senate Committee on Technology and Energy

SB 754 Brown	9/13/05	Communications; telecommunications; general amendments; provide for. Amends secs. 102, 202, 208 & 304 of 1991 PA 179 (MCL 484.2102 et seq.) & repeals sec. 304b of 1991 PA 179 (MCL 484.2304b).	10/11/05 Passed roll call –Yeas 38 Nays 0 Excused 0 not voting 0; 10/12/05 referred to House Committee on Energy and Technology
SB 806 Patterson	10/11/05	Public utilities; public service commission; regulation of public service commission; establish.	To Senate Committee on Technology and Energy
SB 814 Patterson	10/18/05	Traffic control; civil infraction procedures; points added to driver license record when determined that use of cellular telephone contributed to cause of traffic violation; provide for, and prohibit novice drivers from using handheld cellular telephones while operating a motor vehicle.	10/19/05 Reassigned to Senate Committee on Technology and Energy
SB 885 Hardiman	11/10/05	Crimes; other; damaging, destroying, or preventing access to telecommunication device to prevent report of domestic violence or to summon assistance required as a result of domestic violence; prohibit and provide penalties. Amends 1931 PA 328 (MCL 750.1 - 750.568) by adding sec. 411u.	11/10/05 referred to Senate Committee on Judiciary
SB 1172 Brown	3/21/06	communications; telecommunications; sunset on 9-1-1 emergency service district; extend.	3/21/06 referred to Senate Committee on Technology and Energy; 5/9 reported favorably with Sub S-2; referred to Committee of the Whole with Sub S-2
SB 1202 Patterson	3/30/06	Consumer protection; other; sale of cellular telephone records; prohibit. Amends sec. 5 of 2004 PA 452 (MCL 445.65) & adds sec. 5a.	3/30/06 referred to Senate Committee on Technology and Energy; 5/9 reported favorably without amendment; referred to Committee of the Whole
SB 1211 Basham	4/19/06	Communications; telecommunications; eligibility date to opt into METRO funds; revise. Amends sec. 13 of 2002 PA 48 (MCL 484.3113).	4/19/06 referred to Senate Committee on Technology and Energy

SCR 0021 Patterson	5/18/05	A concurrent resolution to urge the Federal Communications Commission (FCC) to use its authority post haste to require that Voice Over Internet Protocol (VOIP) service providers make enhanced 9-1-1 emergency call services available to all customers.	To Senate Committee on Technology and Energy
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House Bill # Representative	Date Introduced	Description	Status (revisions in bold)
HB 4050 Lemmons III	1/27/05	Corrections; state facilities; telephone system for state correctional facilities; impose requirements. Amends 1953 PA 232, entitled "Corrections code of 1953," (MCL 791.201 to 791.283) by adding section 69b.	To House Committee on Judiciary
HB 4052 Lemmons III	1/27/05	Trade; consumer goods and services; sale of cellular telephones and pagers to a minor; require written parental consent. A bill to prohibit the sale of cellular telephones and pagers to certain minors without written parental consent; and to prescribe civil sanctions.	To House Committee on Judiciary
HB 4067 Schuitmaker	1/27/05	Communications; telecommunications; requirement for timely transfer of customers from 1 provider to another; provide for. A bill to amend 1991 PA 179, entitled "Michigan telecommunications act," (MCL 484.2101 to 484.2701) by adding section 364.	To House Committee on Energy and Technology
HB 4397 Sak	2/23/05	Communications; telecommunications; cell phone numbers listed with directory assistance; provide for. Amends sec. 309 of 1991 PA 179 (MCL 484.2309).	To House Committee on Energy and Technology
HB 4423 Wojno	3/1/05	Consumer protection; home solicitation sales; telemarketers; prohibit leaving certain messages requesting consumers to return call. Amends sec. 1c of 1971 PA 227 (MCL 445.111c).	Signed by Governor on 05/10/06 with IE See 2006 PA 133 below
HB 4563 Garfield	3/24/05	A bill to repeal 2002 PA 49, entitled "Michigan broadband development authority act," (MCL 484.3201 to 484.3225).	To House Committee on Energy and Technology

HB 4600 Drolet	4/13/05	Communications; telecommunications; regulation of telecommunications industry; eliminate. Creates new act entitled the "communications act" to be effective 01/01/06. A bill to promote deployment of and investment in communications services in this state; and to prescribe the powers and duties of certain state agencies and officials.	To House Committee on Energy and Technology
HB 4952 Miller	6/16/05	Use tax; rate; certain telecommunication services and motion picture films; include in taxable items. Amends sec. 3a of 1937 PA 94 (MCL 205.93a).	To House Committee on Tax Policy
HB 5053 Stewart	7/13/05	Traffic control; violations; use of a handheld cellular device while driving; prohibit in most circumstances. Amends 1949 PA 300 (MCL 257.1 - 257.923) by adding sec. 677b.	7/13/2005 - referred to House Committee on Transportation
HB 5115 Bieda	9/6/05	Environmental protection; recycling; collection for recycling or disposal of used cellular telephones by retailers; require. Amends 1994 PA 451 (MCL 324.101 - 324.90106) by adding pt. 175.	To House Committee on Natural Resources, Great Lakes, Land Use, and Environment
HB 5122 Vander Veen	9/6/05	Trade; antitrust; refusals to deal by providers of electronic data interchange and value added network services; prohibit. Amends title & sec. 1 of 1984 PA 274 (MCL 445.771) & adds sec. 3a.	To House Committee on Energy and Technology
HB 5133 Law	9/7/05	Traffic control; violations; use of cell phone while operating a vehicle by an individual in the graduated licensing program; prohibit and establish penalties. Amends sec. 907 of 1949 PA 300 (MCL 257.907) & adds sec. 602b.	10/20/05 passed House; Yeas 78, Nays 27; 10/25/05 given immediate effect; referred to Senate Committee on Technology and Energy
HB 5272 Elsenheimer	10/06/05	Communications; telecommunications; disclosure of early termination fees or penalties; require.	To House Committee on Energy and Technology
HB 5392 Kolb	11/1/05	Disabilities; accessible electronic information service; establish and provide funding source. Creates new act.	To House Committee on Energy and Technology

HB 5483 Pearce	12/6/05	Traffic control; civil infraction procedures; points added to driver license record when determined that use of cellular telephone contributed to cause of traffic violation; provide for, and prohibit novice drivers from using handheld cellular telephones while operating a motor vehicle. Amends secs. 320a & 907 of 1949 PA 300 (MCL 257.320a & 257.907) & adds sec. 602b.	To House Committee on Judiciary
HB 5488 Farhat	12/7/05	Public utilities; other; pole attachment authority; establish. Amends sec. 6g of 1939 PA 3 (MCL 460.6g).	To House Committee on Energy and Technology
HB 5895 Hoogendyk	3/21/06	Communications; cable; regulation of competitive cable service providers; provide for.	To House Committee on Energy and Technology
HB 5917 Nofs	3/28/06	Communications; telecommunications; Provide amendments to the emergency telephone service enabling act. Amends secs. 401, 407, 408, 412 & 717 of 1986 PA 32 (MCL 484.1401 et seq.).	4/19/06 House Committee on Energy and Technology; reported with recommendation with Sub H-1; referred to second reading; 5/4 Sub H-1 adopted and amended; placed on third reading
HB 5999 Condino	4/26/06	Corrections; state facilities; furnishing cellular telephones or other wireless communication devices to prisoners; prohibit. Amends title of 1909 PA 17 (MCL 800.281 - 800.285) & adds sec. 3a.	To House Committee on Judiciary
HB 6000 Condino	4/26/06	Criminal procedure; sentencing guidelines; guidelines for crime of furnishing cell phones or similar devices to prisoners; create. Amends sec. 17g, ch. XVII of 1927 PA 175 (MCL 777.17g). TIE BAR WITH: HB 5999'06	To House Committee on Judiciary

PUBLIC ACTS OF 2005 AND 2006

Listed below are Public Acts related to telecommunications that have been passed during the current legislative session (2005-2006). 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.

Public Act No.	Effective Date	Description	Enrolled Bill No. and Sponsor
2005 PA 58	6/30/05	Communications; telecommunications; rule making and eliminate sunset of the Michigan telecommunications act; provide for. Repeals enacting section 1 of 2004 PA 591.	Enrolled SB 551 Patterson
2005 PA 103	07/22/05	Public utilities, other; use of highway by public utilities; provide for under certain conditions. Amends sec. 13 of 1925 PA 368 (MCL 247.183).	Enrolled SB 522 McManus
2005 PA 235	11/22/05	Communications; telecommunications; general amendments; provide for. Amends secs. 101, 102, 103, 201, 202, 203, 203a, 204, 205, 210, 213, 214, 301, 302, 303, 304, 305, 306, 307, 309, 309a, 310, 312, 314a, 315, 316, 316a, 317, 321, 352, 353, 355, 357, 358, 359, 401, 502, 503, 504, 505 & 604 of 1991 PA 179 (MCL 484.2101 et seq.); adds secs. 211a, 252, 301a, 305a, 305b, 310a, 314b & 353a & repeals (See bill).	Enrolled HB 5237 Nofs
2006 PA 60	03/21/06	Crimes; other; damaging, destroying, or preventing access to telecommunication device to prevent report of domestic violence, report of crime, or report of illness or injury; prohibit and provide penalties. Amends sec. 540 of 1931 PA 328 (MCL 750.540). TIE BAR WITH: HB 5043'05 HB 5044'05	Enrolled SB 1024 Hardiman
2006 PA 61	03/21/06	Crimes; malicious destruction; damaging, destroying, or using telephone or computer equipment without authorization; prohibit and provide a penalty. Amends sec. 540 of 1931 PA 328 (MCL 750.540).	Enrolled HB 5043 Schuitmaker
2006 PA 62	03/21/06	Criminal procedure; sentencing guidelines; sentencing guidelines for crime of damaging, destroying, or using telephone or computer equipment without authorization; enact. Amends sec. 16z, ch. XVII of 1927 PA 175 (MCL 777.16z). TIE BAR WITH: HB 5043'05	Enrolled HB 5044 Schuitmaker
2006 PA 74	03/20/06	Communications; telecommunications; transfer of funds from the CMRS emergency telephone fund to the general fund; provide for. Amends sec. 408 of 1986 PA 32 (MCL 484.1408).	Enrolled SB 960 Switalski

2006 PA 133	Signed by Governor 05/10/06 w/IE; Filed and Effective 05/12/06	Consumer protection; home solicitation sales; telemarketers; prohibit leaving certain messages requesting consumers to return call. Amends sec. 1c of 1971 PA 227 (MCL 445.111c).	Enrolled HB 4423 Wojno
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ORDERS

Note: The following MPSC orders were issued on May 10, 2006, 2006. The MPSC has rescheduled the date of the May 23, 2006 meeting to May 25, 2006 at 1:30 pm.

Case No. U-14398

AT&T Michigan and Norlight Telecommunications, Inc.
Application filed April 6, 2006 for approval of a fifth amendment to an interconnection agreement (generic UNE appendix and associated pricing and embedded base temporary rider)

Case No. U-14413

AT&T Michigan and TelNet Worldwide, Inc.
Application filed April 3, 2006 for approval of an eighth amendment to an interconnection agreement (batch hot cut process)

Case No. U-14795

AT&T Michigan and CMC Telecom, Inc.
Application filed April 6, 2006 for approval of an eighteenth amendment to an interconnection agreement (batch hot cut process)

Case No. U-14839

AT&T Michigan and JS Electronics, Inc.
Application filed March 30, 2006 for approval of an interconnection agreement

Case No. U-14845

AT&T Michigan and Quality Telephone Inc.
Application filed April 6, 2006 for approval of an interconnection agreement

Case No. U-14855

**Carr Telephone Company and Michiana Metronet, Inc.,
d/b/a Centennial Wireless**
Application filed April 10, 2006 for approval of an interconnection agreement

Case No. U-14856

**Verizon North Inc. and Contel of the South, Inc., d/b/a Verizon
North Systems, and Comlink, L.L.C.**
Application filed April 14, 2006 for approval of an interconnection agreement

On May 10, 2006 the Michigan Public Service Commission ("Commission") issued an order approving the interconnection agreements and amendments listed above.

Case No. U-14175
Commission's Own Motion
(switched access rates)

On May 10, 2006 the Michigan Public Service Commission ("Commission") issued an order closing the docket in Case No. U-14175. Although the Commission opened this proceeding in its order of June 29 2004, the Commission now finds that because the Michigan Legislature subsequently amended of Section 310 of the Michigan Telecommunications Act has left the Commission with diminished authority to review switched access rates and that the public interest would best be served by closing the docket.

Case No. U-14447
Commission's Own Motion
(accessible letters)

On May 10, 2006 the Michigan Public Service Commission ("Commission") issued an order denying AT&T Michigan's motion for stay of the Commission's September 20, 2005 order filed on May 1, 2006. AT&T Michigan argued that the Commission should issue a stay with regard to the negotiation and arbitration of Section 271 obligations until the federal court of the Federal Communications Commission rules on AT&T's request for review of, among other things, the portion of the Commission's September 20, 2005 order that concluded Section 271 obligations should be included interconnection agreements negotiated and approved under 47 USC 251 and 252. However, the Commission finds AT&T's request was not filed within the applicable time period for doing so, the its September 20, 2005 order is not the subject of a pending appeal, and the AT&T has not demonstrated any error in that order.

Case No. U-14805
Superior Spectrum Telephone and Data LLC
(license)

On May 10, 2006 the Michigan Public Service Commission ("Commission") issued an order granting to Superior Spectrum Telephone and Data LLC a license to provide basic local exchange service in the zone and exchange areas served by AT&T Michigan, and Verizon North Inc. and Contel of the South, Inc., d/b/a Verizon North Systems.

Minute Action
Case No. U-14000
AT&T Michigan and Verizon
(emergency service costs)

On May 10, 2006 the Michigan Public Service Commission ("Commission") adopted a minute action finding certain invoices from AT&T Michigan and Verizon for wireless emergency service costs recoverable pursuant to 2003 PA 244, MCL 484.1408(11), and consistent with the Commission's June 29, 2004 order in Case No. U-14000, and approving same for reimbursement by the Emergency Telephone Service Committee.

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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-14829
Peninsula Fiber Network LLC
(license)

The March 17, 2006 application of Peninsula Fiber Network, LLC, for a temporary and permanent license to provide basic local exchange service, is set for an evidentiary hearing at **9:00 a.m. on May 23, 2006**. Interventions are due on or before **May 19, 2006**.

Case No. U-14854
Joyce Orman v Pigeon Telephone Co
(consumer complaint: billing errors, and false, misleading and deceptive statements)

The Michigan Public Service Commission (“Commission”) will consider the complaint of Joyce Orman (“Complainant”) against Pigeon Telephone Company (“Pigeon”), for violations of the Michigan Telecommunications Act at a public hearing at 9:00 a.m. on May 18, 2006. On April 6, 2006, Complainant filed a formal complaint against Pigeon, alleging that Pigeon is in violation of Sections 304 and 502 of the Michigan Telecommunications Act (MTA) for billing errors and false, misleading and deceptive information. Complainant is requesting the Commission to grant relief in accordance with section 601 of the MTA, including, but not limited to reimbursement for her economic losses, imposition of fines, revocation of license, and the entry of a Cease and Desist Order.

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PSC HEARINGS SCHEDULE

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

Telecom Hearings Scheduled for Last Week May 8 - 12, 2006)

May 9, 2006, 9:00 a.m. Case No. U-14804/evidentiary hearing Southwest Michigan Communications (license)	May 10, 2006, 9:00 a.m. Case No. U-14825/prehearing conference Attorney General Cox v Talk America (violations of MTA)
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Telecom Hearings Scheduled for This Week May 15 - 19, 2006)
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May 17, 2006, 9:00 a.m. Case No. U-14847/evidentiary hearing Jack McDurman v One Call Communications (unauthorized charges)	5/18/06 9:00 a.m. Case No. U-14854/evidentiary hearing Joyce Orman v Pigeon Telephone Co (billing errors, and false, misleading and deceptive statements)
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Future Telecom Hearings Scheduled
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May 23, 2006, 9:00 a.m. Case No. U-14829/evidentiary hearing Peninsula Fiber Network (license)
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APPLICATIONS AND COMPLAINTS

Case No. U-14877

BCR Network Services, d/b/a The Data Warehouse (license)

On May 8, 2006 BCR Network Services, d/b/a The Data Warehouse (“BCR”) applied to the Michigan Public Service Commission (“Commission”) for a temporary and a permanent license to provide basic local exchange service on a statewide basis, on both a resale and a facilities-based basis, in the zone and exchange areas of the Lower Peninsula where AT&T Michigan, Verizon North Inc. and Contel of the South, Inc., d/b/a Verizon North Systems are the incumbent carriers. BCR states that it is a Michigan corporation headquartered in Battle Creek, Michigan.

Case No. U-14883

NorthStar Telecom Inc and AT&T Michigan (interconnection agreement)

On May 8, 2006 NorthStar Telecom, Inc. and AT&T Michigan jointly applied to the Michigan Public Service Commission (“Commission”) for approval of their multi-state Interconnection Agreement executed as of April 28, 2006.

Case No. U-14887

Winn Telephone Co, d/b/a Winn Telecom (arbitration for interconnection with LDMI Telecommunications Inc)

On May 10, 2006 Winn Telephone Company, d/b/a Winn Telecom (“Winn”) petitioned the Michigan Public Service Commission (“Commission”) for resolution of two disputed issues arising between Winn and LDMI Telecommunications Inc. in their negotiation of a reciprocal compensation agreement. Winn states that the parties have not previously had an interconnection agreement.

Case No. U-14889

Ace Telephone Co et al. (arbitration of interconnection with Alltel Communications Inc)

On May 14, 2006 Ace Telephone Company, Barry County Telephone Company, Blanchard Telephone Company, Bloomingdale Telephone Company, Chippewa Telephone Company, Deerfield Farmers’ Telephone Company, Hiawatha Telephone Company, Kaleva Telephone Company, Midway Telephone Company, Ogden Telephone Company, Ontonagon County Telephone Company, Pigeon Telephone Company, the Upper Peninsula Telephone Company, Waldron Telephone Company, and Winn Telephone Company (collectively, “Petitioners”), filed a request with the Michigan Public Service Commission (“Commission”) for arbitration of the open issues resulting from interconnection negotiations between Petitioners and Alltel Communications, Inc. Petitioners request that the Commission resolve each of the issues by ordering the parties to incorporate Petitioners’ proposed language in their respective interconnection agreements (i.e., the language in Petitioners’ latest proposed interconnection agreement), consistent with the procedures for arbitrating such disputes as set forth in the July 16, 1996, Order in MPSC Case No. U-11134, as amended by the May 18, 2004, Order in MPSC Case No. U-13774.

Case No. U-14896
Michigan Access Inc
(license)

On May 17, 2006 Michigan Access, Inc. applied to the Michigan Public Service Commission ("Commission") for a temporary and a permanent license to provide basic local exchange service on a resale basis in the zone and exchange areas served by AT&T Michigan, Verizon North Incorporated, Contel of the South, Inc., d/b/a Verizon North Systems, and other local exchange carriers. Michigan Access, Inc. states that it is a Michigan privately-held corporation and is headquartered in Rose City, Michigan.

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PSC NOTICES OF OPPORTUNITY FOR COMMENT

Note: No current notices of opportunity to comment have been issued by the MPSC.

* * *

2006 REGULAR MPSC MEETING DATES*

*Note: The MPSC has rescheduled the date of the May 23, 2006 meeting to **May 25, 2006 at 1:30 pm.***

<i>Month & Date</i>	<i>Day</i>	<i>Time</i>
May 25	Tuesday	1:30 p.m.
June 13	Tuesday	1:30 p.m.
June 27	Tuesday	1:30 p.m.
July 11	Tuesday	1:30 p.m.
July 25	Tuesday	1:30 p.m.
August 8	Tuesday	1:30 p.m.
August 22	Tuesday	1:30 p.m.
September 12	Tuesday	1:30 p.m.
September 26	Tuesday	1:30 p.m.
October 12	Thursday	1:30 p.m.
October 24	Tuesday	1:30 p.m.
November 9	Thursday	1:30 p.m.
December 12	Tuesday	1:30 p.m.
December 21	Thursday	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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