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December 17, 2015

Consumer Advisory – Michigan Public Service Commission Ceases Video Franchise Operations – Effective December 31, 2015

The section of the Video Franchise Act (PA 480 of 2006) that provides funding for the activities delegated to the Michigan Public Service Commission (MPSC) sunsets on December 31, 2015. Here is the pertinent excerpt from that act.

> ***** 484.3315 THIS SECTION DOES NOT APPLY AFTER DECEMBER 31, 2015 *****
> 484.3315 Costs to commission in exercising duties; assessment of amount against each video service provider; limitation; deduction; credit of payments to special account; applicability of section.
>
> Sec. 15. (1) Effective January 1, 2010, the commission within 30 days after the enactment into law of any appropriation to it shall ascertain the amount of the appropriation attributable to the actual costs to the commission in exercising its duties under this act and that amount shall be assessed against each video service provider doing business in this state. Each provider shall pay a portion of the total assessment in the same proportion that its number of subscribers for the preceding calendar year bears to the total number of video service subscribers in the state. The total assessment under this section shall not exceed $1,000,000.00 annually.
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> (2) For the state fiscal year commencing October 1, 2009 and annually thereafter, there shall be deducted from any amount to be assessed under subsection (1) an amount equal to the difference by which the actual expenditures of the commission attributable to exercising its duties under this act for the previous fiscal year are less than the amount assessed against each video service provider in the previous fiscal year. The deductions shall be made in the same proportion as the original assessment in subsection (1).
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> (3) All money paid into the state treasury by a video service provider under subsection (1) shall be credited to a special account, to be utilized solely to finance the cost to the commission of exercising its duties under this act.
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> (4) This section does not apply after December 31, 2015.
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> History: Add. 2009, Act 191, Imd. Eff. Dec. 22, 2009.

The Legislature has taken no action to extend this sunset, therefore, the MPSC has no funding available to conduct any of the video franchise activities as required by law and shall cease video/cable franchise operations on December 31, 2015. The MPSC will no longer take consumer video/cable complaints. Consumers should contact their video/cable provider with any complaints related to their service after December 31, 2015.