

commercial mobile service.” MCL 484.2310(12). This restructuring mechanism must “be established and shall begin operation within 270 days after the effective date” of Act 182.

In an order issued April 13, 2010, the Commission established the total size of the restructuring mechanism to be \$18,057,034.86, and notified eligible providers of the disbursements for which they are eligible.

In an order dated May 17, 2010, the Commission calculated a 0.431% contribution factor, and stated that each contributing provider would be billed monthly for one-twelfth of that provider’s 2008 intrastate telecommunications services revenues, as reported in this docket, multiplied by the contribution factor.

In an order dated August 10, 2010, the Commission addressed several issues on rehearing. One of those issues was the appropriate revenues to use in calculating the monthly contributions. At the objection of several providers, the Commission reconsidered using one-twelfth of each provider’s 2008 revenues, and instead, ordered the use of the provider’s previous month’s revenues as self-reported on the Commission’s website. This method addressed the providers’ arguments that basing the contribution on 2008 revenues would be unfair to providers that were losing customers, and provide a windfall for those that were gaining customers.

Additionally, the August 10 order dealt with the appropriate period for review of the sufficiency of collections resulting from the calculated percentage. The Commission held:

The Commission directs the [Commission] Staff to continuously monitor the response to the system put in place by this order. Should it appear that the fund may become insufficient to cover the necessary payments, the Staff shall alert the Commission to the need for review. In the absence of an earlier review, the Commission finds that it should reexamine the method and amounts following a year of implementation.

Order, p. 11.

At this juncture, it has come to the Commission's attention that the current contribution percentage is not large enough to generate the amount needed for full operation of the restructuring mechanism. For the first four months of collections, ending December 2010, contributions collected have been insufficient to cover the total expenses of the fund.² The deficiency is in large part explained by the fact that contribution factors were calculated on average monthly revenues for 2008, as required by statute, while contributions are calculated based on the previous month's revenues. Since 2008, contributing providers have experienced decreased revenues on average, in part due to general economic conditions and in part due to migration of customers from contributing providers to providers that are exempted under MCL 484.2310(12) from contributing to the restructuring mechanism.

Based on the self-reported revenues from the first months of the restructuring mechanism's operation, it appears that increasing the contribution factor from the current 0.431% to a new 0.620% should be sufficient to enable the access restructuring mechanism to meet its obligations to make provider disbursements, pay administrative costs, and ensure that a cash reserve equal to one month of disbursements is in place by August 13, 2011. The Commission directs the Commission Staff to update the online form that providers use to determine their contribution amounts beginning March 14, 2011, to reflect the revised contribution rate. The new contribution factor shall be reflected first in the April 13, 2011 contribution.

THEREFORE, IT IS ORDERED that:

- A. The restructuring mechanism contribution factor shall increase from 0.431% to 0.620%.
- B. On March 14, 2011, the Commission Staff shall update the online form used by

² Expenses of the fund include disbursements, estimated administrative costs, and the building of cash reserve.

contributing providers in calculating the monthly contribution to reflect the new percentage.

C. The Commission Staff shall continue to monitor the activity of the restructuring mechanism to ensure that the contribution percentage assessed is appropriate.

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

Greg R. White, Commissioner

By its action of February 8, 2011.

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-16183

County of Ingham)

Mignon Middlebrook being duly sworn, deposes and says that on February 8, 2011 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 8th day of February 2011

Gloria Pearl Jones
Notary Public, Ingham County, MI
My Commission Expires June 5, 2016

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Allendale MI 49401-0509

Ace Telephone Company of Michigan, Inc.
Todd Roesler, CEO
5351 North M-37
P.O. Box 69
Mesick MI 49668-0069

Birch Telecom of the Great Lakes, Inc.
2300 Main St., Floor 600
Kansas City MO 61408-2415

Bloomington Telephone Company a/k/a
Bloomington Communications, Inc.
Mark Bahnson, General Manager
101 W. Kalamazoo Street
P.O. Box 187
Bloomington MI 49026-0187

Borderland Communications, LLC
Lee Norton
1133 Main P.O. Box 3
Niagara WI 54151

Carr Telephone Company
Mitch Bogner
4325 Masten Road
P.O. Box 100
Branch MI 49402-0100

Kaleva Telephone Company
Jon Cribbs
9462 Osmo Street
P.O. Box 0006
Kaleva MI 49645

Ogden Telephone Company a/k/a Ogden Long
Distance Service, Inc.
4726 E. Weston Road
Blissfield MI 49228-9629

Mark R. Ortlieb
AT&T Michigan
221 N. Washington Square, Room G1
Lansing MI 48933

Southwest Michigan Communications, Inc.
P.O. Box 187
Bloomington MI 49026

Service List U-16183

Springcom, Inc. a/k/a Springport Telephone
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Janet Beilfuss
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P.O. Box 208
Springport MI 49284

T-Mobile USA, Inc.
12920 SE 38th Street
Bellevue WA 98006

T2 Communications, Inc.
301 Hoover Blvd.
Suite 100
Holland MI 49423

Bret A. Totoraitis
Michigan Dept. of Attorney General
Public Service Division
6545 Mercantile Way, Suite 15
Lansing MI 48911

A. Randall Vogelzang
Verizon Services Group
600 Hidden Ridge HQE02J27
Irving TX 75038

Waldron Telephone Company a/k/a Waldron
Communications Company
Mark Bernath, President
115 S. Main Street
P.O. Box 197
Waldron MI 49288-0197

Airespring, Inc.
6060 Sepulveda Blvd.
Van Nuys, CA 91411

Alliance Group Services
1221 Post Road E
Westport, CT 06880

Alltel Communications of Michigan RSA #4, Inc.
(Verizon Wireless)
180 Washington Valley Road
Bedminster, NJ 07921

American Telecommunications Systems, Inc.
4450 Belden Village Street NW Suite 602
Canton, OH 44718

BLC Management LLC
dba Angles Communication Solutions
Mexicall Communications
11121 Highway 70, Suite 202
Arlington, TN 38002

Budget Call Long Distance, Inc.
225 Kenneth Drive
Rochester, NY 14623

Clear World Communications Corporation
3501 S. Harbor Boulevard Suite 100
Santa Ana, CA 92704

Coleman Enterprises Inc.
107 W Michigan Avenue 4th Floor
Kalamazoo, MI 49007

Cost Plus Communications, LLC
151 S. Rose St., Suite 900
Kalamazoo, MI 49007

Everycall Communications, Inc.
dba All American Home Phone
dba Local USA
4315 Bluebonnet Blvd., Suite A
Baton Rouge, LA 70809

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Houston, TX 77027

GlobalTouch Telecom, Inc.
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Los Angeles, CA 90064

Granite Telecommunications, LLC
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Quincy, MA 02171

Great Lakes Telecom, Inc.
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Ann Arbor, MI 48103

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Communications Utility
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Clarkston, MI 48346

Long Distance Savings Solutions, LLC
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Chicago, IL 60607

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NationsLine Michigan, Inc.
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Network Communications International Cor
606 East Magrill Street
Longview, TX 75601

NewPath Networks, LLC
768 Garfield Street
Seattle , WA 98109

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5701 Marble Drive
Troy, MI 48085

OPEX Communications, Inc.
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Prayzel Communications LLC
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Hollywood, FL 33020

Reduced Rate Long Distance LLC
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Orlando, FL 32810

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Oakdale, MN 55128

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West Lake Village, CA 91361

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Stamford, CT 06901

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Kalamazoo, MI 49007

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Dallas, TX 75244

Yupee Phone, LLC
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Warren, MI 48092

4M Communications, Inc.
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Traverse City, MI 49685

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8490 E. Camps Circle Drive
Berrien Springs, MI 49104-0870

Boom Events Inc.
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Lansing, MI 48912

CFL, LLC d/b/a CFL Payphones
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North Sioux City, SD 57049

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121 South 17th Street
Mattoon, IL 61938

Consolidated Telecom, Inc.
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Irving, TX 75038

CTS Communication Corp.
110 N. Main Street
Climax, MI 49034

Davren Industries
2747 Cascade Springs
Grand Rapids, MI 49546

DonTel Communications
12614 McClelland Ave
Grant, MI 49327

Embarq Payphone Services Inc.
5454 W 110th St.
Overland Park, KS 66211

Evercom Systems, Inc
14651 Dallas Parkway, Ste. 600
Dallas, TX 75254

Frontier Communications of Michigan Inc
109 Randolph Street
Brooklyn, MI 49230

FSH Communications, LLC
100 West Monroe St. Ste. 2101
Chicago, IL 60603

Great Lakes Telephone
PO Box 0158
Royal Oak, MI 48068-0158

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Greensboro, NC 27419

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Ypsilanti, MI 48197

Vern J Hyatt Enterprises
1740 Margaret
Grand Rapids, MI 49507

Midwestern Telecommunications Inc.
8685 West 96th Street, Suite 220
Overland Park, KS 66212

P R O O F O F S E R V I C E

STATE OF MICHIGAN)

Case No. U-16183

County of Ingham)

Lisa Felice being duly sworn, deposes and says that on February 8, 2011 A.D. she served a copy of the attached **Commission Order (Commission's Own Motion) via e-mail transmission**, to the persons as shown on the attached service list (Listserv Distribution List).

Lisa Felice

Subscribed and sworn to before me
this 8th day of February 2011

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

Felice, Lisa (DELEG)

From: State of Michigan LISTSERV Server (14.5) [LISTSERV@LISTSERV.MICHIGAN.GOV]
Sent: Tuesday, February 08, 2011 10:30 AM
To: Felice, Lisa (DELEG)
Subject: File: "MPSC-TELEMOTION LIST"

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sharonl@ACCUTEL.NET	Accutel of Texas, L.P.; Phone Co, L.P.
david.vehslage@VERIZON.COM	MCIMetro Access Transmission
kimm.partridge@UCN.NET	UCN, Inc.
rpearllombardo@FREECOMUSA.COM	Freedom Communications USA, LLC
dprather@INDIGITAL.NET	Communications Venture
chris@CASTLEWIRE.COM	Castle Wire, Inc., f/k/a Business Communication
kelly.faul@XO.COM	Nextlink Wireless, Inc.
mark.iannuzzi@TELNETWW.COM	Telnet Worldwide, Inc., Superior Spectrum Telep

*
* Total number of users subscribed to the list: 229
* Total number of local host users on the list: 0
*

P R O O F O F S E R V I C E

STATE OF MICHIGAN)

Case No. U-16183

County of Ingham)

Lisa Felice being duly sworn, deposes and says that on February 8, 2011 A.D. she served a copy of the attached **Commission Order via e-mail transmission**, to the persons as shown on the attached service list (Listserv Distribution List).

Lisa Felice

Subscribed and sworn to before me
this 8th day of February 2011

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

Bill.Braun@Reconex.com; charles.forst@360.net; mike@4mcomm.com;
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