

STATE OF MICHIGAN
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

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In the matter of the joint requests for Commission)
approval of interconnection agreements and)
amendments.)
_____)

At the April 28, 2004 meeting of the Michigan Public Service Commission in Lansing,
Michigan.

PRESENT: Hon. J. Peter Lark, Chair
Hon. Robert B. Nelson, Commissioner
Hon. Laura Chappelle, Commissioner

ORDER

The following parties have filed joint applications for approval of interconnection agreements
and amendments:

- | | |
|------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Case No. U-11603 | SBC Michigan and NPI-OmniPoint Wireless, LLC
Application filed April 1, 2004 for approval of a third amendment
(Wireless Emergency Number Service Access - E9-1-1). |
| Case No. U-12465 | SBC Michigan and TCG Detroit
Application filed March 26, 2004 for approval of a fifth and a sixth
amendment to the interconnection agreement (the fifth amends
provisions on notice and the sixth incorporates provisions related to
Alternately Billed Services). |
| Case No. U-13118 | SBC Michigan and Borderland Communications, LLC
Application filed April 1, 2004 for approval of a third amendment
(adds Lawful UNE's). |
| Case No. U-14101 | SBC Michigan and Primo Communications Inc.
Application filed April 5, 2004 for approval of an interconnection
agreement. |

Case No. U-14104 Frontier Communications of Michigan, Inc and Nextel West Corp.
Application filed April 5, 2004 for approval of an interconnection
agreement.

Section 252 of the federal Telecommunications Act of 1996, 47 USC 252, requires that any interconnection agreement that is adopted by negotiation be submitted to the Commission for approval. 47 USC 252(e) provides in part:

- (2) The State commission may only reject
 - (A) an agreement (or any portion thereof) adopted by negotiation under subsection (a) of this section if it finds that--
 - (i) the agreement (or portion thereof) discriminates against a telecommunications carrier not a party to the agreement; or
 - (ii) the implementation of such agreement or portion is not consistent with the public interest, convenience, and necessity; . . .

- (3) Notwithstanding paragraph (2), but subject to section 253 of this title, nothing in this section shall prohibit a State commission from establishing or enforcing other requirements of State law in its review of an agreement, including requiring compliance with intrastate telecommunications service quality standards or requirements.

47 USC 252(e)(2) and (3).

The Commission concludes, after reviewing the applications, agreements, and amendments, that it should approve the applications. The Commission finds that the agreements and amendments are consistent with federal and state law and are in the public interest. Under 47 USC 252(i) and MCL 484.2359(2), the services provided under the agreements, as amended, must be made available to other telecommunications carriers upon the same terms and conditions.

The Commission FINDS that:

a. Jurisdiction is pursuant to 1991 PA 179, as amended, MCL 484.2101 et seq.; the Communications Act of 1934, as amended by the Telecommunications Act of 1996, 47 USC 151

et seq.; 1969 PA 306, as amended, MCL 24.201 et seq.; and the Commission's Rules of Practice and Procedure, as amended, 1999 AC, R 460.17101 et seq.

b. The interconnection agreements and amendments listed above should be approved.

THEREFORE, IT IS ORDERED that:

A. The interconnection agreements and amendments listed above are approved.

B. Approval of the interconnection agreements and amendments does not alter the duty of the parties to comply with relevant federal and state law and past and future Commission orders and rules.

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

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

MICHIGAN PUBLIC SERVICE COMMISSION

(S E A L)

/s/ J. Peter Lark
Chair

By its action of April 28, 2004.

/s/ Robert B. Nelson
Commissioner

/s/ Mary Jo Kunkle
Its Executive Secretary

/s/ Laura Chappelle
Commissioner

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MICHIGAN PUBLIC SERVICE COMMISSION

Chair

By its action of April 28, 2004.

Commissioner

Its Executive Secretary

Commissioner

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Suggested Minute:

“Adopt and issue order dated April 28, 2004 approving interconnection agreements and amendments, as set forth in the order.”