

STATE OF MICHIGAN  
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

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In the matter, on the Commission's own motion, )	
to implement 2009 PA 182, MCL 484.2310. )	Case No. U-16183
_____ )	

At the May 13, 2021 meeting of the Michigan Public Service Commission in Lansing,  
Michigan.

PRESENT: Hon. Daniel C. Scripps, Chair  
Hon. Tremaine L. Phillips, Commissioner  
Hon. Katherine Peretick, Commissioner

**ORDER**

The Commission commenced this proceeding on January 11, 2010, in order to implement the provisions of 2009 PA 182 (Act 182), which amended Section 310 of the Michigan Telecommunications Act, 1991 PA 179, MCL 484.2101 *et seq*, MCL 484.2310. The amendment reformed toll access service rates in Michigan. MCL 484.2310(1), (2).

As noted in previous orders in this docket, Act 182 requires that the Commission administer a fund known as the intrastate switched toll access rate restructuring mechanism (restructuring mechanism). MCL 484.2310(9), 484.2310(23)(e). The restructuring mechanism is used to provide monthly disbursements to eligible providers “in order to recover the lost intrastate switched toll access service revenues resulting from rate reductions under [MCL 484.2310(2)].” MCL 484.2310(8). The restructuring mechanism is funded via “a mandatory monthly contribution by all providers of retail intrastate telecommunications services and all providers of commercial mobile service.” MCL 484.2310(12). The act further provides that “The commission may

increase or decrease the contribution assessment on a quarterly or other basis as necessary to maintain sufficient funds for disbursements.” MCL 484.2310(14).

In an order issued April 13, 2010, the Commission established the initial total size of the restructuring mechanism at \$18,057,034.86, and notified eligible providers of the disbursements for which they were eligible. Subsequent orders have addressed the size of the contribution assessment. Act 182, as amended by 2014 PA 52, required the Commission to “recalculate the size of the restructuring mechanism for each eligible provider on March 13, 2018,” and specified the procedure for the recalculation. MCL 484.2310(16). The Commission’s most recent recalculation of the contribution assessment was in the January 21, 2021 order in this docket (January 21 order).

It has come to the Commission’s attention that the contribution assessment requires adjustment. As noted in the January 21 order, contributions continue to be lower than anticipated, likely due to the effects of the COVID-19 pandemic. Therefore, it is necessary to revise the contribution percentage to ensure the fund is able to meet its monthly obligations while maintaining an appropriate cash reserve. Given the amount of revenue subject to the contribution percentage (total intrastate retail telecommunications service revenue for all contributing providers less uncollectible revenue), the Commission Staff (Staff) recommends that the contribution percentage be increased from 0.95% to 1.435% (.01435) in order to bring in sufficient funds each month to provide for disbursements, administrative costs, and the required cash reserve in the restructuring mechanism fund. The Staff recommends that this new contribution percentage go into effect on July 14, 2021 (the day after the July contributions are due). Providers would then be subject to the adjusted contribution percentage beginning with the reporting period ending July 31, 2021, with those contributions due August 13, 2021.

The Commission adopts the recommendations of the Staff, and directs the Staff to update the online form that providers use to determine their contribution amounts beginning July 14, 2021, to reflect the revised contribution rate. The new contribution factor shall be reflected first in the August 13, 2021 contributions.

THEREFORE, IT IS ORDERED that:

A. The restructuring mechanism contribution percentage shall increase from 0.95% to 1.435% effective July 14, 2021.

B. On July 14, 2021, the Commission Staff shall update the online form used by 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 assessed contribution percentage 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). To comply with the Michigan Rules of Court's requirement to notify the Commission of an appeal, appellants shall send required notices to both the Commission's Executive Secretary and to the Commission's Legal Counsel. Electronic notifications should be sent to the Executive Secretary at [mpscdockets@michigan.gov](mailto:mpscdockets@michigan.gov) and to the Michigan Department of the Attorney General - Public Service Division at [pungpl@michigan.gov](mailto:pungpl@michigan.gov). In lieu of electronic submissions, paper copies of such notifications may be sent to the Executive Secretary and the Attorney General - Public Service Division at 7109 W. Saginaw Hwy., Lansing, MI 48917.

MICHIGAN PUBLIC SERVICE COMMISSION

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Daniel C. Scripps, Chair

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Tremaine L. Phillips, Commissioner

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Katherine Peretick, Commissioner

By its action of May 13, 2021.

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Lisa Felice, Executive Secretary

# PROOF OF SERVICE

STATE OF MICHIGAN )

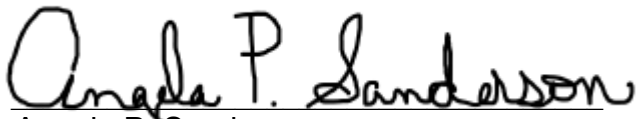
Case No. U-16183

County of Ingham )

Brianna Brown being duly sworn, deposes and says that on May 13, 2021 A.D. she electronically notified the attached list of this **Commission Order via e-mail transmission**, to the persons as shown on the attached service list (Listserv Distribution List).

  
Brianna Brown

Subscribed and sworn to before me  
this 13<sup>th</sup> day of May 2021.



Angela P. Sanderson  
Notary Public, Shiawassee County, Michigan  
As acting in Eaton County  
My Commission Expires: May 21, 2024

**Service List for Case: U-16183**

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<b>Name</b>	<b>Email Address</b>
Borderland Communications LLC	jim.paulos@nsight.com
Michael A. Holmes	holmes.michael@telecommich.org

## U-16183 Special Distribution List

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ACN Communication Services, LLC	Kim.McMillan@acninc.com	Kim	McMillan
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Kelly      Faul  
Tina      Tecce  
James      Simonelli

## U-16183 Special Distribution List

Company Name	First Name	Last Name	E-MAIL
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Access Point, Inc.	Jason	Brown	jason.brown@accesspointinc.com
AccessLine Communications Corporation	Michael	Fischer	Mfischer@accessline.com
Air Advantage, LLC	Scott	Zimmer	szimmer@airadv.net
Airus, Inc. fka IntelePeer	John	McCluskey	jmclluskey@airustel.com
Alpha Connect, LLC	Scott	Randall	srandall@pfllc.net
American Broadband and Telecommunications Company	Jeffrey	Ansted	jsa@ambt.net
American Cell, LLC	Jonathan	Garn	jongarn@americancellllc.com
Aspen Wired, LLC	Jim	Selby	jim@aspennetworks.net
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## U-16183 Special Distribution List

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McLeodUSA Telecommunications Services, L.L.C.

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Metropolitan Communications

MEI Telecom, Inc.

Mercury Wireless Indiana LLC

Metro FiberNet, LLC

MetroNet-Telecom, Inc.

Metropolitan Telecommunications of Michigan, Inc., dba  
MetTel

Michigan Access, Inc.

Michigan Central Broadband Company, LLC

Midway Telephone Company

Midwest Energy Cooperative d/b/a Midwest Energy &  
Communications

MiTel NetSolutions

Mobilite Management, LLC

Neo Network Development Inc.

Neutral Tandem-Michigan, LLC

New Horizons Communications Corp.

NextGen Communications, Inc.

Nextlink Wireless, Inc.

Nexus Communications

NOS Communications, Inc.

Ogden Telephone Company

Ontonagon County Telephone Company

Onvoy, Inc.

Onvoy, LLC

Osirus Communications, Inc.

PaeTec Communications, LLC

Pearce, Chrissie

Peerless Network of Michigan, LLC

Peninsula Fiber Network Next Generation Services, LLC

Peninsula Fiber Network, LLC

Pigeon Telephone Company

PNG Telecommunications Inc. dba PowerNet Global  
Communications

Point Broadband Fiber Holding, LLC

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Trinsic Communications, Inc.

Uniti Fiber LLC

Upper Peninsula Telephone Company

US Signal Company, L.L.C.

US Xchange of Michigan, L.L.C., d/b/a Earthlink Business I

Utility Network Authority MI, LLC

Velocity, A Managed Services Company, Inc.

Verizon North Inc.

Vero Fiber Networks, LLC

VoxBeam Telecommunications Inc.

Voyant Communications, LLC f/k/a Zayo Enterprise

Networks, LLC

Waldron Telephone Company

Westphalia Broadband, Inc.

Westphalia Telephone Company

Wholesale Carrier Services, Inc.

Wide Voice, LLC

WiMacTel, Inc.

Windstream KDL, LLC

Windstream New Edge, LLC f.k.a. EarthLink Business, LLC

Windstream Norlight LLC

Windstream NTI, LLC

Winn Telephone Company dba Winn Telecom

Xclutel, LLC

XO Communications Services, LLC

Ygnition Networks, Inc.

YMax Communications Corp.

Zayo Group, LLC