

10-313 TALK AMERICA, INC. V. MICHIGAN BELL TELEPHONE CO.

DECISION BELOW: 597 F.3d 370

LOWER COURT CASE NUMBER: 07-2469, 07-2473

QUESTION PRESENTED:

Was the Michigan Public Service Commission barred from requiring incumbent local exchange carriers ("ILECs") to offer their competitors telecommunications facilities known as "entrance facilities" at cost-based rates under §251(c)(2) of the Telecommunications Act of 1996 as a result of a Federal Communications Commission rule eliminating ILECs' obligation to provide similar facilities under § 251(c)(3) when they are used by competitors for a different statutory purpose?

CONSOLIDATED WITH 10-329 FOR ONE HOUR ORAL ARGUMENT.

JUSTICE KAGAN TOOK NO PART.

CERT. GRANTED 12/10/2010