

STATE OF MICHIGAN

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

In the matter, on the Commission's own motion,)
of the implementation of the local calling area)
provisions of the amended Michigan) CASE. NO. U-12528
Telecommunications Act.)
/

Glen A. Schmiede (P37112)
FOSTER, SWIFT, COLLINS & SMITH, P.C.
Attorneys for The Michigan Exchange
Carriers Association, Inc.
313 S. Washington Square
Lansing, MI 48933
(517) 371-8100
/

COMMENTS OF THE MICHIGAN EXCHANGE
CARRIERS ASSOCIATION, INC.
ON THE PROPOSED IMPLEMENTATION WORK PLANS

Dated: March 19, 2001

COMMENTS

The Michigan Exchange Carriers Association, Inc. ("MECA"), represents thirty-three incumbent LECs who are exempt from the requirements of Section 304(11) of the Michigan Telecommunications Act, MCL 484.2304(11), but who provide basic local exchange service in exchanges adjacent to those of Ameritech Michigan, Verizon North Inc. and Contel of the South d/b/a Verizon North Systems. MECA's members therefore will provide call termination service to Ameritech, Verizon and CLECs competing in Ameritech and Verizon exchanges in order for them to comply with the Commission's requirements as set forth in its February 5, 2001 Order in this case.

Like Ameritech and Verizon, MECA believes that there is a need for industry cooperation and coordination. In this regard, it is important to note that Ameritech and Verizon must work with MECA's members in any situation where Ameritech and Verizon must install new facilities that carry calls to the exchanges of MECA's members. Ameritech and Verizon cannot unilaterally determine where they will interconnect with the small ILECs, but must interconnect at mutually agreed upon locations and in accordance with applicable ILEC tariffs.

In the near future, MECA's members likely will issue tariffs for termination of the expanded local calling mandated in this case. Tariffs are appropriate because MECA's members are exempt under the Federal Telecommunications Act from the obligation to negotiate agreements with interconnecting carriers. See 47 USC 251(c) and (f). Thus, carriers terminating traffic subject to Section 304(11) to MECA

member company exchanges will interconnect and be billed according to the rates, terms and conditions of those tariffs and there will be no need to negotiate interconnection agreements for this class of traffic.

As pointed out in MECA's initial brief, the Commission has ruled in numerous cases that tariffs can be used to establish local reciprocal compensation arrangements. See, e.g., Bierman v CenturyTel of Michigan, Inc., Case No. U-11821 (January 28, 2000 order, p 11); Coast to Coast Telecommunications v GTE, Case No. U-12090 (February 22, 2000 order, pp 4-5); and Baraga Telephone v Ameritech, Case No. U-12284 (June 5, 2000 order). See also Dunbar Testimony, 3 T 88.

The tariffs to be filed by MECA's members will contain terms and conditions for the call termination service that they will provide. It will be the responsibility of the originating provider, as the party requesting call termination service, to comply with those terms and conditions and to deliver traffic to the appropriate facilities of the MECA members.

The tariffs also will likely contain references to industry standards that will be applied when interconnecting with the small ILEC networks. The standards will be similar to the industry standards for Multiple Exchange Carrier Ordering and Design (MECOD) developed by the Open Billing Forum. To the extent there are no applicable terms and conditions in the tariff, these standards will apply to ordering and design.

Furthermore, there may be occasions when Ameritech and Verizon could reduce their costs through the use of MECA members' existing facilities. For example,

Verizon's Implementation Plan lists Caseville to Pigeon and Elkton to Pigeon as part of Verizon's proposed "Wave #3" which is scheduled for completion in the 30th month. (Verizon Plan, Attachment 1, Sheets 4 and 8 of 28). Pigeon Telephone Company, one of MECA's members, has existing facilities within about a block of Verizon's facilities in Elkton. If Verizon ties to the nearby facilities, it could quickly and inexpensively connect the Elkton and Caseville exchanges, thus reducing its implementation time for those exchanges. Other similar opportunities with other MECA members may be available. Discussions with MECA's members to find similar alternatives can reduce the need for construction and consequently lead to faster deployment. Thus, MECA supports the idea of having industry workshops to assist the implementation process. MECA is willing to facilitate discussions between its members and non-exempt LECs. This could even include regional meetings involving appropriate local representatives with knowledge of the existing systems. While the parties' rhetoric about coordination and cooperation is a step in the right direction, actual industry meetings should be scheduled.

Finally, in order for the new local calling arrangements to work, the Commission should require the Ameritech and Verizon implementation plans to provide for the mandatory identification of the originating carrier on all call information to ensure that all calls are properly identified so the correct carrier can be billed. (3 T 132). For appropriate intercompany billing and compensation to be accomplished, the correct Carrier Identification Code ("CIC") or Carrier Information Parameter ("CIP") must be

provided by the originating carrier to the terminating carrier. Id. Appropriate detail and jurisdictional indicators must accompany the calls. This is especially critical for any calls routed on common trunk groups and should be a mandatory part of any plan.

In conclusion, the various implementation plans appropriately recognize the need for cooperation and coordination. The plans should not be interpreted to contain any provisions dictating how MECA's members are to provide service. Rather, they should be interpreted as acknowledging that the implementing carriers will cooperate by complying with applicable tariffs, by providing adequate notice, by selecting mutually acceptable locations to connect their new facilities to the small LEC networks, and by providing necessary carrier and call information. The Commission should order the parties to schedule industry meetings to facilitate coordination among LECs and to identify opportunities to use existing facilities for speedy deployment.

Respectfully submitted,
FOSTER, SWIFT, COLLINS & SMITH, P.C.
Attorneys for The Michigan Exchange Carriers
Association, Inc.

Dated: March 19, 2001

By: _____
Glen A. Schmiede (P37112)

313 S. Washington Square
Lansing, MI 48933
(517) 371-8100

S:\141\MECA\12528\COMMENTS