

Michigan Telecommunications Act (MTA) Revisions

The Michigan Telecommunications Act (MTA) was amended on March 25, 2014 through PA 52 of 2014. It includes the following provisions:

Carrier of Last Resort (COLR)

- Beginning in 2017, allows a provider to discontinue providing basic local exchange or toll service in an exchange by 1) providing notice to affected customers, interconnecting providers, and the MPSC at the time the provider applies to the FCC for approval of discontinuance of service under Sec. 214 of the federal Telecommunications Act, and 2) upon approval of the FCC, by providing another notice to the same parties at least 90 days before discontinuing service.
- Provides the ability for a customer or interconnecting carrier of a provider discontinuing service to request the MPSC to do an investigation of the availability of “comparable voice service with reliable access to 911 and emergency services” to that customer or a customer of an interconnecting telecommunications provider.
- Sets out a process for the MPSC to conduct an investigation; if the investigation reveals a lack of availability of service, allows the MPSC to conduct a request for service to identify a willing provider; if a willing provider cannot be identified, allows the MPSC to require the existing provider to continue providing service until a willing provider is available.
- Prohibits the creation of a state USF to fund a willing provider or existing provider under these provisions.
- Defines “comparable voice service,” “reliable access to 911,” “emergency services,” and “willing provider.”
- Adds a new subsection to the COLR provisions requiring any provider that discontinues service after 2016 to adhere to all rules, regulations, and guidelines in the FCC TDM-to-IP Trials Order (which addresses consumer protection, access to emergency services, competition, and universal availability of service) until the FCC determines the legal and policy framework and establishes the requirements for the IP-transition including emergency connectivity requirements that provide comparable and reliable consumer access to emergency services.
- Amends the definition of “reliable access to 911” to mean the rules, regulations, and guidelines in the FCC Trials Order that provide comparable and reliable consumer access to emergency services.

Access Restructuring Mechanism (ARM)

- Eliminates the 2014 recalculation and resizing of the ARM, resulting in only one recalculation/resizing to take place in 2018; the ARM will still be eliminated in 2022.
- Requires the MPSC to include in the annual ARM report any duplicative costs or revenues that are already being recovered by providers through federal access recovery charges or the Connect America Fund, and notify the FCC and contributing providers.
- Requires the MPSC to include in its first ARM report after the 2018 recalculation any recommendations for altering the ARM to ensure that it is still achieving the purposes for which it was originally established.
- Requires the MPSC to reduce the amount disbursed to an eligible provider that discontinues service in an exchange on a pro rata basis.

Miscellaneous Provisions

- Requires the MPSC to maintain a publicly available database of providers of toll and basic local exchange service in each exchange.
- Clarifies that provider service guide books can be used instead of tariffs filed with the MPSC to identify local calling areas.
- Eliminates requirements that operator service providers and payphone service providers annually register with and pay a \$100 fee to the MPSC and instead changes it to an initial registration and fee.
- Clarifies that a provider may not disconnect service to a customer that has a disputed bill amount for non-payment of that disputed amount.