

Dispute Resolution: Franchise Entity (Municipality) or Provider vs. Provider

The Michigan Public Service Commission's (MPSC) role in informal and formal video/ cable television complaints:

Public Act 4 of 2009 — Providing a dispute resolution process for complaints between municipalities or providers and cable providers.

Who can File an informal complaint on behalf of a municipality/provider?

A municipality/provider may speak on behalf of itself when filing an informal complaint. Legal representation is not required until a formal complaint is filed.

What does a municipality/provider need to do to file an informal complaint?

The municipality/provider shall file a written notice of the dispute with the MPSC.

What information is required in the notice of dispute?

- Identifying the nature of the dispute.
- Language that requests an informal dispute resolution process.
- Language stating the other party has been served the notice of the dispute.

What happens after the notice is filed?

Commission staff will conduct an informal mediation with both parties in an attempt to resolve the dispute.

What if the dispute is not resolved with informal mediation?

If a satisfactory resolution to the dispute is not achieved, any named party in the complaint may file a formal complaint.

How does the formal complaint process begin?

- A representative submits the following, in writing, to the commission:
 - Information that states the section(s) of the public act or franchise agreement that was allegedly violated.
 - Sufficient facts to support the allegations.
 - The relief requested.
 - All information— testimony, exhibits and other documents— in possession the party intends to rely on to support the complaint.

How does the formal complaint process proceed?

- Once the complaint is filed each party has ten days to agree on alternative means to resolve the complaint.
- If no agreement is reached within 10 days, the Commission shall order mediation.
- Within 60 days from the date mediation is ordered, the mediator shall issue a recommended settlement.