

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

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MICHIGAN TELECOMMUNICATIONS REPORT

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*** RODERICK S. COY IS A MEMBER
IN THE CLARK HILL PLC LAW FIRM
DETROIT • BIRMINGHAM • LANSING • GRAND RAPIDS**

CLARK HILL
PLC
ATTORNEYS AT LAW

**212 East Grand River Avenue
Lansing, MI 48906-4328
(517) 318-3100 – phone
(517) 318-3099 –fax
www.clarkhill.com**

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FEATURES

Missoula Plan on Inter-Carrier Compensation filed at FCC

On July 24, 2006 the National Association of Regulatory Utility Commissioners' Task Force on Inter-Carrier Compensation filed the "Missoula" Plan for Inter-Carrier Compensation Reform with the Federal Communications Commission ("FCC"). Known as Missoula Plan because of the town in which it was conceived, this plan was not formally endorsed by the National Association of Regulatory Utility Commissioners ("NARUC") at its recent summer meetings. The Plan has been sponsored by AT&T, Bell South, and Cingular Wireless and many small rural companies throughout the United States

While the FCC has been examining inter-carrier compensation and methods of financing the Universal Service Fund for the last several years, there has been no concrete plan previously placed before the FCC for reforming these integral areas of telecommunication services throughout the United States. Currently inter-carrier compensation includes a myriad of different rates for similar services such as interstate access, intrastate access, and reciprocal compensation for the transport and termination of local telephone calls. Many of these rates are currently set by state commissions and may

differ from carrier to carrier based upon the individual carriers' costs and methodology used in developing individual forward looking cost models.

The plan, if adopted by the FCC, would divide telecommunication providers into three (3) tracks. The largest incumbent local exchange carriers, all competitive local exchange carriers, and wireless providers would be in Track 1. Mid-sized rural incumbent local exchange carriers would be in Track 2. The smallest rural incumbent local exchange carriers would be in Track 3. During a 4-year transition period inter-carrier compensation for Track 1 providers would move to a terminating rate of \$0.0005 and an originating rate of \$0.0045 for all inter-carrier compensation services. The track 2 rates would move to a terminating inter-carrier compensation rate of \$0.008 and an originating rate of \$0.0095. However if a Track 2 carrier chooses to have a "zero" originating rate they can move their terminating rate to \$0.0102. Those Track 2 carriers whose rates are determined based on rate-of-return methodology would move to a terminating inter-carrier compensation rate of \$0.011 and an originating rate of \$0.0125. Track 3 carriers would move their rates over a 4-year period to unified all inter-carrier compensations rates at the level of their interstate access charges.

To compensate for carriers' lost inter-carrier compensation revenues, the plan raises the maximum subscriber line charges over a 4-year period. For Track 1 the subscriber line charge cap would rise to \$10.00 from the current maximum of \$6.50; for Track 2 it would rise to \$8.75 (with multi-line business rates rising to \$10.00); and, for Track 3 the maximum subscriber line charges would rise to \$8.75.

The FCC has not yet posted the complete Missoula Plan to its website. It is expected to do so in the near future and at the same time open a comment proceeding on the merits of the plan.

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 # Primary Sponsor	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).	6/29/06 Senate Committee on Appropriations reported favorably with Sub. S-4; referred to Committee of the Whole w/Sub. S-4
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

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

Senate Bill # Primary Sponsor	Date Introduced	Description	Status (revisions in bold)
SB 1172 Brown	3/21/06	Communications; telecommunications; sunset on 9-1-1 emergency service district; extend.	6/13/06 House passed Sub H-1 103-2 given immediate effect; 6/15 Senate concurred; passed 37-0, given immediate effect, 6/28 signed by Governor; PA 249
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.	6/14/06 passed House 104-0, given immediate effect, returned to Senate; 6/15 laid over 1 day; 6/20 House amendments concurred 38-0 and given immediate effect; ordered enrolled; 6/27 signed by Governor; PA 246
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
SB 1291 Jacobs	6/07/06	Communications; cellular telephone; cell phone users bill of rights; establish.	To Senate Committee on Technology and Energy
SB 1311 Schauer	6/15/06	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 Senate Committee on Judiciary
SCR 0021 Patterson	5/18/05	A concurrent resolution to urge the Federal Communications Commission (FCC).	To Senate Committee on Technology and Energy

House Bill # Primary Sponsor	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

House Bill # Primary Sponsor	Date Introduced	Description	Status (revisions in bold)
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 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.	To House Committee on Transportation

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

House Bill # Primary Sponsor	Date Introduced	Description	Status (revisions in bold)
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
HB 6136 Gosselin	06/06/06	Communications; cellular telephone; assessment of fees and interest during a dispute between consumers and wireless companies; prohibit. Amends 1991 PA 179 (MCL 484.2101 - 484.2604) by adding sec. 381.	To House Committee on Energy and Technology
HB 6189 Cushingberry		Communications; telecommunications; amendments to the emergency telephone service enabling act; provide for. Amends sec. 102 of 1986 PA 32 (MCL 484.1102) & adds sec. 408a.	To Committee on Energy and Technology
HB 6198 Gosselin	6/14/06	Communications; cellular telephone; minimum rate assessed on charge for default of payment; establish. Amends 1991 PA 179 (MCL 484.2101 - 484.2604) by adding sec. 381.	To House Committee on Energy and Technology
HB 6277 Sheen	6/28/06	Sales tax; exemptions; provision regarding review process for telecommunication equipment exemption; revise.	To House Committee on Tax Policy
HB 6278 Sheen	6/28/06	Use tax; exemptions; provision regarding review process for telecommunication equipment exemption; revise.	To House Committee on Tax Policy

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

Public Act No.	Effective Date	Description	Enrolled Bill No. and Sponsor
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	05/16/06	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
2006 PA 246	06/27/06	Consumer protection; other; sale of cellular telephone records; prohibit. Amends sec. 5 of 2004 PA 452 (MCL 445.65) & adds sec. 5a.	Enrolled SB 1202 Patterson
2006 PA 249	06/21/06	Communications; telecommunications; sunset on 9-1-1 emergency service district; extend.	Enrolled SB 1172 Brown

ORDERS

Note: The Michigan Public Service Commission has not met, and has not issued any orders, since July 25, 2006.

DECISION OF ARBITRATION PANEL

Case No. 14889

Ace Telephone Company, Allendale 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, Lennon Telephone Company, Midway Telephone Company, Ogden Telephone Company, Ontonagon Telephone Company, Pigeon Telephone Company, the Upper Peninsula Telephone Company, Waldron Telephone Company and Winn Telephone Company, Arbitration of Interconnection Agreement with Alltel Communications
<http://efile.mpsc.cis.state.mi.us/cgi-bin/efile/theucase.pl?casenum=14889>
(Arbitration of Interconnection Agreement)

On August 7, 2006 an Arbitration Panel consisting of Administrative Law Judge Sharon L. Feldman and Michigan Public Service Commission Communications Division Staff members Wendy J. Thelen and Anne-Marie Clark (the "Panel") issued their Decision of the Arbitration Panel in the matter of the petition of Ace Telephone Company, Allendale 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, Lennon Telephone Company, Midway Telephone Company, Ogden Telephone Company, Ontonagon Telephone Company, Pigeon Telephone Company, the Upper Peninsula Telephone Company, Waldron Telephone Company, and

Winn Telephone Company (“Petitioners”) for arbitration of interconnection rates, terms and conditions of related arrangements with Alltel Communications, Inc.

The Panel considered the following issue submitted for arbitration by the Petitioners: “whether the parties’ interconnection agreement should contain the rates, regarding local switching, local transport-termination, and local transport-facilities relative to terminating CMRS traffic, that the petitioners proposed and which are equal to and directly based on mapping applicable to MPSC-approved TSLRIC studies.” And the Panel considered the following issues submitted by Alltel: 1) “what is the appropriate reciprocal compensation mechanism with respect to intra MTA traffic exchange between the parties;” and 2) “if a rate of \$.00 or bill-and-keep is not required to continue, where the rates will be applicable retroactive to the agreed effective date of the new interconnection agreement, will be interim rates and subject to true-up to the final rates that result in Commission docket U-14781”.

The Panel found “that Petitioners are not required to present the previously approved Cost Studies they rely on in an arbitration proceeding, and therefore Petitioners’ failure to present such study does not entitle Alltel to a bill-and-keep compensation mechanism.” The Panel further found that Alltel was unable to show that Petitioners were discriminating against wireless carriers because of their treatment of ISP bound traffic.. However the Panel indicated that “[i]f Alltel believes that Petitioners are violating these provisions, or other nondiscrimination obligations of federal or state law in their treatment of ISP-bound traffic or other traffic, Alltel can adequately protect its interests through a complaint proceeding . . .” Finally the Panel addressed the appropriate reciprocal compensation rate between the Petitioners and Alltel. Based on the Commission’s decision in Case No. U-14678, the Panel recommend that the Petitioners’ proposed rates, based on their previously approved Cost Studies, be used on a going forward basis as “interim rates” but “that the use of ‘interim’ in this sense does not imply that these rates are subject to true up when new Cost Study rates are approved, rather the Panel finds that any rates resulting from the new Cost Studies would only affect the rates going forward from the date of a Commission order approving them.” The Panel recognized that several of the Petitioners, Ace Telephone Company, Barry County Telephone Company, Deerfield Farmers’ Telephone Company, Kaleva Telephone Company, Lennon Telephone Company, Ogden Telephone Company, Pigeon Telephone Company, the Upper Peninsula Telephone Company, and Waldron Telephone Company have filed new Cost Studies that are pending before the Commission in Case No. U-14781. The Panel recommended that the rates resulting from the Cost Studies approved in Case No. U-14781 become the new rates, on a going forward basis, when such Cost Studies are approved. The Panel further recommends that the Commission require those companies that are not a party to the Cost Studies submitted in Case No. U-14781, Allendale Telephone Company, Blanchard Telephone Company, Bloomingdale Telephone Company, Chippewa County Telephone Company, Hiawatha Telephone Company, Midway Telephone Company, Ontonagon Telephone Company, and Winn Telephone Company, file new Cost Studies for review and approval not later than thirty (30) days from a final Commission order in this proceeding. The panel recommended the rates resulting from those Cost Studies, upon approval, become the rates those carriers. Written objections to the Decision of the Arbitration Panel, if any, are due on or before August 17, 2006.

NOTICES OF HEARING

The following notices of hearing were issued by the Michigan Public Service Commission's Executive Secretary. Unless otherwise noted, all hearings are held at the offices of the Michigan Public Service Commission, 6545 Mercantile Way, Suite 7, Lansing, Michigan.

Case No. U-14877

BCR Network Services, Inc. d/b/a The Data Warehouse

<<http://efile.mpsc.cis.state.mi.us/cgi-bin/efile/viewcase.pl?casenum=14877>>

(license)

The May 8, 2006 application of BCR Network Services, Inc., d/b/a The Data Warehouse, for a temporary and permanent license to provide basic local exchange service in the state of Michigan, is set for an evidentiary hearing at 9:00 a.m. on **August 29, 2006** before Administrative Law Judge Mark D. Eyster at the offices of the Michigan Public Service Commission.

Case No. U-14985

American Civil Liberties Union of Michigan v AT&T and Verizon

<<http://efile.mpsc.cis.state.mi.us/cgi-bin/efile/viewcase.pl?casenum=14985>>

(consumer complaint: investigation)

The Michigan Public Service Commission will consider the July 28, 2006 complaint of the American Civil Liberties Union Fund of Michigan, Peter Armstrong, Leonard L. Grossman, Joseph S. Tuchinsky, Jacquelin Washington, Henry Silverman, James N. Rodbard and Dr. Micki L. Levin against AT&T and Verizon alleging violations of privacy matters. A public hearing in this matter will be held on **August 30, 2006** at 9:00 a.m. before Administrative Law Judge Mark D. Eyster at the offices of the Michigan Public Service Commission.

PSC HEARINGS SCHEDULE

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

Known Telecom Hearings Scheduled for the Next Fortnight, August 11 – August 25, 2006

None Scheduled

Future Telecom Hearings Scheduled
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August 29, 2006, 9:00 a.m.

Case No. U-14877/evidentiary hearing

BCR Network Services, Inc. (license)

August 30, 2006, 9:00 a.m.

Case No. U-14985/public hearing

ACLU v AT&T and Verizon (investigation)

PSC NOTICES OF OPPORTUNITY FOR COMMENT

Case No. U-14781

Michigan Exchange Carriers Association, Ace Telephone Company, Barry County Telephone Company, Deerfield Farmers' Telephone Company, Kaleva Telephone Company, Lennon Telephone Company, Ogden Telephone Company, Pigeon Telephone Company, Upper Peninsula Telephone Company and Waldron Telephone Company

<<http://efile.mpssc.cis.state.mi.us/cgi-bin/efile/viewcase.pl?casenum=14781>>

(TSLRIC)

On July 25, 2006, the Michigan Public Service Commission issued an order establishing a schedule for the review of the Total Service Long Run Incremental Cost ("TSLRIC") Studies filed by the Michigan Exchange Carriers Association companies. The Commission has established this proceeding as a comment proceeding and ordered that a prehearing Conference be held on August 9, 2006 at 9:00 a.m. to identify the parties, approve an appropriate protective order, set discovery parameters and to deal with any miscellaneous issues and any subsequent motions. The Commission has also established the following schedule for the remainder of this proceeding: Initial comment due **October 4, 2006**; Staff's comments due **November 1, 2006**; Reply comments due **December 13, 2006**; Final reply comments due **January 4, 2007**.

Case No. U-14923

Commission's Own Motion

(8-1-1 abbreviated dialing number)

On June 27, 2006 the Michigan Public Service Commission ("Commission") issued an order commencing a proceeding for implementation of the 8-1-1 abbreviated dialing number. The Commission's order states that this number "was chosen by the FCC as a nationwide toll-free telephone number for citizens and excavators to contact One Call notification systems before engaging in excavation activities. The FCC's order directed One Call Centers to notify carriers of the toll-free or local number used to ensure callers are not charged a fee to reach the center, as mandated by the statute; required implementation two years after publication in the Federal Register; and delegated states to address technical and operational issues associated with the implementation of 8-1-1. The order requires carriers to implement the service nationwide, even without a request for such service by a One Call center." Interested persons are invited to file comments in this docket by **August 11, 2006**. All reply comments should be filed by **September 1, 2006**.

Case No. U-14935

United Way Regional Call Center

(2-1-1 regional referral center)

On July 14, 2006, United Way Regional Call Center filed an application with the Michigan Public Service Commission requesting assignment of the abbreviated telephone digits 2-1-1 and designation as the community resource information and referral answering point for any telephone exchange located, in whole or in part, within Livingston County, Monroe County, and Washtenaw County, Michigan. Interested persons are invited to file comments in this docket by **August 30, 2006**.

APPLICATIONS AND COMPLAINTS

Case No. U-14975

Michigan Communications Carriers Association, CMC Telecom, Inc., and Grid4 Communications, Inc., against Michigan Bell Telephone Company d/b/a AT&T Michigan.
<<http://efile.mpsc.cis.state.mi.us/cgi-bin/efile/viewcase.pl?casenum=14975>>
(dispute between carriers)

On August 1, 2006 the Michigan Communications Carriers Association, CMC Telecom, Inc., and Grid4 Communications, Inc. (“Complainants”) filed a formal complaint against Michigan Bell Telephone Company d/b/a AT&T Michigan alleging that AT&T’s restriction of Winback offerings to only customers of competitive local exchange carriers is unreasonable and discriminatory and alleging that AT&T should be required to offer Winback services for resale at wholesale prices. The Complaint further alleges that AT&T is engaging in unreasonable and discriminatory conduct by failing to aggregate the volume of services that competitive carriers purchase in determining the appropriate wholesale rates charged to such carriers. The Complaint also alleges that AT&T imposes on resellers an unreasonable and discriminatory required term of service for resale pricing. The Complaint seeks a declaratory order finding that AT&T’s conduct is unreasonable and discriminatory and “declaring that the retail rate that AT&T must use in determining the wholesale rate must be determined without regard to unreasonable and discriminatory conditions, restrictions, and limitations.”

Case No. U-14979

Abraham Ben-Ze’ev v Talk America/LDMI and AT&T
(consumer complaint: slamming)

On July 24, 2006 Abraham Ben-Ze’ev (“Complainant”) filed a formal complaint with the Michigan Public Service Commission against Talk America/LDMI and AT&T of Michigan alleging that Talk America/LDMI switched his local and long distance telephone service without authorization. Mr. Ben-Ze’ev seeks fines and other relief pursuant to the Michigan Telecommunications Act.

Case No. U-14980

C.M. Safe Agency v SBC/AT&T/Ameritech
(consumer complaint: unauthorized charges)

On July 24, 2006 C.M. Safe Agency (“Complainant”) filed a formal complaint with the Michigan Public Service Commission against SBC/AT&T/Ameritech, alleging that the company billed him for an outside/off premises line which he did not order. The Complainant seeks fines and other relief pursuant to the Michigan Telecommunications Act.

Case No. U-14985**American Civil Liberties Union of Michigan v AT&T and Verizon**

<<http://efile.mpsc.cis.state.mi.us/cgi-bin/efile/viewcase.pl?casenum=14985>>

(consumer complaint: investigation)

On July 28, 2006 the American Civil Liberties Union Fund of Michigan, Peter Armstrong, Leonard L. Grossman, Joseph S. Tuchinsky, Jacquelin Washington, Henry Silverman, James N. Rodbard and Dr. Micki L. Levin (“ACLU”) filed a formal complaint and request for investigation with the Michigan Public Service Commission alleging that AT&T and Verizon “systematically engaged in disclosure of subscribers’ personal information to the National Security Agency (“NSA”) in clear violation of their respective privacy policies.” The Complaint asks that the Commission investigate such allegations to see if they are violations of the Commission’s August 1, 2005 order in Case No. U-14435 and Sections 502(1) (a) and (h) of the Michigan Telecommunications Act. If it is proven that AT&T and Verizon engaged in such actions, and such actions are found to be in violation of the Commission’s orders and the Michigan Telecommunications Act, ACLU requests that the Commission issue a cease and desist order against AT&T and Verizon and order other appropriate relief.

Case U-14986**Network PTS, Inc.**

<<http://efile.mpsc.cis.state.mi.us/cgi/vin/efile/Ucase.pl?casenum=14986>>

(license)

On August 1, 2006, Network PTS, Inc. applied to the Michigan Public Service Commission for a license to provide basic local exchange service, on both a facilities base and resale basis throughout the state of Michigan in the zone and exchange areas in which AT&T Michigan, Verizon North Inc., and Verizon North Systems are the incumbent local exchange carriers. The applicant states that it is a California Corporation headquartered in San Leandro, California.

Case No. U-14988**All About You Hair Studio and Tammy Garinger v MichTel Communications, LLC**

(Consumer Complaint: disconnection of service)

On August 1, 2006 All About You Hair Studio and Tammy Garinger (“Complainants”) filed a formal Complaint with the Michigan Public Service Commission against MichTel Communications, LLC alleging that MichTel inappropriately disconnected the Complainants’ residential and business telephone service without notice and engaged in misrepresentation regarding why such service was disconnected. The Complainants seeks compensatory, exemplary, and punitive damages against MichTel.

Case No. U-14990**Donald and Judith Beck v Talk America**

(consumer Complaint: slamming)

On August 3, 2006 Donald and Judith Beck (“Complainants”) filed a formal complaint with the Michigan Public Service Commission against Talk America alleging that Talk America switched their long distance service without authorization. The Complainants seek fines and other relief in accordance with the Michigan Telecommunication Act.

2006 REGULAR MPSC MEETING DATES*

<i>Month & Date</i>	<i>Day</i>	<i>Time</i>
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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