

STATE OF MICHIGAN

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

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In the matter of the application of )  
NSW TELECOM, INC., for designation as an )  
eligible telecommunications carrier pursuant to ) Case No. U-15974  
Section 214(e)(2) of the Communications Act of )  
1934, as amended. )  
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At the August 11, 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 May 18, 2009, NSW Telecom, Inc. (NSW Telecom) filed an application, pursuant to Section 214(e)(2) of the federal Communications Act of 1934, 47 USC § 214(e)(2), for designation as an eligible telecommunications carrier (ETC) for purposes of universal service fund (USF) support. On June 2, 2009, NSW Telecom filed an amended application.

On July 1, 2009, in Case No. U-15916, NSW Telecom was granted a permanent license to provide basic local exchange service throughout the state of Michigan. NSW Telecom requests that the Commission enter an order immediately designating it as an ETC for purposes of lifeline/linkup in the wire centers throughout the state of Michigan where AT&T Michigan, and/or Verizon North Inc. and Contel of the South, Inc., d/b/a Verizon North Systems, are the incumbent local exchange carriers, as listed on Exhibit A to the May 18, 2009 application.

After reviewing NSW Telecom's application, the Commission finds that it should be granted because the Commission is persuaded that ETC designation for NSW Telecom promotes the availability of universal service and is in the public interest. The application for ETC designation is granted on condition that NSW Telecom comply with enhanced service requirements, as required by the FCC Report and Order 05-46, CC Docket 96-45, and the Commission's October 18, 2005 order in Case No. U-14530. This approval is for the remainder of 2009 and 2010. NSW Telecom is required to re-apply to the Commission for ETC designation in 2010, and thereafter.

Finally, the Commission concludes, as it did in its November 20, 2001 order in Case No. U-13145, that it need not solicit comment, which would only further delay action on the application.

THEREFORE, IT IS ORDERED that the application filed by NSW Telecom, Inc., for designation as an eligible telecommunications carrier for purposes of universal service fund support is granted.

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 28 USC 1331.

MICHIGAN PUBLIC SERVICE COMMISSION

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Orjiakor N. Isiogu, Chairman

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Monica Martinez, Commissioner

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Steven A. Transeth, Commissioner

By its action of August 11, 2009.

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Mary Jo Kunkle, Executive Secretary