

STATE OF MICHIGAN

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

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In the matter, on the Commission’s own motion,)
to promulgate rules governing the quality of)
telecommunication services.)
_____)

Case No. U-13013

At the August 16, 2001 meeting of the Michigan Public Service Commission in Lansing, Michigan.

PRESENT: Hon. Laura Chappelle, Chairman
Hon. David A. Svanda, Commissioner
Hon. Robert B. Nelson, Commissioner

OPINION AND ORDER

The Commission’s current rules governing the quality of telecommunication services, R 484.1 et seq., expire on September 1, 2001. The Commission and the Staff have been working on new rules, and, on July 11, 2001, the Commission issued a notice of hearing on the proposed rules. The hearing was held as scheduled on August 8, 2001, and written comments were filed August 15, 2001. In light of the comments provided at the hearing and in subsequent filings, the Commission will be revising the proposed rules, and the new rules will not be in effect by September 1, 2001.

MCL 484.2202(c); MSA 22.1469(202)(c) requires the Commission to “[p]romulgate rules . . . and issue orders to establish and enforce quality standards for providing telecommunication services in this state.” Rather than permit the current rules to lapse without new rules being in effect, the Commission concludes that it should exercise its statutory authority by adopting interim standards, to be in effect until

the Commission completes the promulgation of new service quality rules in this docket or issues another order. For simplicity and continuity, the Commission concludes that it should adopt the same substantive provisions as are currently in effect, attached to this order as Exhibit A.

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. Interim service quality standards should be adopted, to take effect September 1, 2001.

THEREFORE, IT IS ORDERED that the telecommunication service quality standards attached to this order as Exhibit A shall take effect September 1, 2001, and shall remain in effect until further order of the Commission or until the effective date of administrative rules governing service quality.

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/ Laura Chappelle
Chairman

(S E A L)

/s/ David A. Svanda
Commissioner

/s/ Robert B. Nelson
Commissioner

By its action of August 16, 2001.

/s/ Dorothy Wideman
Its Executive Secretary

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MICHIGAN PUBLIC SERVICE COMMISSION

Chairman

Commissioner

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By its action of August 16, 2001.

Its Executive Secretary

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Suggested Minute:

“Adopt and issue order dated August 16, 2001 approving interim standards governing telecommunication service quality, as set forth in the order.”