

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 for Allegan, Berrien,)
Cass, and Van Buren counties.)
_____)

Case No. U-15915

At the July 1, 2009 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 March 13, 2009, Gryphon Place filed an application under Section 214 of the Michigan Telecommunications Act, MCL 484.2214, for designation as the 2-1-1 answering point for Allegan, Berrien, Cass, and Van Buren counties. On April 3, 2009, Gryphon Place filed an amended application including updated endorsement letters. In fulfillment of the requirements of MCL 484.2214(3), the amended application includes written endorsements from the Michigan Alliance of Information and Referral Systems (MI-AIRS), Michigan 2-1-1, and the state-endorsed multipurpose collaborative bodies for these four counties.

On April 15, 2009, the Commission's Executive Secretary issued a letter directing Gryphon Place to publish a notice of opportunity to comment in newspapers of general circulation in Allegan, Berrien, Cass, and Van Buren counties, and to mail the notice to the Attorney General, local exchange carriers, and all human resource agencies in those four counties.

Verizon North Inc., 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 stating that Verizon does not object to the designation.

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; (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).

Gryphon Place states that it currently serves as the designated 2-1-1 call center for 15 exchanges in Kalamazoo County. Exhibit I to Gryphon Place's application shows that Gryphon Place provides crisis and referral services through contract to several additional agencies and counties, 24 hours per day, seven days per week. Gryphon Place states that it is "diversified in revenues and in its business relationships." Amended application, p. 6. Attachments to the amended application include endorsements from MI-AIRS, Michigan 2-1-1, and the relevant state-endorsed community collaborative bodies.

The Commission designates Gryphon Place as the 2-1-1 answering point for the following rate centers: Adamsville, Allegan, Bangor, Baroda, Benton Harbor, Berrien Springs, Bloomingdale, Bridgman, Buchanan, Cassopolis, Coloma, Covert, Decatur, Dorr, Dowagiac, Eau Claire,

Edwardsburg, Fennville, Galien, Ganges, Glenn, Gobles, Grand Junction, Hamilton, Hartford, Hopkins, Lacota, Lawrence, Lawton, Marcellus, Martin, Moline, New Buffalo, Niles, Paw Paw, Pullman, Saugatuck, Sawyer, Sister Lakes, South Haven, St. Joseph, Three Oaks, Union, Vandalia, Watervliet, and Wayland.

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 Gryphon Place 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 Gryphon Place'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 Gryphon Place 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. Gryphon Place is designated as the 2-1-1 answering point for the listed exchanges in Allegan, Berrien, Cass, and Van Buren counties.

B. Gryphon Place shall provide sufficient resources to operate the 2-1-1 telephone number 24 hours per day, seven days per week.

C. All providers of basic local exchange service within the exchanges identified in this order that are wholly or partially within Allegan, Berrien, Cass, and Van Buren counties shall take the

³*Id.*

necessary steps to allow their customers to access Gryphon Place 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 July 1, 2009.

Mary Jo Kunkle, Executive Secretary