

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 request for Commission)
approval of interconnection agreements or)
amendments.)
_____)

At the May 12, 2009 meeting of the Michigan Public Service Commission in Lansing,
Michigan.

PRESENT: Hon. Orjiakor N. Isiogu, Chairman
 Hon. Monica Martinez, Commissioner
 Hon. Steven A. Transeth, Commissioner

ORDER

The following parties have filed a joint application for approval of an amendment to an
interconnection agreement:

Case No. U-12627 AT&T Michigan and New Edge Network, Inc., d/b/a New Edge
 Networks
 Application filed April 28, 2009 for approval of a tenth amendment
 to an interconnection agreement (adds FCC ISP “all traffic” option
 and extends the term of the agreement three years).

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 application, the Commission finds that it should be approved. The Commission finds that the amendment is consistent with federal and state law and is in the public interest. Under 47 USC 252(i) and MCL 484.2359(2), the services provided under the agreement shall be made available to other telecommunications carriers upon the same terms and conditions.

THEREFORE, IT IS ORDERED that:

- A. The interconnection agreement amendment listed above is approved.
- B. Approval of the interconnection agreement amendment 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 pursuant to 47 USC 252(e)(6).

MICHIGAN PUBLIC SERVICE COMMISSION

Orjiakor N. Isiogu, Chairman

Monica Martinez, Commissioner

Steven A. Transeth, Commissioner

By its action of May 12, 2009.

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-12627

County of Ingham)

Mignon Middlebrook being duly sworn, deposes and says that on May 12, 2009 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.

Mignon Middlebrook

Subscribed and sworn to before me
this 12th day of May 2009

Sharron A. Allen
Notary Public, Ingham County, MI
My Commission Expires August 16, 2011

Service List U-12627

AT&T Michigan
Robin Gleason
221 N. Washington Square, Ground Floor
Lansing MI 48933

Ms. Lisa M. Bruno
AT&T Michigan
444 Michigan Avenue, Room 1750
Detroit MI 48226

New Edge Network, Inc.
3000 Columbia House Blvd., Suite 106
Vancouver WA 98661