

STATE OF MICHIGAN
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

* * * * *

In the matter, on the Commission's own motion,	)	
to implement the provisions of Section 301a of	)	Case No. U-14899
2005 PA 235.	)	
_____	)	

At the May 25, 2006 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

On November 21, 2005 Governor Jennifer M. Granholm signed into law 2005 PA 235, amending the Michigan Telecommunications Act, MCL 484.2101 *et seq.* (Act 235). Among other things, Act 235 requires that licensed basic local exchange service providers offer primary basic local exchange service, which is defined in MCL 484.2101(y). *See*, MCL 484.2301a. On December 20, 2005, the Commission issued an order in Case No. U-14731, directing all providers of basic local exchange service to file proposed tariffs for primary basic local exchange service in compliance with MCL 484.2304, which requires that primary basic local exchange service rates be effective no later than April 1, 2006.

Although providers have, in large part, complied with the December 20, 2006 order in Case No. U-14731, it has come to the Commission's attention that some providers have failed to adequately prepare their systems and personnel to offer primary basic local exchange service, even

to customers that specifically inquire about it. Failure to adequately prepare for customers to subscribe to primary basic local exchange service is a failure to offer that service. Therefore, the Commission concludes that it should require each provider of basic local exchange service in Michigan to demonstrate that it has adequately trained its personnel and has made necessary technical adjustments to offer primary basic local exchange service to customers. To that end, the Commission directs that within 10 business days of the date of this order, each provider of basic local exchange service shall file in this docket evidence of all steps taken to make primary basic local exchange service available to the public, including programming changes, training of personnel, and any customer notices or advertisements for this service. The companies shall also provide detailed evidence of the number of requests for primary basic local exchange service since the passage of Act 235. In addition, each provider shall include documentation as to how many customers were receiving primary basic local exchange service on May 1, 2006.

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.

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. The Commission should require that, within 10 business days of the date of this order, each provider of basic local exchange service file in this docket evidence of all steps taken to offer primary basic local exchange service, detailed evidence of the number of requests for primary basic local exchange service since the passage of Act 235, and documentation concerning the number of customers that were receiving primary basic local exchange service as of May 1, 2006.

THEREFORE, IT IS ORDERED that, within 10 business days of the date of this order, each provider of basic local exchange service shall file in this docket evidence of all steps taken to offer primary basic local exchange service, detailed evidence of the number of requests for primary basic local exchange service since the passage of Act 235, and documentation concerning the number of customers that were receiving primary basic local exchange service as of May 1, 2006.

The Commission reserves jurisdiction and may issue further orders as necessary.

Any party desiring to appeal this order must do so by the filing of a claim of appeal in the Michigan Court of Appeals within 30 days of the issuance of this order, pursuant to MCL 484.2203(12).

MICHIGAN PUBLIC SERVICE COMMISSION

/s/ J. Peter Lark
Chairman

(S E A L)

/s/ Laura Chappelle
Commissioner

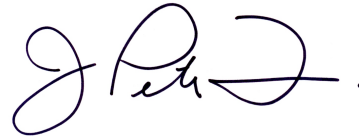
/s/ Monica Martinez
Commissioner

By its action of May 25, 2006.

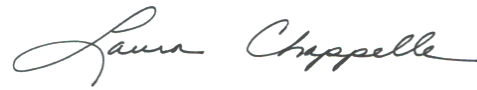
/s/ Mary Jo Kunkle
Its Executive Secretary

Any party desiring to appeal this order must do so by the filing of a claim of appeal in the Michigan Court of Appeals within 30 days of the issuance of this order, pursuant to MCL 484.2203(12).

MICHIGAN PUBLIC SERVICE COMMISSION



Chairman



Commissioner



Commissioner

By its action of May 25, 2006.



Its Executive Secretary

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

STATE OF MICHIGAN)

Case No. U-14899

County of Ingham)

Patricia A. Fronta being duly sworn, deposes and says that on May 25th 2006, A.D. she served a copy of the attached Commission order by first class mail, postage prepaid, or by inter-departmental mail, to the persons as shown on the attached service list.

Patricia
A. Fronta

Digitally signed by
Patricia A. Fronta
DN: CN = Patricia A.
Fronta, C = US, O =
Case Management, OU
= MPSC
Date: 2006.05.26
14:41:30 -04'00'

Patricia Fronta

Subscribed and sworn to before me
this 25th day of May 2006

Gloria Pearl
Jones

Digitally signed by Gloria Pearl
Jones
DN: CN = Gloria Pearl Jones, C =
US, O = DLEG/MPSC, OU =
Executive Secretary
Date: 2006.05.26 13:03:10 -04'00'

Notary Public, Eaton County, Michigan
Acting in Ingham, County, Michigan
My Commission expires June 5, 2007

**SUBSCRIPTION LIST
ALL COMMUNICATION ORDERS**

MR. DON EITNIEAR
DIT – TELECOMMUNICATIONS DIV.
HANNA BUILDING, FIRST FLOOR
LANSING MI **ID MAIL**

MR. MICHAEL BYRNE
SENATE DEMOCRATIC STAFF
ROMNEY BUILDING
LANSING MI **ID MAIL**

MR. JOHN PESTLE
VARNUM, RIDDERING, SCHMIDT & HOWLETT
BRIDGEWATER PLACE
P.O. BOX 352
GRAND RAPIDS MI 49501-0352

.

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

STATE OF MICHIGAN)

Case No. U-14899

County of Ingham)

April M. Arman being duly sworn, deposes and says that on May 25, 2006 A.D. she served a copy of the attached Commission orders via E-Mail, to the persons as shown on the attached service list.

April M. Arman

April M. Arman

Digitally signed by April M. Arman
DN: CN = April M. Arman, C = US, O =
Michigan Public Service Commission
Date: 2006.05.26 14:03:23 -04'00'

Subscribed and sworn to before me
this 25th day of May 2006

Gloria Pearl
Jones

Digitally signed by Gloria Pearl Jones
DN: CN = Gloria Pearl Jones, C = US,
O = DLEG/MPSC, OU = Executive
Secretary
Date: 2006.05.26 13:02:42 -04'00'

Gloria Pearl Jones
Notary Public, Eaton County, MI
Acting in Ingham County, MI
My Commission Expires June 5, 2007

Telecommunications- Commission's Own Motion

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1-800-reconex, Inc.

cforst - 360networks (USA), Inc.
Ldmi -
Planet Access
Planet Access
Planet Access
Alticom, Inc.
IDT America, Corp.
Blanchard Telephone Association
AT&T Communications of MI
Fusion Broadband, Inc
Mark Burzych
C2C Fiber of Michigan, Inc.
CCCMI, Inc. d/b/a Connect!
CI2 Inc.
Bloomingdale Telephone Co., Inc.
Deerfield Farmers Telephone Co.
Clear Rate Comm, Inc.
Telepacific Comm
Emergent Communications LLC and
New Access Comm
Borderland Communications
Choice One Communications
Comcast Business Communications
Covad Communications
DayStarr Communications
DIECA Communications, Inc.
First Communications, LCC
First Communications, LCC
Focal Communications
Focal Communications
Intrado Communications, Inc.
Lightyear Communications
Lightyear Communications, Inc.
Lightyear Communications, Inc.
Media Gate Communications, Inc.
Nexus Communications
NOS Communications, Inc.
NOS Communications
NOS Communications
PaeTec Communications, Inc.
PowerNet Global Communications
Quantum Shift Communications
Quick Communications

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Qwest Communications
TransNational Communications
Winstar Communications, LLC
Z-Tel Communications, Inc.
Comm South Companies, Inc.
Metro Teleconnect Companies
Metro Teleconnect Companies
Metro Teleconnect Companies
Metro Teleconnect Companies
Allendale Telephone Company
Baraga Telephone Company
Barry County Telephone Company
Carr Telephone Company
Chapin Telephone Company
Chippewa County Telephone
Company
Cinergy Communications Company
Climax Telephone Company
Climax Telephone Company
Cypress Communications Operating
Company, Inc.
Drenthe Telephone Company
Drenthe Telephone Company
Hiawatha Telephone Company
Kaleva Telephone Company
Kaleva Telephone Company
Lennon Telephone Company
Ogden Telephone Company
Ogden Telephone Company
Peninsula Telephone Company
Pigeon Telephone Company
Sand Creek Telephone Company
Springport Telephone Company
Springport Telephone Company
Sprint Communications Company
U.S. Signal Company, LLC
Upper Peninsula Telephone
Company
Waldron Telephone Company
Westphalia Telephone Company
Winn Telephone Company
Allband Communications
Cooperative
Cordia Communications Corp.
FairPoint Communications
Solutions Corp.
JATO Operating Two Corp.
New Rochelle Telephone Corp.
Qwest Communications Corp.
Verizon Avenue Corp.
Vertex Broadband Corp.

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Mpower Communications

Corporation

Range Corporation

Tru Comm Corporation

Corvus, Inc.

Global Crossing

Net Express d/b/a Advent Telecom

Superior Spectrum Telephone and
Data, L.L.C.

OneStar Long Distance, Inc.

Deerfield Farmers' Telephone Co.

Lisa Felice

Call Giant, Inc.

Grid4 Communications Inc.

Grid4 Communications, Inc.

Campus Communications Group

Campus Communications Group

ICG Telecom Group, Inc.

Omniplex Communications Group

IG2, Inc.

Global Teledata II, LLC

Bilan Communications Inc.

Bulls Eye Telecom Inc.

Bulls Eye Telecom Inc.

CIMCO Communications Inc.

CoreComm Michigan Inc.

Intrado Communications Inc.

KMC Telecom II Inc.

Primus Telecommunications Inc.

Talk America Inc.

Talk America Inc.

Talk America Inc.

Universal Access Inc.

Verizon North Inc.

Verizon North Inc.

Computer Intelligence 2 Inc. (CI2)

CAT Communications International

Kathleen Kerr-Lawrence

Birch Telecom of the Great Lakes

Level 3

Century Tel Solutions LLC

DSLnet Communications LLC

KMC Data LLC

New Access Communications LLC

Atlas Communications LTD.

Lucre, Inc.

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Cogent Comm of MI
Comcast Telecommunications of MI
Frontier Comm. of MI, Inc.
Local Exchange Carriers of MI
Metropolitan Telecomm of MI
Metropolitan Telecomm of MI
Ace Telephone Company of Michigan, Inc.
Allegiance Telecom of Michigan
Century Tel of Michigan, Inc.
Fibernet of Michigan
Frontier Communications of Michigan, Inc.
NationsLine Michigan, Inc.
SBC Ameritech Michigan
XO Michigan, Inc.
MichTel, Inc.
April Arman - MPSC
Mary Jo Kunkle - MPSC
Catherine Murray
Eagle Net, Inc.
American Fiber Network, Inc.
American Fiber Network, Inc.
WilTel Local Network, LLC
A.R.C. Networks, Inc.
Broadview Networks
GVC Networks, LLC
GVC Networks, LLC
JAS Networks, Inc.
Verizon North
Verizon North
Access One, Inc.
Call One
Call One
Pathnet Operating, Inc.
TelCove Operations, Inc
Budget Phone, Inc.
EZ Phone
AVN Comm. Services, Inc.
Easton Telecom Services, L.L.C.
Easton Telecom Services, Inc.
MCI Metro Access Services, Inc.
McLeodUSA Telecommunications Services
OnFiber Carrier Services
OnFiber Carrier Services
Pacific Centrex Services, Inc.
Perferred Carriers Services
Teligent Services, Inc.
Verizon Select Services, Inc.
XO Communications Services, Inc.

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*

* Total number of users subscribed to the list: 227

* Total number of local host users on the list: 0

*

France Telecom Corp. Solutions
Suretel, Inc.
T2 Communications, LLC
TC3 Telecom Inc.
ACD Telecom, Inc.
Affinity Telecom
Airdis Telecom
Arialink Telecom, LLC
BullsEye Telecom, Inc.
Dominion Telecom, Inc.
Elantic Telecom, Inc.
Matrix Telecom, Inc.
Sage Telecom, Inc.
Sage Telecom, Inc.
United Telecom, Inc.
Universal Telecom, Inc.
VarTec Telecom, Inc. & Excel
Telecommunications
ClearTel Telecommunications
ClearTel Telecommunications
Cleartel Telecommunications, Inc.
Midwestern Telecommunications
Midwestern Telecommunications
Navigator Telecommunications
NorLight Telecommunications, Inc.
Waypoint Telecommunications, LLC
dPi Teleconnect, LLC
Chippewa County Telephone
New Rochelle Telephone
Quality Telephone, Inc.
Sand Creek Telephone
Buckeye Telesystem, Inc.
Accu Tel of Texas, Inc.
UCN, Inc.
McLeod USA
Coldwater Telecomm Utility
KMC Telecom V & KMC Data
Telnet Worldwide, Inc.