



PUBLIC NOTICE

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DA 04-686

WIRELINE COMPETITION BUREAU INITIATES PROCEEDING TO CONSIDER THE ALLTEL COMMUNICATIONS, INC. PETITION TO REDEFINE RURAL TELEPHONE COMPANY SERVICE AREAS IN THE STATE OF MICHIGAN

CC Docket No. 96-45

Release Date: March 12, 2004

The Wireline Competition Bureau (Bureau) provides notice that it is initiating a proceeding to consider a petition filed by ALLTEL Communications, Inc. (ALLTEL) requesting the Commission's agreement with the Michigan Public Service Commission's (Michigan Commission) decision to redefine the "service areas" of certain rural telephone companies in the state of Michigan.¹ Pursuant to section 54.207(c)(3) of the Commission's rules, the Bureau has 90 days from the release date of a Public Notice to initiate a proceeding to consider a petition to redefine the service area of a rural telephone company.² The Wireline Competition Bureau released a Public Notice seeking comment on ALLTEL's petition on December 30, 2003.³ The comment cycle established by that Public Notice closed on January 29, 2004.⁴

The Michigan Commission proposes to redefine the service areas of the following rural telephone companies: Century Telephone - Midwest, Inc., Century Telephone Company of Northern Michigan, Century Telephone of Michigan, CenturyTel of Upper Michigan, Pigeon Telephone Company,

¹*Petition of ALLTEL Communications, Inc. for Consent to Redefine the Service Areas of Rural Telephone Companies in the State of Michigan*, CC Docket No. 96-45, filed on December 17, 2003 (Petition). For areas served by a rural telephone company, section 214(e)(5) of the Communications Act of 1934, as amended (the Act), provides that the company's service area will be its study area "unless and until the Commission and the States, after taking into account the recommendations of a Federal-State Joint Board instituted under section 410(c), establish a different definition of service area for such company." 47 U.S.C. § 214(e)(5).

² 47 C.F.R. § 54.207(c)(3). If the Commission did not initiate a proceeding within 90 days of the release of the Public Notice, the definition proposed by the Michigan Commission would be deemed approved by the Commission and would take effect in accordance with state procedures. 47 C.F.R. § 54.207(c)(3)(ii).

³ See *Wireline Competition Bureau Seeks Comment on ALLTEL's Petition to Redefine Rural Telephone Company Service Areas in the State of Michigan*, CC Docket No. 96-45, Public Notice, DA 03-4112 (rel. Dec. 30, 2003).

⁴ See *id.*

Shiawassee Telephone Company, and Wolverine Telephone Company (collectively, Rural Telcos).⁵ The Michigan Commission proposes to redefine each Rural Telco service area into service areas that are coterminous with wire center boundaries.⁶

Pursuant to section 1.1206 of the Commission's rules, 47 C.F.R. § 1.1206, this proceeding will be conducted as a permit-but-disclose proceeding in which ex parte communications are permitted subject to disclosure. For further information, contact Thomas Buckley, Telecommunications Access Policy Division, Wireline Competition Bureau at (202) 418-7400, TTY (202) 418-0484.

⁵ Petition at 2-3; Exhibit A, *Application of ALLTEL Communications, Inc. for Designation as an Eligible Telecommunications Carrier Pursuant to Section 214(e)(2) of the Communications Act of 1934*, Case No. U-13765, Opinion and Order at 13-17 (Mich. Pub. Serv. Comm'n Sept. 11, 2003) (*Michigan Order*).

⁶ See Petition at 2; *Michigan Order* at 15-16.