

STATE OF MICHIGAN
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

In the matter of the request for Commission approval)
of an interconnection agreement between SPRINT)
SPECTRUM, L.P., d/b/a SPRINT PCS, and GTE)
NORTH INCORPORATED and CONTEL OF THE)
SOUTH, INC., d/b/a GTE SYSTEMS OF MICHIGAN.)

Case No. U-12244

At the February 22, 2000 meeting of the Michigan Public Service Commission in Lansing,
Michigan.

PRESENT: Hon. John G. Strand, Chairman
Hon. David A. Svanda, Commissioner
Hon. Robert B. Nelson, Commissioner

OPINION AND ORDER

On December 14, 1999, Sprint Spectrum, L.P., d/b/a Sprint PCS, (Sprint PCS) and GTE North Incorporated and Contel of the South, Inc., d/b/a/ GTE Systems of Michigan, (collectively, GTE) filed a joint application for approval of an interconnection agreement between Sprint PCS and GTE. The agreement has an initial term expiring on July 30, 2000 and establishes comprehensive financial and operational terms for the interconnection and exchange of traffic between Sprint PCS and GTE. This agreement will replace in its entirety the interconnection agreement between the parties that was approved by the Commission's November 7, 1997 order in Case No. U-11501 and has expired.

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) 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.

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

The Commission concludes, after reviewing the application and the agreement, that it should approve the interconnection agreement. The Commission finds that the agreement is consistent with federal and state law and is in the public interest. Under 47 USC 252(i) and MCL 484.2359(2); MSA 22.1469(359)(2), the services provided under this agreement must be made available to other telecommunications carriers upon the same terms and conditions.

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 Telecommunications 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 AACR, R 460.17101 et seq.

b. The interconnection agreement should be approved.

THEREFORE, IT IS ORDERED that:

A. The interconnection agreement between Sprint Spectrum, L.P., d/b/a Sprint PCS, and GTE North Incorporated and Contel of the South, Inc., d/b/a GTE Systems of Michigan, is approved.

B. Approval of the agreement does not alter the duty of Sprint Spectrum, L.P., d/b/a Sprint PCS, and GTE North Incorporated and Contel of the South, Inc., d/b/a GTE Systems of Michigan, 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.

MICHIGAN PUBLIC SERVICE COMMISSION

/s/ John G. Strand
Chairman

(S E A L)

/s/ David A. Svanda
Commissioner

/s/ Robert B. Nelson
Commissioner

By its action of February 22, 2000.

/s/ Dorothy Wideman
Its Executive Secretary