

STATE OF MICHIGAN

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

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In the matter of the application of)	
CENTURYTEL WIRELESS, INC., and THUMB)	
CELLULAR for arbitration of interconnection)	Case No. U-11989
agreements with AMERITECH MICHIGAN.)	
_____)	

At the January 10, 2000 meeting of the Michigan Public Service Commission in Lansing, Michigan.

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

OPINION AND ORDER

On September 14, 1999, the Commission issued an order approving, with modifications, the decision of the arbitration panel concerning interconnection agreements between CenturyTel Wireless, Inc., and Thumb Cellular and Ameritech Michigan. The Commission ordered the parties to submit executed interconnection agreements consistent with the order within 30 days. On October 18, 1999, the parties filed interconnection agreements executed by the parties, with a joint motion requesting approval. On October 27, 1999, the parties filed an amended motion.

Section 252 of the federal Telecommunications Act of 1996, 47 USC 252, requires that any interconnection agreement that is adopted by negotiation or arbitration be submitted to the Commission for approval. 47 USC 252(e) provides in part:

- (2) The State commission may only reject
 - (A) an agreement (or any portion thereof) adopted by negotiation under subsection (a) of this section if it finds that--
 - (i) the agreement (or portion thereof) discriminates against a telecommunications carrier not a party to the agreement; or
 - (ii) the implementation of such agreement or portion is not consistent with the public interest, convenience, and necessity; or
 - (B) an agreement (or any portion thereof) adopted by arbitration under subsection (b) of this section if it finds that the agreement does not meet the requirements of section 251 of this title, including the regulations prescribed by the [Federal Communications] Commission pursuant to section 251 of this title, or the standards set forth in subsection (d) of this section.

- (3) Notwithstanding paragraph (2), but subject to section 253 of this title, nothing in this section shall prohibit a State commission from establishing or enforcing other requirements of State law in its review of an agreement, including requiring compliance with intrastate telecommunications service quality standards or requirements.

47 USC 252(e)(2) and (3).

The Commission concludes, after reviewing the application and agreements, that it should approve the interconnection agreements. The Commission finds that the agreements are consistent with federal and state law and are in the public interest. Under 47 USC 252(i) and MCL 484.2359(2); MSA 22.1469(359)(2), the services provided under the agreements must be made available to other telecommunications carriers upon the same terms and conditions.

The Commission FINDS that:

- a. Jurisdiction is pursuant to 1991 PA 179, as amended, 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. The interconnection agreements should be approved.

THEREFORE, IT IS ORDERED that:

A. The interconnection agreements between CenturyTel Wireless, Inc., and Thumb Cellular and Ameritech Michigan are approved.

B. Approval of the agreements does not alter the duty of CenturyTel Wireless, Inc., Thumb Cellular, and Ameritech Michigan to comply with relevant federal and state law and past and future Commission orders and rules.

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

MICHIGAN PUBLIC SERVICE COMMISSION

/s/ John G. Strand

Chairman

(S E A L)

/s/ David A. Svanda

Commissioner

/s/ Robert B. Nelson

Commissioner

By its action of January 10, 2000.

/s/ Dorothy Wideman
Its Executive Secretary

b. The interconnection agreements should be approved.

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

MICHIGAN PUBLIC SERVICE COMMISSION

Chairman

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By its action of January 10, 2000.

Its Executive Secretary

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Suggested Minute:

“Adopt and issue order dated January 10, 2000 approving the interconnection agreements between CenturyTel Wireless, Inc., and Thumb Cellular and Ameritech Michigan, as set forth in the order.”