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October 27, 2010

Ms. Mary Jo Kunkle  
Executive Secretary  
Michigan Public Service Commission  
6545 Mercantile Way, P.O. Box 30221  
Lansing, MI 48911

***Re: MPSC Case No. U-12988, Interconnection Agreement Between AT&T Michigan and ACD Telecom, Inc.***

Dear Ms. Kunkle:

Attached for filing is the joint application requesting approval of the ***Ninth Amendment*** Interconnection Agreement by and between AT&T Michigan and ACD Telecom, Inc. 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](https://clec.att.com/clec_cms/clec/clec.html)

Very truly yours,

A handwritten signature in black ink, appearing to read "Mark R. Ortlieb".

Attachment

cc: Kevin Schoen

**STATE OF MICHIGAN**  
**BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION**

|                                              |   |                  |
|----------------------------------------------|---|------------------|
| In Re the request for Commission approval of | ) |                  |
| An Interconnection Agreement between         | ) |                  |
| ACD Telecom, Inc.                            | ) | Case No. U-12988 |
| and Michigan Bell Telephone Company d/b/a    | ) |                  |
| SBC Michigan                                 | ) |                  |
| _____                                        | ) |                  |

**JOINT APPLICATION**

AT&T Michigan<sup>1</sup> and ACD Telecom, Inc. (“ACD Telecom”) 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 Ninth Amendment to the interconnection agreement between the parties heretofore approved by the Commission on September 7, 2001 (Agreement). In support of this joint application, AT&T Michigan and ACD Telecom state as follows:

1. The parties have entered into good faith negotiations and have executed a Ninth Amendment to the Agreement. The Ninth Amendment to the Agreement, fully executed as of October 21, 2010, extends the terms of the AT&T Midwest Performance Remedy Plan Appendix in the Second Amendment for two additional (2) years ending December 31, 2012. A copy of the Ninth Amendment to the Agreement, duly executed by the Parties, is submitted with this joint application as Exhibit A.

2. The Ninth 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 Ninth Amendment meets all statutory criteria for Commission approval.

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<sup>1</sup> 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 ACD Telecom jointly request Commission approval of the 9TH Amendment to the Agreement pursuant to MTA §203(1) and §252(e) of the Act as soon as possible.

ACD Telecom, Inc.

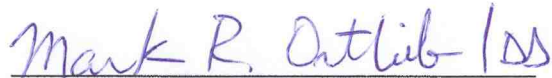


**Kevin Schoen**  
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(517) 333-0900

Dated: 10-10-10

Respectfully submitted,

Counsel for AT&T Michigan



**Mark R. Ortlieb (P34962)**  
221 N. Washington Square  
Lansing, Michigan 48933  
(517) 334-3425

OCTOBER 27, 2010

Exhibit A  
Case No. U-12988

NINTH AMENDMENT

Executed as of October 21, 2010

TO

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

by and between

AT&T MICHIGAN

and

ACD TELECOM, INC.

AMENDMENT TO  
INTERCONNECTION AGREEMENT  
BY AND BETWEEN  
MICHIGAN BELL TELEPHONE COMPANY D/B/A AT&T MICHIGAN  
AND  
ACD TELECOM, INC.

This Amendment amends the Interconnection Agreement by and between Michigan Bell Telephone Company d/b/a AT&T Michigan ("AT&T Michigan")<sup>1</sup> and ACD Telecom, Inc. ("CLEC"). AT&T and CLEC are hereinafter referred to collectively as the "Parties" and individually as a "Party". This Amendment applies in AT&T's service territory in the State of Michigan.

WITNESSETH:

WHEREAS, AT&T and CLEC are Parties to an Interconnection Agreement (the Agreement) under Sections 251 and 252 of the Telecommunications Act of 1996, as amended (the "Act"), approved on September 7, 2001 (the "Agreement"); and

WHEREAS, AT&T, 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, 2012.
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. For Illinois, Indiana, Michigan and Wisconsin, the Parties acknowledge and agree that this Amendment shall be filed with, and is subject to approval by the Commission and shall become effective ten (10) days following approval by such Commission (the "Amendment Effective Date"). 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 ninety-first (91<sup>st</sup>) day after filing. However, for all States, the amendment shall be implemented as of the date it is fully executed. For example, if a CLEC signs and returns the Amendment on January 15, 2011, remedies are effective with February 2011 performance data which will be reported in March 2011 with remedies due being payable in April 2011.

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

ACD Telecom, Inc.

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

By: [Signature]

By: [Signature]

Printed: KEVIN C. SCHROEN

Printed: Eddie A. Reed, Jr.

Title: CEO  
(Print or Type)

Title: Director-Interconnection Agreements

Date: 10-10-10

Date: 10.21.10

CLEC OCN

MICHIGAN 3535

ACNA - AXK