

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 February 5, 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

**OPINION AND ORDER**

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

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| Case No. U-12535 | Ameritech Michigan and American Fiber Network, Inc.<br>Application filed January 6, 2003 for approval of the fifth<br>amendment (one-year extension and various amendments).                     |
| Case No. U-12886 | Ameritech Michigan and 1-800-Reconex, Inc.<br>Application filed January 14, 2003 for approval of the fourth<br>amendment (reference rates and branding rates).                                   |
| Case No. U-13328 | Ameritech Michigan and RVP Fiber Company, L.L.C.<br>Application filed December 3, 2002 for approval of the third<br>amendment (UNE Combining Appendix).  |
| Case No. U-13371 | Ameritech Michigan and First Communications LLC<br>Application filed December 19, 2002 for approval of the second<br>amendment (one-year extension, various amendments, and merger<br>appendix). |

- Case No. U-13434      Level 3 Communications, LLC, and Verizon North Inc. and Contel of the South, Inc., d/b/a Verizon North Systems  
Application filed January 2, 2003 for approval of the first amendment (interconnection architecture).
- Case No. U-13580      Ameritech Michigan and Sprint Communications Company, L.P.  
Application filed January 6, 2003 for approval of the second amendment (correct a typographical error in UNE Appendix).
- Case No. U-13614      Ameritech Michigan and ACN Communication Services, Inc.  
Application filed January 14, 2003 for approval of the second amendment (Message Exchange Appendix).
- Case No. U-13663      Frontier Communications of Michigan, Inc., and Comm South Companies, Inc.  
Application filed December 18, 2002 for approval of an interconnection agreement.
- Case No. U-13664      Ameritech Michigan and CMC Telecom, Inc.  
Application filed December 19, 2002 for approval of an interconnection agreement [partial adoption, pursuant to 47 USC 252(i), of the agreement approved on October 24, 2000 in Case No. U-12382 for Coast to Coast Telecommunications, Inc., including the third amendment (NDA) but excluding the first (Mi2A) and second (reciprocal compensation) amendments] and the fourth amendment (reciprocal compensation).
- Case No. U-13675      Ameritech Michigan and PageData  
Application filed January 6, 2003 for approval of an interconnection agreement (partial adoption, pursuant to 47 USC 252(i), of the agreement approved on April 16, 2002 in Case No. U-13227 for Verizon Wireless) and the first amendment (reciprocal compensation).
- Case No. U-13676      Ameritech Michigan and WaveSent LLC  
Application filed January 9, 2003 for approval of an interconnection agreement (partial adoption, pursuant to 47 USC 252(i), of the agreement approved on April 16, 2002 in Case No. U-13227 for Verizon Wireless) and the first amendment (reciprocal compensation).

Case No. U-13677 Ameritech Michigan and Line 1 Communications, LLC, d/b/a Direct Line  
Application filed January 9, 2003 for approval of an interconnection agreement (partial adoption, pursuant to 47 USC 252(i), of the agreement approved on March 21, 2002 in Case No. U-12465 for AT&T Communications of Michigan, Inc.) and the first amendment (reciprocal compensation).

Case No. U-13678 Ameritech Michigan and Teligent Services, Inc.  
Application filed January 9, 2003 for approval of an interconnection agreement (partial adoption, pursuant to 47 USC 252(i), of the agreement approved on June 6, 2002 in Case No. U-13388 for Winstar Communications, LLC) and the first amendment (reciprocal compensation and merger conditions).

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/ Laura Chappelle  
Chairman

( S E A L )

/s/ David A. Svanda  
Commissioner

/s/ Robert B. Nelson  
Commissioner

By its action of February 5, 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 February 5, 2003.

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Suggested Minute:

“Adopt and issue order dated February 5, 2003 approving interconnection agreements and amendments, as set forth in the order.”