

STATE OF MICHIGAN

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

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In the matter of the application of	)	
<b>COMMUNITY ACCESS LINE OF THE</b>	)	
<b>LAKESHORE, INC.,</b> to be assigned the digits	)	
2-1-1 and be designated the community resource	)	Case No. U-16071
information and referral answering point for	)	
Manistee County.	)	
_____	)	

At the October 29, 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 August 18, 2009, Community Access Line of the Lakeshore, Inc. (CALL) filed an application under Section 14 of the Michigan Telecommunications Act requesting 2-1-1 designation for Manistee County. 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, and the state-endorsed multipurpose collaborative body for Manistee County (the Manistee County Human Services Collaborative Body).

Through Commission orders, CALL has previously been assigned 2-1-1 designation for numerous exchanges located partly or wholly in Muskegon, Ottawa, Mason, and Oceana Counties.

*See*, May 17, 2005 order in Case No. U-14446; October 25, 2007 order in Case No. U-15348; and January 29, 2008 order in Case No. U-15469. CALL requests 2-1-1 designation for seven exchanges in Manistee County: Bear Lake, Brethren, Copemish-Thompsonville, Dublin, Kaleva, Onekama, and Wellston.<sup>1</sup>

On September 1, 2009, the Commission's Executive Secretary issued a letter directing CALL to publish a notice of opportunity to comment in newspapers of general circulation in Manistee County and to mail the notice to the Attorney General, local exchange carriers, and all human resource agencies in Manistee County. Comments were due by October 6, 2009.

Central Michigan 2-1-1, City of Manistee, Manistee Intermediate School District - Special Education, Michigan Department of Human Service - Benzie and Manistee Counties, Manistee County Medical Care Facility, District Health Department #10, Manistee Intermediate School District, Manistee County Human Services Collaborative Body, Love INC of Manistee, Michigan State Police - Manistee Post, Munson Home Health, Manistee County MSU Extension, United Way of Manistee County, West Shore Chapter American Red Cross, Fab-Lite, Inc., Manistee County Habitat for Humanity, Sharron S. Lemmer, Rick Richter, Hackley Community Care Center, Manistee County Council on Aging, Manistee-Benzie Community Mental Health Service, Manistee County Community Action Team, West Shore Medical Center, Representative Dan Scripps – 101<sup>st</sup> District, Alliance for Economic Success, Debbie S. Pieczynski, Manistee City Fire Department, Bayard Lyon, Manistee County Library, Northwest Michigan Works Service Center, Manistee County Community Foundation, Lakeshore Health Network, Oleson Foundation, Village of Bear Lake, West Shore Community College, Manistee Housing Commission, and Manistee Area Chamber of Commerce filed comments in support of the application.

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<sup>1</sup>CALL additionally requested designation for the Manistee exchange, which it already holds pursuant to the January 29, 2009 order in Case No. U-15469.

MCImetro Access Transmission Services LLC, d/b/a Verizon Access Transmission Services (Verizon) filed comments stating that Verizon does not object to the designation. Verizon comments that a toll free number should be required for routing 2-1-1 calls and that assignment should be implemented on an exchange basis.

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).

The Commission finds that CALL has demonstrated that it has an appropriate framework in place. CALL currently provides 2-1-1 coverage for Muskegon, Ottawa, Mason, and Oceana Counties. The Commission is unaware of any complaints regarding funding or service in those exchanges. CALL states that it has "a sufficient number of trained and certified call specialists capable of providing coverage" in the Manistee exchanges from 7:00 a.m. to 8:00 p.m., Monday through Friday, and has contracted with Gryphon Place to answer after-hours and weekend calls in all five counties.

The Commission designates CALL as the 2-1-1 answering point for the following exchanges in Manistee County: Bear Lake, Brethren, Copemish-Thompsonville, Dublin, Kaleva, Onkama, and Wellston.

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 CALL 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 CALL's application and the MI-AIRS standards<sup>2</sup> 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.<sup>3</sup>

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.

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.

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

<sup>3</sup>In 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.

Approval of the application is provisional, in part, due to the FCC's ability to recall the 2-1-1 abbreviated dialing number.<sup>4</sup> 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 multi-purpose 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 CALL 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. Community Access Line of the Lakeshore, Inc., is designated as the 2-1-1 community resource information and referral answering point for the seven listed exchanges in Manistee County.

B. Community Access Line of the Lakeshore, Inc., 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 seven exchanges identified in the application that are wholly or partially within Manistee County shall take the necessary steps to allow their customers to access Community Access Line of the Lakeshore, Inc., through the use of the 2-1-1 telephone number.

The Commission reserves jurisdiction and may issue further orders as necessary.

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<sup>4</sup>*Id.*

Any party desiring to appeal this order must do so in the appropriate court within 30 days after issuance and notice of this order, under MCL 462.26.

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 October 29, 2009.

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Mary Jo Kunkle, Executive Secretary