

STATE OF MICHIGAN

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

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In the matter of the application of)	
COST PLUS COMMUNICATIONS, LLC,)	
for a license to provide basic local exchange)	
service throughout Michigan in the zones and)	Case No. U-14931
exchanges served by Verizon North Inc., Contel)	
of the South, Inc., d/b/a Verizon North Systems,)	
and AT&T Michigan.)	
_____)	

At the November 9, 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

OPINION AND ORDER

On June 27, 2006 Cost Plus Communications, LLC (Cost Plus), filed an application, pursuant to the Michigan Telecommunications Act (MTA), MCL 484.2101 *et seq.*, for a license to provide basic local exchange service in the zones and exchanges currently served by Verizon North Inc., Contel of the South, Inc., d/b/a Verizon North Systems, and AT&T Michigan. It also requested a temporary license. On July 28, 2006 and September 18, 2006, Cost Plus filed amended applications. On October 12, 2006, Cost Plus was granted a temporary license.

At a hearing on November 1, 2006, Cost Plus presented the testimony and exhibits of Casimir Wojciechowski, its President. At the close of the hearing, the parties waived compliance with the provisions of Section 81 of the Michigan Administrative Procedures Act, MCL 24.281.

After a review of the application and testimony, the Commission finds that approval of the application is in the public interest. On numerous occasions, the Commission has found that competition can be advantageous to the citizens of this state. Approval of the request for a license to provide basic local exchange service will expand the opportunities for competition. Accordingly, the application should be approved. The grant of a license is conditioned on full compliance with the provisions of the MTA, as well as the anti-slamming procedures adopted in Case No. U-11900 and the number reclamation process adopted in Case No. U-12703. Failure to comply fully may result in revocation of the license or other penalties. Further, the grant of a license is conditioned upon the provision of service to customers within a reasonable time. Failure to do so may result in revocation of the license. Finally, the Commission notes that any numbers obtained by the applicant are a public resource and are not owned by the applicant. Consequently, if the applicant fails to provide service or goes out of business, any numbers assigned to it are subject to reclamation.

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. Cost Plus possesses sufficient technical, financial, and managerial resources and abilities to provide basic local exchange service to all residential and commercial customers within the geographic area of the license and intends to provide service within one year from the date of this order.
- c. Granting Cost Plus a license to provide basic local exchange service in the requested areas will not be contrary to the public interest.

THEREFORE, IT IS ORDERED that:

A. Cost Plus Communications, LLC, is granted a license to provide basic local exchange service in the zones and exchanges currently served by Verizon North Inc., Contel of the South, Inc., d/b/a Verizon North Systems, and AT&T Michigan.

B. Cost Plus Communications, LLC, shall provide basic local exchange service in accordance with the regulatory requirements specified in the Michigan Telecommunications Act, MCL 484.2101 *et seq.*, including the number portability provisions of Section 358, the anti-slamming procedures adopted in Case No. U-11900, and the number reclamation process adopted in Case No. U-12703.

C. Before commencing basic local exchange service, Cost Plus Communications, LLC, shall submit its tariff reflecting the services that it will offer and identifying the exchanges in which it will offer service.

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 November 9, 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 November 9, 2006.

Its Executive Secretary

PROOF OF SERVICE

STATE OF MICHIGAN)

Case No. U-14931

County of Ingham)

E. David Lechler, being duly sworn, deposes and says that on November 9, 2006, A.D. he 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 lists.

E. David Lechler

Subscribed and sworn to before me
this 9th day of November, 2006.

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

SERVICE LIST FOR DOCKET # U – 14931 CASE #
DATE OF PREPARATION: 10/05/2006

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