

STATE OF MICHIGAN

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

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In the matter of the application of)	
ALLBAND COMMUNICATIONS COOPERATIVE)	
for a temporary license to provide local exchange)	Case No. U-14200
service.)	
_____)	

At the August 31, 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

OPINION AND ORDER

On July 9, 2004, Allband Communications Cooperative (Allband) filed an application, pursuant to the Michigan Telecommunications Act (MTA), MCL 484.2101 et seq., for a license to provide basic local exchange service in a proposed new exchange service territory covering portions of Alcona, Alpena, Montmorency, and Oscoda counties. 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." Allband states that it seeks a temporary license on an expedited basis "because time is of the essence." Application, p. 3. Allband seeks to file for universal service funds and federal loan funds, and to promptly negotiate interconnection agreements, among other things. Allband alleges that the grant of a temporary license will aid those efforts.

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

The Commission FINDS that:

- a. Jurisdiction is pursuant to 1991 PA 179, as amended, MCL 484.2101 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. Allband should be granted a temporary license.

THEREFORE, IT IS ORDERED that:

A. Allband Communications Cooperative is granted a temporary license to provide basic local exchange service in the proposed new exchange service territory. The temporary license shall expire upon issuance of the final order granting or denying its application for a permanent license.

B. Allband Communications Cooperative shall provide basic local exchange service in accordance with the regulatory requirements specified in the Michigan Telecommunications Act, MCL 484.2101 et seq., including the number portability provisions of Section 358, the anti-slamming procedures adopted in Case No. U-11900, and the number reclamation process adopted in Case No. U-12703.

C. Before commencing basic local exchange service, Allband Communications Cooperative shall submit its tariff reflecting the services that it will offer and identifying the territory 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 in the appropriate court within 30 days after issuance and notice of this order, pursuant to MCL 462.26.

MICHIGAN PUBLIC SERVICE COMMISSION

/s/ J. Peter Lark
Chair

(S E A L)

/s/ Robert B. Nelson
Commissioner

/s/ Laura Chappelle
Commissioner

By its action of August 31, 2004.

/s/ Mary Jo Kunkle
Its Executive Secretary

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MICHIGAN PUBLIC SERVICE COMMISSION

Chair

Commissioner

Commissioner

By its action of August 31, 2004.

Its Executive Secretary