

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 March 16, 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-12535 | American Fiber Network, Inc., and SBC Michigan
Application filed February 27, 2004, for approval of a seventh
amendment (non-recurring Loop Qualification Process-Manual
Rate). |
| Case No. U-12627 | SBC Michigan and New Edge Network, Inc.
Application filed on February 12, 2004 for approval of a
sixth amendment (collocation power rates). |
| Case No. U-13400 | Norlight Telecommunications, Inc., and SBC Michigan
Application filed February 27, 2004, for approval of a second
amendment (non-recurring Loop Qualification Process-Manual
Rate). |
| Case No. U-13725 | SBC Michigan and LDMI Telecommunications, Inc.
Application filed February 24, 2004 for approval of the sixth
amendment (combined loop conditioning). |

- Case No. U-14028 Verizon North Inc. and Contel of the South, Inc., d/b/a Verizon North Systems, and Cat Communications International, Inc. Application filed February 4, 2004 for approval of the first amendment (insurance).
- Case No. U-14029 SBC Michigan and Essex Acquisition Corporation Application filed February 6, 2004 for approval of an interconnection agreement.
- Case No. U-14030 SBC Michigan and CMC Telecom, Inc. Application filed February 17, 2004 for approval of an interconnection agreement including amendments one through four. The application also seeks approval of a fifth amendment (reciprocal compensation).
- Case No. U-14033 SBC Michigan and PNG Telecommunications Inc., d/b/a PowerNet Global Communications Application filed on February 12, 2004 for approval of an interconnection agreement, including amendments one through four. The application also seeks approval of a fifth amendment (reciprocal compensation).
- Case No. U-14034 Easton Telecom Services, L.L.C., and SBC Michigan Application filed on February 18, 2004 for approval of an interconnection agreement.
- Case No. U-14035 SBC Michigan and Westphalia Telephone Company Application filed February 18, 2004 for approval of an interconnection agreement.
- Case No. U-14045 United Telecom, Inc., and SBC Michigan Application filed February 26, 2004 for approval of an interconnection agreement and first amendment (reciprocal compensation and post sunset merger conditions).

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 March 16, 2004.

/s/ Mary Jo Kunkle

Its Executive Secretary

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MICHIGAN PUBLIC SERVICE COMMISSION

Chair

Commissioner

Commissioner

By its action of March 16, 2004.

Its Executive Secretary

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Suggested Minute:

“Adopt and issue order dated March 16, 2004 approving interconnection agreements and amendments, as set forth in the order.”