

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 December 18, 2003 meeting of the Michigan Public Service Commission in Lansing,
Michigan.

PRESENT: Hon. J. Peter Lark, Chair
Hon. Robert B. Nelson, Commissioner
Hon. Laura Chappelle, Commissioner

ORDER

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

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| Case No. U-11603 | SBC Michigan and Noverr Publishing assigns the agreement for itself and on behalf of NPI Wireless to NPI-Omnipoint Wireless, LLC
Application filed November 14, 2003 for approval of the second amendment (amends ACNA code and updates Section 23 Intervening Law). |
| Case No. U-12460 | SBC Michigan and Level 3 Communications, LLC
Application filed December 5, 2003 for approval of the seventh amendment (rates, terms, and conditions). |
| Case No. U-13227 | Verizon Wireless and SBC Michigan
Application filed November 21, 2003 for approval of the second amendment (reciprocal compensation). |
| Case No. U-13572 | Verizon North Inc. and Contel of the South, Inc., d/b/a Verizon North Systems, and Bloomingdale Telephone Company, Inc. |

Application filed November 20, 2003 for approval of an interconnection agreement.

- Case No. U-13642 ALLTEL Communications, Inc., and Verizon North Inc. and Contel of the South, Inc., d/b/a Verizon North Systems
Application filed on November 19, 2003 for approval of an interconnection agreement.
- Case No. U-13814 SBC Michigan and New Access Communications LLC
Application filed November 14, 2003 for approval of the second amendment (performance measurements).
- Case No. U-13939 Verizon North Inc. and Contel of the South, Inc., d/b/a Verizon North Systems, and Building Communications, Inc.
Application filed November 4, 2003 for approval of an interconnection agreement.
- Case No. U-13942 SBC Michigan and PhoneCo, L.P.
Application filed November 7, 2003 for approval of an interconnection agreement, an amendment, and an appendix.
- Case No. U-13943 SBC Michigan and T2 Communications, L.L.C.
Application filed November 7, 2003 for approval of an interconnection agreement and two amendments.
- Case No. U-13953 XO Michigan, Inc., and Verizon North Inc. and Contel of the South, Inc., d/b/a Verizon North Systems
Application filed on November 14, 2003 for approval of an interconnection agreement.
- Case No. U-13954 SBC Michigan and Superior Technologies, Inc.
Application filed November 21, 2003 for approval of an interconnection agreement and amendments (reciprocal compensation).
- Case No. U-13963 ACN Communications Services, Inc. and Verizon North Inc. and Contel of the South, Inc., d/b/a Verizon North Systems
Application filed on November 25, 2003 for approval of an interconnection agreement.
- Case No. U-13966 SBC Michigan and Super Com, L.P., of Northern Michigan, and Superior Technologies, d/b/a Superior Spectrum, Inc.
Application filed December 2, 2003 for approval of an interconnection agreement and first amendment (reverse billing).

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, 1999 AC, 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/ J. Peter Lark
Chair

By its action of December 18, 2003.

/s/ Robert B. Nelson
Commissioner

/s/ Mary Jo Kunkle
Its Executive Secretary

/s/ Laura Chappelle
Commissioner

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MICHIGAN PUBLIC SERVICE COMMISSION

Chair

By its action of December 18, 2003.

Commissioner

Its Executive Secretary

Commissioner

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Suggested Minute:

“Adopt and issue order dated December 18, 2003 approving interconnection agreements and amendments, as set forth in the order.”