

STATE OF MICHIGAN

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

* * * * *

In the matter, on the Commission's own motion, to)
consider Ameritech Michigan's compliance with)
the competitive checklist in Section 271 of the)
Telecommunications Act of 1996.)
_____)

Case No. U-11104

At the April 12, 1999 meeting of the Michigan Public Service Commission in Lansing,
Michigan.

PRESENT: Hon. John G. Strand, Chairman
Hon. David A. Svanda, Commissioner

ORDER

On April 2, 1999, MCI Telecommunications Corporation, AT&T Communications of Michigan, Inc, Qwest Communications Corporation, Sprint Communications Company, L.P., and Attorney General Jennifer M. Granholm filed a motion requesting a Commission order approving, with modifications, Ameritech Michigan's November 27, 1996 compliance filing on intraLATA dialing parity. The effect would be to require Ameritech Michigan to offer dialing parity in all exchanges on or before May 7, 1999. The motion was based on the Federal Communications Commission's (FCC) Order No. 99-54, released on March 23, 1999, which in turn was a response to the January 25, 1999 decision of the United States Supreme Court that the FCC has jurisdiction over intrastate dialing parity. AT&T Corp v Iowa Utilities Board, 119 S Ct 721 (1999).

On April 9, 1999, Ameritech Michigan filed a response, arguing that the Commission must deny the motion for a variety of reasons, including that it is not possible to implement dialing parity by May 7, 1999. It also filed an amended implementation plan, under which it proposes to offer intraLATA toll dialing parity in its remaining exchanges within 30 days. It requests that the Commission approve its amended implementation plan as consistent with the FCC's recent order.

Having reviewed the motion and Ameritech Michigan's response and amended implementation plan, the Commission concludes that it should approve Ameritech Michigan's proposal to implement dialing parity over the next 30 days. It does this with the understanding that Ameritech Michigan's proposal to waive the charge for the initial intraLATA toll provider selection will be effective during the 30 day implementation period as well as the 90 days following final implementation. In granting this approval, the Commission does not adopt Ameritech Michigan's position that only federal law governs this matter.

The Commission FINDS that:

a. Jurisdiction is pursuant to 1991 PA 179, as amended by 1995 PA 216, MCL 484.2101 et seq.; MSA 22.1469(101) et seq.; the Communications Act of 1934, as amended by the Telecommunications Act of 1996, 47 USC 151 et seq.; 1969 PA 306, as amended, MCL 24.201 et seq.; MSA 3.560(101) et seq.; and the Commission's Rules of Practice and Procedure, as amended, 1992 AACCS, R 460.17101 et seq.

b. Ameritech Michigan's amended implementation plan should be approved.

THEREFORE, IT IS ORDERED that Ameritech Michigan's amended implementation plan for intraLATA toll dialing parity is approved.

The Commission reserves jurisdiction and may issue further orders as necessary.

Any party desiring to appeal this order must do so in the appropriate court within 30 days after issuance and notice of this order, pursuant to MCL 462.26; MSA 22.45.

MICHIGAN PUBLIC SERVICE COMMISSION

/s/ John G. Strand

Chairman

(S E A L)

/s/ David A. Svanda

Commissioner

By its action of April 12, 1999.

/s/ Dorothy Wideman

Its Executive Secretary

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MICHIGAN PUBLIC SERVICE COMMISSION

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Suggested Minute:

“Adopt and issue order dated April 12, 1999 approving Ameritech Michigan's amended implementation plan for intraLATA toll dialing parity, as set forth in the order.”