

STATE OF MICHIGAN

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

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In the matter of the joint application of)
JACKSON 2-1-1 CALL CENTER, a program of the)
United Way of Jackson County, in collaboration)
with the Capital Area United Way, Eaton County)
United Way, Hillsdale County United Way,)
Lenawee United Way, LifeWays, and Livingston)
County United Way to transfer the designation as)
the 2-1-1 answering point for Livingston County)
to Jackson 2-1-1 from United Way Regional Call)
Center and designate Jackson 2-1-1)
Call Center as the 2-1-1 answering point for)
Lenawee County.)

Case No. U-15619

_____)
)
In the matter of the application of the)
UNITED WAY REGIONAL CALL CENTER)
to be assigned the telephone digits 2-1-1 and)
designated as the community resource information)
and referral answering point for Livingston,)
Monroe, and Washtenaw counties.)

Case No. U-14935

At the October 21, 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 22, 2008, Jackson 2-1-1 Call Center (Jackson) and the United Way

of Jackson County filed a joint application under Section 214 of the Michigan Telecommunications Act, MCL 484.2214, for designation of Jackson as the 2-1-1 answering point for Lenawee and Livingston counties. In fulfillment of the requirements of MCL 484.2214(3), the application includes written endorsements from the Michigan Alliance of Information and Referral Systems (MI-AIRS), Michigan 2-1-1, the Lenawee Community Collaborative, and the Livingston County Human Services Collaborative Body (the state-endorsed multipurpose collaborative bodies for Lenawee and Livingston counties).

On June 24, 2008, in Case No. U-14935, the United Way Regional Call Center (UWRCC) filed a request to transfer the designation of the 2-1-1 answering point for Livingston county from UWRCC to Jackson. UWRCC indicates that the two have worked together, along with Livingston County United Way, to plan for the transfer. UWRCC indicates that the rate centers for Livingston county currently held by it are Brighton, Byron, Fenton, Fowlerville, Gregory, Hartland, Howell, Linden, and Pinckney.

Jackson has previously been assigned 2-1-1 designation for exchanges located in Jackson, Clinton, Eaton, Hillsdale, and Ingham counties. *See*, August 31, 2004 order in Case No. U-14161, and February 14, 2007 order in Case No. U-15110. In the September 26, 2006 order in Case No. U-14935, the Commission designated UWRCC as the 2-1-1 answering point for exchanges in Livingston County. Jackson requests that the following rate centers be transferred to, or included in, Jackson's call center designation: Addison, Adrian, Blissfield, Brighton, Byron, Clayton, Deerfield, Fenton, Fowlerville, Hartland, Howell, Hudson, Linden, Morenci, Ogden Center, Onsted, Pinckney, Sand Creek, Tecumseh, and Waldron.

On July 25, 2008, the Commission's Executive Secretary issued a letter directing Jackson to publish a notice of opportunity to comment in newspapers of general circulation in Livingston and

Lenawee counties and to mail the notice to the Attorney General, local exchange carriers, and all human resource agencies in Mason and Oceana Counties.

Hamburg Township Library, Community Action Agency, Clinton Community Schools, Communities in Schools of Lenawee, Inc., Key Development Center, Inc., Lenawee Department on Aging, Lenawee County Sheriff's Office, The Arc of Livingston, Michigan Department of Human Services – Lenawee, Saint Mary of Good Counsel Church, Michigan Association of United Ways, Hudson Area Schools, First Call for Help, Livingston County Department of Public Health, Goodwill Industries of Southeastern Michigan, Care Pregnancy of Lenawee, Onsted Community Schools, Work Skills Corporation, Lenawee County Health Department, Brighton Hospital, Consumers Energy Company, Holy Cross Children's Services, City of Adrian, Hospice of Lenawee, Lenawee Intermediate School District, HandsOn Battle Creek, Livingston County United Way, Livingston County 9-1-1 Central Dispatch, HS-USA, Inc., Greater Brighton Area Chamber of Commerce, Hamburg Township, Lenawee County Board of Commissioners, and the Livingston County Human Services Collaborative Body filed comments in support of the application.

Verizon North Inc. and Contel of the South, Inc., d/b/a Verizon North Systems, and MCImetro Access Transmission Services LLC, d/b/a Verizon Access Transmission Services (collectively Verizon) filed comments addressing technical aspects of the application. Verizon indicates that it does not object to Jackson's application as long as Jackson utilizes its existing 800 number for 2-1-1 calls to both Livingston and Lenawee counties. Verizon states that it will "work with [Jackson] as needed to ensure a smooth transition for its end use customers." Verizon comments, p. 2.

Telecommunications Association of Michigan (TAM) filed comments opposing the application. TAM contends that Jackson's application fails to demonstrate that Jackson has sufficient

funding to establish “a framework to assure the provision of coverage of the 2-1-1 telephone number 24 hours per day, 7 days per week.” *See*, MCL 484.2214(3)(c). TAM also notes that the Gregory exchange was included in UWRCC’s June 24 filing, but was not mentioned in Jackson’s application. TAM filed similar comments in Case No. U-14935.

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 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).

While the Commission agrees with TAM that funding is a critical issue for the statewide 2-1-1 system, the Commission finds that Jackson has demonstrated that it has an appropriate framework in place. Jackson currently provides 2-1-1 coverage for five counties. The Commission is unaware of any complaints regarding funding or service in those exchanges, and TAM presents no evidence of problems. Jackson states that it provides coverage for these five counties 24 hours per day, seven days per week, and has sufficient resources to provide the same coverage for Lenawee and Livingston counties. Jackson states that it will continue to fund its operations through a “public-private partnership of organizations and foundations in the counties of Clinton, Eaton, Hillsdale, Ingham, Jackson, Lenawee and Livingston,” including the United Ways, schools, and public and private foundations. Application, p. 3.

The Commission designates Jackson as the 2-1-1 answering point for the following rate centers: Adrian, Blissfield, Brighton, Byron, Clayton, Deerfield, Fenton, Fowlerville, Hartland, Howell, Linden, Morenci, Ogden Center, Onsted, Pinckney, Sand Creek, and Tecumseh.

Livingston county rate centers Brighton, Byron, Fenton, Fowlerville, Hartland, Howell, Linden, and Pinckney are transferred to Jackson from UWRCC; and Lenawee county rate centers Adrian, Blissfield, Clayton, Deerfield, Morenci, Ogden Center, Onsted, Sand Creek, and Tecumseh are assigned to Jackson. The Commission notes that Addison, Hudson, and Waldron are already under Jackson's designation, and Gregory will remain with UWRCC.

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. As in previous orders, the Commission finds that exchange boundaries should be used when determining the geographic area of a 2-1-1 designation.

The Commission concludes that service platform issues should initially be determined between Jackson 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 Jackson's application and the MI-AIRS standards¹ 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 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.²

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.

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

²In 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 (FCC00-256), ¶ 21.

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.³ 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 multipurpose 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 Jackson be unable to continue providing 2-1-1 service to the designated area, it shall apply to the Commission before discontinuing the service.

THEREFORE, IT IS ORDERED that:

A. Jackson 2-1-1 Call Center is designated as the 2-1-1 answering point for the listed exchanges in Lenawee and Livingston counties.

B. Jackson 2-1-1 Call Center shall provide sufficient resources to operate the 2-1-1 telephone number 24 hours per day, 7 days per week.

C. All providers of basic local exchange service within the exchanges identified in the application that are wholly or partially within Livingston and Lenawee counties shall take the

³*Id.*

necessary steps to allow their customers to access Jackson 2-1-1 Call Center 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 October 21, 2008.

Mary Jo Kunkle, Executive Secretary