



FEATURES |

Mobile phones and text messages: Eastern Michigan University's third annual journal on global business communication looks at advances and trends in rapidly changing field |

EMU professor David Victor oversees a journal that takes a broad look at the increasingly interactive nature of intercultural business communication

NOTE: Eastern Michigan University issued the following Press Release on November 14, 2014. For additional information contact Geoff Larcom at <glarcom@emich.edu> or at 734.487.4400.

YPSILANTI – Mobile phone use in meetings. Text messaging by managers. The effects of linguistic ability and legal systems on intercultural business communication. . . .

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Clark Hill PLC

212 East Grand River Avenue
Lansing, Michigan 48906-4328
P: 517.318.3100 | F: 517.318.3099

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Mobile phones and text messages: Eastern Michigan University's third annual journal on global business communication looks at advances and trends in rapidly changing field | continued from Page 1

. . . Those are among the topics covered in Eastern Michigan University College of Business's latest look at the rapidly changing yet increasingly interactive nature of global business communication in the college's annual journal published on the subject.



David A. Victor, a professor of management and international business at Eastern Michigan, oversaw the third annual "Global Advances in Business Communication (GABC) Journal."

The journal was published jointly with the University of Antwerp (Belgium) and the Technological University of Malaysia. It is housed at Eastern through Halle Library.

Victor served as editor-in-chief, with Paul Verluyten of the University of Antwerp and Hadina Habil of the Technological University of Malaysia serving as associate editors.

The journal's editorial review board consists of 20 of the field's foremost experts from nine countries.

The new issue contains articles from some of the top scholars in the field, with authors from China, Mexico, Japan and the United States.

The issue includes:

1. "Mobile Phone Use in Meeting among Chinese Professionals: Perspectives on Multicommunication and Civility," co-authored by Peter Cardon of the University of Southern California Marshall School of Business (and current President of the Association for Business Communication) and Ying Dai of the Shanghai Business School.
2. "The Relationship Between Culture and Legal Systems and the Impact on Intercultural Business Communication," co-authored by Iris Varner and Katrin Varner, both of Illinois State University College of Business.
3. "The Role of Linguistic Ability and Business Expertise for Turn-taking in intercultural Business Communication," by Misa Fujio of Toyo University, Tokyo, Japan.
4. "Managerial Use of Text Messaging in International Organizations," co-authored by José Guadalupe Torres and Roger Conaway both of the ITESM - San Luis Potosí, Mexico.

This is a free journal available online at <http://commons.emich.edu/gabc/>.

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Michigan Public Service Commission Seeks Status Updates on Telecommunications Relay Service Transition |

The Michigan Public Service Commission (“Commission”) Telecommunications Division Staff (“Staff”) has sent electronic questionnaires to licensed basic local exchange carriers (“LECs”) gauging their status regarding a possible upcoming transition of Telecommunications Relay Service (“TRS”) providers. Pursuant to Section 315 of the Michigan Telecommunications Act, MCL 484.2315 (“MTA”), providers of basic local exchange service are required “to provide a telecommunication relay service whereby persons using a text telephone-telecommunications device for the deaf can communicate with persons using a voice telephone through the use of third party intervention or automated translation.” The primary third-party provider of TRS service in Michigan, AT&T Michigan, previously announced that it will discontinue offering TRS service to customer LECs effective Feb. 1, 2015. The majority of LECs in Michigan currently use AT&T Michigan as their TRS provider.

On September 11, 2014, in an Order issued in Docket No. U-17655, the Commission directed the Staff to convene an informational collaborative to allow alternative TRS providers to present the types of services that they offer. Hamilton Relay, Inc. and Sprint Communications Company L.P. made proposals to the various LECs for TRS service offerings and transitions of TRS services.

Staff’s electronic questionnaire asks LECs to respond to the following questions regarding the TRS transition:

1. Has your company selected a new TRS vendor?
 - a. Yes
 - b. No

2. If no to #1, is your company close to selecting a new TRS vendor?
 - a. Yes
 - b. No

3. Has your company actually switched to a new TRS vendor? (Please place an X by your response).
 - a. Yes
 - b. No
 - c. We don’t need to switch because we are a non-facilities based reseller.

4. If yes to #3, have you filed into the docket your customer outreach plan pursuant to the September 11, 2014 order in MPSC Case No. U-17655?
 - a. Yes
 - b. No

5. If yes to #3, have you notified the Commission within 10 days of making the change to a new relay service provider by filing a letter into the docket pursuant to September 11, 2014 order in MPSC Case No. U-17655?
 - a. Yes
 - b. No

6. If your company has not selected a vendor, can you please explain the delay?
 - a. Yes
 - b. No

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MPSC Designates United Way of Battle Creek and Kalamazoo Region as 2-1-1 Answering Point for 13 Exchanges |

Note: The Michigan Public Service Commission issued the following Press Release on December 4, 2014. For additional information, contact Judy Palnau at 517.241.3323

December 4, 2014 – The Michigan Public Service Commission (“MPSC”) today approved a request by United Way of Battle Creek and Kalamazoo Region (“UWBCKR”) to be designated as the 2-1-1 answering point for 13 exchanges located within Barry, Ionia, and Montcalm counties.

The 13 exchanges are currently assigned to either Heart of West Michigan, Jackson 2-1-1 or Gryphon Place. They are Belding, Carson City, Crystal, Delton, Freeport, Greenville, Hickory Corners, Hubbardston, Nashville, Pine Lake, Portland, Trufant, and Woodland.

In approving the request, the commission said UWBCKR has demonstrated that it has an appropriate framework in place for providing coverage 24 hours per day, seven days per week.

MPSC Case No. U-17626

The MPSC is an agency within the Department of Licensing and Regulatory Affairs. For more information about LARA, please visit <http://www.michigan.gov/lara>. Follow us on Twitter <http://www.twitter.com/michiganLARA>, Like <http://www.facebook.com/pages/Michigan-Licensing-and-Regulatory-Affairs-LARA/174666982582752> us on Facebook or find us on YouTube <http://www.youtube.com/michiganLARA>.

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2013 & 2014 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 033 Schuitmaker	01/16/2013	Campaign finance; campaign practices; automated campaign telephone calls; require to identify who paid for call. Amends 1976 PA 388 (MCL 169.201 - 169.282) by adding sec. 48.	Referred to Senate Committee on Local Government and Elections.

Senate Bill # Primary Sponsor	Date Introduced	Description	Status (revisions in bold)
SB 0294 Jones	04/10/2013	Gaming; lottery; sale of lottery tickets; prohibit sale over internet. Amends sec. 9 of 1972 PA 239 (MCL 432.9).	Referred to Senate Committee on Regulatory Reform.
SB 0493 Jones	09/17/2013	Communications; broadcasting; local zoning restrictions for amateur radio; require to conform to federal regulations. Amends 2006 PA 110 (MCL 125.3101 - 125.3702) by adding sec. 205a.	11/06/2014 Referred to House Committee on Energy and Technology.
SB 0539 Nofs 2013 PA 173	09/24/2013	Torts; governmental immunity; underground facility damage prevention; define as proprietary function. Amends sec. 7 of 1964 PA 170 (MCL 691.1407). Tie Bar with SB 0540.	12/3/2013 Signed by Governor Synder; assigned 2013 PA 173 with immediate effect.
SB 0540 Nofs 2013 PA 174	09/24/2013	Public utilities; consumer services; MISS DIG underground facility damage prevention and safety act; create. Creates new act & repeals 1974 PA 53 (MCL 460.701 - 460.718). Tie Bar with SB 0539.	12/3/2013 Signed by Governor Synder; assigned 2013 PA 174 with immediate effect.
SB 0599 Hansen	10/03/2013	Crimes; criminal sexual conduct; use of internet or computer system to solicit prostitute less than 21 years of age; prohibit. Amends sec. 145d of 1931 PA 328 (MCL 750.145d).	Referred to Senate Committee on Families, Seniors, and Human Services.
SB 0636 Nofs 2014 PA 52	10/22/2013	Communications; telecommunications; general amendments; provide for. Amends secs. 304, 310, 313, 315, 317, 320 & 502 of 1991 PA 179 (MCL 484.2304 et seq.).	03/27/2014 Signed by Governor Snyder; assigned 2014 PA 52, with immediate effect.
SB 0734 Caswell	01/08/2014	Holidays; other; "Utility Workers Safety Awareness Day"; designate as December 6. Creates new act.	Referred to Senate Committee on Government Operations.
SB 0824 Pappageorge 2014 PA 88	02/25/2014	State financing and management; authorities; process for transferring METRO Act authority powers; revise, and provide other general amendments. Amends secs. 2 & 3 of 2002 PA 48 (MCL 484.3102 & 484.3103). Tie Bar with SB 822.	04/01/2014 Signed by Governor Snyder; assigned 2014 PA 88, with immediate effect.

Senate Bill # Primary Sponsor	Date Introduced	Description	Status (revisions in bold)
SB 0924 Bieda	05/01/2014	Crimes; other; posting of sexually explicit image of another person on internet with intent to frighten, intimidate, or harass; prohibit, and require removal of sexually explicit images under certain circumstances. Amends 1931 PA 328 (MCL 750.1 - 750.568) by adding sec. 145e. Tie Bar with SB 0925.	06/04/2014 Referred to House Committee on Criminal Justice. 06/03/2014 Substitute S-1 passed Senate, 37 Yeas, 0 Nays, 1 Excused.
SB 0925 Jones	05/01/2014	Crimes; penalties; penalties for posting sexually explicit image on internet or failing to remove posted sexually explicit image from internet under certain circumstances; provide for. Amends 1931 PA 328 (MCL 750.1 - 750.568) by adding sec. 145f. Tie Bar with SB 0924.	06/04/2014 Referred to House Committee on Criminal Justice. 06/03/2014 Substitute S-1 passed Senate, 37 Yeas, 0 Nays, 1 Excused.
SB 1060 Bieda	09/16/2014	Trade; consumer goods and services; requirement for smartphones to be equipped with antitheft functionality; provide for. Amends sec. 3 of 1976 PA 331 (MCL 445.903) & adds sec. 3j.	Referred to Senate Committee on Regulatory Reform
SB 1089 Jones	09/24/2014	Law enforcement; investigations; disclosure of call location information by wireless providers to requesting law enforcement agency; require. Creates new act.	Referred to Senate Committee on Energy and Technology.

House Bill # Primary Sponsor	Date Introduced	Description	Status (revisions in bold)
HB 4011 Heise	01/22/2013	Communications; emergency 9-1-1; recordings from 9-1-1 calls; prohibit disclosure under certain circumstances. Amends sec. 13 of 1976 PA 442 (MCL 15.243)	Referred to House Committee on Oversight.
HB 4032 Geiss	01/22/2013	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.

House Bill # Primary Sponsor	Date Introduced	Description	Status (revisions in bold)
HB 4237 Haines	02/12/2013	Communications; other; authorized use of Michigan public safety communications system; expand. Amends title & secs. 1, 2 & 3 of 1929 PA 152 (MCL 28.281 et seq.).	12/04/2014 Substitute S-4 reported with recommendations by House Committee on Energy and Technology; referred to second reading.
HB 4531 Cotter	04/11/2013	Gaming; lottery; sale of lottery tickets; prohibit sale over internet. Amends sec. 9 of 1972 PA 239 (MCL 432.9).	Referred to House Committee on Government Operations.
HB 4671 Poleski 2013 PA 113	05/02/2013	Communications; emergency 9-1-1; distribution of service charge fees for 9-1-1; revise. Amends sec. 408 of 1986 PA 32 (MCL 484.1408).	09/24/2013 Signed by Gov. Snyder; assigned 2013 PA 113; with immediate effect.
HB 4702 Franz	05/07/2013	Communications; telecommunications; public service commission report regarding pole attachment rates; require. Amends sec. 6g of 1939 PA 3 (MCL 460.6g).	Referred to House Committee on Energy and Technology.
HB 4843 Forlini	06/13/2013	Campaign finance; other; automated campaign telephone calls; require to identify entity making or paying for call. Amends 1976 PA 388 (MCL 169.201 - 169.282) by adding sec. 48.	Referred to House Committee on Elections and Ethics.
HB 4853 Walsh	06/20/2013	Communications; emergency 9-1-1; additional PSAPs or secondary PSAPs within a 9-1-1 service district; allow county to designate by resolution. Amend sec. 312 of 1986 PA 32 (MCL 484.1312).	Referred to House Committee on Energy and Technology.
HB 4984 Lori	09/17/2013	Communications; emergency 9-1-1; procedure to determine which public safety service unit is closest to a request for public safety service; modify. Amends secs. 102 & 204 of 1986 PA 32 (MCL 484.1102 & 484.1204).	Referred to House Committee on Local Government.
HB 5042 McMillin	10/02/2013	Law enforcement; state police; posting of information concerning speed limit engineering and traffic investigation requests on website; require of state police. Amends sec. 628 of 1949 PA 300 (MCL 257.628).	Referred to House Committee on Transportation and Infrastructure.

House Bill # Primary Sponsor	Date Introduced	Description	Status (revisions in bold)
HB 5110 Heise	10/29/2013	Law enforcement; investigations; disclosure of call location information by wireless providers to requesting law enforcement agency; require. Creates new act.	02/26/2014 Reported by House Committee on Criminal Justice with recommendation with substitute H-2; referred to second reading.
HB 5246 Rogers	01/28/2014	Criminal procedure; warrants; use of electronic video equipment for issuance of warrants; allow for law enforcement officials. Amends sec. 1, ch. IV of 1927 PA 175 (MCL 764.1).	09/18/2014 Substitute H-2 Reported favorably by Senate Committee on Judiciary; referred to Committee of the Whole.
HB 5260 Shirkey	01/29/2014	Public utilities; other; telephone solicitations regarding electric or natural gas service; require certain disclosures. Amends secs. 9 & 10a of 1939 PA 3 (MCL 460.9 & 460.10a).	Referred to House Committee on Energy and Technology.
HB 5431 Hobbs	03/26/2014	Education; curriculum; internet safety instruction; require. Amends 1976 PA 451 (MCL 380.1 - 380.1852) by adding sec. 1162.	Referred to House Committee on Education.
HB 5499 Oakes	04/30/2014	Communications; telecommunications; changes made by 2014 PA 52; eliminate. Amends secs. 103, 304, 310, 313, 317, 320 & 502 of 1991 PA 179 (MCL 484.2103 et seq.).	Referred to House Committee on Energy and Technology.
HB 5710 McMillin	07/16/2014	Law enforcement; investigations; search warrant to be obtained before use of surveillance devices to intercept mobile device information; require. Amends 1966 PA 189 (MCL 780.651 - 780.659) by adding sec. 2b.	Referred to House Committee on Criminal Justice.
HB 5712 McMillin	07/16/2014	Law enforcement; other; surveillance device act; create and regulate the use of surveillance devices by police agencies and police officers under certain circumstances. Creates new act.	Referred to House Committee on Criminal Justice.
HB 5735 Shirkey	08/27/2014	Traffic control; traffic regulation; use of a hand-held cellular telephone while operating a vehicle in a posted construction zone; prohibit when workers are present. Amends sec. 602b of 1949 PA 300 (MCL 257.602b).	Referred to House Committee on Transportation and Infrastructure.

House Bill # Primary Sponsor	Date Introduced	Description	Status (revisions in bold)
HB 5845 Irwin	09/23/2014	School aid; foundation allowance; per pupil allocation for cyber schools; reduce by 2/3 beginning in 2014-2015. Amends sec. 20 of 1979 PA 94 (MCL 388.1620).	Referred to House Committee on Appropriations.
HB 5896 Talib	11/06/2014	Communications; video services; alternative cable providers; ensure access to excess cable equipment capacity in multiple dwellings. Creates new act.	Referred to House Committee on Energy and Technology.
HB 5897 Talib	11/06/2014	Property; condemnation; relocation assistance; clarify inapplicability to persons affected by multiple-dwelling cable communications access act. Amends sec. 11 of 1972 PA 227 (MCL 213.331). Tie Bar with HB 5896.	Referred to House Committee on Energy and Technology.
HB 6071 Kosowski	12/03/2014	Communications; telecommunications; public notice; revise to make reference to the local government public notice act. Amends secs. 308 & 505 of 1986 PA 32 (MCL 484.1308 & 484.1505). Tie Bar with HB 5560.	Referred to House Committee on Local Government.

PUBLIC ACTS OF 2013 & 2014 |

Listed below are Public Acts related to telecommunications that were passed during the current legislative session (2013-2014). 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
2013 PA 113	09/24/2013	Communications; emergency 9-1-1; distribution of service charge fees for 9-1-1; revise. Amends sec. 408 of 1986 PA 32 (MCL 484.1408).	HB 4671 Poleski.
2013 PA 173	12/3/2013	Torts; governmental immunity; underground facility damage prevention; define as proprietary function. Amends sec. 7 of 1964 PA 170 (MCL 691.1407).	SB 0539 Nofs

Public Act #	Effective Date	Description	Enrolled Bill # and Sponsor
2013 PA 174	12/3/2013	Public utilities; consumer services; MISS DIG underground facility damage prevention and safety act; create. Creates new act & repeals 1974 PA 53 (MCL 460.701 - 460.718).	SB 0540 Nofs
2014 PA 52	03/27/2014	Communications; telecommunications; general amendments; provide for. Amends secs. 304, 310, 313, 315, 317, 320 & 502 of 1991 PA 179 (MCL 484.2304 et seq.).	SB 636 Nofs
2014 PA 88	04/01/2014	State financing and management; authorities; process for transferring METRO Act authority powers; revise, and provide other general amendments. Amends secs. 2 & 3 of 2002 PA 48 (MCL 484.3102 & 484.3103). Tie Bar with SB 822 (2014 PA 80).	SB 824 Pappageorge

ORDERS ISSUED BY THE COMMISSION |

The Michigan Public Service Commission (“Commission”) issued the following Orders at its regularly scheduled meeting held on Thursday, December 4, 2014, at 1:30 p.m. at the Commission’s temporary offices located at 4300 West Saginaw, Lansing, Michigan.

Case No. U-12952

Interconnection Agreement

AT&T Michigan and TDS Metrocom, LLC

<http://efile.mpsc.state.mi.us/efile/viewcase.php?casenum=12952>

Application filed November 21, 2014, for approval of a Nineteenth Amendment to the Interconnection Agreement (extends the term of the Seventeenth Amendment pertaining to the approved Performance Measures and Remedies Plan to December 31, 2016).

Case No. U-13378

Interconnection Agreement

AT&T Michigan and Comcast Phone of Michigan, LLC d/b/a

CIMCO a division of Comcast Business Services

<http://efile.mpsc.state.mi.us/efile/viewcase.php?casenum=13378>

Application filed November 14, 2014, for approval of a Twelfth Amendment to the Interconnection Agreement (extends the term of the Tenth Amendment pertaining to the approved Performance Measures and Remedies Plan to December 31, 2016)

Case No. U-16760

Interconnection Agreement

AT&T Michigan and US XChange of Michigan, L.L.C., d/b/a EarthLink Business I

<http://efile.mpsc.state.mi.us/efile/viewcase.php?casenum=16760>

Application filed November 20, 2014, for approval of a Sixth Amendment to the Interconnection Agreement (changes the carrier's name from US XChange of Michigan, L.L.C., d/b/a One Communications I, to US XChange of Michigan, L.L.C., d/b/a EarthLink Business I)

On December 4, 2014, the Michigan Public Service Commission (“Commission”) issued an Order approving the above listed Interconnection Agreements and Amendments to Interconnection Agreements.

Case No. U-15967

Eligible Telecommunications Carrier

ACD Telecom of the North, LLC

<http://efile.mpsc.state.mi.us/efile/viewcase.php?casenum=15967>

On December 4, 2014, the Michigan Public Service Commission (“Commission”) issued an Order rescinding the Eligible Telecommunications Carrier (“ETC”) designation of ACD Telecom of the North, LLC. On November 18, 2014, ACD Telecom of the North, LLC filed a letter stating that it never received the Federal authorizations necessary to be classified as an incumbent local exchange carrier, and thus never became an active provider, and wishes to relinquish its ETC designation. The letter further stated that ACD Telecom of the North, LLC currently has no Lifeline customers and has never received any Universal Service Fund support money for Michigan service.

Case No. U-16266

Eligible Telecommunications Carrier

TelNet Worldwide, Inc.

<http://efile.mpsc.state.mi.us/efile/viewcase.php?casenum=16266>

On December 4, 2014, the Michigan Public Service Commission (“Commission”) issued an Order rescinding the Eligible Telecommunications Carrier (“ETC”) designation of TelNet Worldwide, Inc. On November 17, 2014, TelNet Worldwide, Inc. filed a letter stating that economic conditions no longer exist to permit TelNet Worldwide, Inc. to further expand into rural local exchange carrier territories, and requesting to relinquish its ETC designation. The letter further stated that TelNet Worldwide, Inc. currently has no Lifeline customers and has never received any Universal Service Fund support money for Michigan service.

Case No. U-16476

Eligible Telecommunications Carrier

Easy Telephone Services, d/b/a Easy Wireless

<http://efile.mpsc.state.mi.us/efile/viewcase.php?casenum=16476>

On December 4, 2014, the Michigan Public Service Commission (“Commission”) issued an Order dismissing, without prejudice, the November 17, 2010 application of Easy Telephone Services, d/b/a Easy Wireless for designation as an Eligible Telecommunications Carrier (“ETC”) in Michigan due to a lack of progress. The Order states that Easy Telephone Services, d/b/a Easy Wireless did not respond to requests for additional information from the Commission’s Staff.

Case No. U-16575

Eligible Telecommunications Carrier

Assurance Home Phone Services, Inc., d/b/a Surety Wireless
<http://efile.mpsc.state.mi.us/efile/viewcase.php?casenum=16575>

On December 4, 2014, the Michigan Public Service Commission (“Commission”) issued an Order dismissing, without prejudice, the March 25, 2011 application of Assurance Home Phone Services, Inc., d/b/a Surety Wireless for designation as an Eligible Telecommunications Carrier (“ETC”) in Michigan due to a lack of progress. The Order states that Assurance Home Phone Services, Inc., d/b/a Surety Wireless did not respond to requests for additional information from the Commission’s Staff.

Case No. U-16806

Eligible Telecommunications Carrier

Cintex Wireless, LLC
<http://efile.mpsc.state.mi.us/efile/viewcase.php?casenum=16806>

On December 4, 2014, the Michigan Public Service Commission (“Commission”) issued an Order dismissing, without prejudice, the May 27, 2011 application of Cintex Wireless, LLC for designation as an Eligible Telecommunications Carrier (“ETC”) in Michigan due to a lack of progress. The Order states that Cintex Wireless, LLC did not respond to requests for additional information from the Commission’s Staff.

Case No. U-17626

2-1-1

United Way of the Battle Creek and Kalamazoo Region
<http://efile.mpsc.state.mi.us/efile/viewcase.php?casenum=17626>

On December 4, 2014, the Michigan Public Service Commission (“Commission”) issued an Order approving the Application of United Way of the Battle Creek and Kalamazoo Region requesting the transfer of the 2-1-1 designation of 13 rate centers located in Barry, Ionia, and Montcalm counties from their current community resource information and referral answering point to United Way of the Battle Creek and Kalamazoo Region pursuant to MCL 484.2214. The 13 exchanges are currently assigned to either Heart of West Michigan, Jackson 2-1-1 or Gryphon Place. They are Belding, Carson City, Crystal, Delton, Freeport, Greenville, Hickory Corners, Hubbardston, Nashville, Pine Lake, Portland, Trufant, and Woodland.

Case No. U-17652

Consumer Complaint

John McCready v Comcast Phone of Michigan LLC

On December 4, 2014, the Michigan Public Service Commission (“Commission”) issued an Order remanding the June 6, 2014 Formal Complaint of John McCready against Comcast of Michigan, LLC (“Comcast”), alleging slamming of Mr. McCready’s landline service to Voice over Internet Protocol (“VoIP”) service to the Administrative Law Judge assigned to the case for a full evidentiary hearing.

On August 25, 2014, Michigan Administrative Hearing System Administrative Law Judge Dennis W. Mack (“ALJ”) acting for the Michigan Public Service Commission issued an oral Proposal for Decision (“PFD”) finding that “under the express terms of MCL 484.2401(1) of the Michigan Telecommunications Act (“MTA”), the Commission lacks authority over, among other things, interconnected voice over internet protocol service, unless it is otherwise provided by law. Under MCL 484.2505 of the Act, under which the relief in this complaint is sought, the term provider does not provide the specificity that would defeat the Section 401 language.” The ALJ relied on the

Commission's July 23, 2002, order in *In the Matter of the Complaint of Rucker Regional Physicians Billing, LLC*, MPSC Case No. U-13195, in proposing that because the service underlying Mr. McCready's complaint was Xfinity Digital Voice Service – a voice over internet protocol service – the Commission should dismiss the complaint because, in the ALJ's opinion, the Commission "lacks jurisdiction over the subject matter; or in the alternative, the ALJ recommended that the Commission grant Comcast summary disposition under Rule 460.1732(3), because no genuine issue of material fact exists on the issue of the Commission's lack of jurisdiction over the subject matter of the complaint and Mr. McCready's failure to state a claim for which relief can be provided.

On September 5, 2014, the Commission's Staff ("Staff") filed exceptions to the PFD. Staff took exception to the ALJ's recommendation to grant Comcast's motion to dismiss or, in the alternative, dismissal of the complaint without a full evidentiary hearing or sufficient time to properly respond to Comcast's motion to dismiss. Staff argued that issues of fact exist in this case, making dismissal without a full evidentiary hearing inappropriate. Staff asserted that neither the MTA nor Federal law prevent the anti-slamming provisions of the MTA from being applied to VoIP and that the MTA does not exempt VoIP from the consumer protection provisions preventing providers from slamming customers. According to Staff, the Federal Telecommunications Act of 1996 gives the Commission jurisdiction over VoIP providers with respect to consumer protection provisions. Staff pointed to prior Commission orders and the January 14, 2014 decision in *Verizon v FCC*, 740 F3d 623 (CA DC, 2014) in support of its argument. Staff also argued that when the legislature amended the MTA to require providers of telecommunication service using a new or emerging technology to register with the Intrastate Telecommunications Services Providers, that requirement was put in place specifically to prevent slamming and cramming. Because Comcast had registered, Staff believed it had subjected itself to the Commission's jurisdiction.

On September 19, 2014, Comcast filed replies to the exceptions and reasserted its position that the Commission does not have jurisdiction over this complaint and that the ALJ properly applied Section 505 of the MTA, prior Commission orders, prior court cases, Commission rules, and Commission procedures in his determination that the Commission does not have jurisdiction over VoIP service. Comcast further argued that Federal and State policy support a "hands-off approach" to VoIP. Comcast also argues that it is not acting as a telecommunications provider when it provides VoIP service and therefore is not subject to Commission jurisdiction.

The Commission noted that Section 505(1) of the MTA reads, "An end user of a telecommunications provider shall not be switched to another provider without the authorization of the end user." MCL 484.2505(1). Because Section 102(ee) of the MTA defines "Telecommunication provider" or "provider" as "a person that for compensation provides 1 or more telecommunication services," MCL 484.2102(ee), and because Mr. McCready's former telecommunications provider, AT&T, and Comcast are licensed by the Commission to provide basic local exchange service as such they are considered telecommunication providers. The Commission further noted that Section 102(ff) defines "Telecommunication services" or "services" as "including regulated and unregulated services offered to customers for the transmission of 2-way interactive communication and associated usage." MCL 484.2102(ff). Thus, the Commission found that it has jurisdiction over landline to VoIP slamming complaints based on Sections 102 and 505 of the MTA. MCL 484.2102 and MCL 484.2505. The Commission found that this case should be remanded for a full evidentiary hearing.

MPSC MINUTE ACTIONS |

The Michigan Public Service Commission (“Commission”) issued the following Minute Action at its regularly scheduled meeting held on Thursday, December 4, 2014, at 1:30 p.m. at the Commission’s temporary offices located at 4300 West Saginaw, Lansing, Michigan.

Case No. U-17545

Eligible Telecommunications Carriers

Commission’s Own Motion

<http://efile.mpsc.state.mi.us/efile/viewcase.php?casenum=17545>

On September 11, 2014, the Michigan Public Service Commission (“Commission”) issued a Minute Action designating the following carriers as Eligible Telecommunications Carriers (“ETCs”) for the purpose of receiving Federal Universal Service Funds that were used in 2013 and will be used in 2015, only for the provision, maintenance, and upgrading of facilities and services for which the support is intended, consistent with Section 254(e) of the Communications Act of 1934, as amended, and consistent with the Federal Communications Commission’s orders in CC Docket No. 11-161. Further, each exchange is designated as a service area for this purpose. The certification granted in this minute action is conditioned upon the Commission’s reservation of its right to audit all expenditures of these universal service funds. This certification is in addition to the certifications adopted in the minute action dated September 11, 2014.

Company	Reimbursement Requested	Service Area Code
Air Voice Wireless, LLC, d/b/a FeelSafe Wireless	Lifeline	319038

APPLICATIONS AND COMPLAINTS |

Case No. U-12952

Interconnection Agreement

AT&T Michigan and TDS Metrocom, LLC

<http://efile.mpsc.state.mi.us/efile/viewcase.php?casenum=12952>

On November 21, 2014, AT&T Michigan and TDS Metrocom, LLC jointly filed an Application with the Michigan Public Service Commission (“Commission”) seeking approval of the Nineteenth Amendment to their Interconnection Agreement. According to the Application the Nineteenth Amendment further extends the term of the Tenth Amendment pertaining to the current Commission approved and ordered Performance Measures and Remedies Plan, to December 31, 2016.

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-17736

License

Lennon Telephone Company

<http://efile.mpsc.state.mi.us/efile/viewcase.php?casenum=17736>

Comments Due: Wednesday, December 10, 2014

The Michigan Public Service Commission ("Commission") has invited interested parties to file comments on the October 17, 2014 Application of Lennon Telephone Company seeking temporary and permanent authority to alter the geographic area of its license to provide local exchange service. Lennon Telephone Company requests to add to its current licensed service area the New Lothrop exchange that is currently served by CenturyTel Midwest-Michigan, Inc. d/b/a CenturyLink. Written and electronic comments may be filed with the Commission and must be received no later than 5:00 p.m. on Wednesday, December 10, 2014.

Case No. U-17749

License

Peninsula Fiber Network, LLC

<http://efile.mpsc.state.mi.us/efile/viewcase.php?casenum=17749>

Comments Due: Tuesday, January 20, 2015

The Michigan Public Service Commission ("Commission") has invited interested parties to file comments on the November 18, 2014 Application of Peninsula Fiber Network, LLC, as amended on November 20, 2014, seeking to alter the geographic area of its license to provide local exchange service to include service in all current incumbent local exchange areas. Written and electronic comments may be filed with the Commission and must be received no later than 5:00 p.m. on Tuesday, January 20, 2015.

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 Constitution Hall, 525 W. Allegan, Lansing, Michigan.

The Michigan Public Service Commission has not issued any pending telecommunications Notices of Hearing.

MPSC HEARINGS SCHEDULE |

Note: Unless indicated otherwise, hearings are held in Constitution Hall, 525 W. Allegan, 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 (DECEMBER 8, 2014 THROUGH DECEMBER 19, 2014)

There are no known telecommunications hearings scheduled before the Michigan Public Service Commission during the upcoming fortnight.

FUTURE TELECOM HEARINGS SCHEDULED

January 7, 2015, 9:00 a.m.
Case No. U-17703/Evidentiary Hearing
KEPS Technologies, Inc., d/b/a ACD.Net and ACD
Telecom, Inc. (license)
*To be held at Commission's New Headquarters:
7109 W. Saginaw, Lansing, Michigan*

January 8, 2015, 10:00 a.m.
Case No. U-17745/Evidentiary Hearing
AirNorth Communications (license)
*To be held at Commission's New Headquarters:
7109 W. Saginaw, Lansing, Michigan*

2014 REGULAR MPSC MEETING DATES[†] |

MONTH & DATE	DAY	TIME
December 18	Thursday	1:30 p.m.

2015 REGULAR MPSC MEETING DATES |

The Michigan Public Service Commission has yet to announce the dates for its 2015 Regularly Scheduled Meetings.

SUBSCRIPTION INFORMATION |

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[†] Additional 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).

All meetings of the Michigan Public Service Commission (“Commission”) are open to the public. Until further notice, all meetings will be held at the Commission’s temporary offices, which are located at 4300 W. Saginaw St., Lansing, MI 48917, unless posted and notified in accordance with the Open Meetings Act. 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) 241-6160.

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.