

STATE OF MICHIGAN

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

* * * * *

In the matter, on the Commission's own motion,)	
to commence a contested case as required by 2003)	
PA 244 to establish the costs that local exchange)	Case No. U-14000
providers may recover related to compliance with)	
the wireless emergency service order.)	
_____)	

At the January 15, 2004 meeting of the Michigan Public Service Commission in Lansing, Michigan.

PRESENT: Hon. J. Peter Lark, Chair
Hon. Robert B. Nelson, Commissioner
Hon. Laura Chappelle, Commissioner

ORDER AND NOTICE OF HEARING

On December 23, 2003, Governor Jennifer M. Granholm signed House Bill 4439 (HB 4439) into law as 2003 PA 244 (Act 244), which amended the Michigan Emergency Telephone Service Act, 1986 PA 32, as amended, MCL 484.1101 et seq., by adding the following provision:

Notwithstanding any other provision of this act, the commission, following a contested case, shall issue an order within 180 days of the effective date of the amendatory act that added this subsection establishing the costs that a local exchange provider may recover in terms of the costs related to the wireless emergency service order. Any cost reimbursement allowed under this subsection shall not include a cost that is not related to complying with the wireless emergency service order. After the commission has issued the order, a local exchange provider may submit an invoice to the commission for reimbursement from the CMRS emergency telephone fund for costs incurred that are allowed under the commission order. Within 45 days after the date an invoice is submitted to the commission, the commission shall make a recommendation to the committee for the approval, either in whole or in part, or the denial of the invoice. The committee shall authorize payment of an invoice in accordance with the commission's recommendation. As used in this subsection:

(a) “Commission” means the Michigan public service commission.

(b) “Local exchange provider” means a provider of regulated basic local exchange service as defined in section 102 of the Michigan telecommunications act, 1991 PA 179, MCL 484.2102.

MCL 484.1408(11).

By its terms, Act 244 became effective on January 1, 2004. Therefore, the Commission has until June 29, 2004 to complete the contested case proceeding described in MCL 484.1408(11). Toward that end, the Commission finds that it should commence this proceeding to establish the costs that local exchange providers may recover related to compliance with the wireless emergency service order.

The Commission has selected this case for participation in its Electronic Filings Program. The Commission recognizes that some residential customers may not have the computer equipment or access to the Internet necessary to submit documents electronically. Therefore, residential customers may submit documents in the traditional paper format and mail them to the: Executive Secretary, Michigan Public Service Commission, 6545 Mercantile Way, P.O. Box 30221, Lansing, Michigan 48909. Otherwise, all documents filed in this case must be submitted in both paper and electronic versions. An original and four paper copies and an electronic copy in the portable document format (PDF) should be filed with the Commission. Requirements and instructions for filing electronic documents can be found in the Electronic Filings Users Manual at: <http://efile.mpsc.cis.state.mi.us/efile/usersmanual.pdf>. The application for an account and letter of assurance are located at <http://efile.mpsc.cis.state.mi.us/efile/help>. You may contact Commission staff at 517.241.6170 or by e-mail at mpscfilecases@michigan.gov with questions and to obtain access privileges prior to filing.

The Commission FINDS that:

a. Jurisdiction is pursuant to 1986 PA 32, as amended, MCL 484.1101 et seq.; 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. All eligible local exchange carriers that anticipate seeking reimbursement of costs pursuant to MCL 484.1408(11) should be directed to file a notice of intent to participate and a cost recovery proposal with the Commission by January 23, 2004. Joint filings are strongly encouraged.

c. Other persons interested in participating in the proceeding should file a petition to intervene and a statement of position with the Commission by January 23, 2004.

d. A prehearing conference should be held at 9:00 a.m. on January 28, 2004, in the Commission's offices at 6545 Mercantile Way, Lansing, Michigan to determine a schedule for a contested case to establish the costs that local exchange providers may recover related to compliance with the wireless emergency service order.

THEREFORE, IT IS ORDERED that:

A. All eligible local exchange carriers that anticipate seeking reimbursement of costs pursuant to MCL 484.1408(11) shall file a notice of intent to participate and a cost recovery proposal with the Commission by January 23, 2004.

B. Other persons interested in participating in the proceeding shall file a petition to intervene and a statement of position with the Commission by January 23, 2004.

C. A prehearing conference shall be held at 9:00 a.m. on January 28, 2004, in the Commission's offices at 6545 Mercantile Way, Lansing, Michigan to determine a schedule for a contested case to establish the costs that local exchange providers may recover related to compliance with the wireless emergency service order.

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

MICHIGAN PUBLIC SERVICE COMMISSION

/s/ J. Peter Lark

Chair

(S E A L)

/s/ Robert B. Nelson

Commissioner

/s/ Laura Chappelle

Commissioner

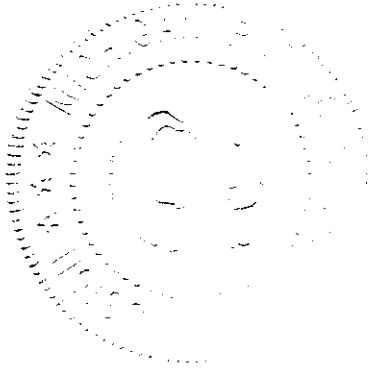
By its action of January 15, 2004.

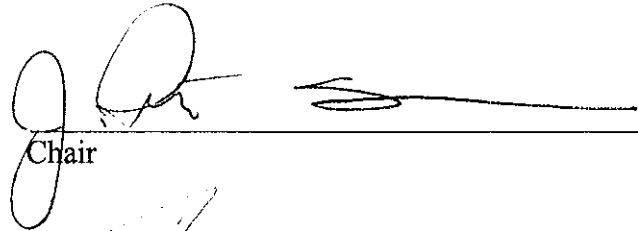
/s/ Mary Jo Kunkle

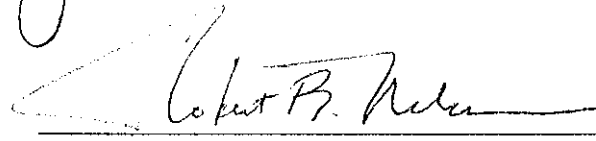
Its Executive Secretary

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

MICHIGAN PUBLIC SERVICE COMMISSION




Chair


Commissioner


Commissioner

By its action of January 15, 2004.


Its Executive Secretary

PROOF OF SERVICE

STATE OF MICHIGAN)

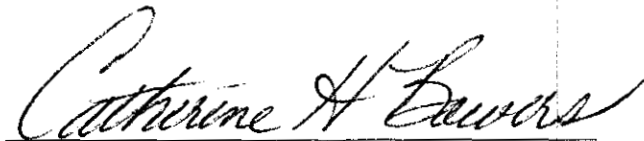
Case No. U-14000

County of Ingham)

Patricia A. Fronta being duly sworn, deposes and says that on January 15th, 2004, 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.


Patricia Fronta

Subscribed and sworn to before me
this 16th day of January 2004



Notary Public, Eaton County, Michigan
Acting in Ingham County
My Commission expires November 22, 2004

**SUBSCRIPTION LIST
ALL COMMUNICATION ORDERS**

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CenturyTel Midwest -- Michigan, Inc.
Vickie Norris
17 S. High Street, Ste 1250
Columbus, MI 43215

CenturyTel of Michigan, Inc.
Vickie Norris
17 S. High Street, Ste 1250
Columbus, MI 43215

CenturyTel of Northern Michigan, Inc.
Vickie Norris
17 S. High Street, Ste 1250
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CenturyTel of Upper Michigan, Inc.
Vickie Norris
17 S. High Street, Ste 1250
Columbus, MI 43215

Chapin Telephone Company
Greg Ringle
19994 W. Ridge Road
Elsie, MI 48831

Chippewa County Telephone Company
Bill Beaune
101 State St, PO Box 309
Brimley, MI 49715

Contel of the South, Inc., d/b/a Verizon
North Systems
Paul Fuglie
860 Terrace Street
Muskegon, MI 49440

Hiawatha Telephone Company
Robert Orent
108 West Superior Street
Munising, MI 49862

Kaleva Telephone Company
Harry Cribbs
9281 Osmo Street
Kaleva, MI 49645

Midway Telephone Company
Robert Orent
108 West Superior Street
Munising, MI 49862-1192

Ogden Telephone Company
Linda Corie
4726 E. Weston Road
Blissfield, MI 49228

Ontonagon County Telephone Company
Robert Orent
108 West Superior Street
Munising, MI 49862-1192

360 Networks (USA)
Sir/Madam
12202 Airport Way, Ste. 300
Broomfield, CO 80021 2587

Peninsula Telephone Company
Jack Solomonson
14909 Peninsula Drive
Traverse City, MI 49686

Pigeon Telephone Company
Edwin Eichler
11 S. Main, PO Box 650
Pigeon, MI 48755

Sand Creek Telephone Company
Neil Percy
6525 Sand Creek Highway
Sand Creek, MI 49279

SBC Ameritech Michigan
Robin Gleason
201 N. Washington Sq, Room 920
Lansing, MI 48933

Springport Telephone Company
William Hammond
400 E Main S, PO Box 208
Springport, MI 49284

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TDS Telecom/Shiawassee Telephone Co.
Eugene Newell
129 South Main Street
Perry, MI 48872

TDS Telecom/Wolverine Telephone Co.
Melody King
4712 E. Main S, PO Box 292
Millington, MI 48746

Upper Peninsula Telephone Company
Calvin Matthews
397 U.W. 41 N, PO Box 86
Carney, MI 49812

Verizon North Inc.
Paul Fuglie
860 Terrace Street
Muskegon, MI 49440

Waldron Telephone Company
Kathryn Fox
119 S. Main St, PO Box 197
Waldron, MI 49288-0197

Sprint Communications
Brett Leopold
Sprint Mailstop KSOPHN0212-2A461
Kansas City, MO 64112

Choice One Communications
Tony Mastando & Elizabeth McDonald
100 Chestnut St., Ste. 600
Rochester, NY 14604

CLECs-ILECs-IXCs Combined