

STATE OF MICHIGAN

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

In the matter of the request for Commission)
approval of an interconnection agreement between)
ALLEGIANCE TELECOM OF MICHIGAN, INC.,)
and AMERITECH MICHIGAN.)
_____)

Case No. U-12053

At the October 6, 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 8, 2000, Allegiance Telecom of Michigan, Inc., and Ameritech Michigan filed a joint application for approval of the second and third amendments to their interconnection agreement. The interconnection agreement was approved on August 17, 1999, and the first amendment was approved on February 9, 2000. The second amendment establishes a directory assistance appendix and a pricing schedule for nationwide listing service, and incorporates the anti-slamming procedures adopted in Case No. U-11900. The third amendment establishes rates, terms, and conditions relating to the provision of digital subscriber line service.

Section 252 of the federal Telecommunications Act of 1996, 47 USC 252, requires that any interconnection agreement that is adopted by negotiation 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; . . .

- (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 amendments, that it should approve the amendments. The Commission finds that the amendments 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 agreement as amended 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 AACR, R 460.17101 et seq.

- b. The amendments should be approved.

THEREFORE, IT IS ORDERED that:

A. The second and third amendments to the interconnection agreement between Allegiance Telecom of Michigan, Inc., and Ameritech Michigan are approved.

B. Approval of the amendments does not alter the duty of Allegiance Telecom of Michigan, Inc., 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 October 6, 2000.

/s/ Dorothy Wideman

Its Executive Secretary

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

MICHIGAN PUBLIC SERVICE COMMISSION

Chairman

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Commissioner

By its action of October 6, 2000.

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Suggested Minute:

“Adopt and issue order dated October 6, 2000 approving amendments to an interconnection agreement between Allegiance Telecom of Michigan, Inc., and Ameritech Michigan, as set forth in the order.”