

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 October 23, 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-11675 | SBC Michigan and GTE Communications Corporation
Application filed September 12, 2003 for approval of the third
amendment (reciprocal compensation). |
| Case No. U-12145 | SBC Michigan and Nextel West Corp.
Application filed September 11, 2003 for approval of the second
amendment (reciprocal compensation). |
| Case No. U-13217 | SBC Michigan and KMC Telecom V, Inc.
Application filed August 28, 2003 for approval of the third
amendment (terminating traffic language). |
| Case No. U-13339 | The Winn Telephone Company, d/b/a Winn Telecom, and
SBC Michigan
Application filed October 6, 2003 for approval of the third
amendment (reciprocal compensation). |

- Case No. U-13530 SBC Michigan and Budget Phone, Inc.
Application filed August 28, 2003 for approval of the second amendment (reciprocal compensation).
- Case No. U-13710 SBC Michigan and Z-Tel Communications, Inc.
Application filed October 14, 2003 for approval of the fourth amendment (reciprocal compensation).
- Case No. U-13871 Verizon North Inc. and Contel of the South, Inc., d/b/a Verizon North Systems, and Ernest Communications, Inc.
Application filed August 28, 2003 for approval of an interconnection agreement.
- Case No. U-13921 SBC Michigan and IDT America Corp.
Application filed October 9, 2003 for approval of an interconnection agreement (adoption of the agreement approved in Case No. U-12465, including amendments one through four). The agreement also contains certain voluntary provisions to replace the reciprocal compensation appendix and a fifth amendment (Docket Nos. 96-98 and 99-68, order on remand).
- Case No. U-13924 SBC Michigan and American Farm Bureau, Inc., d/b/a The Farm Bureau Connection
Application filed October 13, 2003 for approval of an interconnection agreement (adoption of the agreement approved in Case No. U-12465, including amendments one through four). The agreement also contains certain voluntary provisions to replace the reciprocal compensation appendix and a fifth amendment (Docket Nos. 96-98 and 99-68, order on remand).
- Case No. U-13925 SBC Michigan and Tele Rad, Inc., d/b/a Beep Me Paging
Application filed October 13, 2003 for approval of an interconnection agreement in the form of a paging facilities 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, 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/ J. Peter Lark

Chair

(S E A L)

/s/ Robert B. Nelson

Commissioner

/s/ Laura Chappelle

Commissioner

By its action of October 23, 2003.

/s/ Robert W. Kehres

Its Acting Executive Secretary

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

Chair

Commissioner

Commissioner

By its action of October 23, 2003.

Its Acting Executive Secretary

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Suggested Minute:

“Adopt and issue order dated October 23, 2003 approving interconnection agreements and amendments, as set forth in the order.”