

Michigan Public Service Commission

Formal Video/Cable Complaint

General complaint form for video/cable customers

I Want to File a Formal Complaint

First, you must attempt to resolve your complaint directly with the company in question. Document your experience with the company including dates and contact names.

If you are unable to resolve the complaint with the company you may seek assistance from 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)

Fax: (517) 284-8200

Web: michigan.gov/mpsc

Mail: Michigan Public Service Commission
Attn: Video Franchising
P.O. Box 30221
Lansing, MI 48909

Formal Complaint Process

If you have not been able to resolve your complaint after seeking assistance with MPSC Staff (informal complaint process) you may then file a formal complaint. A copy of the statute is included in this package. 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 agree to settle the complainant 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**, 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. 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 the 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.” Such information can be found at:

http://www.state.mi.us/orr/emi/admincode.asp?AdminCode=Single&Admin_Num=46017101&Dpt=CI&RngHigh=

What to Expect

After a formal complaint has been filed, an attorney from the Commission will review the complaint and any attachments to determine whether the information states facts that permit the Commission to grant the requested relief. The submitted information is evaluated pursuant to the necessary 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 found to not be “prima facie” a letter of explanation will be mailed to you and no hearing will be scheduled.

Hearings are held before an Administrative Law Judge (ALJ) at the Commission’s office in Lansing. The formal hearing is similar to a court hearing. A court reporter will record what is said during the hearing. The ALJ will consider the testimony and evidence presented. Complainants have the burden to prove the merits of your complaint. The ALJ will make a decision based upon the evidence presented. If a complainant does not agree with the ALJ’s final determination, you may object by filing exceptions. Thereafter, the Commission will review the evidence and arguments and make a decision.

Complainants 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 as detailed as possible. State what unlawful and/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. 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 **7 copies** for submission to the Commission and return this form (with the 7 copies) to:

***Michigan Public Service Commission
Executive Secretary
P.O. Box 30221
7109 W. Saginaw Highway
Lansing, MI 48909***

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 the Video/Cable button on the left hand side of the screen and then click on “Statutes, Rules and Standards” on the right hand side 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
7109 W. Saginaw Highway -- 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)

bring 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.