In the matter of the application of
CENTURY MICHIGAN CELLULAR CORP.,
MICHIANA METRONET INC., CENTENNIAL
JACKSON CELLULAR CORP., CENTENNIAL
BENTON HARBOR CELLULAR CORP.,
CENTENNIAL MICHIGAN RSA 6 CELLULAR
CORP., CENTENNIAL MICHIGAN RSA 7
CELLULAR CORP., and GTE NORTH INCORPORATED and CONTEL OF THE SOUTH, INC.,
for approval of an interconnection agreement.


PRESENT: Hon. John G. Strand, Chairman
Hon. John C. Shea, Commissioner
Hon. David A. Svanda, Commissioner

OPINION AND ORDER


Centennial provides cellular telecommunication service within the state of Michigan as a commercial mobile radio service provider. As such, Centennial provides unregulated telecommunica-
tion services and is generally not subject to licensing requirements or other regulations in the state.

GTE provides regulated and nonregulated telecommunication services to the public in its various exchanges and zones throughout the state. The agreement establishes the financial and operational terms for interconnection between Centennial and GTE, including the mutual exchange and termination of traffic, and provides for compensation. The agreement has an initial term of one year.

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) GROUNDS FOR REJECTION.--The State commission may only reject--
   (A) an agreement (or any portion thereof) adopted by negotiation under subsection (a) if it finds that--
     (i) the agreement (or any 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) PRESERVATION OF AUTHORITY.--Notwithstanding paragraph (2), but subject to section 253, 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 application and the agreement, that it should approve the interconnection agreement, with its attachments. The Commission finds that the interconnection agreement is consistent with federal and state law and is in the public interest.

The Commission FINDS that:

a. Jurisdiction is pursuant to 1991 PA 179, as amended by 1995 PA 216, MCL 484.2101 et seq.; MSA 22.1469(101) et seq.; the Communications Act of 1934, as amended by the Telecom-
b. The interconnection agreement should be approved.

THEREFORE, IT IS ORDERED that:


B. Approval of the agreement does not alter GTE North Incorporated’s and Contel of the South, Inc.’s duty to comply with relevant federal and state law and past and future Commission orders.

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

MICHIGAN PUBLIC SERVICE COMMISSION

( SEAL ) /s/ John G. Strand
Chairman

/s/ John C. Shea
Commissioner, dissenting in a separate opinion.

/s/ Dorothy Wideman
Its Executive Secretary

/s/ David A. Svanda
Commissioner
munications Act of 1996, 47 USC 151 et seq.; 1969 PA 306, as amended, MCL 24.201 et seq.;
MSA 3.560(101) et seq.; and the Commission's Rules of Practice and Procedure, as amended, 1992
AACS, R 460.17101 et seq.

b. The interconnection agreement should be approved.

THEREFORE, IT IS ORDERED that:

A. The interconnection agreement between GTE North Incorporated and Contel of the South,
Inc., and Century Michigan Cellular Corp., Michiana Metronet Inc., Centennial Jackson Cellular
Corp., Centennial Benton Harbor Cellular Corp., Centennial Michigan RSA 6 Cellular Corp., and
Centennial Michigan RSA 7 Cellular Corp. is approved.

B. Approval of the agreement does not alter GTE North Incorporated’s and Contel of the
South, Inc.’s duty to comply with relevant federal and state law and past and future Commission
orders.

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

MICHIGAN PUBLIC SERVICE COMMISSION

__________________________________________
Chairman


__________________________________________
Its Executive Secretary Commissioner
In the matter of the application of
CENTURY MICHIGAN CELLULAR CORP.,
MICHIANA METRONET INC., CENTENNIAL
JACKSON CELLULAR CORP., CENTENNIAL
BENTON HARBOR CELLULAR CORP.,
CENTENNIAL MICHIGAN RSA 6 CELLULAR
CORP., CENTENNIAL MICHIGAN RSA 7
CELLULAR CORP., and GTE NORTH INCOR-
PORATED and CONTEL OF THE SOUTH, INC.,
for approval of an interconnection agreement.

Suggested Minute:

“Adopt and issue order dated June 26, 1998 approving the intercon-
nection agreement between GTE North Incorporated and Contel of the
South, Inc., and Century Michigan Cellular Corp., Michiana Metronet
Inc., Centennial Jackson Cellular Corp., Centennial Benton Harbor
Cellular Corp., Centennial Michigan RSA 6 Cellular Corp., and Centen-
nial Michigan RSA 7 Cellular Corp., as set in the order.”
STATE OF MICHIGAN
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

In the matter of the application of
CENTURY MICHIGAN CELLULAR CORP.,
MICHIANA METRONET INC., CENTENNIAL
JACKSON CELLULAR CORP., CENTENNIAL
BENTON HARBOR CELLULAR CORP.,
CENTENNIAL MICHIGAN RSA 6 CELLULAR CORP., CENTENNIAL MICHIGAN RSA 7 CELLULAR CORP., and GTE NORTH INCORPORATED and CONTEL OF THE SOUTH, INC., for approval of an interconnection agreement.

Case No. U-11691

DISSENTING OPINION OF COMMISSIONER JOHN C. SHEA

(Submitted on June 26, 1998 concerning order issued on same date.)

I am not able to join in the approval of the accompanying order. As I have stated previously, see, November 1, 1996 Dissenting Opinion in Case No. U-11138, the means to reach the result embodied in the accompanying order cannot, as the majority states, arise under federal law. Rather, the Michigan Telecommunications Act, 1991 PA 179, as amended by 1995 PA 216, MCL 484.2101 et seq.; MSA 22.1469(101) et seq., (the “MTA”) is the only authority that should control this proceeding.

Based on this reasoning, questions about this Commission’s authority and jurisdiction have not been resolved for me. Accordingly, I dissent.

John C. Shea, Commissioner