

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 September 16, 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:

Case No. U-13033 Ameritech Michigan and Superior Technologies  
Application filed August 29, 2002 for approval of the first  
amendment (rates and charges approved in Cases Nos. U-11831  
and U-12696).

Case No. U-13211 Ameritech Michigan and Ameritech Advanced Data Services of  
Michigan, Inc.  
Application filed July 25, 2002 for approval of the fourth  
amendment (new HFPCL pricing appendix).

Case No. U-13212 Ameritech Michigan and Preferred Carrier Services, Inc.  
Application filed July 30, 2002 for approval of the first amendment  
(pricing for physical and virtual collocation).

Case No. U-13448 Ameritech Michigan and AccuTel of Texas, Inc.  
Application filed June 18, 2002 for approval of an interconnection agreement and application filed July 9, 2002 for approval of the first amendment (pricing for physical and virtual collocation).

Case No. U-13493 Ameritech Michigan and Navigator Telecommunications, LLC  
Application filed July 25, 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 E A L )

/s/ Laura Chappelle  
Chairman

By its action of September 16, 2002.

/s/ David A. Svanda  
Commissioner

/s/ Dorothy Wideman  
Its Executive Secretary

/s/ Robert B. Nelson  
Commissioner

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MICHIGAN PUBLIC SERVICE COMMISSION

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Chairman

By its action of September 16, 2002.

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Commissioner

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Its Executive Secretary

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Commissioner



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Suggested Minute:

“Adopt and issue order dated September 16, 2002 approving interconnection agreements and amendments, as set forth in the order.”