



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENERGY, LABOR & ECONOMIC GROWTH
PUBLIC SERVICE COMMISSION

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October 29, 2010

To cities/villages/townships:

On December 21, 2006, Public Act 480 of 2006, MCL 484.3301 et seq, the "Uniform Video Services Local Franchise Act" was signed into law. The Michigan Public Service Commission (MPSC) is the agency designated to implement the Act. This letter is being sent to municipalities (franchise entities) within the state of Michigan.

Section 12 (2) of the Act states:

The commission shall file a report with the governor and legislature by February 1 of each year that shall include information on the status of competition for video services in this state and recommendations for any needed legislation. A video service provider shall submit to the commission any information requested by the commission necessary for the preparation of the annual report required under this subsection. The obligation of a video service provider under this subsection is limited to the submission of information generated or gathered in the normal course of business.

To assist MPSC Staff with gathering information for the report to the Governor and Legislature, please complete our electronic survey, which is located at www.michigan.gov/mpsc. Beginning on November 1, click on the Video/Cable link and look for the survey in the Spotlight section. Please submit your responses to the survey by **November 30, 2010**. The survey is quick and easy, and should take about 10-15 minutes of your time. It is important that MPSC Staff not only receive feedback from the providers, but also the franchise entities as well. This survey is conducted on an annual basis.

Your cooperation in submitting your survey answers to this office is greatly appreciated. Should you have any questions regarding this information, please contact Ryan McAnany, of my staff, at (517) 241-6139 or at mcananyr@michigan.gov.

Very truly yours,

Robin P. Ancona

Robin P. Ancona, Director
Telecommunications Division

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Consumer Alert

FILING A VIDEO/CABLE TELEVISION COMPLAINT

The MPSC's role in handling video/cable television complaints

On December 21, 2006, Governor Granholm signed legislation to promote competition for video services in the state of Michigan. Public Act 480 of 2006, or as it is more commonly known, the "Uniform Video Services Local Franchise Act" charges the Michigan Public Service Commission (MPSC) with implementing the Act. The MPSC now has the responsibility to handle cable inquiries and complaints.

Are you having a problem with your video/cable television provider?

If you are experiencing problems with your provider, you should first contact your provider and attempt to resolve your dispute with them.

Not satisfied? File an informal complaint with the MPSC

If you are dissatisfied with the provider's response, or the dispute is not resolved to your satisfaction, you may file an informal complaint with the MPSC.

How does the informal complaint process work?

- A customer contacts the MPSC with a video/cable television complaint.
- MPSC Staff forwards the complaint to the provider and informally mediates (if necessary) between the provider and the customer.
- The provider is allowed up to 10 business days (under normal circumstances) to respond and provide a detailed resolution to both the customer and the MPSC.

Still not satisfied? File a formal complaint and request a hearing

If you remain dissatisfied even after the Staff has completed the informal complaint process, you may file a Formal Complaint.

A customer will be permitted to file a formal complaint **only**:

- After the informal complaint process has been completed; and
- a satisfactory resolution has not been reached between the provider and the customer.

To request a formal hearing, prepare a letter of complaint explaining the problem. Send the original and seven (7) copies of the letter/complaint to the MPSC at the following address:

**Executive Secretary
MPSC
P.O. Box 30221
Lansing, MI 48909**

The written complaint must contain the following information:

- customer name, address, telephone number, and signature;
- the name and address of the provider with whom there is a disagreement;
- the location/address of the disputed action;
- the time and dates of the disputed actions;
- a description of exactly what happened – include all details, the names and addresses of any persons involved, disputed charges and costs.

Identify the specific section(s) of the Video Act that are alleged to have been violated and state sufficient facts to support the alleged violation(s). Specify the relief requested.

Next Action

MPSC Staff will review the formal complaint, and if the disputed amount is under \$5,000 and all required information is included, the Commission shall appoint a mediator within seven (7) business days of the date the complaint is filed. Mediation may include a review of the complaint and discussions with the customer and company. If through this process the customer and company are still unable to agree, the mediator will issue a recommended solution within 30 days from the date of appointment. The customer and company have 10 days to either accept or reject the recommendation. If the customer or company rejects the solution, the complaint proceeds to a formal hearing. If the dispute involves an amount over \$5,000, it proceeds directly to a contested case hearing with no prior mediation.

Formal Complaint Hearing Process

A formal complaint hearing is a trial-like proceeding. This means that the customer, the cable company, and MPSC Staff will come before an administrative law judge. A formal complaint proceeding is separate from any informal proceeding related to the problem that may have taken place. Lawyers represent the cable company. Customers may hire a lawyer, represent themselves (excluding some businesses), or bring someone to assist them. The customer must present information and witnesses, to prove or justify his/her position. The MPSC cannot provide a lawyer or pay any legal fees. After the hearing, the judge will issue a proposed decision. However, the MPSC

will make the final decision, and will issue its decision in a MPSC order. During this process the customer and the company may continue to try to settle the problem. However, the MPSC must approve any agreement that is reached.

Required Costs

If the customer or company rejects the mediator's decision and is found by MPSC order to be at fault, that party will be responsible for the legal costs of the other party. If both the customer and the company reject the mediator's decision, each party pays their own legal costs.

For more information:

For more information about filing a complaint, PA 480, or the dispute resolution process, go to the MPSC website at: www.michigan.gov/mpsc. Click on the [video/cable](#) button.

You may also contact the MPSC at:

Telecommunications Division
Attn: Video Franchising
6545 Mercantile Way
P.O. Box 30221
Lansing, MI 48909
Phone (866) 552-7725
Fax (517) 241-2400

Filing Satellite Complaints

The Federal Communications Commission (FCC) at: (888) 225-5322 or www.fcc.gov handles satellite complaints/inquiries.

STATE OF MICHIGAN
Department of Energy, Labor & Economic Growth
Michigan Public Service Commission
Customer Support Section
PO Box 30221
Lansing, MI 48909
800.292.9555
www.michigan.gov/mpsc
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