

STATE OF MICHIGAN
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

* * * * *

25
201

In the matter of the application of)
✓ **CMC TELECOM, INC.**, for a license to provide)
basic local exchange service in Ameritech Michigan)
exchanges.)

Case No. U-11425

In the matter of the application of)
1-800-RECONEX, INC., f/k/a **STERLING INTER-**)
NATIONAL FUNDING, INC., for the issuance of a)
license to provide local exchange telecommunications)
service on a resold basis in the current exchanges of)
Ameritech Michigan and GTE North Incorporated.)

Case No. U-11700

In the matter of the application of)
ZENK GROUP, LTD., d/b/a **PLANET ACCESS**,)
for the issuance of a license to provide local exchange)
services in the LATA exchanges currently served by)
Ameritech Michigan.)

Case No. U-12057

In the matter of the application of)
AMERICAN FIBER NETWORK, INC., for a)
license to provide basic local exchange service in)
all exchanges and zones currently served by)
Ameritech Michigan, GTE North Incorporated, and)
Contel of the South, Inc., d/b/a GTE Systems of)
Michigan.)

Case No. U-12469

In the matter of the application of)
CALL GIANT INC., f/k/a **BELL CONNECT, INC.**,)
for a license to provide basic local exchange service.)

Case No. U-12742

In the matter of the application of)
UNIVERSAL TELECOM, INC., for a license to)
provide basic local exchange service as a competitive)
local exchange carrier in the zone and exchange areas)
throughout the state of Michigan presently served by)
Verizon North Inc., Contel of the South, Inc., d/b/a)
Verizon North Systems, Michigan Bell Telephone)
Company, d/b/a Ameritech Michigan, CenturyTel)
of Michigan, Inc., CenturyTel Midwest – Michigan,)
Inc., CenturyTel of Upper Michigan, Inc., CenturyTel)
of Northern Michigan, Inc., TDS Telecom/Island)
Telephone Company, TDS Telecom/Shiawassee)
Telephone Company, TDS Telecom/Chatham)
Telephone Company, TDS Telecom/Wolverine)
Telephone Company, TDS Telecom/Communication)
Corporation of Michigan, and Frontier Communica-)
tions of Michigan, Inc.)
_____)

Case No. U-13468

In the matter of the application of)
TROPHY TECHNOLOGIES, INC., for a license to)
provide basic local exchange service in all Michigan)
exchanges served by the incumbent local exchange)
carriers Ameritech Michigan, an affiliate of SBC)
Communications, Verizon North Inc., formerly)
GTE North, and Verizon North Systems, formerly)
GTE Systems of Michigan.)
_____)

Case No. U-13538

In the matter of the application of)
PHONECO, L.P., for a license to provide resold and)
facilities-based switched and dedicated local exchange)
telecommunications services throughout)
the state of Michigan in the exchange areas of)
Ameritech Michigan, and Verizon North Inc., and)
Verizon North Systems.)
_____)

Case No. U-13669

In the matter of the application of)
SPECIALIZED SERVICES, INC., d/b/a SSI)
AFFINITY, for a license to provide basic local)
exchange service in all the zone and exchange areas)
in Michigan presently served by SBC Ameritech)
Michigan and Verizon North Inc. and Contel of the)
South, Inc., d/b/a Verizon North Systems.)
_____)

Case No. U-13757

In the matter of the application of
GVC NETWORKS, LLC, for a license to provide
basic local exchange service throughout the state of
Michigan in the zone and exchange areas served by
Verizon North Inc. and Contel of the South, Inc.,
d/b/a Verizon North Systems, and SBC Michigan.

Case No. U-13828

In the matter of the application of
GLOBAL TELDATA II, LLC, for a license to
provide basic local exchange service in the areas
currently served by SBC Michigan and
Verizon North Inc. and Contel of the
South, Inc., d/b/a Verizon North Systems.

Case No. U-13957

In the matter of the application of
CMC TELECOM, INC. for a license to provide
basic local exchange service in Ameritech Michigan
exchanges.

Case No. U-14113

In the matter of the application of
EMPIRE ONE TELECOMMUNICATIONS, INC.,
for a license to provide basic local exchange service
in the areas currently served by SBC Michigan.

Case No. U-14364

In the matter of the application of
AIRDIS, LLC, d/b/a **AIRDIS TELECOM**, for a license
to provide basic local exchange service in the zones
and exchanges currently served by Verizon North Inc.
and Contel of the South, Inc., d/b/a Verizon North
Systems, CenturyTel of Michigan, Inc., CenturyTel
Midwest—Michigan, Inc., CenturyTel of Northern
Michigan, Inc., CenturyTel of Upper Michigan, Inc.,
and AT&T Michigan, f/k/a SBC Michigan.

Case No. U-14639

In the matter of the application of
CLOSECALL AMERICA, INC., for a license to
provide resold and facilities-based local exchange
services in the state of Michigan.

Case No. U-14937

In the matter of the application of
VOIP TELECOM, LLC, for a temporary and
permanent license to provide basic local exchange
service in the zones and exchanges currently served
by AT&T Michigan and Verizon North Inc. and
Contel of the South, Inc., d/b/a Verizon North
Systems.

Case No. U-14967

In the matter of the application of
ZENK GROUP, LTD., d/b/a PLANET ACCESS
to amend its license to include all zones and
exchanges served by Verizon North Inc. and Contel
of the South, Inc., d/b/a Verizon North Systems.

Case No. U-15023

In the matter of the application of
TELE-RECONNECT, INC., for a license to provide
basic local exchange service throughout the state of
Michigan.

Case No. U-15116

In the matter of the application of
NATIONAL GRID COMMUNICATIONS, INC.,
for a temporary and permanent license to provide
basic local exchange service throughout the state of
Michigan.

Case No. U-15137

In the matter of the application of
COMMUNICATION LINES INC., for a license to
provide basic local exchange service throughout
the state of Michigan in the zone and exchange
areas served by Verizon North Inc., Contel of the
South, Inc., d/b/a Verizon North Systems, and
AT&T Michigan.

Case No. U-15189

In the matter of the application of
**TROPHY TECHNOLOGIES, INC., d/b/a RURAL
COMMUNICATIONS**, for a license to provide basic
local exchange service throughout the state of
Michigan in the zones and exchanges currently
served by AT&T MICHIGAN.

Case No. U-15337

In the matter of the application of
SOLARITY COMMUNICATIONS LLC for a license
to provide basic local exchange service.

Case No. U-15739

In the matter of the application of
NSW TELECOM, INC. for a license to provide basic
local exchange service.

Case No. U-15916

In the matter, on the Commission's own motion, to
commence formal basic local exchange service license
revocation proceedings against
1-800-RECONEX, INC., f/k/a STERLING
INTERNATIONAL FUNDING, INC., AIRDIS, LLC,
d/b/a AIRDIS TELECOM, AMERICAN FIBER
NETWORK, INC., CALL GIANT, INC., f/k/a BELL
CONNECT, INC., CLOSECALL AMERICA, INC.,
CMC TELECOM, INC., COMMUNICATION LINES
INC., EMPIRE ONE TELECOMMUNICATIONS,
INC., GLOBAL TELDATA II, LLC, GVC
NETWORKS, LLC, NATIONAL GRID
COMMUNICATIONS INC., NSW TELECOM, INC.,
PHONECO, L.P., SOLARITY COMMUNICA-
TIONS LLC, SPECIALIZED SERVICES, INC.,
d/b/a SSI AFFINITY, TELE-RECONNECT INC.,
TROPHY TECHNOLOGIES, INC., d/b/a RURAL
COMMUNICATIONS, UNIVERSAL
TELECOM, INC., VOIP TELECOM, LLC, AND
ZENK GROUP, LTD., d/b/a PLANET ACCESS.

Case No. U-16895

At the October 4, 2011 meeting of the Michigan Public Service Commission in Lansing,
Michigan.

PRESENT: Hon. Orjiakor N. Isiogu, Chairman
Hon. Greg R. White, Commissioner

ORDER

In each of the above separately captioned proceedings, the Commission granted the named
applicant a license to provide basic local exchange service in Michigan pursuant to the licensing

provisions set forth in the Michigan Telecommunications Act, 1991 PA 179, MCL 484.2101 *et seq.* Acquisition of a license to provide basic local exchange service carries with it certain responsibilities, including, but not limited to, the duty to “comply with all federal and state requirements regarding truth in billing and E 9-1-1 services and basic local exchange services. MCL 484.2305b. Moreover,

providers of basic local exchange service are obligated to obey the lawful orders of the Commission and to respond promptly to reasonable requests from the Commission Staff (Staff).

It has been brought to the Commission’s attention that the providers listed in the case captions of this proceeding have been grossly deficient in attending to the statutory and regulatory responsibilities of licensed basic local exchange service providers. MCL 484.2205 authorizes the Commission to revoke a provider’s license to provide basic local exchange service. In Michigan, a formal action to revoke a license must be preceded by an informal notice to the licensee of the intended action and an opportunity for the licensee “to show compliance with all lawful requirements for retention of the license.” MCL 24.292; *Rogers v Cosmetology Board*, 68 Mich App 751; 244 NW2d 20 (1976).

On July 19, 2011, Robin Ancona, Director of the Commission’s Telecommunications Division, sent a letter to each of these 20 licensees. The licensees were advised that the purpose of the July 19, 2011 letter was to ascertain “whether your company wishes to retain [its] license” to provide basic local exchange service in Michigan. In each letter, the licensee was notified of past unsuccessful attempts by the Staff to contact the licensee by regular mail, telephone, and e-mail. The letters informed these providers to “respond to this inquiry no later than 45 days from the date of this letter and indicate if the company intends to retain its license and is providing service, or

has ceased operations.” Finally, each letter notified the licensee that “[i]f no response is received, the Commission will take the necessary steps to commence the process of revoking [its] license.”

To date, none of the 20 providers have responded to Ms. Ancona’s letter seeking to retain its license. The Commission finds that the preliminary steps for license revocations required in MCL 24.292 and *Rogers v Cosmetology Board, supra*, have been completed and that the Commission may now commence formal proceedings to revoke the licenses of the providers listed in the captions of this proceeding. Therefore, the Commission orders each provider listed in the captions of this proceeding that desires to retain its license to provide basic local exchange service to file an intervention in Case No. U-16895 by November 4, 2011 and to appear at the November 28, 2011 joint hearing before Administrative Law Judge Thomas Maier (ALJ) that will take place at 9:00 a.m. at Constitution Hall, 525 W. Allegan, Lansing, MI 48913. The Staff shall also attend the November 28, 2011 hearing.

If a provider does not intervene in the proceeding and/or fails to attend the November 28, 2011 hearing, the ALJ shall, after receipt of testimony and exhibits from the Staff, render a Proposal for Decision (PFD) with regard to the issue of whether that provider’s license to provide basic local exchange service should be revoked immediately by the Commission. For any provider that intervenes in the proceeding and attends the hearing, the ALJ shall treat the hearing as a prehearing conference in a separate complaint case brought in the docket for the provider’s license, unless the provider agrees to voluntarily relinquish its license or the Staff requests dismissal of further proceedings against the provider.

All documents filed in this case shall be submitted electronically through the Commission’s E-Dockets Website at: michigan.gov/mpscedockets. Requirements and instructions for filing can be found in the User Manual on the E-Dockets help page. Documents may also be submitted, in

Word or PDF format, as an attachment to an e-mail sent to mpscedockets@michigan.gov. If the provider requires assistance prior to e-filing, it may contact the Commission Staff at (517) 241-6170 or by email at mpscedockets@michigan.gov. All information received by the Commission will become public information, posted on the Commission's website, and subject to disclosure.

THEREFORE, IT IS ORDERED that each of the following providers: 1-800-Reconex, Inc., f/k/a Sterling International Funding, Inc., Airdis, LLC, d/b/a Airdis Telecom, American Fiber Network, Inc., Call Giant, Inc., f/k/a Bell Connect, Inc., Closecall America, Inc., CMC Telecom, Inc., Communication Lines Inc., Empire One Telecommunications, Inc., Global Teldata II, LLC, GVC Networks, LLC, National Grid Communications Inc., NSW Telecom, Inc., PhoneCo, L.P., Solarity Communications LLC, Specialized Services, Inc., d/b/a SSI Affinity, Tele-Reconnect Inc., Trophy Technologies, Inc., d/b/a Rural Communications, Universal Telecom, Inc., VOIP Telecom, LLC, and Zenk Group, Ltd., d/b/a Planet Access, that desires to retain its license to provide basic local exchange service in Michigan shall intervene in Case No. U-16895 no later than November 4, 2011 and appear at the hearing before Administrative Law Judge Thomas Maier at Constitution Hall, 525 W. Allegan, Lansing MI 48913, on November 28, 2011 at 9:00 a.m.

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



Greg R. White, Commissioner

By its action of October 4, 2011.



Mary Jo Kunkle, Executive Secretary