

STATE OF MICHIGAN

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

* * * * *

In the matter of the joint requests for Commission)
approval of interconnection agreements and)
amendments.)
_____)

At the December 4, 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-14413 AT&T Michigan and TelNet Worldwide, Inc.
Application filed November 3, 2008 for approval of a thirteenth
amendment to an interconnection agreement (replacing existing
performance measures and remedies).
- Case No. U-15534 Century Tel Midwest-Michigan, Inc. and Sprint Communications
Company L.P.
Application filed November 6, 2008 for approval of an arbitrated
interconnection agreement.
- Case No. U-15727 Ace Telephone Company of Michigan, Inc., Allendale Telephone
Company, Baraga Telephone Company, Barry County Telephone
Company, Blanchard Telephone Company, Bloomingdale
Telephone Company, Inc., Carr Telephone Company, d/b/a Carr
Communications, Chippewa Telephone Company, Climax
Telephone Company, d/b/a CTS Telecom, Inc., Drenthe Telephone
Company, d/b/a Drenthe Telephone & Communications, Kaleva
Telephone Company, Lennon Telephone Company, Midway

Telephone Company, Ontonagon County Telephone Company, Peninsula Telephone Company, Springport Telephone Company, Upper Peninsula Telephone Company, Westphalia Telephone Company, Winn Telephone Company, and Charter Fiberlink – Michigan, LLC.

Application filed October 31, 2008 for approval of Local Traffic Exchange Agreements.

Case No. U-15732 AT&T Michigan and Budget PrePay, Inc., d/b/a Budget Phone Application filed November 12, 2008 for approval of an interconnection agreement (adoption of the agreement approved for AT&T Michigan and Comcast Phone of Michigan, LLC in Case No. U-13378), including: first amendment (FCC Interim Terminating Comp Plan All Traffic); second amendment (new rates from Case No. U-13531); third amendment (final new rates from Case No. U-13531); fourth amendment (TRO/TRRO approved in Case No. U-14447); fifth amendment (Negotiated Out of Exchange Traffic Appendix); sixth amendment (extends the term approved on April 1, 2008); seventh amendment (revises the definition of business lines to comply with Case No. U-14447) (collectively “the MFN Agreement”).

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 December 4, 2008.

Mary Jo Kunkle, Executive Secretary