

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. )  
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At the May 28, 2003 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

**ORDER**

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

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| Case No. U-12460 | SBC Ameritech Michigan and Level 3 Communications, LLC<br>Application filed April 30, 2003 for approval of a third amendment<br>(further amend and clarify certain requirements in the<br>interconnection agreement).  |
| Case No. U-12794 | SBC Ameritech Michigan and NOW Communications, Inc.<br>Application filed May 9, 2003 for approval of the third amendment<br>(incorporates non-recurring HFPL Line and Station Transfer Rate-<br>Maintenance Phase to replace and supercede the HFPL Line and<br>Station Transfer Rate-Maintenance Phase currently noted as “to be<br>determined” or “TDB” in the agreement). |
| Case No. U-12886 | SBC Ameritech Michigan and 1-800-Reconex, Inc.<br>Application filed April 24, 2003 for approval of the fifth<br>amendment (incorporates non-recurring HFPL Line and Station<br>transfer Rate-Maintenance Phase to replace and supercede the<br>HFPL Line and Station Transfer Rate-Maintenance Phase currently<br>noted as “to be determined” or “TDB” in the agreement).    |

- Case No. U-12927 SBC Ameritech Michigan and DIECA Communications, Inc.,  
d/b/a Covad Communications Company  
Application filed April 22, 2003 for approval of the seventh  
amendment to its interconnection agreement (interim line sharing).
- Case No. U-12954 SBC Ameritech Michigan and Buckeye Telesystem, Inc.  
Application filed April 29, 2003 for approval of a second  
amendment (incorporates non-recurring HFPL Line and Station  
Transfer Rate-Maintenance Phase to replace and supercede the  
HFPL Line and Station Transfer Rate-Maintenance Phase currently  
noted as “to be determined” or “TDB” in the agreement).
- Case No. U-13005 SBC Ameritech Michigan and TelNet Worldwide, Inc.  
Application filed May 8, 2003 for approval of the third amendment  
(modifies provisions in the agreement pertaining to trunking and  
points of interconnection).
- Case No. U-13032 SBC Ameritech Michigan and B & S Telecom, Inc.  
Application filed May 7, 2003 for approval of the fourth  
amendment (incorporates non-recurring HFPL Line and Station  
Transfer Rate-Maintenance Phase to replace and supercede the  
HFPL Line and Station Transfer Rate-Maintenance Phase currently  
noted as “to be determined” or “TDB” in the agreement).
- Case No. U-13212 SBC Ameritech Michigan and Preferred Carrier Services, Inc.  
Application filed April 29, 2003 for approval of a second  
amendment (extends the term date, replaces General Terms and  
Conditions, replaces Merger Conditions Appendix, and adds UNE  
Combining Appendix).
- Case No. U-13295 SBC Ameritech Michigan and DSLnet Communications, LLC  
Application filed May 7, 2003 for approval of the fifth amendment  
(incorporates non-recurring HFPL Line and Station Transfer Rate-  
Maintenance Phase to replace and supercede the HFPL Line and  
Station Transfer Rate-Maintenance Phase currently noted as “to be  
determined” or “TDB” in the agreement).
- Case No. U-13339 SBC Ameritech Michigan and Winn Telephone Company  
Application filed May 7, 2003 for approval of the second  
amendment (incorporates non-recurring HFPL Line and Station  
Transfer Rate-Maintenance Phase to replace and supercede the  
HFPL Line and Station Transfer Rate-Maintenance Phase currently  
noted as “to be determined” or “TDB” in the agreement).

- Case No. U-13448 SBC Ameritech Michigan and AccuTel of Texas, Inc.  
Application filed April 24, 2003 for approval of the third amendment to its interconnection agreement (incorporates non-recurring HFPL Line and Station Transfer Rate-Maintenance Phase to replace and supercede the HFPL Line and Station Transfer Rate-Maintenance Phase currently noted as “to be determined” or “TDB” in the agreement).
- Case No. U-13467 SBC Ameritech Michigan and NOS Communications, Inc.  
Application filed April 29, 2003 for approval of the second amendment (incorporates non-recurring HFPL Line and Station Transfer Rate-Maintenance Phase to replace and supercede the HFPL Line and Station Transfer Rate-Maintenance Phase currently noted as “to be determined” or “TDB” in the agreement).
- Case No. U-13530 SBC Ameritech Michigan and Budget Phone, Inc.  
Application filed April 24, 2003 for approval of the first amendment (incorporates non-recurring HFPL Line and Station Transfer Rate-Maintenance Phase to replace and supercede the HFPL Line and Station Transfer Rate-Maintenance Phase currently noted as “to be determined” or “TDB” in the agreement).
- Case No. U-13595 SBC Ameritech Michigan and CityNet Telecommunications, Inc.  
Application filed April 22, 2003 for approval of the first amendment (replaces the GT&C in its entirety, replaces the Merger Conditions, replaces Merger Promotional Template, replaces UNE Schedule of Prices, adds UNE Combining Appendix, and adds CDOW into the agreement).
- Case No. U-13595 SBC Ameritech Michigan and CityNet Telecommunications, Inc.  
Application filed April 24, 2003 for approval of a second amendment (incorporates non-recurring HFPL Line and Station Transfer Rate-Maintenance Phase to replace and supercede the HFPL Line and Station Transfer Rate-Maintenance Phase currently noted as “to be determined” or “TDB” in the agreement).
- Case No. U-13766 SBC Ameritech Michigan and Sprint Communications Company, L.P.  
Application filed April 17, 2003 for approval of an interconnection agreement (traffic termination agreement).
- Case No. U-13768 SBC Ameritech Michigan and Alticom, Inc.  
Application filed April 17, 2003 for approval of an interconnection agreement.

Case No. U-13770 Verizon North, Inc. and Contel of the South, Inc., d/b/a Verizon North Systems, and DayStarr Communications  
Application filed April 17, 2003 for approval of an interconnection agreement (adopts, pursuant to paragraph 31(a) of the Bell Atlantic/GTE Merger Conditions, and by letter dated February 12, 2003, the terms of the agreement approved on January 2, 2002 in Case No. U-13214 (included as Exhibit 2) for RACC Communications). The adopted interconnection agreement is subject to the letter agreement and pricing schedule in Exhibit 1, which is an integral part of the overall agreement between Verizon and DayStarr.

Case No. U-13780 Verizon North Inc. and Contel of the South, Inc., d/b/a Verizon North Systems, and The Deerfield Farmers Telephone Company  
Application filed April 29, 2003 for approval of an interconnection agreement (adoption, pursuant to paragraph 31(a) of the Bell Atlantic/GTE Merger Conditions, released by the FCC on June 16, 2000 in CC Docket No. 98-184, and by letter dated December 2, 2002, the terms of the interconnection agreement between Verizon Wisconsin and MH Telecom Inc. previously approved by the Public Service Commission of Wisconsin on October 1, 2001).

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 AACCS, 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 May 28, 2003.

/s/ Dorothy Wideman  
Its Executive Secretary

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MICHIGAN PUBLIC SERVICE COMMISSION

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Chairman

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Commissioner

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By its action of May 28, 2003.

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Its Executive Secretary

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Suggested Minute:

“Adopt and issue order dated May 28, 2003 approving interconnection agreements and amendments, as set forth in the order.”