

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 September 23, 2008 meeting of the Michigan Public Service Commission in Lansing,
Michigan.

PRESENT: Hon. Orjiakor N. Isiogu, Chairman
Hon. Monica Martinez, Commissioner
Hon. Steven A. Transeth, Commissioner

ORDER

The following parties have filed joint applications for approval of interconnection agreements
and amendments:

- Case No. U-13175 AT&T Michigan and XO Communications Services, Inc.
Application filed on August 20, 2008 for approval of a twentieth
amendment to an interconnection agreement (replaces existing
performance measures and adds new performance remedy plan
appendix).
- Case No. U-13569 AT&T Michigan and Talk America Inc., d/b/a Cavalier Telephone
Second amended application filed August 22, 2008 for approval of a
seventh amendment to an interconnection agreement (replaces
existing performance measures and adds new performance remedy
plan appendix).
- Case No. U-13569 AT&T Michigan and Talk America Inc., d/b/a Cavalier Telephone
Application filed August 27, 2008 for approval of an eighth
amendment to an interconnection agreement (revises definition of
“business lines” to comply with U.S. District Court, Eastern District
of Michigan, order reversing in part the MPSC’s TRO/TRRO order
in Case No. U-14447).

- Case No. U-13686 AT&T Michigan and Comtel Telcom Assets LP, d/b/a VarTec Telecom Michigan
Application filed August 21, 2008 for approval of a seventh amendment to an interconnection agreement (revises definition of “business lines” to comply with U.S. District Court, Eastern District of Michigan, order reversing in part the MPSC’s TRO/TRRO order in Case No. U-14447).
- Case No. U-13687 AT&T Michigan and Comtel Telcom Assets LP, d/b/a Excel Telecommunications Michigan
Application filed August 21, 2008 for approval of a seventh amendment to an interconnection agreement (revises definition of “business lines” to comply with U.S. District Court, Eastern District of Michigan, order reversing in part the MPSC’s TRO/TRRO order in Case No. U-14447).
- Case No. U-13725 AT&T Michigan and LDMI Telecommunications, Inc.
Application filed August 27, 2008 for approval of a fourteenth amendment to an interconnection agreement (revises definition of “business lines” to comply with U.S. District Court, Eastern District of Michigan, order reversing in part the MPSC’s TRO/TRRO order in Case No. U-14447).
- Case No. U-14238 AT&T Michigan and Drenthe Telephone Company
Application filed September 10, 2008 for approval of a seventh amendment to an interconnection agreement (revises definition of “business lines” to comply with U.S. District Court, Eastern District of Michigan, order reversing in part the MPSC’s TRO/TRRO order in Case No. U-14447).

47 USC 252(e)(2) and (3) 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.

After reviewing the applications, agreements, and amendments, the Commission finds 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 shall be made available to other telecommunications carriers upon the same terms and conditions.

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 aggrieved by this order may file an action in the appropriate federal District Court pursuant to 47 USC 252(e)(6).

MICHIGAN PUBLIC SERVICE COMMISSION

Orjiakor N. Isiogu, Chairman

Monica Martinez, Commissioner

Steven A. Transeth, Commissioner

By its action of September 23, 2008.

Mary Jo Kunkle, Executive Secretary