

STATE OF MICHIGAN

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

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In the matter of the application of)	
GRYPHON PLACE to be assigned the telephone)	
digits 2-1-1 and designated as the community)	
resource information and referral answering point)	Case No. U-13640
for Kalamazoo County.)	
_____)	

In the matter of the application of the)	
VOLUNTEER CENTER OF BATTLE CREEK, INC.,)	
to be assigned the telephone digits 2-1-1 and)	
designated as the community resource information)	Case No. U-15618
and referral answering point for St. Joseph County,)	
Michigan.)	
_____)	

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 abbreviated dialing number 2-1-1 may be assigned by the Commission to community resource information and referral service answering points for various geographic areas within the state. MCL 484.2214. On July 3, 2008, the Volunteer Center of Battle Creek (VCBC) filed an application in Case No. U-15618 requesting designation as the 2-1-1 answering point for the rate centers of Burr Oak, Centerville, Colon, Constantine, Mendon, Sturgis, Three Rivers, and White Pigeon (requested service area). The application requests the reassignment of the Mendon

exchange from Gryphon Place's 2-1-1 service area¹ to VCBC's 2-1-1 service area. The application included written endorsements by Michigan 2-1-1, the St. Joseph County Human Services Commission, and the Michigan Alliance of Information and Referral Systems (MI-AIRS), as well as a letter from Gryphon Place requesting release and reassignment of the Mendon rate center to VCBC.

On July 16, 2008, the Commission's Executive Secretary issued a letter directing VCBC to publish a notice of opportunity to comment in newspapers of general circulation in St. Joseph County and to mail the notice to the Attorney General, local exchange carriers, and all human resource agencies in St. Joseph County. LifeCare Ambulance Services, Domestic and Sexual Abuse Services, Cass and St. Joseph County Department of Human Services, YMCA Camp Eberhart, St. Joseph County United Way, Sturgis Senior Center, Riverside Health Clinic, St. Joe Community Co-op, and Sturgis Hospital all filed comments in support of the application filed by VCBC.

On August 13, 2008, the Telecommunications Association of Michigan (TAM) filed comments opposing the approval of the application based on the lack of information establishing that VCBC has sufficient funding to meet the requirements of the Michigan Telecommunications Act. The Commission finds TAM's arguments without merit. In the April 1, 2008 order in Case No. U-15348, the Commission rejected similar arguments raised there by TAM. The Commission stated:

[T]he Commission finds that even if TAM were a party to this proceeding, the petition [for rehearing] should be denied. The Commission's role in making 2-1-1 determinations is clearly spelled out by Section 214. The Commission is required to consider whether the applicant has: (1) the recommendation of Michigan 2-1-1, Inc.; (2) the recommendation of the relevant state-endorsed

¹Gryphon Place received the 2-1-1 designation for the Mendon rate center in the Commission's February 20, 2003 order in Case No. U-13640.

community collaborative bodies; (3) established a framework to provide sufficient resources to operate the 2-1-1 number 24 hours per day, seven days per week; and (4) met standards for 2-1-1 service adopted by MI-AIRS. MCL 484.2214(3), (4). *Id.*, p. 3.

The application filed by VCBC meets all of these requirements. Michigan 2-1-1, Inc. recommended to the Commission that VCBC serve as the designated 2-1-1 answering point for St. Joseph County. The state endorsed community collaborative body for St. Joseph County, the St. Joseph County Human Service Commission, supplied a recommendation that VCBC serve as the 2-1-1 answering point for the requested service area. VCBC has established a framework to provide sufficient resources to operate the 2-1-1 number, and has been successful in doing so in VCBC's current service area. Finally, VCBC is meeting the standards for 2-1-1 service adopted by MI-AIRS. The application included a letter from MI-AIRS which determined that VCBC meets the 2-1-1 service standard.

The Commission recognizes that while many activities undertaken by non-profit agencies are based on geographic boundaries such as cities and counties, telecommunications service historically has been based on exchanges, which are not defined by city or county boundaries. The Commission notes St. Joseph County contains all or part of 12 exchanges,² many of which overlap the county boundaries.

The Commission concludes that service platform issues should initially be determined between VCBC and the carriers, with the cost of the service being a competitive issue rather than a matter subject to regulatory resolution. The Commission notes that VCBC's initial application and the MI-AIRS standards³ provide assurance that 2-1-1 callers will not be assessed toll charges. The Commission will be involved in service platform issues only to the extent that implementation of

²Schoolcraft, Vicksburg, Athens, Mendon, Colon, Burr Oak, Sturgis, White Pigeon, Constantine, Three Rivers, Marcellus, Centerville.

³Application for MI-AIRS endorsement as a 2-1-1 Call Center, Standard II, Requirement 2.

the 2-1-1 service requires interconnection between carriers or the parties establish another basis for Commission jurisdiction. All carriers should note that the Federal Communications Commission (FCC) requires carriers to participate in completing calls to the 2-1-1 center.⁴

The Commission lacks jurisdiction under MCL 484.2401 to require payphone providers and wireless carriers to provide access to 2-1-1 service. The Commission encourages them to work with all parties to provide their customers with access to 2-1-1 service.

Any change to the geographic area of this designation requires Commission approval. Changes to the geographic area include making the assigned geographic area smaller (i.e., omission of exchanges) or larger (i.e., expansion to a regional area with additional exchanges). Modifications of the geographic area that may occur due to the assignment of the 2-1-1 dialing pattern in adjacent counties also require Commission approval.

Approval of the application is provisional, in part, due to the FCC's ability to recall the 2-1-1 abbreviated dialing number.⁵ In addition, the Commission retains the right to withdraw its approval should the statute change. The Commission also notes that certain other circumstances could warrant rescinding the 2-1-1 assignment, such as failure to meet the MI-AIRS standards, or a change in standing with the county multi-purpose collaborative bodies or Michigan 2-1-1. The approval granted by the order cannot be transferred to another entity without the Commission's approval. The relinquishment of the 2-1-1 assignment requires Commission approval. Should VCBC be unable to continue providing 2-1-1 service to the designated area, it shall apply to the Commission before discontinuing the service.

⁴In the Matter of the Use of N11 Codes and Other Abbreviated Dialing Arrangements, *Third Report and Order and Order on Reconsideration*, CC Docket No. 92-105 (FCC 00-256), ¶21.

⁵*Id.*

The Commission approves the application by VCBC to become the designated 2-1-1 answering point for the requested service area, and approves the transfer of Mendon rate center from Gryphon Place to VCBC.

THEREFORE, IT IS ORDERED that:

A. The February 20, 2003 order in Case No. U-13640 is amended to delete the Mendon rate center from the 2-1-1 designation of Gryphon Place, effective upon the completed transfer of that rate center to Volunteer Center of Battle Creek.

B. Volunteer Center of Battle Creek is designated as the 2-1-1 community resource information and referral answering point for the rate centers of Burr Oak, Centerville, Colon, Constantine, Mendon, Sturgis, Three Rivers, and White Pigeon.

C. Volunteer Center of Battle Creek shall provide sufficient resources to operate the 2-1-1 telephone number 24 hours per day, seven days per week in the requested service area.

D. All providers of basic local exchange service within the eight exchanges identified in the application that are wholly or partially within St. Joseph County, shall take the necessary steps to allow their customers to access Volunteer Center of Battle Creek through the use of the 2-1-1 telephone number.

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, under MCL 484.2203(12).

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