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STATE OF MICHIGAN

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

In the matter of the application of
METRO FIBERNET, LLC, for a temporary
and permanent license to provide Basic
Local Exchange Service in all service
territories of Incumbent Local Exchange
Carriers (ILEC) throughout the State
of Michigan.

Case No. U-20507

Volume 1

_____ /

EVIDENTIARY HEARING

Proceedings held in the above-entitled
matter before Kandra K. Robbins, Administrative Law Judge
with MOAHR, at the Michigan Public Service Commission,
7109 West Saginaw, Lake Superior Room, Lansing, Michigan,
on Thursday, June 27, 2019, at 9:04 a.m.

APPEARANCES:

BRYAN A. BRANDENBURG, ESQ.
CLARK HILL, PLC
212 East Cesar E. Chavez Avenue
Lansing, Michigan 48906

On behalf of Metro Fibernet, LLC

MONICA M. STEPHENS,
Assistant Attorney General
7109 West Saginaw Highway, Floor 3
Lansing, Michigan 48917

On behalf of Michigan Public Service
Commission Staff

- - -

REPORTED BY: Marie T. Schroeder, CSR-2183

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I N D E X

WITNESS:	PAGE
JOHN CAMPBELL	
Direct Testimony bound in	7

E X H I B I T S

NUMBER	DESCRIPTION	MRKD	OFRD	RECD
M-1	Articles of Incorporation	3	5	11
M-2	Officers and Management Profiles	3	5	11
M-3	CONFIDENTIAL Financial Information	3	5	11
M-4	Testimony of John Campbell	3	5	11
M-5	Proposed Tariff	3	5	11

1 Lansing, Michigan

2 Thursday, June 27, 2019

3 9:04 a.m.

4 - - -

5 (Hearing commenced pursuant to due notice.)

6 /Documents were marked for identification by the
7 Court Reporter as Exhibits M-1, M-2, CONFIDENTIAL
8 M-3, M-4, and M-5.)

9 - - -

10 JUDGE ROBBINS: Good morning. We are on
11 the record. We are opening a record in Michigan Public
12 Service Commission Case No. U-20507, entitled: In the
13 matter of the application of Metro Fibernet, LLC, for a
14 temporary and permanent license to provide Basic Local
15 Exchange Service in all service territories of Incumbent
16 Local Exchange Carriers throughout the State of Michigan.

17 This is the time and place designated by
18 the Commission for the evidentiary hearing. I'm
19 Administrative Law Judge Kandra Robbins. I have been
20 assigned as the presiding officer in this matter. Can I
21 have counsel present their appearances on the record,
22 please. Mr. Brandenburg, we'll start with you.

23 MR. BRANDENBURG: Good morning, your
24 Honor. Bryan Brandenburg appearing on behalf of Metro
25 Fibernet.

Metro Court Reporters Inc. metrostate@sbcglobal.net

1 JUDGE ROBBINS: Thank you. Ms. Stephens.

2 MS. STEPHENS: Good morning, your Honor.

3 Monica Stephens on behalf of the MPSC Staff.

4 JUDGE ROBBINS: Thank you. And Mr.

5 Brandenburg, before we go any further, would you like to

6 put on the record the Company's compliance with the May

7 30, 2019 instructions regarding notice?

8 MR. BRANDENBURG: Yes. Thank you, your

9 Honor. Pursuant to the Commission's instructions, Metro

10 Fibernet mailed a notice of hearing to each ILEC and

11 CLEC, as well as each county clerk listed on the attached

12 exhibit, which I filed to the E-docket on June 18, 2019.

13 JUDGE ROBBINS: Thank you. And I do note

14 that the docket does reflect such a filing.

15 Ms. Stephens, does Staff have any

16 concerns with notice?

17 MS. STEPHENS: No, your Honor.

18 JUDGE ROBBINS: All right. And it's my

19 understanding then, Mr. Brandenburg, that on behalf of

20 the Company you're just asking to bind in the testimony

21 and exhibits; is that correct?

22 MR. BRANDENBURG: That is correct, your

23 Honor.

24 JUDGE ROBBINS: If you would like to put

25 that on the record, then.

1 MR. BRANDENBURG: Yes, thank you. At
2 this time Metro Fibernet moves to bind into the record
3 the direct testimony of John Campbell, which was included
4 in Metro Fibernet's application as Exhibit D. At this
5 time I would ask the Court Reporter to mark this exhibit
6 as M-4.

7 JUDGE ROBBINS: And then supporting
8 exhibits to that are they -- What are you going to do
9 with those exhibits?

10 MR. BRANDENBURG: There are four
11 additional exhibits included in Metro Fibernet's
12 application, Exhibit A, B, C, and E, and I would
13 respectfully request that they be re-marked as Exhibits
14 M-1, M-2, M-3, and M-5. And Fibernet would move to bind
15 those in the record at this point.

16 JUDGE ROBBINS: O.K. And the filing of
17 Exhibit C, which is now M-3, was marked confidential and
18 under seal. Are you still asking to have Exhibit 3
19 marked confidential and under seal?

20 MR. BRANDENBURG: Yes. Thank you, your
21 Honor.

22 JUDGE ROBBINS: All right. Anything
23 else, then?

24 MR. BRANDENBURG: Nothing from the
25 Company.

1 JUDGE ROBBINS: Ms. Stephens, on behalf
2 of Staff do you have any objection to binding in the
3 testimony of Mr. Campbell?

4 MS. STEPHENS: No, your Honor. No
5 objection.

6 (Testimony bound in.)

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STATE OF MICHIGAN

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

In the Matter of the Application of)	
)	
Metro Fibernet, LLC)	
)	
for a Temporary and Permanent License to)	
Provide Basic Local Exchange Service in all)	Case No. _____
Service territories of Incumbent Local Exchange)	
Carriers (“ILEC”) throughout the State of)	
Michigan)	

DIRECT TESTIMONY OF JOHN CAMPBELL

ON BEHALF OF

METRO FIBERNET, LLC

1 **Q. PLEASE STATE YOUR NAME AND BUSINESS ADDRESS.**

2 A. My name is John Campbell. My business address is 8837 Bond St., Overland Park, KS 66214.

3 **Q. WHAT IS YOUR POSITION WITH METRO FIBERNET, LLC?**

4 A. I am the Executive Vice President and General Counsel for Metro Fibernet, LLC (“Metro
5 Fibernet” or “Applicant”).

6 **Q. WHAT ARE YOUR PRINCIPAL RESPONSIBILITIES WITH THE APPLICANT?**

7 A. I oversee business development, human resources, and the legal and regulatory affairs of the
8 Applicant and its affiliate companies.

9 **Q. PLEASE DESCRIBE YOUR PROFESSIONAL BACKGROUND.**

10 A. I have 20 years of legal and regulatory experience working for communications companies. Prior
11 to Applicant, I served as the senior legal officer of a national wireless broadband provider. I also
12 gained extensive legal, real estate and regulatory experience while with Sprint Communications
13 Company and its affiliates. I am a graduate of Chicago-Kent College of Law.

14 **Q. WHAT IS THE PURPOSE OF YOUR TESTIMONY IN THIS PROCEEDING?**

15 A. I am offering testimony in support of Metro Fibernet’s Application filed with the Michigan Public
16 Service Commission (“MPSC” or “Commission”) for a temporary and a permanent license to
17 provide local exchange services and operate as a Competitive Local Exchange Carrier (“CLEC”)
18 in the state of Michigan. Applicant seeks to offer regulated telecommunications services as well
19 as unregulated competitive services throughout the state of Michigan. My testimony focuses on
20 Applicant’s managerial, technical, and financial qualifications to provide the telecommunications
21 services for which authority is requested.

22 **Q. PLEASE DESCRIBE THE AUTHORITY APPLICANT SEEKS FROM THE
23 COMMISSION.**

24 A. Applicant seeks a temporary and permanent license granting it authority to offer all forms of
25 resold and facilities-based local exchange services in all service territories of Incumbent Local
26 Exchange Carriers (“ILEC”) throughout the state of Michigan.

27 **Q. HAS THE APPLICANT REGISTERED TO DO BUSINESS IN MICHIGAN?**

28 A. Yes. The Applicant was issued a Certificate of Authority to transact business in Michigan. A
29 copy is attached to the Application as Exhibit A.

30 **Q. PLEASE PROVIDE A BRIEF OVERVIEW OF METRO FIBERNET, LLC.**

31 A. Applicant is organized under the laws of Nevada, headquartered in Evansville, Indiana, and is a
32 wholly owned subsidiary of MetroNet Holdings, LLC (“MetroNet Holdings”). Applicant
33 currently offers local exchange and other telecommunications services to residential and
34 commercial subscribers in Indiana, Illinois, and Kentucky. Applicant utilizes an all fiber optic

35 network to deliver its state-of-the-art services, including telephone, Internet, and video to its
36 customers.

37 **Q. WHY IS THE APPLICANT REQUESTING A TEMPORARY LICENSE?**

38 A. Applicant seeks a temporary license so that it may begin negotiating interconnection agreements
39 with ILECs in Michigan and commence building facilities required to provide local exchange
40 service.

41 **Q. IF AUTHORIZED TO PROVIDE LOCAL EXCHANGE SERVICES, DOES APPLICANT
42 AGREE TO ABIDE BY THE RULES, REGULATIONS, POLICIES, AND ORDERS OF
43 THE COMMISSION AND THE LAWS OF MICHIGAN IN ITS PROVISION OF
44 SERVICES?**

45 A. Yes.

46 **Q. WILL APPLICANT'S TARIFF CONTAIN ALL OF ITS RATES AND CHARGES AS
47 REQUIRED FOR INTRASTATE TELEPHONE SERVICES?**

48 A. Yes.

49 **Q. WHEN WILL APPLICANT COMMENCE PROVIDING LOCAL EXCHANGE
50 SERVICE?**

51 A. Applicant plans to begin providing service in Michigan as soon as possible and within one year of
52 receiving the Commission's approval of this Application.

53 **Q. WOULD GRANTING APPLICANT'S REQUEST FOR BOTH TEMPORARY AND
54 PERMANENT AUTHORITY BE CONSISTENT WITH THE PUBLIC INTEREST?**

55 A. Yes. Granting this application will further the public interest by increasing competition among
56 Michigan telecommunications providers and offering Michigan consumers more choices.
57 Applicant has a track record of successfully competing against incumbent providers, offering
58 consumers lower prices, better service packages and better overall customer service when it
59 enters a market.

60 **Q. DOES APPLICANT HAVE THE MANAGERIAL AND TECHNICAL RESOURCES TO
61 PROVIDE SERVICE TO CUSTOMERS IN MICHIGAN?**

62 A. Yes. Applicant possesses an experienced management team and operational staff capable of
63 ensuring its ability to comply with obligations required of applicants for licenses. A list of Senior
64 Management along with brief biographies is attached to the Application as Exhibit B.

65 **Q. DOES THE APPLICANT HAVE THE FINANCIAL RESOURCES TO PROVIDE
66 SERVICE TO CUSTOMERS IN MICHIGAN?**

67 A. Yes. Applicant is fully funded by Metronet Holdings, its parent corporation. Metronet Holdings
68 is also fully funded with significant capital commitments from its existing equity holders and a

69 \$225 Million syndicated credit facility. Financial statements are attached to the Application as
70 Confidential Exhibit C. As privately held entities, the financial statements of Applicant and
71 Metronet Holdings are not public. Consequently, Applicant is requesting confidential treatment
72 of Exhibit C pursuant to §210 of the Michigan Telecommunications Act (“MTA”).

73 **Q. DOES THIS CONCLUDE YOUR TESTIMONY?**

74 **A. Yes.**

1 JUDGE ROBBINS: And any objection to the
2 admission of the Exhibits 1, 2, 3, and 5, and then also
3 4, Mr. Campbell's testimony, just for clarity?

4 MS. STEPHENS: No objection, your Honor.

5 JUDGE ROBBINS: And no objection to No. 3
6 being under seal?

7 MS. STEPHENS: No, your Honor.

8 JUDGE ROBBINS: O.K. Anything else on
9 behalf of Staff?

10 MS. STEPHENS: Nothing else, your Honor.

11 JUDGE ROBBINS: All right. And at this
12 point is Staff opposing the application?

13 MS. STEPHENS: No, your Honor.

14 JUDGE ROBBINS: O.K. And are the parties
15 willing to waive Section 81 of the Administrative
16 Procedures Act and allow this to be transmitted directly
17 to the Commission?

18 MR. BRANDENBURG: Yes, your Honor.

19 MS. STEPHENS: Yes, your Honor.

20 JUDGE ROBBINS: All right. Anything else
21 then? All right with that, then we'll stand adjourned.
22 Thank you.

23 MR. BRANDENBURG: Thank you.

24 (At 9:15 a.m., the hearing adjourned.)

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C E R T I F I C A T E

I, Marie T. Schroeder, CSR-2183, do hereby certify that I reported in stenotype the proceedings had in the within-entitled matter, that being Case No. U-20507, before Kandra K. Robbins, Administrative Law Judge with MOAHR, at the Michigan Public Service Commission, Lansing, Michigan, on Thursday, June 27, 2019; and do further certify that the foregoing transcript, consisting of 12 pages, is a true and correct transcript of my stenotype notes.

Marie T. Schroeder, CSR-2183
33231 Grand River Avenue
Farmington, Michigan 48336
metrostate@sbcglobal.net

Dated: July 5, 2019