

STATE OF MICHIGAN

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

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In the matter of the joint requests for Commission)
approval of interconnection agreements and)
amendments.)
_____)

At the November 7, 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

The following parties have filed joint applications for approval of interconnection
agreements and amendments:

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| Case No. U-12798 | Ameritech Michigan and Focal Communications Corporation of Michigan
Application filed September 5, 2002 for approval of the fourth amendment (incorporating the rates and charges approved in Case No. U-11831). |
| Case No. U-13027 | Ameritech Michigan and Quick Communications, Inc.
Application filed September 9, 2002 for approval of the second amendment (operator services reference/rater). |
| Case No. U-13069 | Ameritech Michigan and AmeriVoice Telecommunications, Inc.
Application filed October 3, 2002 for approval of the second amendment (wholesale basic plan appendix). |
| Case No. U-13211 | Ameritech Michigan and Ameritech Advanced Data Services of Michigan, Inc.
Application filed September 3, 2002 for approval of the fifth amendment (yellow zone processing). |

- Case No. U-13284 Ameritech Michigan and United Telecom, Inc.
Application filed October 15, 2002 for approval of the second amendment (one-year extension and other changes).
- Case No. U-13295 Ameritech Michigan and DSLnet Communications, LLC
Applications filed October 3, 2002 for approval of the second amendment (incorporating new UNE combination tariff) and the third amendment (DSL conditioning options).
- Case No. U-13388 Ameritech Michigan and Winstar Communications, LLC
Application filed October 1, 2002 for approval of the first amendment (Appendix Microwave).
- Case No. U-13532 Verizon North Inc. and Contel of the South, Inc., d/b/a Verizon North Systems, and Winstar Communications, LLC
Application filed September 10, 2002 for approval of an interconnection agreement (adoption, pursuant to 47 USC 252(i) and paragraph 31(a) of the Bell Atlantic/GTE merger conditions, of the agreement approved on November 28, 2001 by the Maryland Public Service Commission in Case No. TE-56-34 between Verizon Maryland Inc. and Business Telecom Inc.).
- Case No. U-13541 Ameritech Michigan and Nexus Communications, Inc.
Application filed September 26, 2002, as amended September 27, 2002, for approval of an interconnection agreement (adoption, pursuant to 47 USC 252(i), of the agreement approved on March 21, 2002 in Case No. U-12465 for AT&T Communications of Michigan, Inc., including the Mi2A amendment but excluding the first and second amendments) and the first amendment (reciprocal compensation).
- Case No. U-13546 Verizon North Inc. and Contel of the South, Inc., d/b/a Verizon North Systems, and NOW Communications, Inc.
Application filed September 27, 2002 for approval of an interconnection agreement
- Case No. U-13547 Verizon North Inc. and Contel of the South, Inc., d/b/a Verizon North Systems, and Sprint Communications Company L.P.
Application filed September 27, 2002 for approval of an interconnection agreement (adoption, pursuant to 47 USC 252(i) and paragraph 32 of the Bell Atlantic/GTE merger conditions, of the agreement approved by the California Public Utilities Commission in Case No. D01-03-044).

- Case No. U-13566 Ameritech Michigan and Quality Telephone, Inc.
Application filed October 1, 2002 for approval of an interconnection agreement.
- Case No. U-13569 Ameritech Michigan and Talk America, Inc.
Application filed October 8, 2002 for approval of an interconnection agreement (adoption, pursuant to 47 USC 252(i), of the agreement approved on March 21, 2002 in Case No. U-12465 for AT&T Communications of Michigan, Inc., including the Mi2A amendment but excluding the first and second amendments) and the first amendment (reciprocal compensation).
- Case No. U-13576 Ameritech Michigan and Easton Telecom Services, L.L.C.
Application filed October 8, 2002 for approval of an interconnection agreement.
- Case No. U-13580 Ameritech and Sprint Communications Company L.P.
Application filed October 15, 2002 for approval of an interconnection agreement (partial adoption, pursuant to 47 USC 252(i) and paragraph 43 of the SBC/Ameritech merger conditions, of the agreement approved on March 27, 2002 by the Illinois Public Service Commission in Docket No. 02-0157) and the first amendment (changes to Appendix UNE).
- Case No. U-13595 Ameritech Michigan and CityNet Telecommunications, Inc.
Application filed October 24, 2002 for approval of an interconnection agreement.

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 applications, agreements, and amendments, that it should approve the applications. The Commission finds that the agreements and amendments 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 interconnection agreements and amendments listed above should be approved.

THEREFORE, IT IS ORDERED that:

- A. The interconnection agreements and amendments listed above are approved.
- B. Approval of the interconnection agreements and amendments does not alter the duty of the parties 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.

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.

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 November 7, 2002.

/s/ Dorothy Wideman
Its Executive Secretary

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MICHIGAN PUBLIC SERVICE COMMISSION

Chairman

Commissioner

Commissioner

By its action of November 7, 2002.

Its Executive Secretary

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Suggested Minute:

“Adopt and issue order dated November 7, 2002 approving interconnection agreements and amendments, as set forth in the order.”