



FEATURES |

Earthcom Inc. Now An Approved Vendor for MiCTA Members |

Note: MiCTA issued the following Press Release on August 4, 2015.

SAGINAW, Mich., Aug. 4, 2015 – MiCTA has named Earthcom Inc. as an Approved National Vendor for DAS Equipment, Small Cell and DAS Engineering/Design Services making them available to all MiCTA members across the United States. MiCTA, a non-profit national group purchasing organization, selected the company after a thorough Request for Proposal review. . . .

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Earthcom Inc. Now An Approved Vendor for MiCTA Members | continued from Page 1

. . . “Earthcom, Inc. is excited to be working with MiCTA and its members. Distributed Antenna Systems (DAS) are a critical component of MiCTA members’ communication infrastructure, providing cell, data and public safety services in facilities and communities where they are needed most,” said Earthcom’s Chief Operating Officer Ray Signs. “We are a full service wireless company,” Signs said, “with strong capabilities in all aspects of DAS and ODAS projects, including outside plant and tower integration. For over 15 years we have been a trusted vendor and partner to the major US wireless carriers, and we look forward to bringing our experience and expertise to MiCTA members.”

Earthcom Inc. designed and installed its first DAS system in 2000, and since has completed projects totally over 75 million square feet. A key to Earthcom Inc.’s success is their extensive knowledge of national tier-one carrier head end standards and specifications, as well as complete familiarity with various OEM equipment used in the installation.

MiCTA’s Chief Operating Officer Tim von Hoff said, “MiCTA welcomes Earthcom, a dynamic and growing company, as an Approved National vendor of DAS products and related services. We are confident that our members will benefit from the highly professional approach that Earthcom takes on every DAS, ODAS, and small cell project.”

About MiCTA – MiCTA represents thousands of higher education, K-12, healthcare, library, governmental and charitable entities. Nationally, MiCTA seeks to resolve common voice, video and data issues, provide helpful information, participate in legislative and regulatory telecom advocacy, and negotiate discounted purchase contracts for telecommunications and technology services for its members. To learn more visit: <<http://www.mictatech.org>>.

About Earthcom Inc. – Earthcom Inc. is a full service communications company with extensive experience in providing turnkey site development. From planning, site selection and preparation, to technical guidance, tower or equipment installation and maintenance, Earthcom Inc. is dedicated to total customer satisfaction. To learn more visit their website at <<http://www.earthcom.us>>.

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2015 & 2016 LEGISLATION |

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 Website, <<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 0301 Warren	04/28/2015	Environmental protection; recycling; consumer electronic waste; expand to include cellular telephones and tablet computers. Amends secs. 17301, 17305, 17307 & 17309 of 1994 PA 451 (MCL 324.17301 et seq.) & repeals sec. 17313 of 1994 PA 451 (MCL 324.17313).	Referred to Senate Committee on Natural Resources.
SB 0336 Schuitmaker	05/15/2015	Law enforcement; other; public safety communications; create Michigan blue alert plan to broadcast information regarding attacks on peace officers. Creates new act.	06/10/2015 Passed Senate, 38 Yays, 0 Nays; Referred to House Committee on Criminal Justice.
SB 0399 Schmidt	06/16/2015	Counties; boards and commissions; permit fee required for a government entity or telecommunication provider working within a county right-of-way; clarify limits, and clarify bonding and insurance requirements for telecommunication providers working within a county right-of-way. Amends sec. 19b, ch. IV of 1909 PA 283 (MCL 224.19b).	Referred to Committee on Local Government.

House Bill # Primary Sponsor	Date Introduced	Description	Status (revisions in bold)
HB 4006 Heise	01/15/2015	Law enforcement; investigations; disclosure of call location information by wireless providers to requesting law enforcement agency; require. Creates new act.	02/18/2015 Substitute H-1 reported with recommendation by House Committee on Criminal Justice; referred to second reading.

House Bill # Primary Sponsor	Date Introduced	Description	Status (revisions in bold)
HB 4038 Forlini 2015 PA 36	01/21/2015	Housing; landlord and tenants; notification of evictions; allow by electronic mail. Amends sec. 5718 of 1961 PA 236 (MCL 600.5718).	05/21/2015 Signed by Gov. Snyder; assigned 2015 PA 36 with immediate effect; 05/12/2015 Passed Senate, 116 Yeas, 26 Nays, 11 Excused, 1 Not Voting; Returned to House without amendments; Ordered Enrolled.
HB 4291 Love	03/04/2015	Environmental protection; recycling; consumer electronic waste; expand to include cellular telephones and tablet computers. Amends secs. 17301, 17305, 17307 & 17309 of 1994 PA 451 (MCL 324.17301 et seq.) & repeals sec. 17313 of 1994 PA 451 (MCL 324.17313)	Referred to House Committee on Communications and Technology.
HB 4373 Geiss	03/24/2015	Education; public school academies; cyber schools; require posting educational materials on website and submission to department. Amends 1976 PA 451 (MCL 380.1 - 380.1852) by adding sec. 553b.	Referred to House Committee on Education.
HB 4378 Cole	03/24/2015	Administrative procedure; contested cases; award of costs and fees to prevailing party in a case involving this state; remove certain restrictions. Amends sec. 123 of 1969 PA 306 (MCL 24.323).	Referred to House Committee on Government Operations.
HB 4781 Kosowski	07/14/2015	Education; technology; Internet filtering, technology utilization, and digital citizenship policies and education in schools; require. Amends 1976 PA 451 (MCL 380.1 - 380.1852) by adding sec. 1292.	Referred to House Committee on Education.
HB 4791 Zemke	07/15/2015	Education; school districts; policy regulating social media interaction between students and employees; require school districts to adopt and implement. Amends 1976 PA 451 (MCL 380.1 - 380.1852) by adding sec. 1319.	Referred to House Committee on Education.

House Resolution # Primary Sponsor	Date Introduced	Description	Status (revisions in bold)
HR 0017 Tedder	02/19/2015	A resolution to memorialize the President of the United States, the U.S. Congress, and the U.S. Federal Communications Commission to rescind the ruling which regulates broadband Internet services as common carrier services under Title II of the Communications Act of 1934	03/04/2015 Substitute H-1 Adopted by the House.
HR 0039 Townsend	03/17/2015	A resolution to memorialize the President of the United States, the U.S. Congress, and the U.S. Federal Communications Commission to stand firm on the decision to regulate broadband Internet services as common carrier services under Title II of the Communications Act of 1934 in the interest of preserving net neutrality.	03/17/2015 Referred to House Committee on Communications and Technology.
HCR 0004 Townsend	03/17/2015	A concurrent resolution to memorialize the President of the United States, the U.S. Congress, and the U.S. Federal Communications Commission to stand firm on the decision to regulate broadband Internet services as common carrier services under Title II of the Communications Act of 1934 in the interest of preserving net neutrality.	03/17/2015 Referred to House Committee on Communications and Technology.
HJR N	03/26/2015	Criminal procedure; warrants; search and seizure protections; expand to include electronic communications and seizures. Amends sec. 11, art. I of the state constitution.	05/26/2015 Reported by House Committee on Criminal Justice with recommendation and without amendment; referred to second reading.

Senate Resolution # Primary Sponsor	Date Introduced	Description	Status (revisions in bold)
SR 0016 Kowall	02/24/2015	A resolution to memorialize the President of the United States, the U.S. Congress, and the U.S. Federal Communications Commission to refrain from regulating broadband Internet services as common carrier services under Title II of the Communications Act of 1934.	02/25/2015 Adopted by the Senate.
SR 0031 Kowall	03/25/2015	A resolution to urge the adoption of Intelligent Transportation System technologies throughout the state, further research into vehicle communication systems, and the testing and operation of connected and automated vehicles.	03/25/2015 Adopted by the Senate.

PUBLIC ACTS OF 2015 & 2016 |

Listed below are Public Acts related to telecommunications that were passed during the current legislative session (2015-2016). Copies of Public Acts may be obtained by contacting your state Senator or Representative, on the Michigan Legislature Website, <<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 # and Sponsor
2015 PA 36	05/21/2015	Housing; landlord and tenants; notification of evictions; allow by electronic mail. Amends sec. 5718 of 1961 PA 236 (MCL 600.5718).	HB 4038 Forlini

ORDERS ISSUED BY THE COMMISSION |

The Michigan Public Service Commission (“Commission”) issued the following Orders at its regularly scheduled meeting held on Friday, August 14, 2015, at 11:00 a.m. at the Commission’s offices located at 7109 W. Saginaw Highway, Lansing, Michigan.

Case No. U-14877

License

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

<http://efile.mpsc.state.mi.us/efile/viewcase.php?casenum=14877>

On August 14, 2015, the Michigan Public Service Commission (“Commission”) issued an Order rescinding the license of BCR Network Services, Inc., d/b/a The Data Warehouse to provide

basic local exchange service in the lower peninsula of Michigan in the zones and exchanges currently served by Verizon North Inc., Contel of the South, Inc., d/b/a Verizon North Systems, and AT&T Michigan. On June 29, 2015, Clear Rate Communications, Inc., informed the Commission that it had purchased BCR Network Services, Inc., d/b/a The Data Warehouse in 2010 and that all customers have since been transferred to Clear Rate Communications. Clear Rate Communications requested that the license be surrendered.

Case No. U-17851

Interconnection Agreement

Frontier Communications of Michigan, Inc., and CenturyLink Communications, LLC

<http://efile.mpsc.state.mi.us/efile/viewcase.php?casenum=17851>

Application filed July 20, 2015, for approval of an Interconnection Agreement.

On August 14, 2015, the Michigan Public Service Commission (“Commission”) issued an Order approving the above-listed Interconnection Agreement.

Case No. U-14859

License

Neo Network Development, Inc.

<http://efile.mpsc.state.mi.us/efile/viewcase.php?casenum=14859>

On August 14, 2015, the Michigan Public Service Commission (“Commission”) issued an Order granting a license to provide basic local exchange service in the incumbent geographic territories of AT&T Michigan, Frontier North Inc., Frontier Midstates Inc., CenturyTel of Michigan, Inc., CenturyTel Midwest – Michigan, Inc., CenturyTel of Northern Michigan, Inc., and CenturyTel of Upper Michigan, Inc., in the state of Michigan to Neo Network Development, Inc. On June 15, 2015 the Commission granted Neo Network Development, Inc. a temporary license, which is replaced by this permanent license.

Case No. U-17883

Request for Declaratory Ruling

Mark P. Donaldson

<http://efile.mpsc.state.mi.us/efile/viewcase.php?casenum=17883>

On August 14, 2015, the Michigan Public Service Commission (“Commission”) issued an Opinion and Order in response to the June 30, 2015 request of Mark P. Donaldson that the Commission consider issuing declaratory rulings related to the applicability of the Michigan Telecommunications Act (“MTA”), MCL 484.2101 *et seq.*, and the Commission’s jurisdiction over the business activities of Connect Michigan, LLC (“Connect”), and internet services available at Kirtland Community College (“KCC”), that are provided by Custom Software, Inc., d/b/a M-33 Access (CSI).

Issuance of declaratory rulings by the Commission is discretionary under Mich. Admin. Code, R 792.10448. While the Commission declined to act on Mr. Donaldson’s request, the Commission provided its reasons for doing so.

R 792.10448(1)(a) requires that a request for a declaratory ruling or its attached exhibits contain “[a] complete, accurate, and concise statement of the facts or situation upon which the request is based.” The Commission found that neither Mr. Donaldson’s request nor his exhibits met this requirement.

R 792.10448(1)(c) requires that a request or its attached exhibits contain “[s]pecific reference to all statutes, rules, and orders to which the request relates.” The Commission also found that Mr.

Donaldson's request did not meet this requirement. The Commission also found that Mr. Donaldson did not make clear the legal authority under which he may represent the interests of any municipality before the Commission.

R 792.10448(1)(d) requires that the application or attachments include "the person's analysis of the issues presented and a proposed conclusion." The Commission also found that "in general, the request does not meet this requirement and in some respects is considerably flawed." The Commission noted, as examples of such, that

in paragraphs 128 and 129, the application asserts that the Commission must not apply the administrative hearing rules for complaints set forth in R 792.10442, because those rules do not apply to any complaint relating to the MTA. In this regard, Mr. Donaldson is simply wrong. The requirement for the Commission to examine every complaint to determine whether it states a *prima facie* case is applicable to all complaints, including those raised under the MTA. And, despite Mr. Donaldson's proclamation to the contrary, if the Commission desired to treat this request for a declaratory ruling as a contested case proceeding, the Commission is authorized by R 792.10448(2) to do so.

The Commission also noted that it does not have authority over unregulated services for which Mr. Donaldson was requesting declaratory rulings, such as the sale of internet to KCC students. *See*, MCL 484.2401(1). Further the Commission found that "an educational institution that appears to be providing telecommunication services in compliance with the MTA shall not be subject to regulation under the MTA or by any other governmental unit. *See*, MCL 484.2307(2)."

The Commission ultimately found "the request is procedurally defective and that there is no merit to the allegations and assertions contained therein" and denied the request for a declaratory ruling.

Case No. U-17903

Rulemaking

Commission's Own Motion

<http://efile.mpsc.state.mi.us/efile/viewcase.php?casenum=17903>

On August 14, 2015, the Michigan Public Service Commission ("Commission") issued an Order and Notice of hearing regarding the Commission's request to re-adopt rules for the provision of unbundled network elements and local interconnection. Pursuant to Section 202(1)(c)(ii) of the Michigan Telecommunications Act, MCL 484.2202(1)(c)(ii), the Commission is required to establish and enforce quality standards for the provision of unbundled network elements and local interconnection services to providers that are used in the provision of basic local exchange service. The Commission last formally adopted such rules through an Order issued in MPSC Case No. U-17065 on March 13, 2013. The rules, R 484.71 through R 484.75, would expire after 3 years, pursuant to R 484.73, unless the Commission re-adopts them.

On May 28, 2015, the Commission sought permission from the Office of Regulatory Reinvention ("ORR") to re-adopt the rules. ORR approved the request on July 16, 2015, ORR# 2015-044 LR. The Commission submitted the draft rules to ORR and the Legislative Service Bureau ("LSB") for informal approvals, which were granted on July 16, 2015. A Regulatory Impact Statement was approved on August 7, 2015.

To provide the public with an opportunity to comment on the proposed re-adoption, the Commission has scheduled a public hearing, which will be held at 9:00 a.m. on October 6, 2015, at the Commission's Offices. Any person may attend the public hearing and may offer comments on the proposed re-adoption. In addition, any person may submit written comments regarding the proposed re-adoption. The comments should reference Case No. U-17903, and must be received no later than 5:00 p.m. on October 20, 2015. Mailed comments may be sent to: Executive Secretary, Michigan Public Service Commission, P.O. Box 30221, Lansing, MI 48909. Electronic comments may be e-mailed to <mpscdockets@michigan.gov> or filed on the Commission's E-Docket System.

APPLICATIONS AND COMPLAINTS |

Case No. U-17904

Interconnection Agreement

Communication Corporation of Michigan, Chatham Telephone Company, Island Telephone Company, Shiawassee Telephone Company, Wolverine Telephone Company and Cellco Partnership d/b/a Verizon Wireless
<http://efile.mpsc.state.mi.us/efile/viewcase.php?casenum=17904>

On August 6, 2015, Communication Corporation of Michigan, Chatham Telephone Company, Island Telephone Company, Shiawassee Telephone Company, Wolverine Telephone Company and Cellco Partnership d/b/a Verizon Wireless jointly filed an Application with the Michigan Public Service Commission ("Commission") seeking approval of a Commercial Mobile Radio Service 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.

Case No. U-17903

Rulemaking

Commission's Own Motion

<http://efile.mpsc.state.mi.us/efile/viewcase.php?casenum=17903>

Hearing: Tuesday, October 6, 2015 at 9:00 a.m.

Comments Due: Tuesday, October 20, 2015

On August 14, 2015, the Michigan Public Service Commission ("Commission") issued an Order and Notice of hearing regarding the Commission's request to re-adopt rules for the provision of unbundled network elements and local interconnection. Pursuant to Section 202(1)(c)(ii) of the Michigan Telecommunications Act, MCL 484.2202(1)(c)(ii), the Commission is required to establish and enforce quality standards for the provision of unbundled network elements and local interconnection services to providers that are used in the provision of basic local exchange service. The Commission last formally adopted such rules through an Order issued in MPSC Case No. U-17065 on March 13, 2013. The rules, R 484.71 through R 484.75, would expire after 3 years, pursuant to R 484.73, unless the Commission re-adopts them.

To provide the public with an opportunity to comment on the proposed re-adoption, the Commission has scheduled a public hearing, which will be held at **9:00 a.m. on Tuesday, October 6,**

2015, at the Commission's Offices at 7109 W. Saginaw Hwy., Lansing, Michigan. Any person may attend the public hearing and may offer comments on the proposed re-adoption. In addition, any person may submit written comments regarding the proposed re-adoption. The comments should reference Case No. U-17903, and must be received no later than **5:00 p.m. on Tuesday, October 20, 2015**. Mailed comments may be sent to: Executive Secretary, Michigan Public Service Commission, P.O. Box 30221, Lansing, MI 48909. Electronic comments may be e-mailed to <mpscdockets@michigan.gov> or filed on the Commission's E-Docket System.

NOTICES OF HEARINGS |

The following Notices of Hearings have been issued by the Michigan Public Service Commission's Executive Secretary. Unless otherwise noted, all hearings are held at the Michigan Public Service Commission, 7109 W. Saginaw, Lansing, Michigan.

Case No. U-17784

License

Peninsula Fiber Network Next Generation Services, LLC

<http://efile.mpsc.state.mi.us/efile/viewcase.php?casenum=17784>

Evidentiary Hearing: Tuesday August 18, 2015, 9:00 a.m.

The Michigan Public Service Commission ("Commission") will consider the June 3, 2015 Application of Peninsula Fiber Network Next Generation Services, LLC, as amended on June 24, 2015, for a temporary and a permanent license to provide basic local exchange service in the following exchanges: Birch Run, Byron, Clio-Mt. Morris, Fenton, Flint, Flushing, Fowlerville, Frankenmuth, Grand Blanc, Holly, Howell, Lapeer, Mayville, Oxford, Saginaw and Vassar, served by Michigan Bell Telephone Company, d/b/a AT&T Michigan; Bancroft, Clifford, Columbiaville, Davison, Durand, Gaines, Linden, Metamora, North Branch, Ortonville, Otisville, Owosso, Rankin and Swartz Creek, served by Frontier North Inc.; Fostoria and Millington, served by Wolverine Telephone Company, d/b/a TDS Telecom/Wolverine Telephone Co.; Lennon, served by Lennon Telephone Company; and Chesaning, Goodrich, Hadley, Montrose and New Lothrop, served by CenturyTel Midwest-Michigan, Inc., at an evidentiary hearing before Administrative Law Judge Sharon Feldman on Tuesday, August 18, 2015 at 9:00 a.m., at the Commission's offices located at 7109 West Saginaw Highway, Lansing, Michigan. Interested parties who wish to intervene in this proceeding must do so by Friday, August 14, 2015.

Case No. U-17903

Rulemaking

Commission's Own Motion

<http://efile.mpsc.state.mi.us/efile/viewcase.php?casenum=17903>

Hearing: Tuesday, October 6, 2015 at 9:00 a.m.

Comments Due: Tuesday, October 20, 2015

On August 14, 2015, the Michigan Public Service Commission ("Commission") issued an Order and Notice of hearing regarding the Commission's request to re-adopt rules for the provision of unbundled network elements and local interconnection. Pursuant to Section 202(1)(c)(ii) of the Michigan Telecommunications Act, MCL 484.2202(1)(c)(ii), the Commission is required to establish and enforce quality standards for the provision of unbundled network elements and local interconnection services to providers that are used in the provision of basic local exchange service. The Commission last formally adopted such rules through an Order issued in MPSC Case No. U-17065 on March 13, 2013. The rules, R 484.71 through R 484.75, would expire after 3 years, pursuant to R 484.73, unless the Commission re-adopts them.

To provide the public with an opportunity to comment on the proposed re-adoption, the Commission has scheduled a public hearing, which will be held at **9:00 a.m. on Tuesday, October 6, 2015**, at the Commission's Offices at 7109 W. Saginaw Hwy., Lansing, Michigan. Any person may attend the public hearing and may offer comments on the proposed re-adoption. In addition, any person may submit written comments regarding the proposed re-adoption. The comments should reference Case No. U-17903, and must be received no later than **5:00 p.m. on Tuesday, October 20, 2015**. Mailed comments may be sent to: Executive Secretary, Michigan Public Service Commission, P.O. Box 30221, Lansing, MI 48909. Electronic comments may be e-mailed to <mpscdockets@michigan.gov> or filed on the Commission's E-Docket System.

MPSC HEARINGS SCHEDULE |

Note: Unless indicated otherwise, hearings are held at the Michigan Public Service Commission's new offices at 7109 W. Saginaw, 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 TELECOMMUNICATIONS HEARINGS SCHEDULED FOR THE NEXT FORTNIGHT (AUGUST 17, 2015 THROUGH AUGUST 28, 2015)

*There are no known Telecommunications
Hearings scheduled during the current fortnight.*

August 18, 2015, 9:00 a.m.
Case No. U-17884/Evidentiary Hearing
Peninsula Fiber Network Next Generation Services,
LLC (license)

FUTURE TELECOM HEARINGS SCHEDULED

September 28, 2015, 1:00 p.m.
Case No. U-17891/Show Cause
CMC Telecom (show cause - trs)

October 6, 2015, 9:00 a.m.
Case No. U-17903/Rulemaking
Commission's Own Motion (rulemaking)

2015 REGULAR MPSC MEETING DATES[†] |

MONTH & DATE	DAY	TIME
August 25 [‡]	Tuesday	1:30 p.m.
September 10	Thursday	1:30 p.m.
September 24	Thursday	1:30 p.m.
October 7	Wednesday	1:30 p.m.
October 22	Thursday	1:30 p.m.
November 5	Thursday	1:30 p.m.
November 19	Thursday	1:30 p.m.
December 8	Tuesday	1:30 p.m.
December 22	Tuesday	1:30 p.m.

[†] Additional meetings of the Michigan Public Service Commission (“Commission”) 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).

All meetings of the Commission are open to the public and will be held at the Commission’s offices, which are located at 7109 W. Saginaw, Lansing, Michigan, 48917, unless posted and notified in accordance with the Open Meetings Act. Visitors should park in the south side, rear parking lot, which is in the back of the building and enter through the doors posted for “Visitors.” The meeting site is accessible, including handicapped parking. People with disabilities requiring additional accommodations such as information in alternative formats in order to participate in the meeting should contact the Commission’s Executive Secretary at (517) 284-8090.

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 Commission may make an inquiry by calling the Commission’s Executive Secretary at (517) 248-8090.

[‡] On August 14, 2015, the Michigan Public Service Commission (“Commission”) announced that its August 25, 2015 Regular Commission Meeting will not be held. The next Regular Commission meeting will be held on Thursday, September 10, 2015 at 1:30 p.m.

SUBSCRIPTION INFORMATION |

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