

STATE OF MICHIGAN

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

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In the matter of the application of)
ZAYO ENTERPRISE NETWORKS, LLC,)
for a license to provide basic local exchange) Case No. U-16142
service.)
_____)

At the December 28, 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 December 1, 2009, Zayo Enterprise Networks, LLC, (Zayo) filed an application, under the Michigan Telecommunications Act (MTA), MCL 484.2101 *et seq.*, for a license to provide resold and facilities-based basic local exchange service throughout the state of Michigan. It also requested a temporary license.

MCL 484.2301(2) states: "Pending a determination of an application for a license, the commission without notice and hearing may issue a temporary license for a period not to exceed 1 year." Zayo states that it seeks a temporary license to allow it to begin the prompt negotiation of interconnection agreements.

After a review of the application and testimony, the Commission finds that approval of the application is in the public interest.

THEREFORE, IT IS ORDERED that:

A. Zayo Enterprise Networks, LLC, is granted a temporary license to provide resold and facilities-based basic local exchange service throughout the state of Michigan. The temporary license shall expire upon issuance of the final order granting or denying its application for a permanent license.

B. Zayo Enterprise Networks, LLC, shall provide basic local exchange service under the temporary license 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 resold and facilities-based basic local exchange service under the temporary license, Zayo Enterprise Networks, 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 December 28, 2009.

Mary Jo Kunkle, Executive Secretary