

STATE OF MICHIGAN

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

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In the matter of the application of	)	
<b>PATHNET OPERATING, INC.</b> , for a license to	)	
provide basic local exchange service to customers	)	Case No. U-12673
in the exchange areas served by Ameritech	)	
Michigan, Verizon North Inc., and Contel of the	)	
South, Inc., d/b/a Verizon North Systems, in the	)	
Detroit, Grand Rapids, Lansing, and Saginaw	)	
LATAs.	)	
_____	)	

At the November 20, 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 October 18, 2000, Pathnet Operating, Inc., (Pathnet) filed an application, pursuant to the Michigan Telecommunications Act, MCL 484.2101 et seq.; MSA 22.1469(101) et seq., for a license to provide basic local exchange service in the exchanges currently served by Ameritech Michigan, Verizon North Inc., and Contel of the South, Inc., d/b/a Verizon North Systems, in the Detroit, Grand Rapids, Lansing, and Saginaw LATAs. It also requested a temporary license.

MCL 484.2301(2); MSA 22.1469(301)(2) states: "Pending the determination of an application for a license, the commission without notice and hearing may issue a temporary license for a

period not to exceed 1 year.” Pathnet states that it seeks a temporary license to allow it to begin promptly to provide service as required by its contracts.

After a review of the application, the Commission finds that approval of a temporary license is in the public interest.

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.; 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. Pathnet should be granted a temporary license.

THEREFORE, IT IS ORDERED that:

A. Pathnet Operating, Inc., is granted a temporary license to provide basic local exchange service in the exchanges currently served by Ameritech Michigan, Verizon North Inc., and Contel of the South, Inc., d/b/a Verizon North Systems, in the Detroit, Grand Rapids, Lansing, and Saginaw LATAs. The temporary license shall expire upon issuance of the final order granting or denying its application for a permanent license.

B. Pathnet Operating, Inc., shall provide basic local exchange service under the temporary license in accordance with the regulatory requirements specified in the Michigan Telecommunications Act, MCL 484.2101 et seq.; MSA 22.1469(101) et seq., and the anti-slamming procedures adopted in Case No. U-11900.

C. Before commencing basic local exchange service under the temporary license, Pathnet Operating, Inc., shall submit its tariff reflecting the services that it will offer and identifying the exchanges in which it will offer service.

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

/s/ Robert B. Nelson  
Commissioner

By its action of November 20, 2000.

/s/ Dorothy Wideman  
Its Executive Secretary

C. Before commencing basic local exchange service under the temporary license, Pathnet Operating, Inc., shall submit its tariff reflecting the services that it will offer and identifying the exchanges in which it will offer service.

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

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MICHIGAN PUBLIC SERVICE COMMISSION

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Chairman

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By its action of November 20, 2000.

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Case No. U-12673

Suggested Minute:

“Adopt and issue order dated November 20, 2000 granting Pathnet Operating, Inc., a temporary license to provide basic local exchange service, as set forth in the order.”