

# HOUSE BILL No. 6667

November 29, 2006, Introduced by Reps. Proos, Nofs, Hildenbrand, Green, Moore, Ball, Caul, Pearce, Emmons, Accavitti, Mayes, Hansen, Booher, Pavlov and Elsenheimer and referred to the Committee on Energy and Technology.

A bill to amend 2002 PA 48, entitled  
"Metropolitan extension telecommunications rights-of-way oversight  
act,"  
by amending section 5 (MCL 484.3105).

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 5. (1) A provider using or seeking to use public rights-  
2 of-way in a metropolitan area for its telecommunication facilities  
3 shall obtain a permit under section 15 from the municipality and  
4 pay all fees required under this act. Authorizations or permits  
5 previously obtained from a municipality under section 251 of the  
6 Michigan telecommunications act, 1991 PA 179, MCL 484.2251, satisfy  
7 the permit requirement of this section.

8           (2) A provider asserting rights under 1883 PA 129, MCL 484.1

1 to 484.10, is subject to the permit and fee requirements of this  
2 act.

3 ~~—— (3) Within 180 days from the effective date of this act, a~~  
4 ~~provider with facilities located in a public right of way as of the~~  
5 ~~effective date of this act that has not previously obtained~~  
6 ~~authorization or a permit under section 251 of the Michigan~~  
7 ~~telecommunications act, 1991 PA 179, MCL 484.2251, shall submit an~~  
8 ~~application for a permit to each municipality in which the provider~~  
9 ~~has facilities located in a public right of way. A provider~~  
10 ~~submitting an application under this subsection is not required to~~  
11 ~~pay the administrative fee required under section 6(4).~~

12 ~~—— (4) The authority may, for good cause, allow a provider up to~~  
13 ~~an additional 180 days to submit the application required under~~  
14 ~~subsection (3).~~

15 (3) NO LATER THAN MARCH 1 OF EACH YEAR, A PROVIDER WITH  
16 FACILITIES IN THIS STATE SHALL FILE WITH THE COMMISSION A REPORT  
17 THAT IDENTIFIES THE TOTAL NUMBER OF ACCESS LINES, BY EXCHANGES,  
18 THAT THE PROVIDER HAS IN THIS STATE.