

Department of Licensing and Regulatory Affairs
Public Service Commission
Administrative Rules for Responsibilities of Providers of Basic Local Exchange Service that Cease to
Provide the Service
Rule Set 2019-124 LR

NOTICE OF PUBLIC HEARING

Thursday, April 23, 2020

09:00 AM

Lake Michigan Hearing Room
7109 W. Saginaw Hwy., Lansing MI 48909

The Department of Licensing and Regulatory Affairs will hold a public hearing to receive public comments on proposed changes to the Responsibilities of Providers of Basic Local Exchange Service that Cease to Provide the Service rule set.

This is a re-promulgation of existing rules. The rules address the responsibilities of providers of basic local exchange service that cease to provide the service to any segment of end users or geographic area, go out of business, or withdraw from the state, including the transfer of customers to other providers and the reclaiming of unused telephone numbers. Specifically, they address the roles and responsibilities of retail and wholesale providers that are involved in interconnection disputes with each other, which may result in the disconnection of end user customers.

For example, if a wholesale provider of basic local exchange service cuts off service to a retail provider for non-payment of a charge, that action could result in the disruption of service to the end user of the retail provider as well, if the end user is not given sufficient advance warning to seek another retail provider. The targeted behavior is the loss of telephone service to a customer, including 9-1-1 and emergency service, when that customer has not been given sufficient information and advance warning that the customer should seek service elsewhere.

MCL 484.2202(1)(c)(iv) requires the Commission to promulgate rules pursuant to MCL 484.2213 to establish and enforce quality standards for: "Providers of basic local exchange service that cease to provide the service to any segment of end users or geographic area, go out of business, or withdraw from the state, including the transfer of customers to other providers and the reclaiming of unused telephone numbers." MCL 484.2213 authorizes the PSC to promulgate rules under the Administrative Procedures Act of 1969, 1969 PA 306.

MCL 484.2202(2) mandates that this ruleset shall expire within three years of its effective date, and that the PSC "may, before the expiration of the rules, promulgate new rules under subsection (1)(c)." Thus, these rules sunset every three years and must be re-promulgated every three years. The rules currently sunset on March 21, 2021. These rules will take effect 3/21/2021 after filing with the Secretary of State. The rules are published on the Michigan Government web site at <http://www.michigan.gov/moahr> and in the Michigan Register in the 4/1/2020 issue. Copies of the draft rules may also be obtained by mail or electronic transmission at the following address:

Department of Licensing and Regulatory Affairs
Public Service Commission

Executive Secretary, Case No. U-20732, Michigan Public Service Commission, P.O.Box 30221, Lansing
MI 48909

Executive Secretary, Case No. U-20732, Michigan Public Service Commission, P.O.Box 30221, Lansing
MI 48909

Email: mpscedockets@michigan.gov

Comments on the rules may be made in person at the hearing or by mail or electronic mail until 5/7/2020 at 05:00PM.

The public hearing will be conducted in compliance with the 1990 Americans with Disabilities Act, in accessible buildings with handicap parking available. Anyone needing assistance to take part in the hearings due to disability may call 517-284-8090 to make arrangements.