

# Legislative Analysis

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## PSC TELECOMMUNICATIONS RULEMAKING

Mitchell Bean, Director  
Phone: (517) 373-8080  
<http://www.house.mi.gov/hfa>

### House Bill 6337

Sponsor: Rep. Ken Bradstreet

Committee: Energy and Technology

Complete to 11-24-04

## A SUMMARY OF HOUSE BILL 6337 AS INTRODUCED 11-10-04

The bill would amend the Michigan Telecommunications Act to allow the Michigan Public Service Commission to promulgate rules to administer and enforce the act.

The rulemaking authority would include promulgating rules to prohibit anticompetitive behaviors and relationships of providers that prevent the development and growth of competition in providing telecommunication services in the state. The rules promulgated would be limited to the jurisdiction and authority granted to the PSC by the act.

MCL 484.2213

[A recent decision by the Michigan Court of Appeals said that the PSC lacks the authority to promulgate rules under the Michigan Telecommunications Act as a result of the Michigan Supreme Court's finding in June 2000 that two sections of the Administrative Procedures Act are unconstitutional. The appeals court case is known as Verizon North, Inc. v Public Service Commission and the opinion was published September 16, 2004.]

### FISCAL IMPACT:

There is no fiscal impact on the State of Michigan government or local units of government.

Legislative Analyst: Chris Couch  
Fiscal Analyst: Richard Child

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