

Act No. 591
Public Acts of 2004
Approved by the Governor
January 3, 2005
Filed with the Secretary of State
January 4, 2005
EFFECTIVE DATE: January 4, 2005

**STATE OF MICHIGAN
92ND LEGISLATURE
REGULAR SESSION OF 2004**

Introduced by Reps. Bradstreet, LaJoy and Rivet

ENROLLED HOUSE BILL No. 6337

AN ACT to amend 1991 PA 179, entitled "An act to regulate and insure the availability of certain telecommunication services; to prescribe the powers and duties of certain state agencies and officials; to prescribe penalties; to repeal certain acts and parts of acts; and to repeal this act on a specific date," by amending section 213 (MCL 484.2213), as amended by 2000 PA 295; and to repeal acts and parts of acts.

The People of the State of Michigan enact:

Sec. 213. (1) Subject to section 201, the commission may promulgate rules under the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328.

(2) Effective September 1, 1996, the following administrative rules shall not apply to telecommunication providers or telecommunication services:

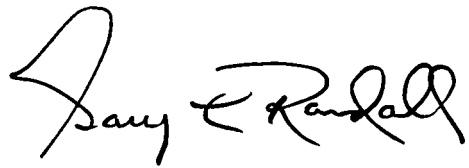
- (a) Electric power and communication lines: R 460.581 to R 460.592.
- (b) Intrastate telephone services and facilities: R 460.1951 to R 460.1968.
- (c) Filing procedures for communications common carriers tariffs: R 460.2051 to R 460.2057.
- (d) Consumer standards and billing practices, residential telephone service: R 460.2211 to R 460.2279.
- (e) Uniform systems of accounts for class A and class B telephone companies: R 460.9041 and R 460.9059.

(3) Rules promulgated after January 1, 1996 under this act are considered to have been promulgated under the authority granted under subsection (1). R 484.453(5), 484.455(2), 484.455(3), 484.457(3), and 484.458(4) of the Michigan administrative code may not be enforced until a court determines that the rules do not exceed the commission's authority under this act. It is the legislature's intent that providers voluntarily comply with the rules until a court makes a determination. A provider that voluntarily agrees to abide by the rules does not relinquish its rights to challenge the legality of the rules.

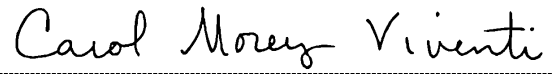
(4) A proceeding before the commission to promulgate rules under this act shall be concluded within 180 days from the date that the proceeding is initiated.

Enacting section 1. Section 213 of the Michigan telecommunications act, 1991 PA 179, MCL 484.2213, is repealed effective July 1, 2005.

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved

Governor