S T A T E O F M I C H I G A N

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 January 17, 2013 meeting of the Michigan Public Service Commission in Lansing, Michigan.

PRESENT: Hon. John D. Quackenbush, Chairman
Hon. Orjiakor N. Isiogu, Commissioner
Hon. Greg R. White, Commissioner

ORDER

The following parties have filed joint applications for approval of interconnection agreements or amendments to an interconnection agreement:

Case No. U-11989	Thumb Cellular, LLC, and AT&T Michigan Application filed on December 11, 2012, for approval of a fourth amendment to an interconnection agreement (adds bill-and-keep terms and conditions for intra-MTA traffic).
Case No. U-14302	Clear Rate Communications, Inc., and AT&T Michigan Application filed on December 17, 2012, for approval of a nineteenth amendment to an interconnection agreement (replaces the existing performance measures and remedies provisions with the new AT&T Midwest Performance Remedy Plan Appendix and extends the plan through December 31, 2014).
Case No. U-14654	Charter Fiberlink-Michigan, LLC, and AT&T Michigan Application filed on December 17, 2012, for approval of a sixth amendment to an interconnection agreement (revises the definition of business lines and deletes the provision that entrance facilities used for interconnection are not required to be provided by incumbent carriers to competitive carriers at TELRIC rates).

Case No. U-15175	USA Mobility Wireless, Inc., f/k/a Metrocall, Inc., and AT&T Michigan Application filed on December 7, 2012, for approval of a second amendment to an interconnection agreement (adds bill-and-keep terms and conditions for intra-MTA traffic).
Case No. U-15302	Kentucky Data Link, Inc., and AT&T Michigan Application filed on January 2, 2013, for approval of a fifth amendment to an interconnection agreement (changes the name of Kentucky Data Link, Inc., to Windstream KDL, Inc.).
Case No. U-15938	The Deerfield Farmers Telephone Company, and Frontier North Inc. and Frontier Midstates Inc. Application filed on December 14, 2012, for approval of a first amendment to an interconnection agreement (phases down reciprocal compensation rates).

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

After reviewing the applications, the Commission finds that they should be approved. 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 shall be made available to other telecommunications carriers upon the same terms and conditions.

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 aggrieved by this order may file an action in the appropriate federal District Court under 47 USC 252(e)(6).

MICHIGAN PUBLIC SERVICE COMMISSION

John D. Quackenbush, Chairman

Orjiakor N. Isiogu, Commissioner

Greg R. White, Commissioner

By its action of January 17, 2013.

Mary Jo Kunkle, Executive Secretary

P R O O F O F S E R V I C E

STATE OF MICHIGAN)

Case No. U-11989

County of Ingham)

Alyssa Sherman being duly sworn, deposes and says that on January 17, 2013 A.D. she served a copy of the attached Commission orders by first class mail, postage prepaid, or by inter-departmental mail, to the persons as shown on the attached service list.

Alyssa Sherman

Subscribed and sworn to before me
This 17th day of January 2013

Gloria Pearl Jones
Notary Public, Ingham County, MI
My Commission Expires June 5, 2016
Acting in Eaton County

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