



FEATURES |

AG Cox and AARP Announce Savings in Telephone Rate Case

*Verizon Lowering its "Value Pak 100" by \$.80 a Month
Yearly Savings Could Reach \$250,000 Statewide*

The following press release was issued by Attorney General Michael A. Cox on August 6, 2007. For additional information contact Rusty Hills or Matt Frendewey at (517) 373-8060.

Attorney General Mike Cox and AARP's Associate State Director for Government Affairs, Bill Knox, today announced a settlement agreement in a Verizon telephone . . .

Continued on page 2

IN THIS ISSUE:

- 1 Features
 - ♦ AG Cox and AARP Announce Telephone Rate Savings
- 3 Pending Legislation
- 7 Public Acts of 2007
- 8 Orders issued by MPSC
- 11 MPSC Minute Actions
- 11 Proposals for Decision
- 13 Applications & Complaints
- 15 Opportunities to Comment
- 15 Notices of Hearings
- 16 MPSC Hearings Schedule
- 16 MPSC Meetings
- 17 MTR Subscriptions

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INDEX OF HIGHLIGHTED CASES |

ORDERS |

- U-14031 AT&T Michigan and Quick Communications, Inc. (ica)
- U-14781 Michigan Exchange Carriers Association Companies, including 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, Waldron Telephone Company, Allendale Telephone Company, Blanchard Telephone Company, Carr Telephone Company, and Drenthe Telephone Company (tslric)
- U-14783 AT&T Michigan and B&S Telecom, Inc. (ica)
- U-14905 Michigan Exchange Carriers Association v. Verizon North, Inc. and Contel of the South, Inc. d/b/a Verizon North Systems (ica dispute)
- U-15035 Michigan Exchange Carrier Association Companies including Bloomingdale Telephone Company, Chippewa County Telephone Company, Hiawatha Telephone Company, Midway Telephone Company, Ontonagon Telephone Company, Winn Telephone Company, Baraga Telephone Company, Chapin Telephone Company, Sand Creek Telephone Company, Springport Telephone Company and Westphalia Telephone Company (tslric)

Continued on page 2

ORDERS | Continued from Page 1

- U-15187 Michigan Exchange Carriers Association (tariff show cause)
- U-15212 Sprint Communications Company L.P. v. US Xchange of Michigan, L.L.C., d/b/a/ One Communications (intrastate access charges)
- U-15311 Midwestern Telecommunications, Inc. (etc)
- U-15312 Verizon North Inc. and Contel of the South, Inc. d/b/a Verizon North Systems (pbls rates)
- U-15327 Carl Delling v Talk America, Inc. d/b/a Cavalier Telephone (consumer complaint: billing dispute)

MINUTE ACTIONS |

Commission's Own Motion (METRO Act)

PROPOSALS FOR DECISION |

- U-15315 Go Green Glass, LLC and Kenneth J. Sudall v. Michigan Bell Telephone Company and Ameritech Publishing (consumer complaint: quality of service)

APPLICATIONS AND COMPLAINTS |

- U-15356 Osirus Communications, Inc. (license expansion)
- U-15357 ACD Telecom Inc., JAS Networks Inc., TelNet Worleddwide Inc., B&S Telecom Inc., Clear Rate Communications Inc., CMC Telecom Inc., Grid 4 Communications Inc., and Zenk Group Ltd. d/b/a Planet Access v. AT&T Michigan (eels cross connect)
- U-15360 Osirus Communications, Inc. (etc)
- U-15362 AT&T Michigan and New Cingular Wireless PCS, LLC (ica)
- U-15363 AT&T Michigan and BCR Network Services, Inc. d/b/a The Data Warehouse (ica)
- U-15364 Verizon North Inc. and Contel of the South, Inc. d/b/a Verizon North Systems and Grid4 Communications, Inc. (ica)
- U-15365 Scientific Image Center Management, Inc. v McLeodUSA Telecommunications Services, Inc. (consumer complaint: transfer of service)

FEATURES | CONTINUED FROM PAGE 1

AG Cox and AARP Announce Savings in Telephone Rate Case | continued from Page 1

. . . rate case. This agreement will result in Verizon lowering its low-cost, no-frills Call Plan 100 or Value Pak 100 plan by 80¢ a month and freezing the rate until July 1, 2009. Yearly savings will approach \$250,000, based on the total number of customers.

"Today's settlement agreement is a victory for Michigan consumers," said Cox. "I am proud to announce a rate decrease in the last telephone plan that is regulated by the Michigan Public Service Commission."

Verizon had increased its Value Pak-100 Plan rates by \$1.20 in April 2006. The increase was challenged by the Attorney General and the AARP before the Michigan Public Service Commission. As a result of the settlement reached today, Verizon's Value Pak-100 Plan customers will see a reduction of 80¢ per month effective September 1, 2007.

When the Legislature enacted a new telecommunications law in November 2006, it created a new basic service plan that included a minimum of 100 calls per month. Now Verizon customers will be able to receive this plan for less money. The agreement also freezes the new rate through July 1, 2009.

"This is a significant victory for consumers", said Knox. "It means that Verizon's residential customers will be able to receive the benefit that the Legislature intended."

"I applaud AARP, Verizon and the MPSC staff for working hard to settle this matter. This will especially help seniors and low-income customers," continued Cox. "I also encourage all consumers, especially those on fixed incomes to look into this plan, if you make less than 100 calls a month – this plan could save consumers real money."

The proposed settlement agreement is expected to be approved by the Commission at its next meeting.

Attorney General Mike Cox has intervened in more than 120 utility cases in front of the Michigan Public Service Commission. Between January 2003 and December 2006, these interventions have saved Michigan ratepayer's \$1.78 billion in utility rate increases.

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 002 Hardiman	01/10/2007	Campaign finance; public disclosure; disclosure of committees that employ and registration of persons who make "robocalls" in campaigns; require. Amends sec. 6 of 1976 PA 388 (MCL 169.206) & adds sec. 48.	Referred to Senate Committee on Campaign and Election Oversight.
SB 003 Haridman	01/10/2007	Elections; campaign practices; do-not-call list for automated political telephone calls; provide for.	04/04/2007 Referred to Senate Committee of the Whole with Substitute S-3.
SB 004 Hardiman	01/10/2007	Communications; cellular telephone; customer consent to list numbers in a cell phone directory; require. Amends 1991 PA 179 (MCL 484.2101 et seq.) by adding sec. 360a.	Referred to Senate Committee on Homeland Security and Emerging Technologies.

Senate Bill # Primary Sponsor	Date Introduced	Description	Status (revisions in bold)
SB 058 Stamas	01/24/2007	Campaign finance; campaign practices; telephonic communications; require disclosure stating who is paying for call and whether authorized by candidate.	Referred to Senate Committee on Campaign and Election Oversight.
SB 108 Basham	01/30/2007	Communications; telecommunications; eligibility date to opt into METRO funds; revise. Amends sec. 13 of 2002 PA 48 (MCL 484.3113).	Referred to Senate Committee on Energy Policy.
SB 131 Cherry	01/31/2007	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.	Referred to Senate Committee on Energy Policy.
SB 143 Brown	01/31/2007	Criminal procedure; sentencing guidelines; sentencing guidelines for crime of installing spyware on another person's computer without consent; enact. Amends sec. 17c, ch. XVII of 1927 PA 175 (MCL 777.17c). Tie Bar with SB 144.	Referred to Senate Committee on Judiciary.
SB 144 Brown	01/31/2007	Crimes; computer; installing spyware on another person's computer without consent; prohibit, and provide penalties. Amends sec. 7 of 1979 PA 53 (MCL 752.797) & adds sec. 5b.	Referred to Senate Committee on Judiciary.
SB 145 Brown	01/31/2007	Civil procedure; civil actions; installing spyware or adware onto another individual's computer without consent; prohibit and provide remedies for. Creates new act.	Referred to Senate Committee on Judiciary.
SB 284 Richardville	02/27/2007	Campaign finance; campaign practices; telephonic communications; require disclosure stating who is paying for call and whether authorized by candidate. Amends 1976 PA 388 (MCL 169.201 - 169.282) by adding sec. 48.	04/19/2007 Substitute S-2 passed Senate, 38 Yeas, 0 Nays. Referred to House Committee on Ethics and Elections.

Senate Bill # Primary Sponsor	Date Introduced	Description	Status (revisions in bold)
SB 410 Brown	04/18/2007	Communications; telecommunications; funding system for the emergency telephone service enabling act; modify. Amends title & secs. 101, 102, 201, 202, 203, 205, 301, 302, 303, 306, 307, 308, 312, 319, 320 & 401 of 1986 PA 32 (MCL 484.1101 et seq.) & adds secs. 401a, 401b & 401c. Tie Bar with SB 411.	05/24/2007, Substitute S-3 passed Senate, 149 Yeas, 35 Nays, 3 Excused. Referred to House Committee on Appropriations.
SB 411 Brown	04/18/2007	Communications; telecommunications; funding system for the emergency telephone service enabling act; modify. Amends secs. 402, 403, 404, 405, 406, 407, 408, 410, 412, 413, 502, 504, 506, 601, 602, 605, 712, 714, 716 & 717 of 1986 PA 32 (MCL 484.1402 et seq.) & repeals. Tie Bar with SB 410.	05/24/2007, Substitute S-3 passed Senate, 149 Yeas, 35 Nays, 3 Excused. Referred to House Committee on Appropriations.
SB 449 Kahn	04/26/2007	Transportation; school vehicles; use of cellular telephone while operating a school bus; prohibit, and provide penalties. Amends 1990 PA 187 (MCL 257.1801 - 257.1877) by adding sec. 58.	Referred to Senate Committee on Education.
SB 585 Patterson	06/12/2007	Public utilities; restructuring; oversight of proposed mergers, sales, or acquisitions of public utilities; clarify. Amends 1939 PA 3 (MCL 460.1 - 460.10cc) by adding sec. 6r.	Referred to Senate Committee on Energy Policy and Public Utilities.
SB 636 Thomas	07/17/2007	Communications; other; video service provider; clarify public, education, and government access fee. Amends sec. 6 of 2006 PA 480 (MCL 484.3306).	Referred to Senate Committee on Energy Policy and Public Utilities.
SB 637 Thomas	07/17/2007	Communications; other; video service provider; clarify. Amends sec. 10 of 2006 PA 480 (MCL 484.3310).	Referred to Senate Committee on Energy Policy and Public Utilities.

House Bill # Primary Sponsor	Date Introduced	Description	Status (revisions in bold)
HB 4041 Lemmons	01/22/2007	Corrections; state facilities; telephone system for state correctional facilities; impose requirements.	Referred to House Committee on Judiciary.

House Bill # Primary Sponsor	Date Introduced	Description	Status (revisions in bold)
HB 4057 Nofs	01/22/2007	Campaign finance; public disclosure; telephone or electronic campaigning; require message to include payer's identification and whether approved by candidate, and revise identifying statement for radio or television campaign ads.	Referred to House Committee on Ethics and Elections.
HB 4239 Sak	03/14/2007	Campaign finance; public disclosure; telephone or electronic campaigning; require message to include payer's identification and whether approved by candidate, and revise identifying statement for radio or television campaign ads.	Substitute H-1 Passed House, 107 Yeas, 0 Nays; referred to Senate Committee on Campaign and Election Oversight.
HB 4293 Miller	02/20/2007	Law enforcement; investigations; use of eavesdropping devices in hostage or other emergency situations; allow. Amends secs. 539a & 539g of 1931 PA 328 (MCL 750.539a & 750.539g) & adds sec. 539l.	Referred to House Judiciary Committee.
HB 4333 Wenks	02/27/2007	Campaign finance; public disclosure; disclosure of persons who make automated telephone calls related to candidates or elections; require.	Referred to House Committee on Ethics and Elections.
HB 4461 Rocca	03/15/2007	Transportation; school vehicles; use of cellular telephone while operating a school bus; prohibit. Amends 1990 PA 187 (MCL 257.1801 - 257.1877) by adding sec. 58.	Referred to House Committee on Transportation.
HB 4581 Condino	04/05/2007	Communications; telecommunications; tax on satellite television sales; provide for at same rate as cable franchise agreements. Amends secs. 1 & 2 of 1933 PA 167 (MCL 205.51 & 205.52).	Referred to House Committee on Tax Policy.
HB 4717 Opsommer	05/08/2007	Campaign finance; public disclosure; telephone or electronic campaigning; require message to include payer's identification and whether approved by candidate, and revise identifying statement for radio or television campaign ads. Amends sec. 47 of 1976 PA 388 (MCL 169.247) & adds sec. 48.	Referred to House Committee on Oversight and Investigations.

House Bill # Primary Sponsor	Date Introduced	Description	Status (revisions in bold)
HB 4726 Cushingberry	05/08/2007	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.	Referred to House Committee on Appropriations.
HB 4852 Cushingberry	05/24/2007	Communications; telecommunications; public safety charge; provide for. Amends 1986 PA 32 (MCL 484.1101 - 484.1717) by adding sec. 408a.	Referred to House Committee on Appropriations.
HB 4892 Polidori	06/27/2007	Traffic control; violations; use of mobile phones while operating a motor vehicle; prohibit. Amends sec. 320a of 1949 PA 300 (MCL 257.320a) & adds sec. 602b.	Referred to House Committee on Transportation.
HB 5047 Johnson	07/24/2007	Communications; other; video service provider; clarify public, education, and government access fee. Amends sec. 6 of 2006 PA 480 (MCL 484.3306).	Referred to House Committee on Energy and Technology.
HB 5048 Accavitta	07/24/2007	Communications; other; video service provider; clarify. Amends sec. 10 of 2006 PA 480 (MCL 484.3310).	Referred to House Committee on Energy and Technology.

PUBLIC ACTS OF 2007 |

Listed below are Public Acts related to telecommunications that have been passed during the current legislative session (2007-2008). Copies of public acts may be obtained by contacting your state Senator or Representative, on the Michigan Legislature Web site, <<http://www.michiganlegislature.org/>>, or from the Legislative Service Bureau Document Room at (517) 373-0169. Acts passed since the previous edition of the *Michigan Telecommunications Report* are in bold.

To date, no telecommunications legislation has been enacted during the 2007-2008 Legislative Sessions.

ORDERS ISSUED BY MPSC |

The Michigan Public Service Commission issued the following Orders at a special meeting held on Monday, August 6, 2007 at 4:00 p.m.

Case No. U-14781

TSLRIC

Michigan Exchange Carriers Association Companies, including 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, Waldron Telephone Company, Allendale Telephone Company, Blanchard Telephone Company, Carr Telephone Company, and Drenthe Telephone Company.

<http://efile.mpsc.cis.state.mi.us/efile/viewcase.php?casenum=14781>

On August 6, 2007, the Michigan Public Service Commission (“Commission”) issued an Order denying the July 26, 2007 Motion for Stay filed by the Michigan Exchange Carriers Association requesting a stay of that portion of the Commission’s July 5, 2007 Order requiring each company participating in this case conduct an individual cost study. The Commission denied the Motion on the basis that Section 203(16) of the Michigan Telecommunication Act, MCL 484.2203(16), provides in part that “The commission may, on terms as it considers just, stay the effect or enforcement of an order, except an order regarding rates or cost studies. . . .” Thus, the Commission found that it was without authority to grant the motion for stay, as the July 5, 2007 order is “an order regarding . . . cost studies.”

Case No. U-14905

Interconnection Dispute

The Michigan Exchange Carriers Association, Inc. v.
Verizon North, Inc. and Contel of the South, Inc. d/b/a Verizon North Systems
<http://efile.mpsc.cis.state.mi.us/efile/viewcase.php?casenum=14905>

On August 6, 2007, the Michigan Public Service Commission (“Commission”) issued an Order denying the August 2, 2007 Motion for Stay filed by Verizon North Inc. and Contel of the South, Inc., d/b/a Verizon North Systems (“Verizon”), seeking a stay of portions of the Commission’s July 26, 2007 Order in this proceeding. Verizon’s motion alleged that that portions of the Commission’s Order contained directives “without providing the parties any opportunity to brief or argue the issue, and the decision prejudices not only the ongoing collaborative proceeding, but also Verizon’s petition for rehearing of the December 21, 2006 order.” Rather than grant a stay, the Commission held in abeyance resolution of all issues raised in Verizon’s Petition for Rehearing and in the Motion for Stay until a final order is issued in this case. The Commission found inconsistency in the December 21, 2006 order between the findings paragraphs and the ordering paragraphs which have the potential to create an interpretive dispute between the parties. In addition, the Commission believes that this matter is close to a final decision, as the parties have committed to filing their reports to the Commission on August 21, 2007.

Case No. U-15035

TSLRIC

Michigan Exchange Carrier Association Companies including Bloomingdale Telephone Company, Chippewa County Telephone Company, Hiawatha Telephone Company, Midway Telephone Company, Ontonagon Telephone Company, Winn Telephone Company, Baraga Telephone Company, Chapin Telephone Company, Sand Creek Telephone Company, Springport Telephone Company and Westphalia Telephone Company

<http://efile.mpsc.cis.state.mi.us/efile/viewcase.php?casenum=15035>

On August 6, 2007, the Michigan Public Service Commission (“Commission”) issued an Order denying the July 26, 2007 Motion for Stay filed by the Michigan Exchange Carriers Association requesting a stay of that portion of the Commission’s July 5, 2007 Order requiring each company participating in this case conduct an individual cost study. The Commission denied the Motion on the basis that Section 203(16) of the Michigan Telecommunication Act, MCL 484.2203(16), provides in part that “The commission may, on terms as it considers just, stay the effect or enforcement of an order, except an order regarding rates or cost studies. . . .” Thus, the Commission found that it was without authority to grant the motion for stay, as the July 5, 2007 order is “an order regarding . . . cost studies.”

The Michigan Public Service Commission issued the following Orders at its regularly scheduled meeting held on Tuesday, August 7, 2007 at 1:30 p.m.

Case No. U-14301

Interconnection Agreement

AT&T Michigan and Quick Communications, Inc.

<http://efile.mpsc.cis.state.mi.us/efile/viewcase.php?casenum=14301>

Application filed July 19, 2007 for approval of a Sixth Amendment to an Interconnection Agreement (extending the term of the Interconnection Agreement until January 1, 2010).

Case No. U-14783

Interconnection Agreement

AT&T Michigan and B & S Telecom, Inc.

<http://efile.mpsc.cis.state.mi.us/efile/viewcase.php?casenum=14783>

Application filed July 19, 2007 for approval of a Sixth Amendment to an Interconnection Agreement (extending the term of the Interconnection Agreement until January 1, 2010).

On August 7, 2007, the Michigan Public Service Commission (“Commission”) issued an Order approving the Interconnection Agreement Amendments listed above.

Case No. U-15187

Tariff Show Cause

Michigan Exchange Carriers Association

<http://efile.mpsc.cis.state.mi.us/efile/viewcase.php?casenum=15187>

On August 7, 2007, the Michigan Public Service Commission (“Commission”) issued an Order finding that the Michigan Exchange Carriers Association’s (“MECA”) Tariff MPSC No. 24R – Cellular Mobile Radio Service (“CMRS”) End Office Termination Service Regulations, Rates, and Charges (“Tariff 24R”) is unlawful and should be cancelled. On October 23, 2006, Dobson Cellular Systems, Inc. (“Dobson”) filed an application in MPSC Case No. U-15111 requesting that the Commission order MECA to show cause why Tariff No. 24R was not void and unenforceable under federal law. The Commission dismissed Dobson’s application on November 21, 2006. On rehearing, on January 30, 2006, the Commission issued an order that in lieu of granting the rehearing, it would commence the instant proceeding and direct MECA to show cause why Tariff No. 24R should not be found unlawful and cancelled in light of the Federal Communications Commission’s decision in the

February 24, 2005 Declaratory Ruling and Report and Order in *In re Developing a Unified Inter-carrier Compensation Regime*, CC Docket No. 01-92 (“T-Mobile Order”), and 47 CFR 20.11(d). Following briefing, the Commission found that “there is no question that the T-Mobile Order and the revised federal regulation render Tariff 24R void and unlawful as of April 29, 2005, and the tariff should be cancelled.

Case No. U-15212

Intrastate Access Charges

Sprint Communications Company L.P. v. US Xchange of Michigan, L.L.C., d/b/a/ One Communications
<http://efile.mpsc.cis.state.mi.us/efile/viewcase.php?casenum=15212>

On August 7, 2007 the Michigan Public Service Commission issued an Opinion and Order dismissing the February 9, 2007 Complaint of Sprint Communications Company, L.P. (“Sprint”) against US Xchange of Michigan, L.L.C., d/b/a/ One Communications (“US Xchange”), which alleged that the tariff-based intrastate access charges that Sprint, as an interexchange carrier, pays to US Xchange are excessive and discriminatory. The Commission found that Section 307 of the Michigan Telecommunications Act (“MTA”) exempts small carriers, such as US Xchange, from regulation of intrastate access rates. The Commission agreed with the Administrative Law Judge’s (“ALJ”) Proposal for Decision which stated that “it is highly unlikely that the Legislature intended Section 310 to accommodate a complaint to reduce intrastate access rates charged by a LEC that is subject to subsection (7). It would be difficult to reconcile the wide discretion that Sprint would afford the Commission for imposing a potentially intrusive framework of access rate regulation on small ILECs while subjecting larger carriers to the explicit, narrow provisions for ‘mirroring’ interstate rates.” The Commission further found that there was no mandate in the MTA to impose rate regulation on intrastate access services through a complaint proceeding. The ALJ had noted that if the Commission holds residual authority under the MTA to regulate access rates outside of Section 310, Sprint’s request for relief – adopting a policy of mirroring the ILEC’s access rates – would be appropriate for rulemaking. However, the Commission declined to address this because a formal request for rulemaking was not pending before the Commission. The Commission also denied an application for leave to appeal filed by several rural local exchange carriers appealing the ALJ’s ruling denying them leave to intervene in the case. The Commission found that the ALJ was correct in ruling that those carriers failed to demonstrate a basis for intervention of right and the ALJ appropriately exercised discretion in denying leave to intervene. The Commission dismissed Sprint’s complaint with prejudice.

Case No. U-15311

Eligible Telecommunications Carrier

Midwestern Telecommunications, Inc.

<http://efile.mpsc.cis.state.mi.us/efile/viewcase.php?casenum=15311>

On August 7, 2007, the Michigan Public Service Commission (“Commission”) issued an order granting the May 15, 2007 Application of Midwestern Telecommunications, Inc. (“MTI”) and designating MTI an Eligible Telecommunications Carrier (“ETC”) for purposes of receiving Universal Service Fund support for providing services in categories of Lifeline and Link up, schools and libraries, and rural health care facilities, pursuant to Section 214(e)(2) of the Federal Communications Act of 1934, as amended. 47 USC 214(e)(q).

Verizon North Inc., and Contel of the South, Inc., d/b/a Verizon North Systems
<http://efile.mpsc.cis.state.mi.us/efile/viewcase.php?casenum=15312>

On August 7, 2007, the Michigan Public Service Commission (“Commission”) issued an Order Approving a Settlement Agreement, which approved the August 1, 2007 Settlement Agreement between Verizon North Inc., and Contel of the South, Inc., d/b/a Verizon North Systems and the American Association of Retired Persons, Attorney General Mike A. Cox, and the Commission Staff. The Settlement Agreement resolves the May 24, 2007 application of Verizon for Commission approval of its primary basic local exchange service (“PBLES”) rates as just and reasonable pursuant to the provisions of Section 203 of the Michigan Telecommunications Act (“MTA”), MCL 484.2203, and the Commission’s order in case No. U-15208. The Settlement Agreement requires Verizon to file new tariffs reducing its PBLES rate by \$0.80 per month, effective for all PBLES customers on September 1, 2007. In exchange for that reduction, the parties agree that none of them will challenge Verizon’s PBLES rates in effect before June 30, 2009. The parties also agreed to dismiss certain claims and causes of action that relate to Case No. U-15312 and Court of Appeals Docket No. 270522.

Case No. U-15327

Consumer Complaint Billing Dispute

Carl Delling v Talk America, Inc. d/b/a/ Cavalier Telephone

On August 7, 2007, the Michigan Public Service Commission (“Commission”) issued an order dismissing a June 12, 2007 complaint of Carl Delling against Talk America, Inc., d/b/a Cavalier Telephone, alleging a billing dispute. On June 24, 2007, Mr. Delling filed a request to withdraw the complaint.

MINUTE ACTIONS |

The Michigan Public Service Commission issued the following Minute Action at its regularly scheduled meeting held on Tuesday, August 7, 2007 at 1:30 p.m.

Commission’s Own Motion

METRO Act

On August 7, 2007, the Michigan Public Service Commission (“Commission”) issued a Minute Action amending the Commission’s June 12, 2007 Minute Action approving tax credits under Section 8(14) of Public Act 48 of 2002, MCL 484.3108(14), the Metropolitan Extension Telecommunications Rights-of-Way Oversight Act. The Amendment includes an adjustment to AT&T Michigan’s allowable tax credit to include an additional \$16,863.

PROPOSAL FOR DECISION |

Case No. U-15315

Consumer Complaint: Quality Service

Go Green Glass, LLC and Kenneth J. Sudall v.
 Michigan Bell Telephone Company and Ameritech Publishing, Inc.
<http://efile.mpsc.cis.state.mi.us/efile/viewcase.php?casenum=15315>

On July 26, 2007 a hearing was held before Michigan Public Service Commission (“MPSC”) Administrative Law Judge (“ALJ”) Barbara A. Stump on a Motion to Dismiss or for Summary Disposition of the May 16, 2007 Complaint of Go Green Glass, LLC and Kenneth J. Sudall

(“Complainants”) against Michigan Bell Telephone Company and Ameritech Publishing, Inc. (“Ameritech Publishing and AT&T Michigan”). At the conclusion of the hearing the ALJ issued an oral Proposal for Decision (“PFD”) recommending that the Commission dismiss the complaint with prejudice.

The complaint alleged that the Complainants requested a telephone number from AT&T Michigan and was assigned (517) 327-7200. In reliance on this number the Complainant printed advertising materials. AT&T Michigan subsequently informed the Complainants that (517) 327-7200 was not available and that (517) 327-1600 would be assigned. Shortly thereafter, AT&T Michigan informed the Complainants that (517) 327-1600 was also unavailable and that (517) 327-9100 would be assigned as the telephone number for Go Green Glass, LLC. In addition to having the wrong number on all marketing materials as of its grand opening, Go Green Glass, LLC also claimed that the wrong numbers were published in all major white page phone directories for the Lansing area. This error was repeated in subsequent year’s telephone books.

The ALJ, based on the parties’ arguments and a review of the Michigan Telecommunications Act (“MTA”) and prior Commission orders, found that the Complaint fails to state a claim upon which relief may be granted and therefore must be dismissed in its entirety. While the Complainants argued that the Commission has jurisdiction over the alleged violations pursuant to Section 502 of the Michigan Telecommunications Act because the Respondents are providers of telecommunications services and the directory listings at issue are telecommunications services, the ALJ found that directory listings are not telecommunications services within the meaning of Section 102(gg) of the MTA. “Rather telephone directories are simply a source of information.” According to the ALJ telephone directories are no more telecommunication services “than other information services and search technologies such as Google, Yahoo Local, AOL Local Search, and so on.” Further the ALJ noted that just because a specific service is not listed as unregulated in Section 401(1) of the MTA does not mean that it is regulated and subject to Commission jurisdiction. The ALJ discussed the relationship between Sections 401(2) and 502(2) of the MTA as being of particular importance in this case. “Section 401(2) provides that ‘the Commission shall have authority over the telecommunications services specifically provided for in this act.’ Section 501(2) begins with the introductory clause, ‘when the Commission has authority to bring a proceeding for violation of this section, . . . ’” The ALJ noted that the introductory language of Section 502(2) seems unnecessary unless the legislature believed that there were telecommunications services for which the Commission lacks jurisdiction to enforce the prohibitions of Section 502. The ALJ also noted that AT&T Michigan’s tariff provides that, “as part of the service an annual local directory for each exchange is published from time to time but experience demonstrates errors and omissions will occur with more or less frequency. If such errors or omissions do occur, the Company is not liable for errors and/or omissions from such directories.” The ALJ found that this language contemplates that such errors can occur and that AT&T Michigan is not liable for those errors or omissions. Because the ALJ found that the Commission does not have jurisdiction over the service at issue in this complaint she recommended dismissal of the complaint, with prejudice. Exceptions to the ALJ’s oral PFD are due on **Monday, August 6, 2007**. Replies to Exceptions are due on or before **Monday, August 13, 2007**.

APPLICATIONS AND COMPLAINTS |

Case No. U-15356

License Expansion

Osirus Communications, Inc.

<http://efile.mpsc.cis.state.mi.us/efile/viewcase.php?casenum=15356>

On July 27, 2007, Osirus Communications, Inc. applied to the Michigan Public Service Commission (“Commission”) for an expansion of the geographic scope of its license to provide basic local exchange service. According to the Application, Osirus seeks a license to provide basic local exchange service in eight unserved areas located in Gladwin County, Presque Isle County, Presque Isle County and Montmorency County, Oscoda County, Cheboygan County, Oscoda County and Ogemaw County, central Alcona County, and eastern Alcona County. Osirus was previously licensed by the Commission to provide basic local exchange service in the zone and exchange areas in which Verizon North Inc. and Contel of the South, Inc., d/b/a Verizon North Systems, CenturyTel of Michigan, Inc., CenturyTel Midwest-Michigan, Inc., CenturyTel of Northern Michigan, Inc., CenturyTel of Upper Michigan, Inc., and AT&T Michigan are the incumbent local exchange carriers by the Commission’s August 1, 2005 Order in Case No. U-14494.

Case No. U-15357

EELs Cross Connect

ACD Telecom Inc., JAS Networks Inc., TelNet Worleddwide Inc., B&S Telecom Inc., Clear Rate Communications Inc., CMC Telecom Inc., Grid 4 Communications Inc., and Zenk Group Ltd. d/b/a Planet Access v. AT&T Michigan

<http://efile.mpsc.cis.state.mi.us/efile/viewcase.php?casenum=15357>

On July 31, 2007, ACD Telecom, Inc., JAS Networks, Inc., TelNet Worldwide, Inc., B&S Telecom, Inc., Clear Rate Communications, Inc., CMC Telecom, Inc., Grid 4 Communications, Inc., and Zenk Group, Ltd. d/b/a Planet Access filed a formal Complaint with the Michigan Public Service Commission (“Commission”) against AT&T Michigan. The Complaint alleges a breach of an amendment to the Complainants’ Interconnection Agreements setting the DS1 cross connect charge at \$6.89 per month, claiming that AT&T Michigan continues to charge \$16.46 per month, a rate that no longer appears in the pricing amendment, for cross connects connected to enhanced extended DS1 loops. Complainants also allege that AT&T Michigan has refused to allow CLECs to adopt a cross connect amendment with the same pricing that AT&T Michigan has entered into with other CLECs in Michigan. Complainants seek a cease and desist order preventing AT&T Michigan from charging the higher rate, to provide an unbundled cross connect at a lower price or at no price, credits or refunds for overpayments, impose fines on AT&T Michigan, and award Complainants costs and attorney fees.

Case No. U-15360

ETC

Osirus Communications, Inc.

<http://efile.mpsc.cis.state.mi.us/efile/viewcase.php?casenum=15360>

On August 1, 2007, Osirus Communications, Inc. applied to the Michigan Public Service Commission (“Commission”) for designation as an Eligible Telecommunications Carrier (“ETC”) for the purpose of receiving federal Universal Service Fund (“USF”) support. Osirus seeks ETC designation for eight unserved areas for which that Osirus applied to expand its license to serve in Case No. U-15356.

Case No. U-15362

Interconnection Agreement

AT&T Michigan and New Cingular Wireless PCS, LLC

<http://efile.mpsc.cis.state.mi.us/efile/viewcase.php?casenum=15362>

On August 1, 2007, AT&T Michigan and New Cingular Wireless PCS, LLC jointly filed with the Michigan Public Service Commission (“Commission”) an Application for approval of an Interconnection Agreement. The parties also submitted for approval the First Amendment to the Interconnection Agreement, which, according to the Application, adds rates, terms and conditions of Reciprocal Compensation for ISP-Bound Traffic and Federal Telecommunications Act Section 251(B)(5) Traffic (adopting FCC’s Interim ISP Terminating Compensation Plan) into the Interconnection Agreement.

Case No. U-15363

Interconnection Agreement

AT&T Michigan and BCR Network Services, Inc. d/b/a The Data Warehouse

<http://efile.mpsc.cis.state.mi.us/efile/viewcase.php?casenum=15363>

On August 3, 2007, AT&T Michigan and BCR Network Services, Inc. d/b/a The Data Warehouse B&S Telecom, Inc. jointly filed with the Michigan Public Service Commission (“Commission”) an Application for approval of an Interconnection Agreement. According to the Application, the Interconnection Agreement is an adoption, pursuant to Section 252(i) of the Federal Telecommunications Act of 1996, 47 USC § 252(i), of the Interconnection Agreement between AT&T Michigan and MCImetro Access Transmission Services LLC d/b/a Verizon Access Transmission Services which was previously approved by the Commission on December 18, 2003 in MPSC Case No. U-13758.

Case No. U-15364

Interconnection Agreement

Verizon North Inc. and Contel of the South, Inc. d/b/a Verizon North Systems and Grid4 Communications, Inc.

<http://efile.mpsc.cis.state.mi.us/efile/viewcase.php?casenum=15364>

On August 3, 2007, Verizon North Inc. and Contel of the South, Inc. d/b/a Verizon North Systems and Grid4 Communications, Inc. jointly filed with the Michigan Public Service Commission (“Commission”) an Application for approval of an Interconnection Agreement. According to the Application, the Interconnection Agreement is an adoption, pursuant to Section 252(i) of the Federal Telecommunications Act of 1996, 47 USC § 252(i), of the Interconnection Agreement between Verizon North Inc. and Contel of the South, Inc. d/b/a Verizon North Systems and Telnet Worldwide which was previously approved by the Commission on July 19, 2005 in MPSC Case No. U-13931.

Case No. U-15365

Transfer of Service

Scientific Image Center Management, Inc. v. McLeodUSA Telecommunications Services, Inc.

On August 6, 2007, Scientific Image Center Management, Inc. (“Scientific”) a management company located in Troy, Michigan and providing call center services to facilities licensed to provide surgical procedures under the trade name “Lifestyle Lift” filed a formal Complaint with the Michigan Public Service Commission (“Commission”) against McLeodUSA Telecommunications Services, Inc. (“McLeodUA”). The Complaint alleges that McLeodUSA disconnected Scientific’s 800 service without authorization and without receiving a signed discontinuance form from Scientific indicating that Scientific’s new carrier, AT&T, was ready for a transfer of 800 service. The complaint further alleges that McLeodUSA failed to respond to repeated demands from Scientific to reinstate its 800

service. Scientific seeks damages of \$1,154,890.00, costs and attorneys fees and fines under the Michigan Telecommunications Act.

NOTICES OF OPPORTUNITIES TO COMMENT

The following Notices of Opportunity to Comment have been issued by the Michigan Public Service Commission's Executive Secretary. Any interested person may submit comments on the application by sending written comments to the Commission by mail to: Executive Secretary, Michigan Public Service Commission, P.O. Box 30221, Lansing, Michigan 48909. Electronic comments may be e-mailed to: <mpscefilecases@michigan.gov>. Any comments should reference the applicable docket number.

Case No. U-15337

License

Trophy Technologies, Inc., d/b/a Rural Communications

<http://efile.mpsc.cis.state.mi.us/efile/viewcase.php?casenum=15337>

Comments Due: August 29, 2007

The Michigan Public Service Commission ("Commission") has invited interested parties to file comments on the June 29, 2007 Application of Trophy Technologies, Inc., d/b/a Rural Communications for an amendment to the geographic scope of its license to provide basic local exchange service throughout the State of Michigan. Rural Communications requests authority to serve all zone and exchange areas in which AT&T Michigan is the incumbent local exchange carrier. Comments may be filed with the Commission and must be received no later than 5:00 p.m. on **Wednesday, August 29, 2007**.

NOTICES OF HEARINGS

The following notices of hearing have been 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-15328

License

Airespring, Inc.

<http://efile.mpsc.cis.state.mi.us/efile/viewcase.php?casenum=15328>

Evidentiary Hearing: August 23, 2007, at 9:00 a.m.

The June 19, 2007 Application of Airespring, Inc. for a license to provide basic local exchange service throughout the State of Michigan in the zone and exchange areas served by Verizon North, Incorporated, Contel of the South, Inc., d/b/a Verizon North Systems, and AT&T Michigan is set for an evidentiary hearing at 9:00 a.m. on **Thursday, August 23, 2007**, at the offices of the Michigan Public Service Commission, 6545 Mercantile Way, Suite 7, Lansing, Michigan before Administrative Law Judge Barbara A. Stump. Parties wishing to intervene in this proceeding must do so by **Tuesday, August 21, 2007**.

The Michigan Public Service Commission will consider the July 2, 2007 Complaint of Farrand Page against AT&T Michigan, alleging that AT&T is in violation of the Michigan Public Service Commission's Billing Standards for Basic Residential Telecommunication Service and the Michigan Telecommunication Act, for billing and service disputes. A Public Hearing in this matter will be held at 9:00 a.m. on **Wednesday, August 15, 2007**, at the offices of the Michigan Public Service Commission, 6545 Mercantile Way, Suite 7, Lansing, Michigan before Administrative Law Judge Mark E. Cummins.

MPSC HEARINGS SCHEDULE |

Note: Unless indicated otherwise, hearings are held in the offices of the Commission, 6545 Mercantile Way, Suite 7, Lansing, Michigan. Hearing dates and times are subject to change or cancellation. Please check with the Commission's Executive Secretary at (517) 241-6160 to confirm that a hearing will be taking place.

KNOWN TELECOM HEARINGS SCHEDULED FOR THE NEXT FORTNIGHT (AUGUST 13, 2007 THROUGH AUGUST 24, 2007)

August 15, 2007, 9:00 a.m.
Case No. U-15341/evidentiary hearing
Farrand Page v. AT&T Michigan (billing standards)

August 23, 2007, 9:00 a.m.
Case No. U-15538/evidentiary hearing
Airespring, Inc. (license)

FUTURE TELECOM HEARINGS SCHEDULED

August 29, 2007, 9:00 a.m.
Case No. U-15297/evidentiary hearing
David Taivalkoski v. MCI WorldCom
Communications, Inc. (consumer complaint)

2007 REGULAR MPSC MEETING DATES* |

<u>Month & Date</u>	<u>Day</u>	<u>Time</u>
August 21	Tuesday	1:30 p.m.
September 11	Tuesday	1:30 p.m.
September 25	Tuesday	1:30 p.m.
October 11	Thursday	1:30 p.m.
October 25	Thursday	1:30 p.m.
November 6	Tuesday	1:30 p.m.
December 4	Tuesday	1:30 p.m.
December 18	Tuesday	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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