

STATE OF MICHIGAN

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

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In the matter of the application of)	
CHARTER FIBERLINK CC VIII, LLC,)	
for a license to provide basic local exchange)	Case No. U-15917
service.)	
_____)	

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

On March 13, 2009, Charter Fiberlink CC VIII, LLC, (Charter Fiberlink) filed an application, under the Michigan Telecommunications Act (MTA), MCL 484.2101 *et seq.*, for a license to provide basic local exchange service throughout the state of Michigan, including the zones and exchange areas in which the incumbent local exchange carriers (LEC) are Verizon North Inc., Contel of the South, Inc., d/b/a Verizon North Systems, AT&T Michigan, or where other carriers serve as incumbent LECs. Charter Fiberlink intends to provide services in certain former service areas of Charter Fiberlink – Michigan, LLC. The Commission granted Charter Fiberlink a temporary license on April 30, 2009.

At a hearing on June 2, 2009, Charter Fiberlink filed the testimony and exhibits of Richard J. DiGeronimo II, Vice President of Product Management, and presented supplemental testimony from Tom M. Mantych, Director of Telephone Product Management of Charter

Communications, Inc. At the close of the hearing, the parties waived compliance with Section 81 of the Michigan Administrative Procedures Act, MCL 24.281.

After a review of the application and testimony, the Commission finds that approval of the application is in the public interest. On numerous occasions, the Commission has found that competition can be advantageous to the citizens of this state. Approval of the request for a license to provide basic local exchange service will expand the opportunities for competition. Accordingly, the application is approved. The grant of a license is conditioned on full compliance with the provisions of the MTA, as well as the anti-slamming procedures adopted in Case No. U-11900 and the number reclamation process adopted in Case No. U-12703. Failure to comply fully may result in revocation of the license and other penalties. The grant of a license is conditioned upon the provision of service to customers within a reasonable time. Failure to do so may result in revocation of the license. Finally, the Commission notes that any numbers obtained by the applicant are a public resource and are not owned by the applicant. If the applicant fails to provide service or goes out of business, any numbers assigned to it are subject to reclamation.

THEREFORE, IT IS ORDERED that:

A. Charter Fiberlink CC VIII, LLC, is granted a license to provide basic local exchange service throughout the state of Michigan, including the zones and exchange areas in which the incumbent local exchange carriers (LEC) are Verizon North Inc., Contel of the South, Inc., d/b/a Verizon North Systems, AT&T Michigan, or where other carriers serve as incumbent LECs.

B. Charter Fiberlink CC VIII, LLC, shall provide basic local exchange service in accordance with the regulatory requirements specified in the Michigan Telecommunications Act, MCL 484.2101 *et seq.*, including the number portability provisions of MCL 484.2358, the anti-

slamming procedures adopted in Case No. U-11900, and the number reclamation process adopted in Case No. U-12703.

C. Before commencing basic local exchange service, Charter Fiberlink CC VIII, LLC, shall submit its tariff reflecting the services that it will offer and identifying the exchanges in which it will offer service.

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