

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

PUBLIC SERVICE COMMISSION

UNBUNDLED NETWORK ELEMENT AND LOCAL INTERCONNECTION SERVICES

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

PART 1. GENERAL PROVISIONS

R 484.71 Applicability.

Rule 1. These rules apply to the provision of unbundled network elements and local interconnection services by an incumbent local exchange carrier to other providers which are used in the provision of basic local exchange service. These rules do not alter the scope or terms of any preexisting performance remedy plan and performance measurements approved by the commission.

History: 2010 AACCS; 2013 AACCS; 2016 AACCS; 2019 MR 1, Eff. Apr. 19, 2019.

R 484.72 Definitions.

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

(a) "Act" means the Michigan Telecommunications Act, 1991 PA 179, MCL 484.2101 to MCL 484.2601.

(b) "Federal act" means the telecommunications act of 1996, 101 stat. 101 (1996).

(c) "Incumbent local exchange carrier" or "ILEC" means that term as defined in 47 USC 251(h) and required to comply with the additional obligations in 47 USC 251(c).

(d) "Interconnection agreement" means an agreement between 2 or more providers entered into under sections 251 and 252 of the federal act.

(e) "Provider" means a person, firm, partnership, corporation, or other entity that provides basic local exchange service as defined by section 102(b) of the act, MCL 484.2102(b).

(2) A term defined in the act has the same meaning when used in these rules.

History: 2010 AACCS; 2013 AACCS; 2016 AACCS; 2019 MR 1, Eff. Apr. 19, 2019.

R 484.73 Expiration.

Rule 3. These rules expire 3 years from the effective date of the rules. The commission may, prior to the expiration of the rules, promulgate new rules.

History: 2010 AACCS; 2013 AACCS; 2016 AACCS; 2019 MR 1, Eff. Apr. 19, 2019.

PART 2. PROVISION OF UNBUNDLED NETWORK ELEMENTS AND LOCAL INTERCONNECTION

R 484.74 Quality standards.

Rule 4. (1) The quality standards for the provision of unbundled network elements and local interconnection by an ILEC shall be either of the following:

(a) Those standards in a preexisting performance remedy plan for an ILEC and performance measurements approved by the commission in an industrywide proceeding in Michigan, regardless of whether all providers participate in the plan.

(b) If a plan specified in subdivision (a) of this subrule does not exist for the ILEC, then the performance remedy plan and performance measurements negotiated or arbitrated by the parties in an interconnection agreement approved by the commission.

(2) Nothing in this rule shall entitle a provider to participate in a plan if the plan is not incorporated into its commission-approved interconnection agreement.

History: 2010 AACCS; 2013 AACCS; 2016 AACCS; 2019 MR 1, Eff. Apr. 19, 2019.

R 484.75 Remedies.

Rule 5. Nothing in this rule shall add to or detract from the remedies available to a provider under the plans referenced in R 484.74, the act, or the federal act.

History: 2010 AACCS; 2013 AACCS; 2016 AACCS; 2019 MR 1, Eff. Apr. 19, 2019.