

STATE OF MICHIGAN

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

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

Case No. U-12107

At the July 17, 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 February 17, 2000, Ameritech Advanced Data Services of Michigan, Inc., (AADSM) and Ameritech Michigan filed a joint application for approval of the first amendment to their interconnection agreement that was approved on December 16, 1999 in Case No. U-12107. The first amendment revises performance standards and anti-slamming and pricing provisions of the agreement. On April 24, 2000, AADSM and Ameritech Michigan filed a joint application for approval of the second amendment to their interconnection agreement. On April 27, 2000, AADSM and Ameritech Michigan filed an amended application for approval of an amendment to the first amendment. On June 29, 2000, they filed a request to withdraw the second amendment.

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 first amendment, that it should approve the first amendment, as amended. The Commission finds that the first amendment, as amended, is consistent with federal and state law and is 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 AACRS, R 460.17101 et seq.

- b. The first amendment, as amended, should be approved.
- c. The request to withdraw the second amendment should be approved.

THEREFORE, IT IS ORDERED that:

A. The first amendment to the interconnection agreement between Ameritech Advanced Data Services of Michigan, Inc., and Ameritech Michigan, as amended, is approved.

B. The request to withdraw the second amendment is approved.

C. Approval of the first amendment does not alter the duty of Ameritech Advanced Data Services 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 E A L)

/s/ John G. Strand
Chairman

By its action of July 17, 2000.

/s/ David A. Svanda
Commissioner

/s/ Dorothy Wideman
Executive Secretary

/s/ Robert B. Nelson Its
Commissioner

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B. The request to withdraw the second amendment is approved.

C. Approval of the first amendment does not alter the duty of Ameritech Advanced Data Services 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

Chairman

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Commissioner By

Executive Secretary

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Suggested Minute:

“Adopt and issue order dated July 17, 2000 approving an amendment to an interconnection agreement between Ameritech Advanced Data Services of Michigan, Inc., and Ameritech Michigan, as set forth in the order.”