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May 18, 2017

Kavita Kale, Executive Secretary  
Michigan Public Service Commission  
7109 W. Saginaw Hwy.  
Lansing, MI 48917

RE: MPSC Case No. U-18365 – Revised Application and Testimony

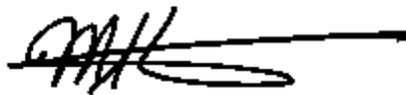
Dear Ms. Kale:

Enclosed for filing in the above-referenced matter, please find the ***REVISED Application of MCC Telephony of the Midwest, LLC for Temporary and Permanent Licenses to Provide Basic Local Exchange Service in the State of Michigan*** and the ***REVISED Prefiled Testimony Of Daniel P. Templin on Behalf of MCC Telephony of the Midwest, LLC***.

If you have any questions or concerns with the enclosed, please do not hesitate to contact me.

Very truly yours,

**Fraser Trebilcock Davis & Dunlap, P.C.**



Michael S. Ashton

MSA/ab  
Enclosures

STATE OF MICHIGAN

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

In the matter of the application of )  
MCC Telephony of the Midwest, LLC )  
for temporary and permanent licenses to ) Case No. U-18365  
provide basic local exchange service throughout )  
the State of Michigan in the zone and exchange )  
areas served by AT&T Michigan, Frontier )  
North, Inc., and Frontier Midstates, Inc. )  
\_\_\_\_\_ )

**REVISED APPLICATION OF MCC TELEPHONY OF THE MIDWEST, LLC FOR  
TEMPORARY AND PERMANENT LICENSES TO PROVIDE BASIC LOCAL  
EXCHANGE SERVICE IN THE STATE OF MICHIGAN**

MCC Telephony of the Midwest, LLC (“MCC” or “Applicant”), by and through its counsel, Fraser Trebilcock Davis & Dunlap, PC, pursuant to Sections 301(1), 301(2) and 302(1) of the Michigan Telecommunications Act (“MTA”), 1991 PA 179, as amended, MCL 484.2101 et seq.; hereby applies to the Michigan Public Service Commission (“Commission”) for a temporary and, ultimately, a permanent license to provide basic local exchange service in the incumbent geographic territories of AT&T Michigan; Frontier North, Inc.; and Frontier Midstates, Inc. in the state of Michigan. MCC proposes to provide basic local exchange service, as well as provide non-licensed and unregulated telecommunications services on a competitive basis.

MCC proposes to compete with the incumbent LECs, other competitive local carriers, and providers of long distance services by providing high quality, fairly-priced, innovative telecommunications services. MCC’s entry into the market will make efficient use of existing communications resources and increase diversification and reliability in the supply of communications services. Further, its services will aid the expansion of the telecommunications industry in Michigan.

Approval of this Application will further the purposes of the MTA, as well as the Federal Telecommunications Act of 1996 (“Act”). Therefore, MCC respectfully asks that the Commission grant it a permanent license after hearing. MCC further requests the granting of a temporary license to provide basic local exchange service throughout the State of Michigan in the zone and exchange areas in which Frontier North, Inc.; Frontier Midstates, Inc.; and AT&T Michigan are the incumbent local exchange carriers pursuant to Section 301(2) of the MTA. Section 301(2) states, “pending the determination of an application for a license the Commission without notice and hearing may issue a temporary license for a period not to exceed one year.” Granting MCC a temporary license will allow it to promptly begin the negotiation of interconnection arrangements with the incumbent carriers, which are a necessary prerequisite to MCC’s commencement of service in Michigan.

MCC will provide basic local exchange service under the temporary license in accordance with the regulatory requirements specified in the MTA. MCC will submit a final tariff reflecting the services that it will offer and identifying the specific zone and exchanges in which it will offer service.

In support thereof, MCC provides the following information:

**I. Name and Address of Applicant:**

MCC Telephony of the Midwest, LLC  
One Mediacom Way  
Mediacom Park, NY 10918  
Phone: 845-443-2600;  
Fax: 845-698-4570  
[www.mediacomcable.com](http://www.mediacomcable.com)

Correspondence concerning this Application should be directed to local counsel for MCC:

Michael S. Ashton  
Fraser Trebilcock Davis & Dunlap, PC  
124 W. Allegan, Suite 1000  
Lansing, MI 48933  
Phone: 517-377-0875  
[mashton@fraserlawfirm.com](mailto:mashton@fraserlawfirm.com)

**Regulatory Contact for MCC:**

Anne Sokolin-Maimon  
Vice President, Regulatory Affairs  
One Mediacom Way  
Mediacom Park, NY 10918  
Tel. (845) 443-2610  
Fax. (845) 698-4570  
Email: [amaimon@mediacomcc.com](mailto:amaimon@mediacomcc.com)

**Customer Complaints**

Applicant has established a toll free number for customers to use for any issues, including complaints. The toll free number is 1-844-274-6753.

**II. MCC Fully Meets the Requirement of Section 302(1) of the MTA for a License to Provide Basic Local Exchange Service**

Section 302(1) of the MTA (MCL 484.2302(1)) provides that, after notice and hearing, the Commission shall approve an application for a license if it finds that: a) the applicant possesses sufficient technical, financial, and managerial resources and abilities to provide basic local exchange service within the geographic area of the license and that the applicant intends to provide service within 1 year from the date the license is granted, and b) the granting of a license to the applicant would not be contrary to the public interest. As explained in further detail below, MCC fully meets the requirements of Section 302(1). In addition, as required by Section 203(7) of the MTA, MCC is filing the testimony of Daniel P. Templin, President of MCC and an employee knowledgeable about the operations of MCC, as well as several exhibits in support of this

Application. Upon issuance of a license, and the completion of negotiations with the incumbent carriers, MCC will promptly file, and electronically post to the Internet, a tariff that complies with all Commission rules and regulations and lists the rates, terms and conditions of service.

**a. Description or Identification of Geographic Area for Which License is Sought**

MCC will serve the zones and exchanges as mapped and described by Michigan's incumbent local exchange carriers, particularly Frontier North, Inc.; Frontier Midstates, Inc.; and AT&T Michigan (known collectively as "incumbent carriers" or "ILECs"). The local calling area will be the same, if not greater than the ILECs' existing local calling areas. This means that MCC's customers will have at least the same, or larger, local calling area as if they remained customers of the ILECs. MCC intends to mirror the map and legal description section of the tariffs and/or service guides filed by ILECs for the zones and exchanges it proposes to serve. MCC understands that any future modification to these zone and exchange boundaries or legal descriptions of these boundaries will be automatically mirrored by MCC on a going forward basis. If not mirrored, new detailed maps and legal descriptions, on an individual exchange basis, will be filed with the Commission for approval.

**b. Description of MCC's General Financial, Technical and Managerial Resources:**

MCC has more than sufficient financial, technical and managerial resources. As demonstrated below, MCC possesses enough capital to allow it to consistently provide the services proposed at a high level.

MCC was incorporated in Delaware. A copy of MCC's Certification from the State of Delaware and the Certificate to Transact Business in Michigan is attached as Exhibit 1 to the pre-filed testimony. A list of the officers of MCC is provided in Exhibit 2 to the pre-filed testimony.

All officers and directors may be contacted at the corporate headquarters address at One Mediacom Way, Mediacom Park, NY 10918.

MCC Telephony of the Midwest or an affiliate have collectively received certifications to operate as a competitive local exchange carrier in 21 states. These are: Alabama, Arizona, California, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Maryland, Minnesota, Mississippi, Missouri, North Carolina, Ohio, South Dakota, Tennessee, Virginia and Wisconsin.

Applicant's management team looks forward to using their managerial and technical experience to bring MCC's services to Michigan. MCC submits that their financial status and substantial experience and expertise demonstrated by these individuals ensures that it is fully capable of carrying out its proposal to bring new and economically priced telecommunications options to Michigan's marketplace.

**i. Financial:**

MCC has the financial resources necessary to carry out its responsibilities as a provider of the telecommunications services described in this Application. Please see the 2016 Annual Report of Mediacom LLC and Mediacom Capital Corporation, attached as Exhibit 3 to the pre-filed testimony. MCC is an affiliate of these two entities and has access to their financial resources.

**ii. Technical and Managerial:**

Please find Exhibit 4 of the pre-filed testimony documenting of MCC's significant technical and managerial resources provided via biographical resumes of management.

**iii. Corporate Structure**

MCC is a limited liability company organized in the State of Delaware. A copy of MCC's Articles of Organization is attached as Exhibit 1 to the pre-filed testimony and a corporate organizational chart is Exhibit 5 to the pre-filed testimony.

### **III. Demonstration of Applicant's Intent to Provide Service within One Year From the Date the License is Granted**

As demonstrated in Mr. Templin's testimony, MCC intends to offer service within one year of the date a license is granted by the Commission. As Mr. Templin notes, prior to the provision of service in Michigan, several important developments must occur. Among these developments are, the issuance of a license by the Michigan Public Service Commission and the completion and filing of a final tariff with the Commission for MCC's regulated basic local exchange services. Each of these activities may be subject to delay and difficulties beyond the control of MCC. It is MCC's intention to offer local exchange service in Michigan within one year from the date the license is granted.

#### **a. Description of Services**

MCC seeks a license to provide basic local exchange service, throughout all Frontier North, Inc.; Frontier Midstates, Inc.; and AT&T Michigan incumbent service territories. For the purposes of the application, MCC is submitting a draft tariff that is consistent with the illustrative tariff of the Commission Staff, but which includes rates, terms and conditions unique to MCC's business plan. Please note that, with respect to the illustrative local exchange tariff, certain details of MCC's provision of local exchange services, including the rates to be charged to customers, may be dependent upon the negotiation of agreements with the Incumbent or other carriers for facilities or services or with customers on an individual case basis. Upon issuance of a license, and the completion of negotiations with such carriers, MCC will promptly file and electronically post a tariff with the Commission that complies with all Commission rules and regulations and lists the rates, terms and conditions of service.

MCC will implement the procedures necessary to prevent any unfair marketing practices. MCC will comply with the applicable intraLATA access requirements of incumbent local

exchange telephone companies, and with all other applicable Commission rules, regulations and standards.

**b. Public Interest Impact**

Both the Michigan Legislature and the United States Congress have determined that it is in the public interest to promote competition in the provision of telecommunications services. As discussed above, the Federal Act was designed to promote increased competition in the telecommunications market. Moreover, the Commission has already determined that the granting of applications for competing licenses to provide basic local exchange services is in the public interest. Enhanced competition in telecommunications services likely will further stimulate economic development in Michigan.

**IV. Conclusion**

MCC has demonstrated that it possesses sufficient technical, financial and managerial resources and abilities to provide basic local exchange service in the areas requested. MCC has also demonstrated that granting the license will not adversely affect the public interest.

WHEREFORE, MCC respectfully requests that the Commission enter an order which:

(1) grants MCC a temporary license to provide basic local exchange services in the zone and exchange areas throughout the state of Michigan in the incumbent local exchange territories of Frontier North, Inc.; Frontier Midstates, Inc.; and AT&T Michigan and,

(2) grants MCC a permanent license to provide basic local exchange services in the zone and exchange areas throughout the incumbent local exchange territories of Frontier North, Inc.; Frontier Midstates, Inc.; and AT&T Michigan, pursuant to Section 302(1) of the Michigan Telecommunications Act, MCL 484.2302(1) and;

(3) grants such additional or further relief as may be necessary or appropriate.

Respectfully submitted,

Date: May 18, 2017

By: \_\_\_\_\_

Michael S. Ashton  
Fraser Trebilcock Davis & Dunlap, PC  
124 W. Allegan, Suite 1000  
Lansing, MI 48933  
Phone: 517-377-0875  
[mashton@fraserlawfirm.com](mailto:mashton@fraserlawfirm.com)

Attorneys for MCC

STATE OF MICHIGAN

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

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areas served by AT&T Michigan, Frontier )  
North, Inc., and Frontier Midstates, Inc., )  
\_\_\_\_\_ )

**REVISED PREFILED TESTIMONY OF DANIEL P. TEMPLIN**  
**ON BEHALF OF MCC TELEPHONY OF THE MIDWEST, LLC**

1 Q: PLEASE STATE YOUR NAME, TITLE, AND BUSINESS ADDRESS FOR  
2 THE RECORD.

3 A: My name is Daniel P. Templin and I am the President of MCC Telephony of the  
4 Midwest, LLC (“MCC” or “Applicant”). The company’s address is One Mediacom Way,  
5 Mediacom Park, NY 10918.

6 Q: WHAT ARE YOUR CURRENT JOB RESPONSIBILITIES?

7 A: In my capacity as President, I have responsibility for overall MCC operation,  
8 including network, financial and regulatory compliance.

9 Q: PLEASE GIVE A BRIEF DESCRIPTION OF YOUR BACKGROUND AND  
10 EXPERIENCE.

11 A: I have over 25 years of experience in telecommunications and other related  
12 industries, and have served as Mediacom’s (the parent company of MCC) Senior Vice  
13 President, Mediacom Business and President of Mediacom’s Telephony Entities since  
14 April 2011. My responsibilities for Mediacom Business include SMB and Enterprise

1 network services and also the OnMedia advertising sales unit. Prior to that time, I was  
2 MCC's Group Vice President, Strategic Marketing and Product Development since May  
3 2008. Before joining MCC, I served in a number of senior operations, product and  
4 marketing roles with Susquehanna Communications, Comcast and Jones Intercable.

5 **Q: WHAT IS THE PURPOSE OF YOUR TESTIMONY?**

6 A: The purpose of my testimony is to support the Application for temporary and  
7 permanent licenses to provide basic and local exchange services in the State of Michigan.

8 **Q: ARE YOU FAMILIAR WITH THE APPLICATION FILED ON YOUR**  
9 **COMPANY'S BEHALF AT THIS COMMISSION?**

10 A: Yes.

11 **Q: DO YOU RATIFY AND CONFIRM THE STATEMENTS MADE IN THAT**  
12 **APPLICATION?**

13 A: Yes.

14 **Q: PLEASE DESCRIBE MCC AND ITS CURRENT OPERATIONS.**

15 A: MCC Telephony of the Midwest, LLC. is a Delaware LLC and is authorized to do  
16 business in Michigan, which is my Exhibit 1. MCC is a wholly-owned subsidiary of  
17 Mediacom Communications Corporation ("Mediacom"). A corporate organizational chart  
18 is my Exhibit 5. Mediacom is the fifth largest cable operator in the U.S., serving almost  
19 1.4 million residential and business customer relationships in smaller markets primarily in  
20 the Midwest and Southeast. Mediacom offers a wide array of information,  
21 communications and entertainment services to households and businesses, including video,  
22 high-speed data ("HSD"), phone, and home security and automation. Through its

1 telephony subsidiaries, including MCC Telephony of the Midwest, LLC; Mediacom  
2 provides telephony services in 21 states.

3 **Q: HAS MCC, (OR ANY OF ITS SUBSIDIARIES) IN THE PAST, OR IS IT**  
4 **CURRENTLY, PROVIDING ANY TELECOMMUNICATIONS SERVICES IN**  
5 **MICHIGAN?**

6 A: MCC's affiliate, Mediacom Indiana, LLC, offers cable television and broadband  
7 services in Michigan.

8 **Q: PLEASE DESCRIBE THE MANAGERIAL ABILITIES OF THE**  
9 **APPLICANT.**

10 A: Applicant has a team of managers and support personnel qualified to operate a  
11 communications business. A listing of officers are set forth in my Exhibit 2 and my Exhibit  
12 4 setting forth the team's qualifications. The management team has many years of relevant  
13 experience in telecommunications.

14 **Q: PLEASE DESCRIBE THE APPLICANT'S FINANCIAL ABILITY TO**  
15 **PROVIDE SERVICE.**

16 A: MCC is financially qualified to operate as a provider of telecommunications  
17 services in Michigan and has the financial resources necessary to carry out its  
18 responsibilities as a provider of the telecommunications services described in its  
19 Application. Exhibit 3 is the 2016 Annual Report of Mediacom LLC and Mediacom  
20 Capital Corporation. MCC is an affiliate of these two entities and has access to their  
21 financial resources. This information demonstrates that MCC has sufficient financial  
22 resources to fully fund operations.

1 **Q: DOES APPLICANT CURRENTLY PROVIDE TELECOMMUNICATIONS**  
2 **SERVICE IN ANY OTHER STATES OR HAVE APPLICATIONS PENDING?**

3 A: MCC and/or its affiliates currently hold Certificates of Convenience and Necessity  
4 in twenty-one states. These are: Alabama, Arizona, California, Delaware, Florida,  
5 Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Maryland, Minnesota, Mississippi,  
6 Missouri, North Carolina, Ohio, South Dakota, Tennessee, Virginia and Wisconsin. MCC  
7 and/or its affiliates provide telephony and other telecommunications services in the listed  
8 states.

9 **Q: PLEASE DESCRIBE THE SERVICES APPLICANT INTENDS TO**  
10 **PROVIDE IN MICHIGAN.**

11 A: Applicant will be providing local exchange, intraLATA toll, and interLATA  
12 interexchange services in Michigan. MCC is also seeking a license so that it will have  
13 flexibility to meet a variety of customer requirements without the need to later seek  
14 additional authority.

15 **Q: DOES THIS CONCLUDE YOUR TESTIMONY?**

16 A: Yes.