

# **Michigan Public Service Commission Formal Video/Cable Complaint Form**

*Revised June 2019*

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

Before filing a complaint with the Michigan Public Service Commission (MPSC), 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 file an informal complaint with MPSC Staff pursuant to section 10 of the Uniform Video Services Local Franchise Act, Public Act 480 of 2006 as amended (Act). 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 but 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

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

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

**Walk-In:** Michigan Public Service Commission  
7109 W. Saginaw Hwy  
Lansing, MI 48917

## **Formal Complaint Process – What to Expect**

If you are unable able to resolve your complaint after seeking assistance from MPSC Staff (informal complaint process), you may then file a formal complaint. 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 approved, and involves a disputed amount of \$5,000 or less, you and the other party must attempt to settle or mediate your dispute. The MPSC will appoint a mediator. 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 10(5)(b) of the Act 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](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.

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 Section 14 of the Act is frivolous, the Commission may award to the prevailing party costs, including reasonable attorney fees against the non-prevailing party and their attorney.

## **Filing 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. You must state which rule or statute 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 **7 copies** for submission to the Commission and return this form (with the 7 copies) to:

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

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

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

**[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  
Lansing, Michigan 48917**

In the matter of the complaint of

Case Number: \_\_\_\_\_

\_\_\_\_\_  
**(Complainant's name)**

\_\_\_\_\_  
**(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.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*Revised June 2019*





The Act provides the Commission with the ability to impose fines for violations of the Act. As provided in Section 14(1) of Act 480, 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 persons who have suffered damages as 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 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.