

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. )  
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At the November 9, 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-12534 | American Fiber Network, Inc., and Verizon North Inc. and<br>Contel of the South, Inc., d/b/a Verizon North Systems<br>Application filed October 22, 2004 for approval of a first<br>amendment (TRO withdrawal of services).                    |
| Case No. U-13118 | SBC Michigan and Borderland Communications, LLC<br>Application filed October 7, 2004 for approval of a fourth<br>amendment (post USTA II language).  |
| Case No. U-13580 | SBC Michigan and Sprint Communications Company Limited<br>Partnership<br>Application filed October 8, 2004 for approval of a fourth<br>amendment (collocation power).  |
| Case No. U-13879 | SBC Michigan and Sprint Spectrum Limited Partnership<br>Application filed October 20, 2004 for approval of a second<br>amendment (CMRS switched access traffic percentages and<br>redefines the names of Sprint Spectrum L.P. and Sprint PCS). |

- Case No. U-14166      SBC Michigan and Neutral Tandem-Michigan, LLC  
Application filed October 7, 2004 for approval of an eighth and a ninth amendment (post USTA II and 911 waiver).
- Case No. U-14238      SBC Michigan and Drenthe Telephone Company,  
d/b/a Drenthe Telephone & Communications  
Application filed October 7, 2004 for approval of a third amendment (generic OS and DA appendices).
- Case No. U-14314      Frontier Communications of Michigan, Inc., and  
Michiana Metronet, Inc.  
Application filed October 18, 2004 for approval of an interconnection agreement.
- Case No. U-14315      SBC Advanced Solutions and New Edge Network, Inc.,  
d/b/a New Edge Networks  
Application filed October 21, 2004 for approval of an interconnection agreement.
- Case No. U-14317      SBC Michigan and BCN Telecom, Inc.  
Application filed October 22, 2004 for approval of an interconnection agreement.
- Case No. U-14325      Verizon North Inc. and Contel of the South, Inc., d/b/a Verizon  
North Systems, and Westphalia Broadband, Inc., d/b/a WBI  
Application filed October 22, 2004 for approval of an interconnection agreement.

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 November 9, 2004.

/s/ Mary Jo Kunkle  
Its Executive Secretary

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MICHIGAN PUBLIC SERVICE COMMISSION

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Chair

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Commissioner

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Commissioner

By its action of November 9, 2004.

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Its Executive Secretary