

STATE OF MICHIGAN

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

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In the matter of the application of )  
**AT&T COMMUNICATIONS OF MICHIGAN, INC.,** )  
and **TCG DETROIT** for arbitration of interconnection )  
rates, terms, and conditions and related arrangements )  
with **AMERITECH MICHIGAN.** )  
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Case No. U-12465

At the March 21, 2002 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**

On February 20, 2002, AT&T Communications of Michigan, Inc. (AT&T), TCG Detroit, and Ameritech Michigan filed a joint request for approval of executed interconnection agreements (one for AT&T and one for TCG Detroit). The agreements incorporate both negotiated provisions as well as the Commission's findings in its orders in this proceeding. The parties also request approval of the Mi2A amendment to the TCG Detroit agreement. AT&T will continue to use the Mi2A amendment that was approved on November 20, 2001 in Cases Nos. U-11151 and U-11152.

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, agreements, and amendment, that it should approve the agreements and the amendment. The Commission finds that the agreements and the amendment are consistent with federal and state law and are in the public interest. Under 47 USC 252(i) and MCL 484.2359(2), the services provided under the agreements, 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.; 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.; and the Commission's Rules of Practice and Procedure, as amended, 1992 AACS, R 460.17101 et seq.
- b. The agreements and the Mi2A amendment should be approved.

THEREFORE, IT IS ORDERED that:

A. The interconnection agreements and the Mi2A amendment between AT&T Communications of Michigan, Inc., and TCG Detroit and Ameritech Michigan are approved.

B. Approval of the agreements and the amendment does not alter the duty of AT&T Communications of Michigan, Inc., and TCG Detroit 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/ Laura Chappelle  
Chairman

( S E A L )

/s/ David A. Svanda  
Commissioner

/s/ Robert B. Nelson  
Commissioner

By its action of March 21, 2002.

/s/ Dorothy Wideman  
Its Executive Secretary

THEREFORE, IT IS ORDERED that:

A. The interconnection agreements and Mi2A amendment between AT&T Communications of Michigan, Inc., and TCG Detroit and Ameritech Michigan are approved.

B. Approval of the agreements and amendment does not alter the duty of AT&T Communications of Michigan, Inc., and TCG Detroit 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

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Chairman

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Commissioner

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Commissioner

By its action of March 21, 2002.

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Suggested Minute:

“Adopt and issue order dated March 21, 2002 approving interconnection agreements and an amendment between AT&T Communications of Michigan, Inc., and TCG Detroit and Ameritech Michigan, as set forth in the order.”