

Michigan Public Service Commission Formal Telecommunications Complaint Form

Revised June 2019

I Want to File a Complaint

The Michigan Public Service Commission (MPSC) Staff recommends that you first attempt to resolve your complaint directly with the company in question. The company's customer service number should be listed on your bill. Document your experience with the company, including dates and contact names.

If you are unable to resolve the complaint directly with the company, MPSC Staff would then recommend that you have the option to file an informal complaint with the MPSC. If you are still unable to resolve your complaint, you then may file a formal complaint, as explained in the section below. MPSC Staff cannot represent you in any complaint, but we may be able to provide guidance to assist you in resolving your complaint.

How to Contact the Public Service Commission

Phone: 800-292-9555 (in Michigan) or
517-284-8295 (outside of Michigan)

Fax: 517-284-8200

Website: Michigan.gov/mpsc

Mail: Michigan Public Service Commission
Attn: Telecommunications Division
P.O. Box 30221
Lansing, Michigan 48909

Walk-In: Michigan Public Service Commission
7109 W. Saginaw Highway
Lansing, Michigan 48917

Formal Complaint Process – What to Expect

If you have not been able to resolve your complaint through informal means, you may then file a formal complaint with the MPSC for violation of the Michigan Telecommunications Act (MTA). An attorney from the Commission will review the complaint and any attachments to determine whether the information states facts that permit the Commission to commence a proceeding of the matters raised in the complaint. The submitted information is evaluated pursuant to the necessary requirements. Complaints approved to proceed to a hearing are deemed to be “prima facie”. If the complaint is found to not be prima facie, a letter of explanation will be mailed to you.

If your complaint is prima facie and involves a dispute amount of \$1,000 or less, you and the other party shall attempt alternative means of resolving the complaint for a period of 60 days after the complaint is filed under Section 203 of the MTA. If you and the other party cannot agree on an alternative means within 10 days after the date the complaint is filed, the MPSC shall order mediation. During this process, both you and the company can still choose to negotiate a settlement rather than go to a formal hearing. If you and the company agree to settle, then you must notify the Commission as soon as possible in writing that you no longer wish to pursue your complaint.

If after the period of time as noted in Section 203a has elapsed and an agreement cannot be reached, then the dispute may go to a formal hearing.

The Commission will follow the hearing process described in the “Rules of Practice and Procedure before the Commission.” Such information can be found at:

http://dmbinternet.state.mi.us/DMB/ORRDocs/AdminCode/1742_2017-066LR_AdminCode.pdf

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

NOTE: The Commission's authority is limited to that granted by the MTA. The Commission does not have authority over every telecommunications service and provider. In general, the Commission regulates basic local telephone service. The following services are classified as unregulated in the MTA:

- Enhanced services
- Mobile
- Video
- Shared tenant
- Radio and television
- 800 prefix services
- Payphone services
- Interconnected voice over internet protocol service
- Reselling of an unlicensed telecommunication service
- Except for state institutions of higher education, the reselling of centrex or its equivalent
- Paging
- Answering services
- Cable service
- Private networks
- WATS
- Burglar and fire alarm services
- Municipally owned telecommunications system
- Cellular
- Retail broadband service
- Pay-per-view
- Financial services networks
- Personal communication networks
- Energy management services

**Video/cable television services are covered under the Uniform Video Services Local Franchise Act (Public Act 480 of 2006)*

The Commission will mail you a notice with the time and date of your formal hearing. Your hearing will be held before an Administrative Law Judge (ALJ) at the Commission’s office in Lansing. Formal hearings are similar to court hearings. A court reporter will record what is said during the hearing. 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 proposed decision based upon the evidence presented. If you do not agree with the ALJ’s proposed determination, you may object by filing exceptions. Thereafter, the Commission will review the evidence and arguments and render a final 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. When filing a formal complaint, you acknowledge and agree that all information, including personally identifiable information, which has been provided in support of the complaint, may be released by the Michigan Public Service Commission to the provider and to the provider’s representatives in order to investigate and process your complaint.

Finally, please be aware that if the Commission finds that a party’s complaint or defense filed under the MTA 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 as detailed as possible. State what unlawful or unreasonable acts (or failure to act) occurred. This can be a simple chronology or a list of events and your interactions with the telephone company in question. **You must state which statute or rule you believe was violated.** You must include 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, and/or irritation. Provide details of 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 seven (7) **copies** for submission to the Commission and return this form to one of the following:

Mail: Michigan Public Service Commission
Executive Secretary
P.O. Box 30221
Lansing, MI 48909

Overnight Delivery: Michigan Public Service Commission
(FedEx, UPS, etc) **Executive Secretary**
7109 W. Saginaw Highway
Lansing, MI 48917

NOTE: For further information, copies of the following documents can be accessed from the MPSC website. To locate them, go to michigan.gov/mpsc or click on the following link:

[The Michigan Telecommunications Act \(MTA\)](#)

[Administrative Hearing Rules](#)

**STATE OF MICHIGAN
Michigan Public Service Commission
7109 W. Saginaw Hwy.
Lansing, Michigan 48917**

In the matter of the complaint of

Case Number: _____
(Leave Blank)

(Complainant's name)

against

(Company name)

FORMAL COMPLAINT

I,

(State your name and if a business or organization, state your position)

bring this Formal Complaint against:

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

for violation of the Michigan Telecommunications Act. I request that a contested case be conducted against this party, including a hearing before an administrative law judge.

The telephone number(s) involved in this complaint (include the area code):

() _____

() _____

() _____

REQUESTED RELIEF

Please state what you are requesting as a resolution for your complaint. Include information describing the role you want the Commission to take in obtaining the desired resolution. This information can be typed or neatly handwritten.

The Act provides the Commission with the ability to impose fines for violations of the Act. As provided in Section 601 of the MTA, if after notice and hearing the Commission finds that a person has violated this Act, the Commission shall order remedies and penalties to protect and make whole ratepayers and other persons who have suffered an economic loss as a result of the violation. The MTA provides the Commission certain discretion to set the amount of any fine leveled against the provider between the specified statutory parameters. Check the appropriate line below:

___ I am not requesting the Commission to impose any fine.

___ I am requesting the Commission to impose a fine.

I acknowledge and agree that all information, including personally identifiable information, which I have provided in my Complaint may be released by the Michigan Public Service Commission to the provider and to the provider's representatives in order to investigate and process my Complaint.

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

Your Signature

Date

Street 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.