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JOHN M. DEMPSEY
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April 28, 2005

Via Hand Delivery & E-file

Mary Jo Kunkle
Executive Secretary
Michigan Public Service Commission
6545 Mercantile Way
Lansing, MI 48911

Re: In the matter, on the Commission's own motion, to commence a collaborative proceeding to monitor and facilitate implementation of accessible letters issued by SBC Michigan and Verizon.
MPSC Case No. U-14447

Dear Ms. Kunkle:

Enclosed for filing in the above-referenced case is an original and 4 copies of ***SBC Michigan's Motion for Termination of Dispute Resolution Procedure*** and ***Proof of Service.***

If you should have any questions, please contact me.

Very truly yours,

Signature Not Verified
John M. Dempsey

Digitally signed by John M. Dempsey
DN: cn=John M. Dempsey, c=US
Date: 2005.04.28 14:15:48 -04'00'

JMD:jkt
Enclosures
cc: All Parties of Record

LANSING 34060-104 354690v6

STATE OF MICHIGAN

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

In the matter, on the Commission's own motion, to commence a collaborative proceeding to monitor and facilitate implementation of Accessible Letters issued by SBC Michigan and Verizon.	)	Case No. U-14447

SBC MICHIGAN'S MOTION FOR TERMINATION OF DISPUTE RESOLUTION PROCEDURE

SBC Michigan, pursuant to Rule 335 of the Commission's Rules of Practice and Procedure, files this motion for entry of an order terminating the dispute resolution procedure decreed in the Commission's Order and Notice of the Adoption of a Dispute Resolution Procedure issued in this docket on March 29, 2005 ("Order").

As indicated in the Order, "to date, only one CLEC has self-certified that it is entitled to access to high-capacity loops or transport in any wire center that SBC has determined to be non-impaired." (pp. 3-4)[1] The Commission then "put into place a specific structure and procedures for disputes regarding self-certification to be resolved in a timely manner … in hopes that such disputes can be resolved within 60 to 75 days." (p. 6) These specific procedures were then detailed. (pp. 6-7) See also finding paragraph C, p. 7, ordering paragraph B, p. 8.

[1] A self-certification was withdrawn on April 13, 2005 by Cbeyond Communications LLC. By email communication on April 7, 2005, Climax Telephone Company withdrew its self-certification.

Without acknowledgement as to the lawfulness of the Order,[2] SBC Michigan files this motion for the reason that the only remaining challenge to SBC's determination of non-impairment has been withdrawn. Specifically, on April 27, 2005, Covad Communications Company filed its Withdrawal Without Prejudice of Self-Certification.

Accordingly, there are no "disputes regarding self-certification" that remain for any type of resolution. SBC Michigan accordingly moves for issuance of an order terminating the dispute resolution structure and procedures adopted in the Order.

Respectfully submitted,

Craig Anderson (P28968)
Diana C. Durham (P66941)
SBC MICHIGAN
444 Michigan Avenue, Room 1700
Detroit, MI 48226
(313) 223-8188

and

DICKINSON WRIGHT PLLC

By: Signature Not Verified John M. Dempsey

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DN: cn=John M. Dempsey, c=US
Date: 2005.04.28 14:16:05 -04'00'

John M. Dempsey (P30987)
William J. Champion III (P31934)
Attorneys for SBC Michigan
215 South Washington Square, Suite 200
Lansing, MI 48933-1816
(517)371-1730

Dated: April 28, 2005

LANSING 34060-104 357339v1

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2 SBC Michigan incorporates by reference its petition for rehearing filed in Case No. U-14303, et seq.

STATE OF MICHIGAN

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

In the matter, on the Commission's own motion, to commence a collaborative proceeding to monitor and facilitate implementation of accessible letters issued by SBC Michigan and Verizon.	)))))	Case No. U-14447

PROOF OF SERVICE

STATE OF MICHIGAN)
) ss.
COUNTY OF WASHTENAW)

Jacqueline K. Tinney, being first duly sworn, deposes and says she is employed at Dickinson Wright PLLC; and that on April 28, 2005 she served a copy of ***SBC Michigan's Motion for Termination of Dispute Resolution Procedure*** upon the attached service list via email.

Signature Not Verified
Jacqueline K. Tinney
Digitally signed by Jacqueline K. Tinney
DN: cn=Jacqueline K. Tinney, c=US
Date: 2005.04.28 14:16:31 -04'00'

Jacqueline K. Tinney

Subscribed and sworn to before me,
a Notary Public in and for said County,
this 28th day of April, 2005.

Signature Not Verified
Elaine M. Masters
Digitally signed by Elaine M. Masters
DN: cn=Elaine M. Masters, c=US
Date: 2005.04.28 14:16:53 -04'00'

Elaine M. Masters, Notary Public
Washtenaw County, Michigan
Acting in Washtenaw County, Michigan
My Commission Expires: 9/23/07

SERVICE LIST – MPSC CASE NO. U-14447

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