

STATE OF MICHIGAN

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

In the matter of the application of)
ACD TELECOM, INC., for a license to provide)
basic local exchange service in selected zones)
and exchanges throughout the Lansing and Saginaw)
LATAs presently served by GTE North Incorporated,)
Contel of the South, Inc., d/b/a GTE Systems of)
Michigan, and Ameritech Michigan.)
_____)

Case No. U-12180

At the January 19, 2000 meeting of the Michigan Public Service Commission in Lansing,
Michigan.

PRESENT: Hon. John G. Strand, Chairman
Hon. David A. Svanda, Commissioner
Hon. Robert B. Nelson, Commissioner

OPINION AND ORDER

On October 28, 1999, ACD Telecom, Inc., (ACD) filed an application, pursuant to the Michigan Telecommunications Act, MCL 484.2101 et seq.; MSA 22.1469(101) et seq., for a license to provide basic local exchange service in the following exchanges presently served by GTE North Incorporated: Adrian, Alma, Ashley, Bancroft, Barryton, Bath, Blissfield, Breckenridge, Britton, Bronson, Carson City, Clinton, Coldwater, Coldwater Lake, DeWitt, Durand, Edmore, Elsie, Fenwick, Fowler-Pewamo, Grand Ledge, Grass Lake, Hemlock, Hubbardston, Hudson, Ithaca, Laingsburg, Lakeview, Maple Rapids, McBride, Merrill, Middleton, Mt. Pleasant, Muir, Ovid, Owosso, Palo, Pompeii, Quincy, Remus, Riverdale, Shepherd, Sheridan, Sidney, Six

Lakes, St. Johns, St. Louis, Stanton, Tecumseh, Tipton, Union City, Vestaburg, Weidman, and Williamston. It also requested a license to provide service in the following exchanges currently served by Contel of the South, Inc., d/b/a GTE Systems of Michigan: Addison, Burlington, Fitchburg, Homer, Morenci, Munith, Onondaga, Parma, Rives Junction, Stockbridge, Tekonsha, and Webberville. Finally, it requested a license to provide service in the following exchanges currently served by Ameritech Michigan: Albion, Charlotte, Clark Lake, Dansville, Dimondale, Eaton Rapids, Fowlerville, Hillsdale, Holt, Howell, Jackson, Jonesville, Lansing, Leslie, Mason, Mulliken, Nashville, Portland, Potterville, and Vermontville.

At a hearing on January 4, 2000, the testimony of Kevin Schoen, its President, was admitted into the record. The testimony of David M. Flees, an auditor in the Competitive Services Section of the Commission's Communications Division, was also admitted into the record. Mr. Flees indicated that if the Commission grants the application it should acknowledge certain regulatory requirements specified in the Michigan Telecommunications Act. 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; MSA 3.560(181).

After a review of the application and testimony, the Commission finds that approval of ACD's 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 ACD's 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 compliance with the anti-slamming procedures adopted in Case No. U-11900. Failure to comply fully with those procedures may result in revocation of the license or other penalties.

The Commission FINDS that:

- a. Jurisdiction is pursuant to 1991 PA 179, as amended, MCL 484.2101 et seq.; MSA 22.1469(101) et seq.; 1969 PA 306, as amended, MCL 24.201 et seq.; MSA 3.560(101) et seq.; and the Commission's Rules of Practice and Procedure, as amended, 1992 AACRS, R 460.17101 et seq.
- b. ACD possesses sufficient technical, financial, and managerial resources and abilities to provide basic local exchange service to every person within the geographic area of the license.
- c. Granting ACD 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. ACD Telecom, Inc., is granted a license to provide basic local exchange service in the following exchanges: Adrian, Alma, Ashley, Bancroft, Barryton, Bath, Blissfield, Breckenridge, Britton, Bronson, Carson City, Clinton, Coldwater, Coldwater Lake, DeWitt, Durand, Edmore, Elsie, Fenwick, Fowler-Pewamo, Grand Ledge, Grass Lake, Hemlock, Hubbardston, Hudson, Ithaca, Laingsburg, Lakeview, Maple Rapids, McBride, Merrill, Middleton, Mt. Pleasant, Muir, Ovid, Owosso, Palo, Pompeii, Quincy, Remus, Riverdale, Shepherd, Sheridan, Sidney, Six Lakes, St. Johns, St. Louis, Stanton, Tecumseh, Tipton, Union City, Vestaburg, Weidman, Williamston, Addison, Burlington, Fitchburg, Homer, Morenci, Munith, Onondaga, Parma, Rives Junction, Stockbridge, Tekonsha, Webberville, Albion, Charlotte, Clark Lake, Dansville, Dimondale, Eaton Rapids, Fowlerville, Hillsdale, Holt, Howell, Jackson, Jonesville, Lansing, Leslie, Mason, Mulliken, Nashville, Portland, Potterville, and Vermontville.

B. ACD Telecom, Inc., shall provide basic local exchange service in accordance with the regulatory requirements specified in the Michigan Telecommunications Act, MCL 484.2101 et seq.; MSA 22.1469(101) et seq., and the anti-slamming procedures adopted in Case No. U-11900.

C. Before commencing basic local exchange service, ACD Telecom, Inc., 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 in the appropriate court within 30 days after issuance and notice of this order, pursuant to MCL 462.26; MSA 22.45.

MICHIGAN PUBLIC SERVICE COMMISSION

/s/ John G. Strand

Chairman

(S E A L)

/s/ David A. Svanda

Commissioner

/s/ Robert B. Nelson

Commissioner

By its action of January 19, 2000.

/s/ Dorothy Wideman

Its Executive Secretary

B. ACD Telecom, Inc., shall provide basic local exchange service in accordance with the regulatory requirements specified in the Michigan Telecommunications Act, MCL 484.2101 et seq.; MSA 22.1469(101) et seq., and the anti-slamming procedures adopted in Case No. U-11900.

C. Before commencing basic local exchange service, ACD Telecom, Inc., 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 in the appropriate court within 30 days after issuance and notice of this order, pursuant to MCL 462.26; MSA 22.45.

MICHIGAN PUBLIC SERVICE COMMISSION

Chairman

Commissioner

Commissioner

By its action of January 19, 2000.

Its Executive Secretary

In the matter of the application of)
ACD TELECOM, INC., for a license to provide)
basic local exchange service in selected zones)
and exchanges throughout the Lansing and Saginaw)
LATAs presently served by GTE North Incorporated,)
Contel of the South, Inc., d/b/a GTE Systems of)
Michigan, and Ameritech Michigan.)
_____)

Case No. U-12180

Suggested Minute:

“Adopt and issue order dated January 19, 2000 granting ACD Telecom, Inc., a license to provide basic local exchange service, as set forth in the order.”