



FEATURES |

Michigan Counties File for 9-1-1 Surcharges

Sixty-eight of Michigan's eighty-three Counties filed applications with the Michigan Public Service Commission ("Commission") to implement monthly 9-1-1 surcharges on telephone bills effective July 1, 2008. These surcharges replace previous landline only surcharges that will remain in place until July 1, 2008. On January 2, 2008, the Commission issued an Order in response to the December 2007 enactment of 2007 PA 164, the Emergency 9-1-1 Service Enabling Act (the "Act"). Under Section 401e of the Act, . . .

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No later than February 15, 2008, each county that decides to assess a surcharge under section 401b shall with the assistance of the state 9-1-1 office submit to the Commission all of the following:

- (a) The initial county 9-1-1 surcharge for each 9-1-1 service district to be effective July 1, 2008.
- (b) The estimated amount of revenue to be generated in each 9-1-1 service district for 2007.
- (c) Based on the surcharge established under this subsection, the estimated amount of revenue to be generated for 2008.

The Commission found that in order to implement the Act, each county that decided to assess a county 9-1-1 surcharge was required to submit to the Commission a filing containing the level of the proposed county surcharge that the county intends to begin collecting on July 1, 2008, its estimated revenues for 2007 collected under its existing surcharge, and its estimated county 9-1-1 surcharge revenues for 2008 no later than February 15, 2008.

The following counties made filings with the Commission requesting approval of 2008 9-1-1 county surcharges:

County	2007 (current) landline 9-1-1 monthly surcharge	Proposed July 1, 2008, 9-1-1 monthly surcharge.
Alcona	4.00	3.00
Alger	0.37	0.18
Allegan	2.85	1.63
Alpena	4.00	2.46

County	2007 (current) landline 9-1-1 monthly surcharge	Proposed July 1, 2008, 9-1-1 monthly surcharge.
Antrim	2.91	1.97
Arenac	0.72	0.32
Benzie	3.00	2.27
Berrien	0.80	1.00

County	2007 (current) landline 9-1-1 monthly surcharge	Proposed July 1, 2008, 9-1-1 monthly surcharge.
Branch	0.55	0.31
Calhoun	0.65	0.60
Cass	2.40	1.99
Charlevoix	0.80	0.61
Cheboygan	0.80	0.61
Chippewa	2.00	1.50
Clare	0.80	0.47
Clinton	4.00	2.00
Crawford	4.00	2.73
Delta	0.80	0.80
Dickinson	0.70	0.70
Emmet	0.80	0.61
Genesee	2.40	1.37
Gladwin	0.80	0.51
Gogebic	0.52	0.60
Grand Traverse	0.80	0.80
Gratiot	2.89	1.69
Hillsdale	2.99	1.75
Houghton	2.64	1.26
Huron	3.61	2.23
Ingham	0.58	0.31
Ionia	3.80	1.90
Iosco	2.88	2.88
Iron	2.28	1.61
Isabella	4.00	1.80
Jackson	0.80	0.80
Kalkaska	4.00	2.52
Kent	0.00	0.45
Lake	4.00	5.37
Lapeer	3.70	1.60
Leelanau	0.00	3.64

County	2007 (current) landline 9-1-1 monthly surcharge	Proposed July 1, 2008, 9-1-1 monthly surcharge.
Lenawee	2.52	1.34
Livingston	3.50	1.85
Luce	1.78	0.99
Mackinac	1.80	1.48
Mason	3.50	2.09
Mecosta	3.20	1.72
Menominee	2.38	2.12
Monroe	0.84	0.60
Montcalm	4.00	2.00
Montmorency	2.80	1.47
Muskegon	0.72	0.72
Newaygo	3.00	1.95
Oakland	0.28	0.25
Oceana	3.50	2.09
Ogemaw	0.80	1.50
Ontonagon	0.80	0.51
Osceola	3.20	1.72
Oscoda	0.72	0.46
Otsego	2.50	1.72
Presque Isle	0.48	0.32
Saginaw	4.00	2.65
Sanilac	0.80	1.29
Shiawassee	2.50	1.22
St. Clair	0.80	0.80
Tuscola	4.00	2.09
Van Buren	0.80	1.17
Washtenaw	0.80	0.80
Wayne	0.80	0.75
Wexford	0.52	0.25

As of February 22, 2008, Baraga, Barry, Bay, Eaton, Kalamazoo, Keweenaw, Macomb, Manistee, Marquette, Midland, Missaukee, Ottawa, Roscommon, Schoolcraft, and St. Joseph counties did not make filings with the Commission.

The new rates proposed by counties may not be more than 2.7% greater in total projected revenue than that received in 2007. If a county is projecting more than a 2.7% increase in revenue, that county was required to apply for special approval from the Michigan Emergency Telephone Service Committee (“ETSC”). Complete county filings, including actual and projected revenue to be generated by these surcharges, is available on the Commission’s E-Docket Site at: <<http://efile.mpasc.cis.state.mi.us/efile/viewcase.php?casenum=15489>>

MPSC: FCC Says Digital Television Transition Coming Next Year, Viewers Have One Year to Prepare for the Change

Note: The MPSC issued the following Press Release on February 14, 2008. For information contact Judy Palnau at (517) 241-3323.

The Michigan Public Service Commission (“MPSC”) today notes that the transition to digital broadcast television will take place on February 17, 2009, according to the Federal Communications Commission (“FCC”). The Commission encourages television viewers to learn about the transition from analog television to digital broadcast television and how the change will affect them.

“The FCC has helpful information on this historic change and what it means for us as television viewers and customers,” said MPSC Commissioner Monica Martinez.

“First, for those viewers who use the ‘rabbit-ears’ style antenna or roof-top antenna to receive their television programming, they need to obtain a digital-to-analog converter box, if their television does not already contain an internal digital tuner. Secondly, most cable and satellite customers should not be affected by this change and will not need to obtain the converter box. However, these customers should verify this by contacting their cable or satellite provider.”

To help customers with the digital broadcast television transition, the federal government has established the digital-to-analog converter box coupon program. The National Telecommunications and Information Administration (“NTIA”), a part of the Department of Commerce, administers this program. Every U.S. household is eligible to receive up to two coupons, worth \$40 each, toward the purchase of digital-to-analog converter boxes. Coupons are now available. The coupons may only be used for eligible converter boxes sold at participating consumer electronics retailers, and the coupons must be used at the time of purchase. Manufacturers estimate that digital-to-analog converter boxes will sell from \$40 to \$70 each. This is a one-time cost. For more information on the Digital-to-Analog Converter Box Coupon Program, visit the NTIA’s Web site at <www.ntia.doc.gov/dtvcoupon>, or call 1-888-388-2009 (voice) or 1-877-530-2634 (TTY).

Commissioner Martinez also noted that the FCC has established a Web site with additional information on the transition to digital television: <dtv.gov>. It also has a toll-free phone number to answer questions: 1-888-CALL-FCC (voice) or 1-888-TELL-FCC (TTY).

“All of us as television viewers need to be prepared by February 17, 2009 for the transition to digital broadcast television,” Martinez added. “Avoid a last-minute rush to retailers for the digital-to-analog converter boxes by using the coupons that are now available.”

The MPSC is an agency within the Department of Labor & Economic Growth.

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 Hardiman	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 <i>et seq.</i>) by adding sec. 360a.	Referred to Senate Committee on Homeland Security and Emerging Technologies.
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.

Senate Bill # Primary Sponsor	Date Introduced	Description	Status (revisions in bold)
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.
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 <i>et seq.</i>) & adds secs. 401a, 401b & 401c. Tie Bar with SB 411.	12/27/2007 Signed by Governor Jennifer Granholm; assigned PA 164 with Immediate Effect.
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 <i>et seq.</i>) & repeals. Tie Bar with SB 410.	12/27/2007 Signed by Governor Jennifer Granholm; assigned PA 165 with Immediate Effect.
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.

Senate Bill # Primary Sponsor	Date Introduced	Description	Status (revisions in bold)
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.
SB 679 Patterson	08/22/2007	Communications; telecommunications; sunset on 9-1-1 emergency service district; extend. Amends sec. 717 of 1986 PA 32 (MCL 484.1717).	12/06/2007 Passed Senate 36 Yeas, 0 Nays, 1 Excused, 1 Not Voting; Referred to House Committee on Oversight and Investigations.
SB 783 Thomas	09/18/2007	Traffic control; violations; operation of a vehicle while using certain electronic devices; prohibit. Amends sec. 320a of 1949 PA 300 (MCL 257.320a) & adds sec. 602b.	Referred to Senate Committee on Energy Policy and Public Utilities.
SB 815 Patterson	09/25/2007	Communications; telecommunications; technical and operational charge for emergency telephone service enabling act; extend sunset. Amends sec. 401 of 1986 PA 32 (MCL 484.1401).	12/06/2007 Passed Senate: 37 Yeas, 0 Nays, 1 Excused; Referred to House Committee on Oversight and Investigations.
SB 819 Garcia	10/04/2007	Communications; cellular telephone; active duty military personnel; allow to cancel cellular telephone contract without penalties. Amends 1991 PA 179 (MCL 484.2101 - 484.2604) by adding sec. 304b.	Referred to Senate Committee on Senior Citizens and Veterans Affairs.
SB 945 Patterson	12/04/2007	Communications; internet; obtaining personal information by false pretenses; prohibit. Amends secs. 3 & 7 of 2004 PA 452 (MCL 445.63 & 445.67) & adds sec. 7a.	Referred to Senate Committee on Judiciary.
SB 1036 Basham	01/22/2008	Traffic control; violations; use of hand-free wireless phones while operating a motor vehicle; allow. Amends sec. 320a of 1049 PA 300 (MCL 257.320a) & adds sec. 602b.	Referred to Senate Committee on Transportation.
SB 1088 Patterson	02/13/2008	Communications; telecommunications; sunset; eliminate. Amends title of 1991 PA 179 (MCL 484.2101 - 484.2604) & repeals sec. 604 of 1991 PA 179 (MCL 484.2604).	Referred to Senate Committee on Energy Policy and Public Utilities.

Senate Resolution # Primary Sponsor	Date Introduced	Description	Status (revisions in bold)
SR 0135 Birkholz	01/09/2008	A resolution to request that the Michigan Public Service Commission create a Pole Attachment Remediation Fund and establish procedures to resolve pole attachment disputes.	Referred to Senate Committee on Energy Policy and Public Utilities.
SR 0140 Olshove	01/16/2008	A resolution to encourage cable operators to maintain public access channels at their existing, lower tier location and provide these channels at no additional cost to subscribers.	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.
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 Wenke	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.

House Bill # Primary Sponsor	Date Introduced	Description	Status (revisions in bold)
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.
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 4982 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 Accavitti	07/24/2007	Communications; other; video service provider; clarify. Amends sec. 10 of 2006 PA 480 (MCL 484.3310).	02/20/2008 Reported by House Committee on Energy and Technology, with recommendation; referred to second reading.

House Bill # Primary Sponsor	Date Introduced	Description	Status (revisions in bold)
HB 5090 Stakoe	08/08/2007	Civil rights; public records; access to home address and telephone number of a public employee; exclude from freedom of information act. Amends sec. 13 of 1976 PA 442 (MCL 15.243).	Referred to House Committee on Government Relations.
HB 5112 Robertson	08/21/2007	Crimes; telecommunications; malicious use of service provided by telecommunications service provider; provide for increased penalty under certain circumstances. Amends sec. 540e of 1931 PA 328 (MCL 750.540e).	Referred to House Committee on Judiciary.
HB 5113 Robertson	08/21/2007	Criminal procedure; sentencing guidelines; sentencing guidelines for crime of malicious use of service provided by telecommunications service provider; enact. Amends sec. 16z, ch. XVII of 1927 PA 175 (MCL 777.16z). TIE BAR WITH: HB 5112'07	Referred to House Committee on Judiciary.
HB 5117 Bieda	08/21/2007	Traffic control; violations; penalties for operating a motor vehicle while reading, manually writing, or sending a message on an electronic wireless device; provide for. Amends 1949 PA 300 (MCL 257.1 - 257.923) by adding sec. 602b.	Referred to House Committee on Transportation.
HB 5131 Dean	08/22/2007	Criminal procedure; sex offender registration; registered sex offenders to provide certain information regarding their internet service; require.	Referred to House Committee on Judiciary.
HB 5133 Law	08/22/2007	Criminal procedure; sex offender registration; reporting requirements; expand to include a valid electronic mail address and user name. Amends sec. 7 of 1994 PA 295 (MCL 28.727).	Referred to House Committee on Judiciary.
HB 5134 Law	08/22/2007	Crimes; criminal sexual conduct; access to commercial social networking websites by certain sex offenders; restrict. Amends 1931 PA 328 (MCL 750.1 - 750.568) by adding sec. 411u.	Referred to House Committee on Judiciary.
HB 5150 A. Smith	08/30/2007	Crimes; other; knowing an individual needs emergency help; require to call 9-1-1. Amends 1931 PA 328 (MCL 750.1 - 750.568) by adding sec. 499.	Referred to House Committee on Judiciary.

House Bill # Primary Sponsor	Date Introduced	Description	Status (revisions in bold)
HB 5240 Garfield	09/18/2007	Communications; internet; Michigan broadband authority; eliminate. Repeals 2002 PA 49 (MCL 484.3201 - 484.3225).	Referred to House Committee on New Economy and Quality of Life.
HB 5338 Caul	10/23/2007	Communications; cellular telephone; individuals called into active duty; allow to cancel cellular telephone contract without penalties. Amends 1991 PA 179 (MCL 484.2101 - 484.2604) by adding sec. 304c.	01/23/2008 Substitute H-1 reported with recommendation by House Committee on Military and Veterans Affairs and Homeland Security. Referred to Second Reading.
HB 5361 Moss	10/24/2007	Crimes; other; tampering with, defacing, or stealing utility equipment; increase penalties. Amends sec. 383a of 1931 PA 328 (MCL 750.383a).	Referred to House Committee on Judiciary.
HB 5396 Sak	10/31/2007	Traffic control; violations; penalties for operating a motor vehicle while sending or receiving a message on an electronic wireless device; provide for.	Referred to House Committee on Transportation.
HB 5591 Walker	01/09/2008	Communications; cellular telephone; purchase, photo identification, and retention of certain purchase information; require. Amends 1991 PA 1179 (MCL 484.2101 - 484.2604) by adding pt. J.	Referred to House Committee on Judiciary.
HB 5665 Accavitti	01/24/2008	Communications; telecommunications; sunset; eliminate. Amends title of 1991 PA 179 (MCL 484.2101 - 484.2604) & repeals sec. 604 of 1991 PA 179 (MCL 484.2604).	Referred to House Committee on Energy and Technology.
HB 5667 Rocca	01/24/2008	Communications; cable; access for subscriber to public, education, and government channels without need for additional equipment; require. Amends sec. 4 of 2006 PA 480 (MCL 484.3304).	Referred to House Committee on Energy and Technology.
HB 5684 Espinoza	02/06/2008	Communications; telecommunications; eligibility date to opt into METRO funds; revise.	Referred to House Committee on Energy and Technology.
HB 5693 Meadows	02/06/2008	Communications; cable; access for subscriber to public, education, and government channels or lowest tier of service and without need for additional equipment; require.	Referred to House Committee on Energy and Technology.

House Bill # Primary Sponsor	Date Introduced	Description	Status (revisions in bold)
HB 5696 Law	02/06/2008	Traffic control; violations; use of cellular telephone while operating a vehicle by an individual in the graduated licensing program; prohibit, and establish penalties.	Referred to House Committee on Transportation.

House Resolution # Primary Sponsor	Date Introduced	Description	Status (revisions in bold)
HCR 0064 Bieda	01/09/2008	A concurrent resolution to encourage cable operators to maintain public access channels at their existing, lower tier location and provide these channels at no additional cost to subscribers.	Referred to House Committee on Energy and Technology.
HR 0245 Bieda	01/09/2008	A resolution to encourage cable operators to maintain public access channels at their existing, lower tier location and provide these channels at no additional cost to subscribers.	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.

Public Act #	Effective Date	Description	Enrolled Bill No. and Sponsor
2007 PA 164	12/27/2007	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 <i>et seq.</i>) & adds secs. 401a, 401b & 401c. Tie Bar with Enrolled SB 411.	Enrolled SB 410 Brown

Public Act #	Effective Date	Description	Enrolled Bill No. and Sponsor
2007 PA 165	12/27/2007	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 <i>et seq.</i>) & repeals. Tie Bar with Enrolled SB 410.	Enrolled SB 411 Brown

ORDERS ISSUED BY MPSC |

The Michigan Public Service Commission issued the following Orders at its regularly scheduled meeting held on February 12, 2008 at 10:30 a.m.:

Case No. U-11830

Performance Measures

AT&T Michigan

<http://efile.mpsc.cis.state.mi.us/efile/viewcase.php?casenum=11830>

On February 12, 2008, the Michigan Public Service Commission (“Commission”) issued an Order requesting comments concerning AT&T Michigan’s proposed change in Tier 1 and Tier 2 remedy payments. On December 18, 2007, AT&T Michigan and various other parties to the Commission’s AT&T Michigan Performance Measures Proceeding filed a motion to amend the Commission’s prior orders in this proceeding to reflect agreements among the parties concerning changes in the approved performance measurements and remedies. On January 17, 2008, AT&T Michigan filed what it titled “AT&T Michigan’s Expedited Motion Regarding Modification of the Current Remedy Plan.” In that Motion, and a January 23, 2008 erratum to the Motion, AT&T Michigan stated that it has been paying assessments to the State of Michigan on current performance measure (PM) 65.1 for aggregate CLEC 8.0 decibel (dB) loop trouble report rate results even when performance under this measure has been excellent. AT&T Michigan claimed that the trouble report rate has never exceeded 1.4 troubles per 100 circuits, which it says surpasses the Commission’s requirements for AT&T Michigan retail sales that troubles should not exceed 4 per 100 circuits. However, AT&T Michigan has been required to make two Tier 2 payments to the State of Michigan totaling \$584,100. AT&T Michigan requests the Commission adopt a floor and ceiling function that the parties to the joint filing agreed upon during the 2006-2007 collaborative, effective for its December 2007 performance. AT&T Michigan alternatively proposed to eliminate the AT&T affiliate comparison result for the 8.0 dB loop submeasure for the current PM 65.1, effective for December 2007 performance; rather, the parity comparison would be made only to the AT&T Michigan retail result. AT&T Michigan also requests that the Commission permit AT&T Michigan to withhold payments and assessments on the 8.0 dB loop submeasure of current PM 65.1.

The Commission concluded that it should solicit comments from interested parties before adopting AT&T Michigan’s proposed changes. Interested parties may file comments concerning the change in remedy payments (Tier 1 and Tier 2) no later than Tuesday, March 4, 2008. Reply Comments may be filed no later than Tuesday, March 25, 2008. The Commission also approved AT&T Michigan escrowing amounts due for Tier 1 and Tier 2 payments related to the 8.0 dB loop

submeasure of PM 65.1 assessed during the period the above alteration to the performance measures are under consideration

Case No. U-12988 Interconnection Agreement
AT&T Michigan and ACD Telecom, Inc.
<http://efile.mpsc.cis.state.mi.us/efile/viewcase.php?casenum=12988>
Application filed February 6, 2008 for approval of a Seventh Amendment to an Interconnection Agreement (establishes and/or clarifies the rates for and type of Cross Connects used with DS1 loops, transport, and EELs).

Case No. U-13258 Interconnection Agreement
AT&T Michigan and Zenk Group, LTD., d/b/a Planet Access
<http://efile.mpsc.cis.state.mi.us/efile/viewcase.php?casenum=13258>
Application filed February 6, 2008 for approval of a Fifth Amendment to an Interconnection Agreement (establishes and/or clarifies the rates for and type of Cross Connects used with DS1 loops, transport, and EELs).

Case No. U-13805 Interconnection Agreement
AT&T Michigan and grid4 Communications, Inc.
<http://efile.mpsc.cis.state.mi.us/efile/viewcase.php?casenum=13805>
Application filed February 6, 2008 for approval of a Fifth Amendment to an Interconnection Agreement (establishes and/or clarifies the rates for and type of Cross Connects used with DS1 loops, transport, and EELs).

Case No. U-14037 Interconnection Agreement
AT&T Michigan and CIMCO Communications, Inc.
<http://efile.mpsc.cis.state.mi.us/efile/viewcase.php?casenum=14037>
Application filed February 1, 2008 for approval of a Fourteenth Amendment to an Interconnection Agreement.

Case No. U-14302 Interconnection Agreement
AT&T Michigan and Clear Rate Communications, Inc.
<http://efile.mpsc.cis.state.mi.us/efile/viewcase.php?casenum=14302>
Application filed February 6, 2008 for approval of a Sixteenth Amendment to an Interconnection Agreement (establishes and/or clarifies the rates for and type of Cross Connects used with DS1 loops, transport, and EELs).

Case No. U-14413 Interconnection Agreement
AT&T Michigan and TelNet Worldwide, Inc.
<http://efile.mpsc.cis.state.mi.us/efile/viewcase.php?casenum=14413>
Application filed February 6, 2008 for approval of a Twelfth Amendment to an Interconnection Agreement (establishes and/or clarifies the rates for and type of Cross Connects used with DS1 loops, transport, and EELs).

Case No. U-14553 Interconnection Agreement
AT&T Michigan and Metropolitan Telecommunications of Michigan, d/b/a MetTel
<http://efile.mpsc.cis.state.mi.us/efile/viewcase.php?casenum=14553>
Application filed January 22, 2008 for approval of a Second Amendment to an Interconnection Agreement (extending term to April 9, 2010).

Case No. U-14792

Interconnection Agreement

AT&T Michigan and JAS Networks, Inc.

<http://efile.mpsc.cis.state.mi.us/efile/viewcase.php?casenum=14792>

Application filed February 6, 2008 for approval of a Twentieth Amendment to an Interconnection Agreement (establishes and/or clarifies the rates for and type of Cross Connects used with DS1 loops, transport, and EELs).

Case No. U-14795

Interconnection Agreement

AT&T Michigan and CMC Telecom, Inc.

<http://efile.mpsc.cis.state.mi.us/efile/viewcase.php?casenum=14795>

Application filed February 6, 2008 for approval of a Twentieth Amendment to an Interconnection Agreement (establishes and/or clarifies the rates for and type of Cross Connects used with DS1 loops, transport, and EELs).

Case No. U-15387

Interconnection Agreement

AT&T Michigan and AT&T Communications, Inc.

<http://efile.mpsc.cis.state.mi.us/efile/viewcase.php?casenum=15387>

Application filed February 4, 2008 for approval of a First Amendment to an Interconnection Agreement.

On February 12, 2008, the Michigan Public Service Commission (“Commission”) issued an Order approving the above-listed Interconnection Agreements and Amendments.

Case No. U-14986

License Rescission

Network PTS, Inc.

<http://efile.mpsc.cis.state.mi.us/efile/viewcase.php?casenum=14986>

On February 12, 2008, the Michigan Public Service Commission (“Commission”) issued an Order rescinding the license of Network PTS, Inc. to provide basic local exchange service in Michigan. On January 22, 2008, Network PTS, Inc. informed the Commission of its intent to surrender the license and indicated that it has no customers and has ceased operations in Michigan.

Case No. U-15435

License Application Withdrawal

Markur Communications, LLC

<http://efile.mpsc.cis.state.mi.us/efile/viewcase.php?casenum=15435>

On February 12, 2008, the Michigan Public Service Commission (“Commission”) issued an Order dismissing, without prejudice, the Application of Markur Communications, LLC for a license to provide basic local exchange service in Michigan. Markur Communications, LLC applied to the Commission on October 9, 2007 and filed a request to withdraw its Application on January 24, 2008.

Case No. U-15441

Consumer Complaint: Billing Dispute

John Hawkins v. Talk America, Inc., d/b/a Cavalier Telephone

On February 12, 2008, the Michigan Public Service Commission (“Commission”) issued an Order dismissing, with prejudice, the October 17, 2007, Complaint of John Hawkins against Talk America, Inc., d/b/a Cavalier Telephone alleging a billing dispute. On January 22, 2008, Mr. Hawkins filed a request to withdraw the Complaint.

Case No. U-15449
Ann Ethington v. AT&T Michigan

Consumer Complaint: Billing Dispute

On February 12, 2008, the Michigan Public Service Commission (“Commission”) issued an Order dismissing, with prejudice, the November 6, 2007, Complaint of Ann Ethington against AT&T Michigan alleging a billing dispute. On January 29, 2008, Mr. Hawkins filed a request to withdraw the Complaint.

Case No. U-15474
Blanchard Telephone Company
<http://efile.mpsc.cis.state.mi.us/efile/viewcase.php?casenum=15474>

Eligible Telecommunications Carrier

On February 12, 2008, the Michigan Public Service Commission (“Commission”) issued an Order designating Blanchard Telephone Company as an Eligible Telecommunications Carrier (“ETC”) for purposes of receiving both High Cost and Lifeline Universal Service Fund (“USF”) support in the Blanchard rural telephone company wire center and rural telephone company study area, pursuant to Section 214(e)(2) of the Federal Communications Act of 1934, as amended, 47 USC § 214(e)(2).

APPLICATIONS AND COMPLAINTS |

Case No. U-13483
AT&T Michigan and WiTel Local Network, LLC
<http://efile.mpsc.cis.state.mi.us/efile/viewcase.php?casenum=13483>

Interconnection Agreement

On February 12, 2008, AT&T Michigan and WiTel Local Network, LLC jointly filed an Application with the Michigan Public Service Commission (“Commission”) requesting approval of the Third Amendment to their Interconnection Agreement. According to the Application the Third Amendment replaces the existing collocation appendices and rates with generic collocation appendices and rates in the Interconnection Agreement.

Case No. U-14302
AT&T Michigan and Clear Rate Communications, Inc.
<http://efile.mpsc.cis.state.mi.us/efile/viewcase.php?casenum=14302>

Interconnection Agreement

On February 20, 2008, AT&T Michigan and Clear Rate Communications, Inc. jointly filed an Application with the Michigan Public Service Commission (“Commission”) requesting approval of the Seventeenth Amendment to their Interconnection Agreement. According to the Application the Seventeenth Amendment adds certain provisions pertaining to the rates, terms and conditions 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-15513
Springport Telephone Company and TelNet Worldwide, Inc.
<http://efile.mpsc.cis.state.mi.us/efile/viewcase.php?casenum=15513>

Interconnection Agreement

On February 11, 2008, Springport Telephone Company and TelNet Worldwide, Inc. jointly filed an Application with the Michigan Public Service Commission (“Commission”) requesting approval of an Interconnection and Reciprocal Compensation Agreement.

Case No. U-15516

Interconnection Agreement

Verizon North Inc. and Contel of the South, Inc. d/b/a Verizon North Systems and Wholesale Carrier Services, Inc.

<http://efile.mpsc.cis.state.mi.us/efile/viewcase.php?casenum=15516>

On February 15, 2008, Verizon North Inc. and Contel of the South, Inc. d/b/a Verizon North Systems (“Verizon”) and Wholesale Carrier Services, Inc. jointly filed an Application with the Michigan Public Service Commission (“Commission”) requesting approval of an Interconnection Agreement.

Case No. U-15517

Request to Discontinue Service

AT&T Michigan v. Zenk Group Limited, Inc. d/b/a Planet Access

<http://efile.mpsc.cis.state.mi.us/efile/viewcase.php?casenum=15517>

On February 19, 2008, AT&T Michigan filed with the the Michigan Public Service Commission (“Commission”) an Application For Approval to Discontinue Service, For Declaratory Ruling, and Request For Expedited Relief, against Zenk Group Limited, Inc. d/b/a Planet Access (“Planet Access”). AT&T Michigan’s Application states that Planet Access has failed “to remit payment in full for undisputed amounts due and owing to AT&T Michigan relative to local service.” Pursuant to the interconnection Agreement between the Parties, AT&T Michigan may discontinue service to Planet Access for non-payment, subject to the Commission approval. AT&T Michigan seeks a Commission Order approving AT&T Michigan’s request to discontinue service to Planet Access.

Case No. U-15519

Interconnection Agreement

AT&T Michigan and Business Communications Analysts, Inc.

<http://efile.mpsc.cis.state.mi.us/efile/viewcase.php?casenum=15519>

On February 19, 2008, AT&T Michigan and Business Communications Analysts, Inc. jointly filed an Application with the Michigan Public Service Commission (“Commission”) requesting approval of an Interconnection Agreement.

NOTICES OF OPPORTUNITIES TO COMMENT |

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

AT&T Michigan

<http://efile.mpsc.cis.state.mi.us/efile/viewcase.php?casenum=11830>

Initial Comments Due: Tuesday, March 4, 2008

Reply Comments Due: Tuesday, March 25, 2008

On February 12, 2008, the Michigan Public Service Commission (“Commission”) issued an Order requesting comments concerning AT&T Michigan’s proposed change in Tier 1 and Tier 2 remedy payments. On December 18, 2007, AT&T Michigan and various other parties to the Commission’s AT&T Michigan Performance Measures Proceeding filed a motion to amend the Commission’s prior orders in this proceeding to reflect agreements among the parties concerning changes in the approved performance measurements and remedies. On January 17, 2008, AT&T Michigan filed what it titled “AT&T Michigan’s Expedited Motion Regarding Modification of the Current Remedy Plan.” In that Motion, and a January 23, 2008 erratum to the Motion, AT&T Michigan stated that it has been paying assessments to the State of Michigan on current performance measure (PM) 65.1 for aggregate CLEC 8.0 decibel (dB) loop trouble report rate results even when performance under this measure has been excellent. AT&T Michigan claimed that the trouble report rate has never exceeded 1.4 troubles per 100 circuits, which it says surpasses the Commission’s requirements for AT&T Michigan retail sales that troubles should not exceed 4 per 100 circuits. However, AT&T Michigan has been required to make two Tier 2 payments to the State of Michigan totaling \$584,100. AT&T Michigan requests the Commission adopt a floor and ceiling function that the parties to the joint filing agreed upon during the 2006-2007 collaborative, effective for its December 2007 performance. AT&T Michigan alternatively proposed to eliminate the AT&T affiliate comparison result for the 8.0 dB loop submeasure for the current PM 65.1, effective for December 2007 performance; rather the parity comparison would be made only to the AT&T Michigan retail result. AT&T Michigan also requests that the Commission permit AT&T Michigan to withhold payments and assessments on the 8.0 dB loop submeasure of current PM 65.1.

The Commission concluded that it should solicit comments from interested parties before adopting AT&T Michigan’s proposed changes. Interested parties may file comments in this proceeding concerning the change in remedy payments (Tier 1 and Tier 2) no later than **5:00 p.m. on Tuesday, March 4, 2008**. Reply Comments may be filed no later than **5:00 p.m. on Tuesday, March 25, 2008**. The Commission also approved AT&T Michigan escrowing amounts due for Tier 1 and Tier 2 payments related to the 8.0 dB loop submeasure of PM 65.1 assessed during the period the above alteration to the performance measures are under consideration.

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-15501

Consumer Complaint: Billing Dispute

Raymond J. Ancona v. Cavalier Telephone

Public Hearing: Thursday, February 28, 2008, at 9:00 a.m.

The Michigan Public Service Commission (“Commission”) will consider the January 15, 2008 Complaint of Raymond J. Ancona against Cavalier Telephone. Mr. Ancona’s Complaint alleges that Cavalier is in violation of the Michigan Public Service Commission’s (Commission)

Telecommunications Services Rules and its Billing Standards for Basic Residential Telecommunication Service Rules for failure to respond to customer service problems or properly credit the customer's bills. Complainant is seeking reimbursement of \$1,000 for his total economic loss, imposition of fines and penalties, and the issuance of a Cease and Desist Order. A public hearing will be held in this matter before Administrative Law Judge Mark D. Eyster on Thursday February 28, 2008, at 9:00 a.m. at the offices of the Commission, 6545 Mercantile Way, Suite 7, Lansing, Michigan.

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 (FEBRUARY 25, 2008 THROUGH MARCH 7, 2008)

February 28, 2008, 9:00
Case No. U-15501/evidentiary hearing
Raymond J. Ancona v Cavalier (consumer complaint)

March 5, 2008, 9:00 a.m.
Case No. U-15491/prehearing conference
Sprint Communications Company L.P., Sprint Spectrum L.P., and Nextel West Corp v AT&T Michigan (ica dispute)

FUTURE TELECOM HEARINGS SCHEDULED

March 11, 2008, 9:00 a.m.
Case No. U-15374/motion hearing
Walsma & Lyons, Inc. v AT&T Michigan (consumer complaint: quality of service)

July 7-9, 2008, 9:00 a.m.
Case No. U-15434/evidentiary hearings
Michigan Cable Telecommunications Association and Charter Communications Operating, LLC v Consumers Energy Company (pole attachments)

March 13, 2008, 9:00
Case No. U-15498/evidentiary hearing
Technology Experts Corporation v. LDMI Telecommunications Inc. and/or d/b/a Talk America, Inc., and/or d/b/a Cavalier Telephone.(consumer complaint: service quality)

2008 REGULAR MPSC MEETING DATES* |

<u>Month & Date</u>	<u>Day</u>	<u>Time</u>
March 11	Tuesday	1:30 p.m.
April 1	Tuesday	1:30 p.m.
April 22	Tuesday	1:30 p.m.
May 6	Tuesday	1:30 p.m.
May 20	Tuesday	1:30 p.m.
June 3	Tuesday	1:30 p.m.
June 24	Tuesday	1:30 p.m.
July 15	Tuesday	1:30 p.m.
July 29	Tuesday	1:30 p.m.

<u>Month & Date</u>	<u>Day</u>	<u>Time</u>
August 12	Tuesday	1:30 p.m.
August 26	Tuesday	1:30 p.m.
September 9	Tuesday	1:30 p.m.
September 23	Tuesday	1:30 p.m.
October 7	Tuesday	1:30 p.m.
October 21	Tuesday	1:30 p.m.
November 13	Thursday	1:30 p.m.
December 9	Tuesday	1:30 p.m.
December 23	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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