

STATE OF MICHIGAN  
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

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In the matter of the application of	)	
<b>FIRST CALL OF OTTAWA COUNTY</b> to be	)	
assigned the telephone digits 2-1-1 and designated	)	Case No. U-13872
as the community resource information and referral	)	
answering point for Ottawa County.	)	
_____	)	

At the November 4, 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

**OPINION AND ORDER**

On August 29, 2003, First Call of Ottawa County (First Call) filed an application requesting that it be assigned the telephone number 2-1-1 for Ottawa County. The Commission was granted authority to assign the abbreviated dialing number 2-1-1 to community resource information and referral answering points for various geographic areas within the state by Section 214 of 2000 PA 295, which amended the Michigan Telecommunications Act, MCL 484.2214. On September 9, 2003, First Call filed a clarification that the area it proposed to serve is 11 identified exchanges that encompass parts of Ottawa County.

To gather public comment, on September 10, 2003, the Commission's Executive Secretary issued a letter directing First Call to publish a notice of opportunity to comment in newspapers of

general circulation in Ottawa County and to mail the notice to the Attorney General, local exchange carriers, and all human resources agencies and organizations in Ottawa County.

The Ottawa County Family Independence Agency, the Georgetown Charter Township Senior Center, the Herrick District Library, Herman Miller, Inc., State Senator Wayne Kuipers (30<sup>th</sup> District), the Telecommunications Association of Michigan (TAM), the Greater Ottawa County United Way & Volunteer Center, the Zeeland Action Coalition, The Community Foundation of the Holland/Zeeland Area, and the Grand Haven Area Community Foundation filed comments.

As required by Section 214, the Commission received, as part of First Call's application, written endorsements of the Michigan Alliance of Information and Referral Systems (MI-AIRS) and the Ottawa County Multi-Purpose Coordinating Body (MPCB), the state-endorsed multipurpose collaborative body in Ottawa County. Except for an issue raised by TAM (as discussed below), the comments support the application. The Commission approves First Call's application, with the following conditions.

The Commission notes that Ottawa County contains all or part of 17 exchanges.<sup>1</sup> Although the Commission recognizes that many types of activities for non-profit agencies are based on geographic boundaries such as cities or counties, telecommunications provisioning has been historically based on exchanges, which are not defined by such boundaries. TAM commented that aligning 2-1-1 strictly to county boundaries would be costly and time consuming, with the possibility that smaller carriers might not have the technical capability to participate on a county basis. The Commission concurs that exchange boundaries should be used.

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<sup>1</sup> Allendale, Borculo, Byron Center, Casnovia, Conklin, Coopersville, Drenthe, Fruitport, Grand Haven, Grand Rapids, Holland, Hudsonville, Jamestown, Marne, Muskegon, Sparta, and Zeeland.

The First Call application, and clarifying information filed September 9, 2003, provided the Commission with a list of 11 exchanges that the organization would like to serve with the 2-1-1 abbreviated dialing number.<sup>2</sup> Four other exchanges that are in part in Ottawa County, but not included in First Call's application (Grand Rapids, Byron Center, Casnovia, and Sparta), are primarily in Kent County and are currently being served by the Ottawa County 2-1-1 answering point. Two exchanges primarily located in Muskegon County (Muskegon and Fruitport) are not addressed by First Call's application.

The Commission concludes that service platform issues should initially be determined between First Call and the carriers, with the cost of the service being a competitive issue, rather than a matter subject to regulatory resolution. The Commission notes that First Call's application<sup>3</sup> and the MI-AIRS standards<sup>4</sup> provide assurance that 2-1-1 callers will not be assessed toll charges. The Commission will be involved in service platform issues only to the extent that implementation of the 2-1-1 service requires interconnection between carriers or the parties establish another basis for Commission jurisdiction. All carriers should note that the Federal Communications Commission (FCC) requires carriers to participate in completing calls to the 2-1-1 center.<sup>5</sup>

The Commission lacks jurisdiction to require payphone providers and wireless carriers to provide access to 2-1-1 service. MCL 484.2401. The Commission, however, encourages them to work with all parties to provide their customers with such access.

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<sup>2</sup> Grand Haven, Holland, Coopersville, Allendale, Borculo, Zeeland, Conklin, Marne, Hudsonville, Drenthe, and Jamestown.

<sup>3</sup> August 29, 2003 application, ¶17.

<sup>4</sup> Application for MI-AIRS Endorsement as a 2-1-1 Call Center, Standard II, Requirement 2.

<sup>5</sup> In the Matter of the Use of N11 Codes and Other Abbreviated Dialing Arrangements, *Third Report and Order and Order on Reconsideration*, CC Docket No. 92-105 (FCC 00-256), ¶21.

Any changes in the geographic area of this designation must be approved by the Commission. Changes to the geographic area include making the assigned geographic area smaller (i.e., omission of exchanges) or larger (i.e., expansion to a regional area with additional exchanges). Modifications of the geographic area that may occur due to the assignment of the 2-1-1 dialing pattern in an adjacent counties must also be approved by the Commission.

Approval of First Call's application is provisional, in part, due to the FCC's ability to recall the 2-1-1 number in 2005.<sup>6</sup> In addition, the Commission retains the right to withdraw its approval should state legislative action establish that the intent of Section 214 was to create statewide 2-1-1 coverage for community resource information and referral services. The Commission also notes that certain other circumstances could warrant rescinding the 2-1-1 assignment, such as failure to meet the MI-AIRS standards or a change in the standing with the MPCB. The approval granted by the order cannot be transferred to another entity without approval of the Commission. The relinquishment of the 2-1-1 assignment must also be approved by the Commission. Therefore, should First Call be unable to continue providing 2-1-1 service to the designated geographic area, it must apply to the Commission prior to discontinuing the service.

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, 1999 AC, R 460.17101 et seq.
- b. First Call should be designated as the 2-1-1 community resource information and referral answering point for Ottawa County.

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<sup>6</sup> Id.

THEREFORE, IT IS ORDERED that:

A. First Call of Ottawa County is designated as the 2-1-1 community resource information and referral answering point for Ottawa County.

B. First Call of Ottawa County shall provide sufficient resources to operate the 2-1-1 telephone number 24 hours per day, 7 days per week.

C. All providers of basic local exchange service within the 11 exchanges identified in the application, as clarified, that are wholly or partially within Ottawa County shall take the necessary steps to allow their customers to access First Call of Ottawa County through the use of the 2-1-1 telephone number.

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 E A L )

/s/ J. Peter Lark  
Chair

By its action of November 4, 2003.

/s/ Robert B. Nelson  
Commissioner

/s/ Robert W. Kehres  
Its Acting Executive Secretary

/s/ Laura Chappelle  
Commissioner

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Case No. U-13872

Suggested Minute:

“Adopt and issue order dated November 4, 2003 designating First Call of Ottawa County as the 2-1-1 community resource information and referral answering point for Ottawa County, as set forth in the order.”