

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 January 22, 2004 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

ORDER

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

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| Case No. U-12465 | SBC Michigan and TCG Detroit Application filed December 22, 2003 for approval of the fourth amendment (Docket Nos. 96-98 and 99-68, order on remand). |
| Case No. U-12465 | SBC Michigan and AT&T Communications of Michigan, Inc. Application filed December 22, 2003 for approval of the fifth amendment (Docket Nos. 96-98 and 99-68, order on remand). |
| Case No. U-13118 | Borderland Communications, LLC, and SBC Michigan Application filed December 11, 2003 for approval of the second amendment (reciprocal compensation, Docket Nos. 96-98 and 99-68, order on remand). |
| Case No. U-13725 | SBC Michigan and LDMI Telecommunications, Inc. Application filed December 17, 2003 for approval of the fourth amendment (Yellow Zone Ordering Process). |

- Case No. U-13974 Allegiance Telecom of Michigan, Inc., and SBC Michigan Application filed December 8, 2003 for approval of an interconnection agreement. The application also seeks approval of amendments (reciprocal compensation, FCC Docket Nos. 96-98 and 99-68, order on remand).
- Case No. U-13979 SBC Michigan and Cap Com, Inc. Application filed December 10, 2003 for approval of an interconnection agreement.
- Case No. U-13980 Granite Telecommunications, LLC, and SBC Michigan Application filed December 10, 2003 for approval of an interconnection agreement.
- Case No. U-13985 SBC Michigan and Global Connection Inc. of America Application filed December 16, 2003 for approval of an interconnection agreement.
- Case No. U-13986 Coast to Coast Telecommunications, Inc., and SBC Michigan Application filed December 18, 2003 for approval of an interconnection agreement. The application also seeks approval of amendments (reciprocal compensation, FCC Docket Nos. 96-98 and 99-68, order on remand).

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, 1999 AC, 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/ J. Peter Lark
Chair

(S E A L)

/s/ Robert B. Nelson
Commissioner

/s/ Laura Chappelle
Commissioner

By its action of January 22, 2004.

/s/ Mary Jo Kunkle
Its Executive Secretary

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MICHIGAN PUBLIC SERVICE COMMISSION

Chair

Commissioner

Commissioner

By its action of January 22, 2004.

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Suggested Minute:

“Adopt and issue order dated January 22, 2004 approving interconnection agreements and amendments, as set forth in the order.”