

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 July 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-13217 | SBC Michigan and KMC Telecom II LLC
Applications filed June 29, 2004 for approval of a third and fourth amendment (reciprocal compensation). |
| Case No. U-13217 | SBC Michigan and KMC Telecom III LLC and KMC Telecom V, Inc.
Applications filed June 29, 2004 for approval of a fourth and fifth amendment (reciprocal compensation). |
| Case No. U-13856 | Verizon North Inc. and Contel of the South, Inc., d/b/a Verizon North Systems, and TC3 Telecom, Inc.
Applications filed June 17, 2004 and June 21, 2004 for approval of a first amendment (interconnection architecture) and second amendment (line sharing), respectively. |
| Case No. U-14166 | SBC Michigan and Neutral Tandem-Michigan, LLC
Application filed June 17, 2004 for approval of an interconnection agreement, including original amendments one through five, plus |

new amendments six (reciprocal compensation) and seven (change of law provisions).

- Case No. U-14167 SBC Michigan and Pacific Centrex Services, Inc.
Application filed June 25, 2004, for approval of an interconnection agreement, including original amendments one through seven, plus new amendments eight (negotiated intercarrier compensation) and nine (change of law provisions).
- Case No. U-14176 SBC Michigan and Cinergy Communications Company
Application filed June 24, 2004 for approval of an interconnection agreement.
- Case No. U-14177 SBC Michigan and Trans National Communications International, Inc.
Application filed June 24, 2004 for approval of an interconnection agreement.
- Case No. U-14179 AT&T Wireless Services, Inc., and Chatham Telephone Company, Communication Corporation of Michigan, Island Telephone Company, Shiawassee Telephone Company, and Wolverine Telephone Company
Application filed June 28, 2004 for approval of a reciprocal wireless interconnection agreement.
- Case No. U-14198 Baraga Telephone Company and ALLTEL Wireless of Michigan RSA #1 and RSA #2, Inc., Pacific Telecom Cellular of Michigan, Inc., and ALLTEL Communications of Michigan, Inc., d/b/a ALLTEL Communications, Inc.
Application filed on July 8, 2004 for approval of a reciprocal wireless 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 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 July 22, 2004.

/s/ Mary Jo Kunkle
Its Executive Secretary

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MICHIGAN PUBLIC SERVICE COMMISSION

Chair

Commissioner

Commissioner

By its action of July 22, 2004.

Its Executive Secretary

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Suggested Minute:

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