

STATE OF MICHIGAN

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

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In the matter of the application of)	
TALK AMERICA INC. to expand the geographic)	
scope of its license to provide local exchange)	Case No. U-14311
service in the local exchanges currently serviced)	
by SBC Michigan and Verizon North Inc. and Contel)	
of the South, Inc., d/b/a Verizon North Systems.)	
_____)	

At the December 21, 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 October 13, 2004, Talk America Inc. (Talk America) filed an application, pursuant to the Michigan Telecommunications Act (MTA), MCL 484.2101 et seq., to amend its license to provide basic local exchange service to include all exchanges currently served by SBC Michigan and Verizon North Inc. and Contel of the South, Inc., d/b/a Verizon North Systems.

Talk America served a notice of opportunity to comment on other local exchange carriers and all county clerk offices. No comments were filed with the Commission.

The Commission finds that approval of Talk America’s application is in the public interest. The expansion of the license is conditioned on compliance with the anti-slamming procedures adopted in Case No. U-11900, the number portability provisions of the MTA, and the number reclamation process adopted in Case No. U-12703. Failure to comply fully with those

procedures may result in revocation of the license or other penalties. Further, the expansion of the license is conditioned upon the provision of service to customers in the added exchanges within a reasonable time. Failure to do so may result in revocation of the license.

The Commission FINDS that:

- a. Jurisdiction is pursuant to 1991 PA 179, as amended, MCL 484.2101 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. Amending Talk America's license to provide basic local exchange service is in the public interest.

THEREFORE, IT IS ORDERED that:

- A. The license of Talk America Inc. to provide basic local exchange service is amended to include all exchanges currently served by SBC Michigan and Verizon North Inc. and Contel of the South, Inc., d/b/a Verizon North Systems.
- B. Talk America Inc. shall provide basic local exchange service in accordance with the regulatory requirements specified in the Michigan Telecommunications Act, MCL 484.2101 et seq., including the number portability provisions of Section 358, the anti-slamming procedures adopted in Case No. U-11900, and the number reclamation process adopted in Case No. U-12703.
- C. Before commencing basic local exchange service in the areas added to the license by this order, Talk America Inc. shall submit its tariff identifying the additional exchanges in which it will offer service.

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 December 21, 2004.

/s/ Mary Jo Kunkle
Its Executive Secretary

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MICHIGAN PUBLIC SERVICE COMMISSION

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Case No. U-14311

Suggested Minute:

“Adopt and issue order dated December 21, 2004 amending the license of Talk America Inc. to provide basic local exchange service, as set forth in the order.”