

STATE OF MICHIGAN

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

* * * * *

In the matter of the application of)
MICHIGAN CENTRAL BROADBAND COMPANY,)
LLC, for designation as an eligible)
telecommunications carrier pursuant to)
Section 214(e)(2) of the Communications Act of)
1934, as amended.)
_____)

Case No. U-15984

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 26, 2009, Michigan Central Broadband Company, LLC (MCBC) 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.

MCBC requests that the Commission enter an order immediately designating it as an ETC for purposes of high cost and lifeline/linkup support in the rural rate centers of Amble, Chester, Grace Harbor, and Manistee River. In the May 12, 2009 order in Case No. U-15786 the Commission granted MCBC a permanent license to provide basic local exchange service in these exchanges. MCBC is a subsidiary of Upper Peninsula Telephone Company (UPTel), and is in the process of acquiring the assets currently used by UPTel to provide local exchange service in these rate

centers. UPTel has previously been designated an ETC in these rate centers. However, ETC designation is not a transferable asset. MCBC asserts that the Commission may act on its application without the necessity of a public hearing.

After reviewing MCBC's application, the Commission finds that it should be granted. MCBC's ETC designation will allow customers in these rural areas to have continued service during the transition from UPTel to MCBC. The application is granted on condition that MCBC 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. MCBC is required to re-apply to the Commission for ETC designation in 2010, and thereafter.

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 Michigan Central Broadband Company, LLC, 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

Orjiakor N. Isiogu, Chairman

Monica Martinez, Commissioner

Steven A. Transeth, Commissioner

By its action of August 11, 2009.

Mary Jo Kunkle, Executive Secretary