

STATE OF MICHIGAN

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

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In the matter of the application of the)
VOLUNTEER CENTER OF BATTLE CREEK, INC.,)
to be assigned the telephone digits 2-1-1 and)
designated as the community resource information)
and referral answering point for Calhoun County.)
_____)

Case No. U-13304

At the May 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

On February 19, 2002, the Volunteer Center of Battle Creek, Inc., (Volunteer Center) filed an application requesting that it be assigned the telephone number 2-1-1 for Calhoun County. The Commission was granted authority to assign the abbreviated dialing number 2-1-1 to community resource information and referral answering points for various geographic areas within the state by Section 214 of 2000 PA 295, which amended the Michigan Telecommunications Act (MTA), MCL 484.2214.

To gather public comments and technical information, on March 21, 2002, the Commission issued an order requesting comments on the application and technical issues such as fees, geographic boundaries, service platforms, factors limiting carrier participation, and barriers that may limit expansion to other parts of Michigan.

Verizon North Inc. and Contel of the South, Inc., d/b/a Verizon North Systems; AT&T Communications of Michigan, Inc., and TCG Detroit (AT&T); AT&T Wireless Services PCS, LLC; WorldCom; Telecommunications Association of Michigan; Michigan Association of United Ways, Heart of West Michigan United Way, and Gryphon Place; and In One Accord filed comments.

As required by Section 214, the Commission received, as part of the Volunteer Center's application, written endorsements of the Michigan Alliance for Information and Referral Systems (MI-AIRS) and the Coordinating Council of Calhoun County, the state-endorsed multipurpose collaborative body in Calhoun County. The comments support the application or raise issues that need to be resolved but are not sufficient to justify a denial of the application. AT&T suggests that the Commission resolve certain technical issues before acting on the application, but MCL 484.2203(10) does not permit the delay that AT&T recommends. Therefore, the Commission approves the Volunteer Center's application, with the following conditions.

The Commission notes that Calhoun County contains all or part of 17 exchanges.¹ Although the Commission recognizes that many types of activities for non-profit agencies are based on geographic boundaries such as cities or counties, telecommunications provisioning has been historically based on exchanges, which are not defined by such boundaries. Many carriers commented that aligning 2-1-1 dialing strictly to county boundaries would be costly and time consuming, with the possibility that smaller carriers might not have the technical capability to participate on a county basis. The Commission concurs that exchange boundaries should be used, especially because there are no current applications requesting the 2-1-1 designation for

¹ Battle Creek, Athens, Marshall, Albion, Olivet, Charlotte, Union City, Tekonsha, Burlington, Homer, Litchfield, Mosherville, Springport, Concord, Banfield, Climax, and Bellevue.

contiguous counties. If additional applicants come forward, the Commission will reevaluate the boundary issue.

The Commission concludes that service platform issues should initially be determined between the Volunteer Center and the carriers, with the cost of the service being a competitive issue, rather than a matter subject to regulatory resolution. The Commission notes that the Volunteer Center's application² and the MI-AIRS standards³ provide assurance that 2-1-1 callers will not be assessed toll charges. The Commission will be involved in service platform issues only to the extent that implementation of the 2-1-1 service requires interconnection between carriers or the parties establish another basis for Commission jurisdiction. All carriers should note that the Federal Communications Commission (FCC) requires carriers to participate in completing calls to the 2-1-1 call center.⁴

The Commission lacks jurisdiction to require payphone providers and wireless carriers to provide access to 2-1-1 service. MCL 484.2401. The Commission, however, encourages them to work with all parties to provide their customers with such access.

Any changes in the geographic area of this designation must be approved by the Commission. Changes to the geographic area include making the assigned geographic area smaller (i.e., omission of exchanges) or larger (i.e., expansion to a regional area with additional exchanges). Modifications of the geographic area that may occur due to assignment of the 2-1-1 dialing pattern in adjacent counties must also be approved by the Commission.

² February 19, 2002 application, ¶23.

³ Application for MI-AIRS Endorsement as a 2-1-1 Call Center, Standard II, Requirement 2.

⁴ In the Matter of the Use of N11 Codes and Other Abbreviated Dialing Arrangements, *Third Report and Order and Order on Reconsideration*, CC Docket No. 92-105 (FCC 00-256), ¶21.

Approval of the Volunteer Center's application is provisional, in part, due to the FCC's ability to recall the 2-1-1 number in 2005.⁵ In addition, the Commission retains the right to withdraw its approval should state legislative action establish that the intent of Section 214 was to create statewide 2-1-1 coverage for community resource information and referral services. The Commission also notes that certain other circumstances could warrant rescinding the 2-1-1 assignment, such as failure to continue to meet the MI-AIRS standards or a change in standing with the Coordinating Council of Calhoun County. The approval granted by this order cannot be transferred to another entity without approval of the Commission. The relinquishment of the 2-1-1 assignment must also be approved by the Commission. Therefore, should the Volunteer Center become unable to continue providing 2-1-1 service to the designated geographic area, it must apply to the Commission prior to discontinuing the service.

The Commission FINDS that:

- a. Jurisdiction is pursuant to 1991 PA 179, as amended, MCL 484.2101 et seq.; 1969 PA 306, as amended, MCL 24.201 et seq.; and the Commission's Rules of Practice and Procedure, as amended, 1992 AACCS, R 460.17101 et seq.
- b. The Volunteer Center should be designated as the 2-1-1 community resource information and referral answering point for Calhoun County.

THEREFORE, IT IS ORDERED that:

- A. The Volunteer Center of Battle Creek, Inc., is designated as the 2-1-1 community resource information and referral answering point for Calhoun County.

⁵ Id.

B. The Volunteer Center of Battle Creek, Inc., shall provide sufficient resources to operate the 2-1-1 telephone number 24 hours per day, 7 days per week.

C. All providers of basic local exchange service within the 17 exchanges that are wholly or partially within Calhoun County shall take the necessary steps to allow their customers to access the Volunteer Center of Battle Creek, Inc., through the use of the 2-1-1 telephone number.

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 May 16, 2002.

/s/ Dorothy Wideman
Its Executive Secretary

B. The Volunteer Center of Battle Creek, Inc., shall provide sufficient resources to operate the 2-1-1 telephone number 24 hours per day, 7 days per week.

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MICHIGAN PUBLIC SERVICE COMMISSION

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Suggested Minute:

“Adopt and issue order dated May 16, 2002 designating the Volunteer Center of Battle Creek, Inc., as the 2-1-1 community resource information and referral answering point for Calhoun County, as set forth in the order.”