

# Michigan Public Service Commission

## Formal Video/Cable Complaint

*General complaint form for video/cable customers*

### **I Want to File a Complaint**

First, you must attempt to resolve your complaint directly with the company in question. Keep track of your calls to the company, including the date, time, who you spoke to, and what happened.

If you are unable to resolve the complaint directly with the company, you can seek assistance from the Michigan Public Service Commission (MPSC) Staff, pursuant to section 10 of the Uniform Video Services Local Franchise Act, Public Act 480 of 2006 as amended (Act). The Commission can provide guidance and assistance in resolving your complaint.

### **How to Contact the Public Service Commission**

**Phone:** 1-800-292-9555 (in Michigan)  
(517) 241-6911 (outside of Michigan)

**Fax:** (517) 241-2400

**Web:** [www.michigan.gov/mpsc](http://www.michigan.gov/mpsc)

**Mail:** Michigan Public Service Commission  
Attn: Video Franchising  
P.O. Box 30221  
Lansing, MI 48908

### **Formal Complaint Process**

If you have been unable to resolve your complaint, even after seeking assistance with MPSC Staff, you may file a formal complaint with the MPSC for violation of the Act. A copy of the statute is included in this package. Even if a formal hearing is scheduled, both you and the company can still choose to negotiate a settlement rather than go to a formal hearing. If you and the company do agree to settle, you must notify the Commission as soon as possible in writing that you no longer want to pursue your complaint.

**ATTENTION:** If the customer is a business or an organization that is **incorporated or a partnership**, it **must** be represented by an attorney at the formal hearing before the Commission. An individual has the right to either represent himself or herself in a formal hearing or to hire an attorney to assist in the formal hearing.

If your complaint involves \$5,000 or less, you and the other party must attempt to settle or mediate your dispute. If after the period of time as noted in section 10(5)(b) of the Act has elapsed and an agreement cannot be reached, then your dispute may go to a formal hearing.

If you file a formal complaint, the Commission will follow the hearing process described in the “Rules of Practice and Procedure before the Commission.” See, [http://www.state.mi.us/orr/emi/admincode.asp?AdminCode=Single&Admin\\_Num=46017101&Dpt=CI&RngHigh=](http://www.state.mi.us/orr/emi/admincode.asp?AdminCode=Single&Admin_Num=46017101&Dpt=CI&RngHigh=)

### **What to Expect**

After you file a formal complaint, an attorney from the Commission will review the complaint and any attachments to determine whether it states facts that would permit the Commission to grant the requested relief and complies with all requirements. If your complaint is approved to proceed to a hearing (referred to as “prima facie”), the Commission will mail you a notice with the time and date of your formal hearing. If the complaint is not “prima facie”, a letter of explanation will be mailed to you and no hearing will be scheduled.

For a prima facie complaint, the hearing will be held at the Commission’s offices in Lansing, before an administrative law judge (ALJ). The formal hearing is similar to a court hearing, but not as strict. A court reporter will record what is said. The ALJ will consider the testimony and evidence presented. You have the burden to prove the merits of your complaint. The ALJ will make a decision based upon the evidence presented. If you do not agree with ALJ’s determination, you may object by filing exceptions. Thereafter, the Commission will review the evidence and arguments and make a decision.

**You must present the evidence to support your complaint and your requested relief. Remember -- All documentation that you intend to rely upon at the hearing must be filed with the complaint.**

Also, you and the video/cable company can choose to negotiate a settlement for your complaint so that you do not have to go to the hearing.

Finally, please be aware that if the Commission finds that a party’s complaint or defense filed under this section is frivolous, the Commission may award to the prevailing party costs, including reasonable attorney fees, against the non-prevailing party and their attorney.

### **Filling Out the Formal Complaint Form**

Describe your complaint. State what unlawful or unreasonable acts or failure to act occurred. This can be a simple chronology or a list of events and your contacts with the video/cable company in question. State which rule or statute you believe was violated. State the relief or resolution you are requesting. Please be specific. The Commission does not have the authority to award compensation for pain and suffering, inconvenience, or irritation.

Provide details on your complaint and the requested relief or resolution in the space provided.

Attach documents, photos, letters, notices and other materials to support your case. Include additional sheets if necessary. Anything you intend to use at the formal hearing must be included in your complaint.

Sign and date your formal complaint form. Please make **7 copies** for submission to the Commission and return this form (with the 7 copies) to:

***Michigan Public Service Commission  
Executive Secretary  
6545 Mercantile Way  
Lansing, MI 48910***

NOTE: For your further information, copies of the following documents can be downloaded from the MPSC website. To access them, go to **michigan.gov/mpsc**, then click on **Video/Cable button** on the left hand side of the screen and then click on **“Statutes, Rules and Standards”** on the right hand of the screen.

**Uniform Video Services Local Franchise Act – PA 480 of 2006**

**Uniform Video Services Dispute Resolution Process – PA 4 of 2009**

**Amended Uniform Video Services Local Franchise Agreement**

**Michigan Telecommunications Act**

**STATE OF MICHIGAN  
Michigan Public Service Commission  
6545 Mercantile Way -- P.O. Box 30221  
Lansing, Michigan 48909**

In the matter of the complaint of \_\_\_\_\_  
**(Complainant's name)**

Case Number: \_\_\_\_\_  
**(Leave Blank)**

against \_\_\_\_\_  
**(Company name)**

**FORMAL COMPLAINT**

I, \_\_\_\_\_  
**(State your name and if a business or organization, state your position)**

brings this Formal Complaint against:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
**(State the Company Name, Street Address, City, State, Zip Code)**

for violation of the Uniform Video Services Local Franchise Act. I request that a contested case be conducted against this party, including a hearing before an administrative law judge.

Please provide a detailed description of your video/cable (not satellite or internet) complaint. Also include your contacts with the company and their response or resolution to the complaint. *Attach any needed documents and/or extra sheets to this complaint form.* This information can be typed or neatly handwritten.





a result of the violation. The Act gives the Commission certain discretion to set the amount of any fine leveled against the provider between the specified statutory parameters. Check the appropriate box below.

- I am not requesting the Commission to impose any fine.
- I am requesting the Commission to impose a fine.

I attest that the facts stated in this complaint are true to the best of my knowledge.

\_\_\_\_\_  
**Your Signature**

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Address**

\_\_\_\_\_  
**City State Zip**

\_\_\_\_\_  
**Day Time Phone number**

\_\_\_\_\_  
**Fax Number**

\_\_\_\_\_  
**E-mail address**

**NOTE:** You must attach to this complaint copies of all documents or other evidence that you intend to rely upon at hearing. Failure to do so will subject your complaint to delay or dismissal. See, Section 203 of PA 179 of 1991 as amended.

**MICHIGAN PUBLIC SERVICE COMMISSION**  
**6545 Mercantile Way Suite #7**  
**Lansing, MI 48911**  
**Phone: 517-241-6180**

**To get to the Offices of the Michigan Public Service Commission (MPSC) from I-96:** You should take Exit number 104 the Cedar Street/Holt Exit. As you exit the freeway you will see the offices of the MPSC off to your left. When you come to the traffic light, turn left (South) on Pennsylvania. At the second traffic light, you will see a Zeus' Restaurant on the corner; turn left (East) onto Pierpont Street. You will see a Days Inn on the right. In less than a half a block the street turns to the left. This is Mercantile Way. The MPSC offices are located in the two-story building on the right hand side of the street, 6545 Mercantile Way. Enter the building at Suite #7 and see the receptionist.



Please direct any problems to [mpsc.webmaster@michigan.gov](mailto:mpsc.webmaster@michigan.gov)