

STATE OF MICHIGAN

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

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In the matter of the application of)
DAYSTARR, LLC, d/b/a DAYSTARR)
COMMUNICATIONS, for the issuance of a)
temporary and permanent license to resell and)
provide facilities-based local exchange service)
in Owosso, South Haven, Flushing, and Bath.)
_____)

Case No. U-13613

At the January 21, 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

On October 30, 2002, DayStarr, LLC, d/b/a DayStarr Communications, (DayStarr) filed an application, pursuant to the Michigan Telecommunications Act (MTA), MCL 484.2101 et seq., for a license to provide basic local exchange service in the Bath, Flushing, Owosso, and South Haven exchanges. It also requested a temporary license.

MCL 484.2301(2) states: "Pending the determination of an application for a license, the commission without notice and hearing may issue a temporary license for a period not to exceed 1 year." DayStarr states that it seeks a temporary license to permit it to promptly begin negotiating interconnection agreements.

After a review of the application and testimony, the Commission finds that approval of the application is in the public interest.

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 AACRS, R 460.17101 et seq.
- b. DayStarr should be granted a temporary license.

THEREFORE, IT IS ORDERED that:

A. DayStarr, LLC, d/b/a DayStarr Communications, is granted a temporary license to provide basic local exchange service in the Bath, Flushing, Owosso, and South Haven exchanges. The temporary license shall expire upon issuance of the final order granting or denying its application for a permanent license.

B. DayStarr, LLC, d/b/a DayStarr Communications, shall provide basic local exchange service under the temporary license in accordance with the regulatory requirements specified in the Michigan Telecommunications Act, MCL 484.2101 et seq., including the number portability provisions of Section 358, the anti-slamming procedures adopted in Case No. U-11900, and the number reclamation process adopted in Case No. U-12703.

C. Before commencing basic local exchange service under the temporary license, DayStarr, LLC, d/b/a DayStarr Communications, shall submit its tariff reflecting the services that it will offer and identifying the exchanges in which it will offer service.

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 January 21, 2003.

/s/ Dorothy Wideman
Its Executive Secretary

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MICHIGAN PUBLIC SERVICE COMMISSION

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By its action of January 21, 2003.

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Suggested Minute:

“Adopt and issue order dated January 21, 2003 granting DayStarr, LLC, d/b/a DayStarr Communications, a temporary license to provide basic local exchange service, as set forth in the order.”