

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

PUBLIC SERVICE COMMISSION

UNBUNDLED NETWORK ELEMENT AND LOCAL INTERCONNECTION SERVICES

Filed with the secretary of state on March 7, 2022

These rules become effective on April 19, 2022.

(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 484.71, R 484.72, R 484.73, R 484.74, and R 484.75 of the Michigan Administrative Code are re-adopted, as follows:

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.

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 484.2603.

(b) “Federal act” means the Telecommunications Act of 1996, Public Law 104-104.

(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, 47 USC 251 and 252.

(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.

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

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.

## 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 must 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 entitles a provider to participate in a plan if the plan is not incorporated into its commission-approved interconnection agreement.

### R 484.75 Remedies.

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