

STATE OF MICHIGAN
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

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In the matter of the application of)	
SBC MICHIGAN and AMERITECH MOBILE)	
SERVICES, INC., d/b/a SBC PAGING, for)	Case No. U-14117
approval of an interconnection agreement.)	
_____)	

At the February 24, 2005 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

On April 27, 2004, SBC Michigan (SBC) and Ameritech Mobile Services, Inc., d/b/a SBC Paging (Ameritech Mobile Services), filed an application for approval of an interconnection agreement, pursuant to Sections 252(e)(1) and 252(i) of the federal Telecommunications Act of 1996 (federal Act), 47 USC 252, and Section 203(1) of the Michigan Telecommunications Act (MTA), as amended, MCL 484.2203(1), which was approved by the Commission on May 18, 2004.

On December 8, 2004, the parties filed an application for approval of a third amendment to the May 18 interconnection agreement. The Commission approved the third amendment on December 21, 2004.

On January 14, 2005, SBC and Ameritech Mobile Services filed a joint application to re-open and alter the docket, pursuant to Section 203(1) of the MTA and Section 252(e) of the federal Act.

After the filing and approval of the interconnection agreement, the parties discovered that the April 27 application erroneously contained footnote 2, which states:

SBC Michigan and Ameritech Mobile Services, Inc. (sic) d/b/a SBC Paging (sic) are parties to an existing agreement approved by the Commission on February 22, 2000 in Case No. U-12258. That agreement will terminate upon the effective date of the Agreement attached as Exhibit A.

Application, p. 1. SBC and Ameritech Mobile Services request that footnote 2 be removed from their April 27 application for approval of the interconnection agreement. The parties further request that the Commission issue an order reflecting that the agreement approved in Case No. U-12258 remains in effect.

On January 19, 2005, the parties filed a second joint application to re-open and alter the docket in this case and request withdrawal of their December 8, 2004 application for approval of the third amendment to the interconnection agreement. After that filing, SBC and Ameritech Mobile Services discovered that the request for the third amendment was inadvertently and erroneously filed in this docket. The third amendment, the parties say, should have been filed as a fifth amendment to the SBC and Ameritech Mobile Communications, LLC, interconnection agreement in Case No. U-12258. The parties request that their December 8 application be withdrawn and the December 21, 2004 order in this case be vacated.

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. The docket in this case should be reopened and altered to remove footnote 2 of the parties' April 27, 2004 application and to withdraw the December 8, 2004 application for approval of a third amendment to the interconnection agreement, as set forth in the order.

c. The Commission's December 21, 2004 order as it relates to this docket should be vacated.

THEREFORE, IT IS ORDERED that:

A. The docket in this case is reopened.

B. The April 27, 2004 application for approval of an interconnection agreement filed by SBC Michigan and Ameritech Mobile Services, Inc., d/b/a SBC Paging, is amended by removing footnote 2 on page 1 of the application.

C. The interconnection agreement between SBC Michigan and Ameritech Mobile Communications, LLC, approved by the February 22, 2000 order in Case No. U-12258 remains unaffected by any order in this docket.

D. The SBC Michigan and Ameritech Mobile Services, Inc., d/b/a SBC Paging, December 8, 2004 application for approval of a third amendment to the May 18, 2004 interconnection agreement is withdrawn.

E. The December 21, 2004 order as it relates to Case No. U-14117 is vacated.

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 February 24, 2005.

/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

Chairman

Commissioner

Commissioner

By its action of February 24, 2005.

Its Executive Secretary