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October 6, 2016

Ms. Kavita Kale
Executive Secretary
Michigan Public Service Commission
7109 West Saginaw Highway
Lansing, MI 48917

***Re: MPSC Case No. U-12952, Interconnection Agreement Between AT&T Michigan and TDS Metrocom, LLC***

Dear Ms. Kale:

Attached for filing is the joint application requesting approval of the **Twenty-Third Amendment** to the Interconnection Agreement by and between AT&T Michigan and TDS Metrocom, LLC. In accordance with the Commission's request, AT&T Michigan makes this filing electronically by posting the attached Amendment and related pleadings onto the Commission's web site at:

http://efile.mpsc.cis.state.mi.us/efile/

Additional copies of the Agreement and all Commission approved amendments are available on the above web site as well as AT&T Michigan's website. Amendments are posted at the end of the Agreement, so only one document will appear under the associated link. Documents may be viewed at:

https://clec.att.com/clec_cms/clec/clec.html

Very truly yours,

Mark R Ortlieb

cc: Peter Healy
Attachment

**STATE OF MICHIGAN**

**BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION**

| | | |
|---|---|---|
| In the Matter of the Petition for Arbitration | ) | |
| To establish an interconnection agreement | ) | Case No. U-12952 |
| Between TDS Metrocom, Inc. and | ) | |
| Ameritech Michigan | ) | |

## JOINT APPLICATION

AT&T Michigan[1] and TDS Metrocom, LLC hereby jointly apply to the Michigan Public Service Commission (Commission) pursuant to Section 203(1) of the Michigan Telecommunications Act (MTA), as amended, MCL 484.2203(1), and Section 252(e) of the Telecommunications Act of 1996 (the Act), 47 U.S.C. § 252(e), for approval of the September 28, 2016 Amendment to the interconnection agreement between the parties heretofore approved by the Commission on December 20, 2001 (Agreement). In support of this joint application, AT&T Michigan and TDS Metrocom, LLC state as follows:

1. The parties have entered into good faith negotiations and have executed a Twenty-Third Amendment to the Agreement. The Twenty-Third Amendment to the Agreement, fully executed as of September 28, 2016, further extends the term of the Nineteenth Amendment pertaining to the current Commission approved and ordered Performance Measures and Remedies Plan, to December 31, 2018. A copy of the Twenty-Third Amendment to the Agreement, duly executed by the Parties, is submitted with this joint application as Exhibit A.

2. The Twenty-Third Amendment is the result of voluntary negotiations and must be submitted to the Commission for its approval or rejection pursuant to Section 252(e)(1) of the Act. The Twenty-Third Amendment meets all statutory criteria for Commission approval.

[1] Michigan Bell Telephone Company (previously referred to as "Michigan Bell" or "SBC Michigan") operates under the name "AT&T Michigan" pursuant to an assumed name filing with the State of Michigan.

WHEREFORE, AT&T Michigan and TDS Metrocom, LLC jointly request Commission approval of the Twenty-Third Amendment to the Agreement pursuant to MTA §203(1) and §252(e) of the Act as soon as possible.

Respectfully submitted,

| | |
|---|---|
| **TDS Metrocom, LLC** | **Counsel for AT&T Michigan** |
| eSigned - Joel Dohmeier | Mark R Ortlieb |
| **Joel Dohmeier** | **Mark R. Ortlieb (P34962)** |
| 525 Junction Rd., Suite 7000 | 221 N. Washington Square |
| Madison, Wisconsin 53717 | Lansing, Michigan 48933 |
| (608) 664-4432 | (517) 334-3425 |
| Dated: 28 Sep 2016 | October 6, 2016 |

Exhibit A
Case No. U-12952

TWENTY-THIRD AMENDMENT

Executed as of September 28, 2016

TO

INTERCONNECTION AGREEMENT UNDER SECTIONS 251 AND 252
OF THE TELECOMMUNICATIONS ACT OF 1996

by and between

AT&T MICHIGAN

and

TDS METROCOM, LLC

# AMENDMENT

# BETWEEN

# MICHIGAN BELL TELEPHONE COMPANY D/B/A AT&T MICHIGAN

# AND

# TDS METROCOM, LLC

Signature: eSigned - Joel Dohmeier

Name: eSigned - Joel Dohmeier
(Print or Type)

Title: Director - Regulatory Revenue, Strategy & Complian
(Print or Type)

Date: 28 Sep 2016

TDS Metrocom, LLC

Signature: eSigned - William A. Bockelman

Name: eSigned - William A. Bockelman
(Print or Type)

Title: Director
(Print or Type)

Date: 28 Sep 2016

Michigan Bell Telephone Company d/b/a AT&T MICHIGAN by AT&T Services, Inc., its authorized agent

| State | CLEC OCN |
|---|---|
| MICHIGAN | 5353 |

| Description | ACNA Code(s) |
|---|---|
| ACNA(s) | MSN |

# AMENDMENT TO
# INTERCONNECTION AGREEMENT
# BY AND BETWEEN
# MICHIGAN BELL TELEPHONE COMPANY D/B/A AT&T MICHIGAN
# AND
# TDS METROCOM, LLC

This Amendment amends the Interconnection Agreement by and between Michigan Bell Telephone Company d/b/a AT&T MICHIGAN ("AT&T MICHIGAN") and TDS Metrocom, LLC ("CLEC"). AT&T MICHIGAN and CLEC are hereinafter referred to collectively as the "Parties" and individually as a "Party". This Amendment applies in AT&T MICHIGAN's service territory in the State(s) of Michigan.

WITNESSETH:

WHEREAS, AT&T MICHIGAN and CLEC are Parties to an Interconnection Agreement under Sections 251 and 252 of the Telecommunications Act of 1996, as amended (the "Act"); and

WHEREAS, AT&T MICHIGAN, members of the CLEC community and representatives of the state Commission staffs for Illinois, Indiana, Michigan, Ohio and Wisconsin recently participated in a collaborative to determine whether to modify the current Commission approved and ordered Performance Measures and Remedies Plan (the "Plan") for the States of Illinois, Indiana, Michigan, Ohio and Wisconsin ("Collaborative Review"); and

WHEREAS, that Collaborative Review resulted in agreement by the Parties to extend the term of the Plan, without changes.

NOW, THEREFORE, in consideration of the promises and mutual agreements set forth herein, the Parties agree to amend the Agreement as follows:

1. The term of the Plan shall be extended for two (2) years ending December 31, 2018.
2. Conflict between this Amendment and the Agreement. This Amendment shall be deemed to revise the terms and conditions of the Agreement only to the extent necessary to give effect to the purpose of this Amendment, which is to extend the term of the Plan. In the event of a conflict between the terms and conditions of this Amendment and the terms and conditions of the Agreement, this Amendment shall govern, *provided, however,* that the fact that a term or condition appears in this Amendment but not in the Agreement, or in the Agreement but not in this Amendment, shall not be interpreted as, or deemed grounds for finding, a conflict.
3. Scope of Amendment. This Amendment shall amend, modify and revise the Agreement only to the extent set forth expressly in paragraph 1 of this Amendment. All other terms and conditions of the Agreement remain in full force and effect for the duration of the term of the Agreement, including but not limited to termination rights of the Parties. Nothing in this Amendment shall be deemed to extend or otherwise modify the term of the Agreement, or to affect the rights of the Parties to exercise any right of termination under the Agreement.
4. In entering into this Amendment, neither Party waives, and each Party expressly reserves, any rights, remedies or arguments it may have at law or under the intervening law or regulatory change provisions in the underlying Agreement (including intervening law rights asserted by either Party via written notice predating this Amendment) with respect to any orders, decisions, legislation or proceedings and any remands thereof, which the Parties have not yet fully incorporated into this Agreement or which may be the subject of further review.
5. For Illinois, Indiana and Michigan: This Amendment shall be filed with and is subject to approval by the state Commission and shall become effective ten (10) days following approval by such Commission. For Ohio: Based on the Public Utilities Commission of Ohio Rules, the Amendment is effective upon filing and is deemed approved by operation of law on the 91st day after filing. For Wisconsin: Pursuant to Wisconsin Statute § 196.40, this Amendment shall become effective ten (10) calendar days after the mailing date of the final order approving this Amendment ("Effective Date"). However, for all states, the Amendment shall be implemented as of January 1, 2017 or the date it is fully executed, whichever is later. For

example, if a CLEC signs and returns the Amendment on January 15, 2017, remedies are effective with February 2017 performance data which will be reported in March 2017 with remedies due being payable in April 2017.