

STATE OF MICHIGAN
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

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In the matter of the application of)	
BROADVOX-CLEC, LLC , for a license)	Case No. U-15913
to provide basic local exchange service.)	
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At the May 26, 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

On March 4, 2009, Broadvox-CLEC, LLC, (Broadvox) filed an application, under the Michigan Telecommunications Act (MTA), MCL 484.2101 *et seq.*, for a license to provide basic local exchange service throughout the state of Michigan in the zones and exchanges where Verizon North Inc., Contel of the South, Inc., d/b/a Verizon North Systems, and AT&T Michigan are the incumbent local exchange carriers. The Commission granted Broadvox a temporary license on April 16, 2009.

At a hearing on May 14, 2009, Broadvox presented the testimony and exhibits of Alex Gertsburg, the Corporate Secretary of The Broadvox Holding Company, LLC. At the close of the hearing, the parties waived compliance with 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 is 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 and other penalties. 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. If the applicant fails to provide service or goes out of business, any numbers assigned to it are subject to reclamation.

THEREFORE, IT IS ORDERED that:

A. Broadvox-CLEC, LLC, is granted a license to provide basic local exchange service throughout the state of Michigan in the zones and exchanges where Verizon North Inc., Contel of the South, Inc., d/b/a Verizon North Systems, and AT&T Michigan are the incumbent local exchange carriers.

B. Broadvox-CLEC, 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 MCL 484.2358, 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, Broadvox-CLEC, 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, under MCL 484.2203(12).

MICHIGAN PUBLIC SERVICE COMMISSION

Orjiakor N. Isiogu, Chairman

Monica Martinez, Commissioner

Steven A. Transeth, Commissioner

By its action of May 26, 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-15913

County of Ingham)

Mignon Middlebrook being duly sworn, deposes and says that on May 26, 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 26th day of May 2009

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

Service List U-15913

Broadvox-CLEC, LLC
1228 Euclid Avenue, Suite 390
Cleveland OH 44115

Mark D. Eyster
Michigan Public Service Commission
6545 Mercantile Way, Suite 14
Lansing MI 48911

Steven D. Hughey
Michigan Dept. of Attorney General
Public Service Division
6545 Mercantile Way, Suite 15
Lansing MI 48911

Haran C. Rashes
Clark Hill PLC
212 E. Grand River Avenue
Lansing MI 48906