

STATE OF MICHIGAN

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

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In the matter, on the Commission's own motion, )  
to ensure an orderly implementation of Section 304(9) )  
of the Michigan Telecommunications Act, )  
MCL 484.2304(9). )  
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Case No. U-15280

At the April 24, 2007 meeting of the Michigan Public Service Commission in Lansing,  
Michigan.

PRESENT: Hon. J. Peter Lark, Chairman  
Hon. Laura Chappelle, Commissioner  
Hon. Monica Martinez, Commissioner

**ORDER**

The Legislature amended the Michigan Telecommunications Act, MCL 484.2101 *et seq.* (the Act) by 2005 PA 235, effective November 22, 2005. Among other things, the Legislature amended Section 304(9) of the Act in part by adding the following:

Effective December 31, 2007, a call made to a called party who is not located within the geographic area of the caller's local calling area or an adjacent local calling area as defined by the commission's order in case numbers U-12515 and U-12528, dated February 5, 2001, is not a local call if the tariff of the provider originating the call does not classify the call as a local call. . . .<sup>1</sup>

MCL 484.2304(9).

The Commission reads this section of the statute to say that, unless these calls are affirmatively defined by tariff to be local, they will become subject to toll charges after December 31, 2007. In order to ensure that customers do not suddenly and without notice or explanation begin

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<sup>1</sup>The legislation added additional requirements for the Commission that are not at issue here.

receiving bills for calls previously treated as local calls, the Commission has determined that each basic local exchange service provider should be required to choose whether it will alter its tariff to define these calls as local or provide notice to its customers that these calls will incur toll charges after December 31, 2007. Therefore, the Commission directs that by July 1, 2007, each basic local exchange service provider shall file either a tariff defining these calls as local to maintain the *status quo* or proof that it has provided notice to its customers explaining the change in charges for these calls that will occur after December 31, 2007. The filing shall reference Case No. U-15280. Early notification should provide customers with sufficient time to manage any necessary transition.

All documents filed in this case shall be submitted electronically through the MPSC Electronic Case Filings Web site at: <https://efile.mpsc.cis.state.mi.us/cgi-bin/efile/login.pl>. Requirements and instructions for filing electronic documents can be found in the Electronic Case Filings Users Manual at: <http://efile.mpsc.cis.state.mi.us/efile/pdfs/usersmanual.pdf>. An application for account and letter of assurance, required of all first-time users, are located at: <http://efile.mpsc.cis.state.mi.us/efile/pdfs/assurance.pdf>. If you require assistance prior to e-filing, contact Commission Staff at 517-241-6170 or by e-mail at: [mpscfilecases@michigan.gov](mailto:mpscfilecases@michigan.gov).

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. By July 1, 2007, each basic local exchange service provider should be directed to file either an amended tariff defining as local a call made to a called party who is not located within the geographic area of the caller's local calling area or an adjacent local calling area as defined by

the commission's order in Case Nos. U-12515 and U-12528, dated February 5, 2001, that is now rated as local, in order to maintain the *status quo*, or proof of notification to its basic local exchange service customers explaining the change in rate to be applied to these calls after December 31, 2007. The filing shall reference Case No. U-15280.

THEREFORE, IT IS ORDERED that no later than July 1, 2007, each basic local exchange service provider shall file either an amended tariff defining as local a call made to a called party who is not located within the geographic area of the caller's local calling area or an adjacent local calling area as defined by the commission's order in case numbers U-12515 and U-12528, dated February 5, 2001, that is now rated as local, in order to maintain the *status quo*, or proof of notification to its basic local exchange service customers explaining the change in rate to be applied to those calls after December 31, 2007. The filing shall reference Case No. U-15280.

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  
Chairman

( S E A L )

/s/ Laura Chappelle  
Commissioner

/s/ Monica Martinez  
Commissioner

By its action of April 24, 2007.

/s/ Mary Jo Kunkle  
Its Executive Secretary

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MICHIGAN PUBLIC SERVICE COMMISSION

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Chairman

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Commissioner

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Commissioner

By its action of April 24, 2007.

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Its Executive Secretary