

STATE OF MICHIGAN

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

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In the matter, on the Commission's own motion,	)	
to facilitate the implementation of the Federal	)	
Communications Commission's Triennial Review	)	Case No. U-13796
determinations in Michigan.	)	
_____	)	

At the August 26, 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

**SUPPLEMENTAL ORDER AND NOTICE OF OPPORTUNITY TO COMMENT**

On May 28, 2003, the Commission issued an order soliciting comments on certain issues raised by the Federal Communications Commission's (FCC) public announcement on February 20, 2003, which set forth the FCC's determinations in the Triennial Review proceeding.<sup>1</sup> In accordance with the deadline set in the order, 12 comments were filed with the Commission on June 13, 2003. Several of the comments indicated that their recommendations were preliminary in nature, given that the providers had not had an opportunity to review the actual text of the FCC's decision.

<sup>1</sup> Review of the Section 251 Unbundling Obligations of Incumbent Local Exchange Carriers, CC Docket No. 01-388, Implementation of the Local Competition Provisions of the Telecommunications Act of 1996, CC Docket No. 96-98, Deployment of Wireline Services Offering Advanced Telecommunications Capability, CC Docket No. 98-147.

On August 21, 2003, the FCC issued an order setting forth the text of its decision to adopt rules in the Triennial Review. To permit the parties previously filing comments in this docket, as well as any other interested persons, to address the text of the FCC's order, the Commission has decided to provide an opportunity for filing supplemental comments. Parties should address how the Commission should determine the "relevant geographic area to include in each market" for evaluating impairment in local circuit switching, as required by 17 CFR 51.319(d)(2)(i). In addition, parties should comment on how the Commission should go about approving within nine months a batch cut migration process for incumbent local exchange carriers to implement in addressing the costs and timeliness of the hot cut process. Persons filing supplemental comments are cautioned that it is unnecessary to reiterate views, opinions, positions, and arguments in the earlier comments.

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. Interested persons should have an opportunity to file supplemental comments addressing the text of an order issued by the FCC on August 21, 2003 in the Triennial Review proceeding.

THEREFORE, IT IS ORDERED that supplemental comments shall be filed on or before September 9, 2003.

The Commission reserves jurisdiction and may issue further orders as necessary.

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 August 26, 2003.

/s/ Robert W. Kehres

Its Acting Executive Secretary

The Commission reserves jurisdiction and may issue further orders as necessary.

MICHIGAN PUBLIC SERVICE COMMISSION

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Chair

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Commissioner

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Commissioner

By its action of August 26, 2003.

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Its Acting Executive Secretary

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Suggested Minute:

“Adopt and issue order dated August 26, 2003 providing an opportunity to file supplemental comments relating to the Federal Communications Commission's Triennial Review order issued on August 21, 2003, as set forth in the order.”