



TO: Michigan Public Service Commission  
FROM: Michigan Chamber of Commerce  
DATE: August 14, 2023  
SUBJECT: MPSC Case No. U-21368, *In the matter of, on the Commission's own motion, to re-promulgate rules required by MCL 484.2202(1)(c)(iv)*

## **I. INTRODUCTION**

Please accept these comments of the Michigan Chamber of Commerce on the MPSC's proposed rules in the above-captioned docket. The Michigan Chamber represents hundreds of businesses in Michigan and is a long-standing, trusted advocate for policies in Michigan that allow businesses to create jobs and economic activity for the benefit of Michigan citizens. In this instance, the Michigan Chamber has consulted with its members in the telecommunications industry that would be directly affected by the proposed rules, such as AT&T Michigan. Having been informed by these perspectives, we offer these comments for your consideration.

## **II. THE MPSC SHOULD MAKE TWO CHANGES TO THE PROPOSED RULES**

The proposed rules introduce new requirements in Michigan for telecommunications carriers that go well beyond the notice requirements to discontinue service under Section 313 of the Michigan Telecommunications Act. MCL 484.2313. When the Legislature created the current discontinuance process in 2014, it adopted a straightforward notice obligation that required carriers to notify their customers of the discontinuance via first class mail or bill inserts, and to publish notice in newspapers. MCL 484.2313(5)(b)(ii) and (iii). The legislation did not authorize the MPSC to adopt administrative rules to amplify the notice requirements, the MPSC did not adopt any in the intervening eight years, and none are necessary now. Despite this, the MPSC now seeks to impose rules that require new forms of notice to customers, interconnecting carriers and the MPSC itself. None of these new proposals are necessary.

That said, if the MPSC is determined to go beyond the simple renewal of the existing rules in Michigan Administrative Code 484.1001 to 484.1010 and adopt the new Part 3 of the proposed rules, we respectfully request that it make two modest, measured changes. These changes would streamline the rules by making them consistent with already-existing federal rules that cover the same subject matter. The changes are shown in redlined format in Attachment A to these Comments.



The first recommended change is to add a new section in Proposed Rules 12 and 14 that reads:

“A provider is deemed to be in compliance with the requirements of subsections (1) – (3) by complying with subsection (2)(a) of the Rule, which requires filing with the MPSC a copy of its application filing with the Federal Communications Commission under section 214 of the federal telecommunications act of 1996, 47 U.S.C. 214.”<sup>1</sup>

This provision deals with notice to the MPSC. Our change would permit a provider to comply with the new notice requirements by giving the MPSC the same notice it gives to the FCC. This is a perfectly rational approach – after all, if a notice is good enough for the FCC, it should be good enough for the MPSC. The notice required by the FCC includes: (1) name and address of carrier; (2) date of planned service discontinuance, reduction or impairment; (3) points of geographic areas of service affected; (4) brief description of type of service affected; and (5) a brief description of the dates and methods of notice to all affected customers. 47 C.F.R. §63.71(c). This is more than adequate to fulfill the notice requirement under Section 313, i.e., to “file a notice of the proposed discontinuance of service with the commission.” MCL 484.2313(5)(a)(i) and (b)(i).

The second change we recommend is to delete subsection (e) in Proposed Rules 13 and 15 and replace it with the following:

“The provider may comply with the requirements of this section by (i) providing a combined federal/state notice to customers via first class mail or within customer bills that satisfies the notice requirements under 47 C.F.R §63.71(a)(1)-(4); (ii) publishing a notice of the discontinuance of service in a newspaper of general circulation within the exchange that provides information that satisfies the notice requirements under 47 C.F.R §63.71(a)(1)-(4); and (iii) providing notice to any interconnecting telecommunications providers by first-class mail or other notice permitted under the terms of the interconnection agreement between the providers.”

This change would allow a provider to comply with the MPSC’s *new* customer notification requirements by following the *existing* FCC notification requirements. This is a common-sense solution because a telecommunications provider that wants to discontinue service in an area is required by both federal law<sup>2</sup> and state law<sup>3</sup> to provide advanced notice to its customers. Under FCC Rule 63.71(a)(1)-(4), a provider must give advance notice to customers that includes “(1) name and address of carrier; (2) date of planned service discontinuance, reduction or impairment; (3) points of geographic areas of service affected; and (4) brief description of type of service

<sup>1</sup> For Rule 14, the internal reference is to subsections (1)-(2), as shown in the redlined revisions in Attachment A.

<sup>2</sup> 47 U.S.C. §214 and 47 C.F.R. §63.71.

<sup>3</sup> MCL 484.2313(5).



affected.” This information fully informs the customer about the discontinuance, and fully complies with state law, which only requires “notice of the discontinuance of service to each of the telecommunications providers’ customers within the exchange by first-class mail or within customer bills.” MCL 2313(5)(a)(iii) and (b)(iii). Simply put, a combined notice that meets the requirements of the FCC satisfies the notice requirements of Michigan law and the MPSC should recognize this in its proposed rules.

With respect to newspaper notice, there is no FCC requirement. The change we recommend is to revise the proposed rule to require that the newspaper notice contain information that satisfies the notice requirements under federal law, i.e., 47 C.F.R §63.71(a)(1)-(4).

With respect to notice to interconnecting carriers, the change we recommend is to revise the proposed rule to parrot state law, word for word, in Section 313.

### **III. CONCLUSION**

In sum, the MPSC should not impose new customer notice or commission requirements that would be different from those required by federal law. The MPSC has the opportunity here to streamline regulatory requirements and avoid creating of different rules to accomplish the same thing, i.e., notice to customers and the commission about an upcoming discontinuance of service. Avoiding inconsistent rules here would increase administrative efficiency for regulators (who could rely on compliance with FCC rules to satisfy state requirements) and telecommunications providers (who would, to the extent possible, have a single standard for complying with federal and state notice requirements). There is no reason why a combined notice should not be an acceptable outcome in this process.

Respectfully submitted,

Michael Alaimo  
Director, Environmental and Energy Affairs  
Michigan Chamber of Commerce

# ATTACHMENT A

June 15, 2023

## DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

## PUBLIC SERVICE COMMISSION

RESPONSIBILITIES OF PROVIDERS OF BASIC LOCAL EXCHANGE  
SERVICE THAT CEASE TO PROVIDE THE SERVICE

Filed with the secretary of state on

These rules become effective on March 21, 2024.

(By authority conferred on the public service commission by sections 202 and 213 of the **Michigan telecommunications act**, 1991 PA 179, MCL 484.2202 and 484.2213)

R 484.1001, R 484.1002, R 484.1003, R 484.1005, and R 484.1006 of the Michigan Administrative Code are amended, R 484.1010, R 484.1011, R 484.1012, R 484.1013, R 484.1014, R 484.1015, R 484.1016, R 484.1017, R 484.1018, and R 484.1019 are added, and R 484.1007, R 484.1008, and R 484.1009 are rescinded, as follows:

## PART 1. GENERAL PROVISIONS

R 484.1001 Applicability.

Rule 1. These rules apply to providers of basic local exchange service that cease to provide service to any segment of end users or geographic area, go out of business, or withdraw from ~~the~~ **this** state, including the transfer of customers to other providers and the reclaiming of unused telephone numbers.

R 484.1002 Definitions.

Rule 2. (1) As used in these rules:

(a) “Act” means the Michigan telecommunications act, 1991 PA 179, MCL 484.2101 to 484.2603.

(b) “Commission” **or** “MPSC” means the Michigan public service commission.

(c) “Customer” means the person that is the end subscriber of the retail telecommunications service.

(d) “License” means a license to provide basic local exchange service issued pursuant to the act.

(e) “Provider” means a person, firm, partnership, corporation, or other entity that provides retail basic local exchange service ~~as defined by section 102(b) of the act.~~

(f) “Reclamation” means the process of removing active and non-active telephone numbers from the inventory of a provider that ceases to provide basic local exchange service.

(g) “Segment” **means the type of customer, such as business, residential, or interconnecting providers.**

(gh) “Wholesale provider” means a person, firm, partnership, corporation, or other entity that provides a resale or local wholesale basic local exchange service product to a provider.

(2) A term defined in the act that is not defined in this rule has the same meaning when used in these rules.

R 484.1003 Expiration.

Rule 3. These rules expire 3 years ~~from~~ **after** the effective date of the rules. The commission may, before the expiration of the rules, promulgate new rules.

PART 2. RESPONSIBILITIES OF PROVIDERS AND WHOLESALE PROVIDERS INVOLVED IN A DISCONNECTION DISPUTE

R 484.1004 Attempt at resolution.

Rule 4. In the case of a billing dispute between a provider and a wholesale provider, the parties shall make a good faith effort to work with each other to determine what portion, if any, of the bill for resale or the purchase of a local wholesale product provided by the wholesale provider to the provider is disputed and which portion is undisputed. The wholesale provider and the provider shall work together to resolve the billing dispute and arrange for payment of the undisputed charges, pursuant to the agreement between the wholesale provider and the provider.

R 484.1005 Notification of discontinuance.

Rule 5. (1) When the wholesale provider plans to disconnect a service that will make the provider unable to furnish basic local exchange service to its customers due to a dispute concerning resale or the purchase of a local wholesale product, the wholesale provider shall notify the commission and the provider of this disconnection in writing not less than 45 days ~~from~~ **after** the date of the impending disconnect.

(2) Notice required under subrule (1) of this rule must include, to the extent known by the wholesale provider, but **is not be** limited to, all of the following:

- (a) The name, address, and account number or numbers of the provider.
- (b) The number and ~~type~~ **segment or segments** of customers to be disconnected.
- (c) An indication of whether the wholesale provider is furnishing resale service or a local wholesale product.
- (d) The reason for the disconnection.
- (e) A statement or citation describing where the right to disconnect or deny service is found, such as in an interconnection agreement or other contract.
- (f) If the dispute is related to billing and charges, an estimate of the charges owed and amounts of those charges that are disputed and undisputed and the amount required to be repaid to avoid disruption of services.
- (g) The date and time, or range of dates and times, when the wholesale provider intends to discontinue the service.

(3) The wholesale provider shall notify the commission as soon as reasonably practicable but no less than 1 business day before the date of the notice required by the provider under subrule (4) of this rule, if the notice to discontinue service to the provider has been modified or withdrawn.

(4) Within 10 business days ~~from~~ **after** receiving notice from the wholesale provider, the provider shall notify all of its affected customers, the governor of ~~the state of Michigan~~ **this state**, and the commission of the discontinuance of service ~~pursuant to~~ **under** 47 CFR 63.71 ~~(2018)~~ and any other federal rules applicable to discontinuance of basic local exchange service. Notice to the commission must include both of the following:

- (a) A statement of the company's prospective intent for the disposition of its license and any tariffs on file with the commission.

(b) A list of customers being served by the provider that may be affected by the discontinuance of service, ~~which must include~~ **including** billing name, billing address, and service telephone number. For non-published numbers, only the NPA-NXX must be provided. The list must also identify end users of the provider that are public utilities, governmental agencies, schools, or medical facilities.

(5) If the provider fails to provide the notice under subrule (4) of this rule by the ~~11<sup>th</sup>~~ **eleventh** business day, the commission may post a notice of the discontinuance on its website.

(6) These rules do not relieve a provider from any obligations it has under section 313 of the act, MCL 484.2313.

(7) The provider shall contact the commission to provide periodic updates of the status of the disconnection and transition of its customers as requested by commission staff.

(8) The provider shall return all deposits to customers and ~~shall~~ apply all appropriate credits to customer accounts associated with the discontinued service within 30 days ~~of~~ **after** the discontinuance **of service**.

#### R 484.1006 Notification of transfer of customer base.

Rule 6. (1) A provider that is acquiring all or part of a customer base from another provider shall comply with the transfer of customer base notice requirements as set forth in 47 CFR 64.1120(e) (~~2018~~) and any other state and federal rules applicable to the transfer of all or part of a customer base. The provider shall submit a copy of this notice to the commission at the same time as it files its application with the ~~federal communications commission~~ **Federal Communications Commission**.

(2) Notice to the commission must include both of the following:

(a) A statement of the prospective intent for the disposition of the license and any tariff of the company that is transferring its customer base.

(b) The number and ~~type~~ **segment or segments** of customers affected by the transfer.

(3) If the commission considers it necessary to protect the public interest, it may institute a longer period of time for the transition of a customer base to another provider, but not to exceed 60 days in length. **The providers shall work together to ensure the transition of the customer base from 1 provider to another.**

#### R 484.1007 ~~Reclamation of telephone numbers.~~ **Rescinded.**

~~Rule 7. (1) Inactive telephone numbers of a provider that ceases to provide service are considered abandoned.~~

~~(2) The provider ceasing to provide service shall contact the North American numbering plan administrator, the national number pool administrator, and the national portability administration center regarding the NPA-NXX-Xs affected by the discontinuation of service.~~

~~(3) The commission staff shall work with the North American numbering plan administrator, the national number pool administrator, and the national portability administration center to assist in the reclamation of numbering resources.~~

#### R 484.1008 ~~Resolution of disputes between providers.~~ **Rescinded.**

~~Rule 8. If a provider disputes disconnection by another provider, the providers shall follow the appropriate procedures for resolution as set forth in their interconnection agreement and may apply to the commission for resolution as allowable under the act.~~

**R 484.1009 Remedies-Rescinded.**

~~–Rule 9. Violation of these rules may result in penalties issued under section 601 of the act, MCL 484.2601, including, but not limited to, revocation of a license to provide basic local exchange service.~~

**R 484.1010 Resolution of disputes between providers.**

**Rule 10. If a provider disputes disconnection by another provider, the providers shall follow the appropriate procedures for resolution as set forth in their interconnection agreement and may apply to the commission for resolution as allowable under the act.**

**PART 3. CESSATION OF SERVICE TO ANY SEGMENT OF END USERS OR GEOGRAPHIC AREA, WITHDRAWAL OF SERVICE FROM THE STATE, TRANSFER OF CUSTOMERS TO OTHER PROVIDERS**

**R 484.1011 Notice of discontinuance of service to any segment of end users or geographic area.**

**Rule 11. A provider of basic local exchange service or toll service that proposes to discontinue service shall follow the requirements under section 313 of the act, MCL 484.2313. The provider shall electronically file a notice to discontinue service under this section in the commission’s electronic docket filing system.**

**R 484.1012 Notice of discontinuance to the commission under section 313(5)(a) of the act, MCL 484.2313.**

**Rule 12. (1) Notice to the commission under section 313(5)(a) of the act, MCL 484.2313, must include, but is not limited to, all of the following:**

- (a) The proposed date of the discontinuance.**
  - (b) The geographic area, exchange, or exchanges where the discontinuance will occur.**
  - (c) A list of alternative providers in the service area that offer comparable voice service with reliable access to 9-1-1 and emergency services through any technology or medium.**
  - (d) The number and segment or segments of customers that will be affected by the discontinuance.**
  - (e) The method by which customers or interconnecting providers were notified of the discontinuance, such as by first-class mail, within customer bills, or under the terms of the interconnection agreement.**
  - (f) The reason for the discontinuance.**
  - (g) A statement of the provider’s prospective intent for the disposition of its license and any tariffs on file with the commission.**
- (2) An exhibit attached to the notice in subrule (1) of this rule must include, but is not limited to, all of the following:**
- (a) A copy of the section 214 of the federal telecommunications act of 1996, 47 USC 214, application filing with the Federal Communications Commission.**
  - (b) A copy of the newspaper publication notice. The affidavit of publication from the newspaper or newspapers must be filed separately in the docket once publication is complete.**
  - (c) A copy of the notice provided to customers.**



**(d) A copy of the notice provided to interconnecting providers, if applicable, as provided for in section 313 of the act, MCL 484.2313. If not applicable, the provider shall note accordingly in the notice to the commission.**

**(3) An incumbent local exchange carrier that proposes to discontinue service to a geographic area, exchange, or exchanges, in addition to providing the materials listed in subrule (2)(a) to (d) of this rule, shall provide to the commission a clear and detailed description, including a map of the geographic boundary area to which the discontinuance of service would take place and the segment or segments of customers the proposed discontinuance applies.**

**(4) A provider that determines certain information in its notice is confidential may file that information with the commission as provided under section 210 of the act, MCL 484.2210.**

**(5) A provider is deemed to be in compliance with the requirements of subsections (1) – (3) by complying with subsection (2)(a) of the Rule, which requires filing with the MPSC a copy of its' application filing with the Federal Communications Commission under section 214 of the federal telecommunications act of 1996, 47 U.S.C. 214.**

**R 484.1013 Requirements for newspaper, customer and interconnecting provider notices under section 313(5)(a) of the act, MCL 484.2313.**

**Rule 13. The newspaper, customer, and interconnecting provider notices required under section 313(5)(a) of the act, MCL 484.2313, must include, but are not limited to, all of the following:**

**(a) Information for customers to contact the provider.**

**(b) The proposed date of the discontinuance.**

**(c) The geographic area, exchange, or exchanges where the discontinuance will occur.**

**(d) A list of alternative providers in the service area that offer comparable voice service with reliable access to 9-1-1 and emergency services through any technology or medium.**

**(e) The provider may comply with the requirements of this section by (i) providing a combined federal/state notice to customers via first class mail or within customer bills that satisfies the notice requirements under 47 C.F.R §63.71(a)(1)-(4); (ii) publishing a notice of the discontinuance of service in a newspaper of general circulation within the exchange that provides information that satisfies the notice requirements under 47 C.F.R §63.71(a)(1)-(4); and (iii) providing notice to any interconnecting telecommunications providers by first-class mail or other notice permitted under the terms of the interconnection agreement between the providers.**

**R 484.1014 Notice of discontinuance to the commission under section 313(5)(b), MCL 484.2313.**

**Rule 14. (1) On approval of the application filed with the Federal Communications Commission and not less than 90 days before discontinuing service, the provider proposing to discontinue service shall follow the notice steps in section 313(5)(b) of the act, MCL 484.2313. The notice to the commission filed under section 313(5)(b) of the act, MCL 484.2313, must include, but is not limited to, all of the following:**

**(a) The proposed date of discontinuance.**

**(b) The geographic area, exchange, or exchanges where the discontinuance will occur.**

**(c) A list of alternative providers in the service area that offer comparable voice service with reliable access to 9-1-1 and emergency services through any technology or medium.**

**(d) The number and segment or segments of remaining customers subject to the discontinuance.**

**(e) The method by which customers or interconnecting providers were provided the second notice of the discontinuance, such as by first-class mail, within customer bills, or under terms of the interconnection agreement.**

**(f) Any other relevant information pertaining to the discontinuance, such as additional attempts made at customer outreach outside of the requirements outlined in section 313 of the act, MCL 484.2313.**

**(2) An exhibit attached to the notice in subrule (1) of this rule must include, but is not limited to, all of the following:**

**(a) A copy of the Federal Communications Commission public notice showing the grant of approval of the discontinuance.**

**(b) A copy of the newspaper publication notice. The affidavit of publication from the newspaper or newspapers must be filed separately in the docket once publication is completed.**

**(c) A copy of the second notice to customers.**

**(d) A copy of the notice provided to interconnecting providers, if applicable, as provided for in section 313 of the act, MCL 484.2313. If not applicable, the provider shall note accordingly in the notice to the commission.**

**(3) A provider is deemed to be in compliance with the requirements of subsections (1) – (2) by complying with subsection (2)(a) of the Rule, which requires filing with the MPSC a copy of its' application filing with the Federal Communications Commission under section 214 of the federal telecommunications act of 1996, 47 U.S.C. 214.**

**R 484.1015 Requirements for newspaper, customer and interconnecting provider notices under section 313(5)(b), MCL 484.2313.**

**Rule 15. The newspaper, customer, and interconnecting provider notices required under section 313(5)(b) of the act, MCL 424.2313, must include, but are not limited to, all of the following:**

**(a) Information for customers to contact the provider.**

**(b) The proposed date of the discontinuance.**

**(c) The geographic area, exchange, or exchanges where the discontinuance will occur.**

**(d) A list of alternative providers in the service area that offer comparable voice service with reliable access to 9-1-1 and emergency services through any technology or medium.**

**(e) The provider may comply with the requirements of this section by (i) providing a combined federal/state notice to customers via first class mail or within customer bills that satisfies the notice requirements under 47 C.F.R §63.71(a)(1)-(4); (ii) publishing a notice of the discontinuance of service in a newspaper of general circulation within the exchange that provides information that satisfies the notice requirements under 47 C.F.R §63.71(a)(1)-(4); and (iii) providing notice to any interconnecting telecommunications providers by first-class mail or other notice permitted under the terms of the interconnection agreement between the providers.**

**R 484.1016 Other notice of discontinuance.**

**Rule 16. For a discontinuance of basic local exchange service that is subject to federal**

filing and notice requirements, but not subject to the requirements of section 313 of the act, MCL 484.2313, the provider is encouraged to consult with the commission to determine the most appropriate means of notification to customers and the commission.

**R 484.1017 Completion of discontinuance.**

**Rule 17. (1) The provider shall provide periodic updates of the status of the discontinuance and transition of its impacted customers as requested by the commission.**

**(2) The provider shall return all deposits to customers and apply all appropriate credits to customer accounts associated with the discontinued service within 30 days after the discontinuance.**

**(3) On completion of the discontinuance of service, the provider shall file a notice in the docket informing the commission of the completion.**

**R 484.1018 Reclamation of telephone numbers.**

**Rule 18. (1) Inactive telephone numbers of a provider that ceases to provide service are considered abandoned.**

**(2) The provider ceasing to provide service shall contact the North American Numbering Plan Administrator, the National Number Pool Administrator, and the National Portability Administration Center regarding the NPA-NXX-Xs affected by the discontinuation of service.**

**(3) The commission staff shall work with the North American Numbering Plan Administrator, the National Number Pool Administrator, and the National Portability Administration Center to assist in the reclamation of numbering resources.**

**PART 34. REMEDIES**

**R 484.1019 Remedies.**

**Rule 19. Violation of these rules may result in penalties issued under section 601 of the act, MCL 484.2601, including, but not limited to, revocation of a license to provide basic local exchange service.**



John LaPenta  
Counsel, State Regulatory  
1120 South Tryon Street  
Suite 700  
Charlotte, NC 28203  
brightspeed.com

August 14, 2023

**VIA E-FILE**

Ms. Lisa Felice  
Executive Secretary  
Michigan Public Service Commission  
7109 West Saginaw Hwy.  
Lansing, MI 48917

Re: In the Matter, on the Commission's own motion, to re-promulgate rules required by MCL 484.2202(1)(c)(iv); docket No. U-21368

Dear Ms. Felice:

Enclosed please find the Comments of Brightspeed of Central Michigan, Inc., Brightspeed of Michigan, Inc., Brightspeed of Northern Michigan, Inc. and Brightspeed of Upper Michigan, Inc. ("Brightspeed"), in Response to the Commission's July 7<sup>th</sup> Order.

If you have any questions, please do not hesitate to contact me at 704-575-5724 or via email at [john.lapenta@brightspeed.com](mailto:john.lapenta@brightspeed.com). Thank you.

Sincerely,

A handwritten signature in black ink that reads "John J. LaPenta". The signature is fluid and cursive, written over a light gray circular stamp.

John J. LaPenta  
Counsel, State Regulatory

**STATE OF MICHIGAN  
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION**

<b>In the matter, on the Commission’s own</b>	)	
<b>motion, to re-promulgate rules required by</b>	)	<b>Case No. 21368</b>
<b>MCL 484.2202(1)(c)(iv)</b>	)	
	)	

**COMMENTS OF BRIGHTSPEED IN RESPONSE TO JULY 7, 2023, ORDER**

COMES NOW Brightspeed of Central Michigan, Inc., Brightspeed of Michigan, Inc., Brightspeed of Northern Michigan, Inc. and Brightspeed of Upper Michigan, Inc. (“Brightspeed”) and files these comments in response to the Commission’s July 7, 2023, Order. Brightspeed appreciates the Commission for giving us the opportunity to respond to the proposed rule changes.

Brightspeed does not object to the proposed rule changes in Part 1 and Part 2.

Brightspeed does object to the new requirements in Part 3 including that of requiring newspaper publication. This is a burdensome and expensive requirement and in addition ineffective at reaching and informing customers in this current digital age. Newspaper readership is at an all-time low and legal sections in online version of newspapers are cumbersome to locate. In 2023 there are more efficient ways of reaching customers including notification on the Provider's website. If the MPSC ultimately determines that newspaper notice is a requirement, then Brightspeed recommends that the information required aligns with that of the existing notice rules under 47 C.F.R §63.71(a)(1)-(4).

Ideally, if the Provider abides by the current FCC regulations regarding discontinuance of service, filed under FCC section 214 of the federal telecommunications act of 1996, 47 U.S.C. 214, that should be sufficient for MPSC in lieu of proposed section 3 requirements.

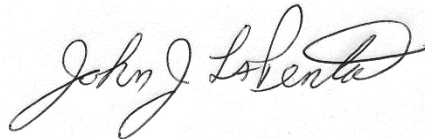
Finally, Part 3 seems to require the same discontinuance notice even if the Provider is only eliminating a product or service. If the Provider is substituting VOIP service at a lower cost with better service, reliability, and other features, it still seems that the Provider has to abide by all the same rules and regulations as if they were discontinuing all services. This would be an enormous burden on the Provider while it is improving the quality of service to the customer.

Based on the foregoing, Brightspeed does not object to the revisions in Part 1 and Part 2 but rather the onerous requirements and applicability in Part 3.

Please feel free to contact me if you wish to discuss this matter further or have any questions.

Respectfully submitted,

Brightspeed

A handwritten signature in cursive script that reads "John J. LaPenta". The signature is written in black ink and is positioned above the printed name and title.

John J. LaPenta  
Counsel, State Regulatory

Comments of Mr. Ronald Fenwick, Esq.

Bloomfield Hills, MI 48301

following requirements that providers of basic local exchange service must satisfy before being allowed to discontinue service: 911 Location Accuracy Currently, only POTS service immediately provides the exact address physical location of the caller to the 911 dispatcher. However, the physical location of a caller calling 911 using a cellphone can only be approximated using various mapping data. Therefore, unless the cellphone caller is able to accurately communicate their physical location to the 911 operator, it can take an inordinate amount of time to provide the needed emergency services to the caller. Such situations continue to happen and some have had deadly consequences. Therefore, until this problem is corrected, service to POTS customers must not be able to be discontinued. Deceptive Marketing and VOIP So many wireless customers were and still are unaware of this 911 location problem in many areas of the Country and this is due in large part to the fact that the telcos have failed to provide adequate and accurate notice to these subscribers of this very important disadvantage of wireless when they are making the decision to terminate their POTS service in favor of wireless service. Further, I believe that many of these wireless and VOIP customers would now reconsider their decision to terminate their POTS service after having been fully informed of the advantages of retaining that service. Attached is a mailing that I recently received from AT&T to try and get POTS customers to give up that service provides in part: "[G]et located in an emergency Just like before, you'll have access to local 911 service-so you can get help when you need it...." I also received this same information in an email from AT&T. See Attached. And just today, I searched on the Internet to find out how 911 calls using VOIP differ from POTS calls. I

was very confused by what I was reading but it appears that VOIP callers must make sure they correctly register their address with their provider otherwise their correct physical location may not be provided in their E911 calls. Also, if their internet connection is dropped or they lose power, their 911 calls also will be lost. So there definitely is this disadvantage with VOIP vs POTS but AT&T has not been accurately providing this very important information to customers. Therefore, based on the foregoing I urge the Commission to now include in these re-promulgated rules both of the foregoing requirements before allowing carriers to discontinue POTS service. Further, I'm requesting the Commission to immediately take action against AT&T regarding their deceptive marketing.



Ronald Fenwick

0003

[REDACTED]  
Bloomfield Hills, MI 48301-3457



## Keep your number. Keep your home phone. Pay less. See back for details.

Hi Ronald,

Staying connected is important and it should be simple. That's why AT&T Phone does everything your current phone line does for less than you currently pay. You can get our service for \$24.99/mo. for 12 months, plus taxes,\* including unlimited nationwide calling, as well as calls to Canada and Mexico, and enjoy staying in touch with family and friends.\*



### What's important stays the same

You get to keep your phone and number on your current fiber internet equipment.



### Get located in an emergency

Just like before, you'll have access to local 911 service—so you can get help when you need it.



### Digital Phone Call Protect

Automatically blocks calls from scammers and sends an alert when a call is suspected spam.<sup>1</sup>

Discover what's great about AT&T Phone at [att.com/discoverattphone](http://att.com/discoverattphone).

Digital Phone Call Protect: Req's customer opt-in & activation via myAT&T or myAT&T App. Service may inadvertently block or misidentify wanted calls and service messages as spam. For more details, go to [att.com/phonecallprotect](http://att.com/phonecallprotect).

## Ready to discuss some options?

Our friendly team is just a phone call away.

Call **888.906.3154**

Thanks for choosing us,

AT&T

A 0001 0003 62465 V004 000001494.1991312

*Received  
7/27/23*

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Geographic and service restrictions apply to AT&T Internet and AT&T Phone services.

**\*Unlimited North America Plan:** Pricing (\$24.99/mo. per line; maximum of two) for the first 12 mos. only for new residential AT&T Phone customers only. After 12 mos., or loss of eligibility, then prevailing rate applies, (currently \$34.99/mo.) unless canceled or changed prior to the end of 12 months. **Pricing subject to change.** Must maintain all bundled services to receive continual discount on plan. Includes unlimited nationwide calling within the U.S., plus calls to Canada, Mexico and U.S. Territories. International calls billed at additional per minute rates. An additional per minute rate may apply for international calls terminating on mobile phones. **Pricing** excludes taxes, additional fees and other charges, including a monthly Administrative Fee, Regulatory Cost Recovery Charge. See [att.com/fees](http://att.com/fees) for details.

**AT&T PHONE:** Service is provided over an Internet Protocol connection and powered by electricity in your home. Service requires AT&T Internet (min 1.5Mbps or higher). Not available as a standalone service. Unless you provide any necessary backup battery power, AT&T Phone service, including 911 dialing, will not function during a power outage. See [att.com/batterybackup](http://att.com/batterybackup) for more details.

**Offers may not be combined with other promotional offers on the same services and may be modified or discontinued at any time without notice. Other conditions apply.**

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