

STATE OF MICHIGAN

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

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In the matter of the request for Commission approval of an interconnection agreement between SBC MICHIGAN and SAGE TELECOM, INC.)	
)	Case No. U-13513
)	
_____)	

In the matter, on the Commission’s own motion, to require SBC MICHIGAN and SAGE TELECOM, INC. , to submit their interconnection agreement for review and approval.)	
)	Case No. U-14121
)	
_____)	

At the November 23, 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

OPINION AND ORDER

On August 3, 2004, the Commission issued an order in these cases requiring SBC Michigan (SBC) and Sage Telecom, Inc. (Sage), to file an executed interconnection agreement, including the Private Commercial Agreement for Local Wholesale Complete (LWC) Agreement and the eighth amendment to the SBC and Sage interconnection agreement, but permitting certain sections that related only to the proprietary future plans of Sage to be redacted from the filed version. In the October 14, 2004 order in these cases, the Commission granted the parties’ joint request to explicitly acknowledge that the current interconnection agreement continued in effect, except as amended by the LWC Agreement and the eighth amendment. The Commission reiterated that the parties could file the required documents with the identified sections redacted to protect Sage.

On October 29, 2004, the parties filed an unredacted copy of the LWC and the eighth amendment to the interconnection agreement. In a cover letter to that filing, SBC and Sage explained that the Texas Public Utilities Commission required that the unredacted version be filed in Texas. Therefore, the parties determined that the unredacted version should be filed wherever the parties were required to file a copy of the agreement.

The Commission accepts this filing as compliant with the August 3, and October 14, 2004 orders.

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 October 29 filing should be accepted as compliant with the Commission's orders in these proceedings.

THEREFORE, IT IS ORDERED that the October 29, 2004 filing made by SBC Michigan and Sage Telecom, Inc., complies with the Commission's orders in these proceedings issued on August 3, and October 14, 2004.

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 November 23, 2004.

/s/ Mary Jo Kunkle
Its Executive Secretary

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

Chair

Commissioner

Commissioner

By its action of November 23, 2004.

Its Executive Secretary