

STATE OF MICHIGAN

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

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In the matter of the application of	)	
<b>TDS METROCOM, LLC, LDMI</b>	)	
<b>TELECOMMUNICATIONS, INC., and XO</b>	)	Case No. U-14952
<b>COMMUNICATIONS SERVICES, INC. against</b>	)	
<b>MICHIGAN BELL TELEPHONE d/b/a AT&amp;T</b>	)	
<b>MICHIGAN.</b>	)	
_____	)	

At the February 27, 2007 meeting of the Michigan Public Service Commission in Lansing, Michigan.

PRESENT: Hon. J. Peter Lark, Chairman  
Hon. Laura Chappelle, Commissioner  
Hon. Monica Martinez, Commissioner

**ORDER DISMISSING CASE**

On July 7, 2006, TDS Metrocom, LLC, LDMI Telecommunications, Inc., and XO Communications Services, Inc., filed a complaint against Michigan Bell Telephone, d/b/a AT&T Michigan. Pursuant to the provisions of the Michigan Telecommunications Act, MCL 484.2101 *et seq.*, the parties were referred to mediation.

By September 16, 2006, the recommendation of the mediator had not been accepted by all parties and the matter was scheduled for hearing. On September 19, 2006, a hearing in the nature of a prehearing conference was held before Administrative Law Judge Mark E. Cummins (ALJ). At that time, the ALJ granted petitions to intervene filed by McLeod Telecommunications Services, Inc., JAS Networks, Inc., Climax Telephone Company, ACD Telecom, Inc., and Telnet WorldWide, Inc.

Thereafter, the parties entered into negotiations and resolved the issues in this case by agreeing to amendments to their interconnection agreements. On January 30, 2007, the parties filed a stipulation to dismiss this case with prejudice, without costs, mediation sanctions, or attorney fees, upon Commission approval of the interconnection agreement amendments related to DS1 cross connects.

Those amendments were approved on February 14, 2007 in a Commission order approving several interconnection agreements and amendments. Therefore, this case should be dismissed with prejudice, but without costs, mediation sanctions, or attorney fees.

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. This case should be dismissed with prejudice, but without costs, mediation sanctions, or attorney fees on any party.

THEREFORE, IT IS ORDERED that this case is dismissed with prejudice, but without imposing costs, mediation sanctions, or attorney fees on any party.

The Commission reserves jurisdiction and may issue further orders as necessary.

Any party desiring to appeal this order must do so by the filing of a claim of appeal in the Michigan Court of Appeals within 30 days of the issuance of this order, pursuant to MCL 484.2203(12).

MICHIGAN PUBLIC SERVICE COMMISSION

/s/ J. Peter Lark

Chairman

( S E A L )

/s/ Laura Chappelle

Commissioner

/s/ Monica Martinez

Commissioner

By its action of February 27, 2007.

/s/ Mary Jo Kunkle

Its Executive Secretary

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MICHIGAN PUBLIC SERVICE COMMISSION

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Chairman

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Commissioner

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Commissioner

By its action of February 27, 2007.

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Its Executive Secretary