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July 8, 2020

Ms. Lisa Felice, Executive Secretary
Michigan Public Service Commission
7109 W. Saginaw Hwy.
Lansing, MI 48917

RE: MPSC Docket No. U-20845

Dear Ms. Felice:

Attached herewith for filing in the above-referenced matter, please find the *Entry of an Appearance in and Administrative Hearing, Response of CynergyComm.Net to the Michigan Public Service Commission's Show Cause Order Dated June 30, 2020, Direct Testimony of Sharon Maun and Certificate of Service* of same.

Thank you.

Very truly yours,

Fraser Trebilcock Davis & Dunlap, P.C.



Shaina R. Reed

SRR/ab
Attachments
cc: All parties of record

MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
PUBLIC SERVICE COMMISSION

ENTRY OF APPEARANCE IN AN ADMINISTRATIVE HEARING

This form is issued as provided for by 1939 PA 3, as amended, and by 1933 PA 254, as amended. The filing of this form, or an acceptable alternative, is necessary to ensure subsequent service of any hearing notices, Commission orders, and related hearing documents.

General Instructions:

Type or print legibly in ink. For assistance or clarification, please contact the Public Service Commission at (517) 284-8090.

*Please Note: The Commission will provide **electronic** service of documents to all parties in this proceeding.*

THIS APPEARANCE TO BE ENTERED IN ASSOCIATION WITH THE ADMINISTRATIVE HEARING:

Case / Company Name: _____ Docket No. _____

Please enter my appearance in the above-entitled matter on behalf of:

1. (Name)
2. (Name)
3. (Name)
4. (Name)
5. (Name)
6. (Name)
7. (Name)

Name _____

Address _____

City _____ State _____

Zip _____ Phone (____) _____

Email _____

Date _____

<input type="checkbox"/> I am not an attorney
<input type="checkbox"/> I am an attorney whose:
Michigan Bar # is P- _____
_____ Bar # is: _____
(state)

Signature: _____

Save Form

STATE OF MICHIGAN

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

In the matter, on the Commission’s own)
motion, directing CYNERGYCOMM.NET,)
INC. to show cause why it should not be)
found to be in violation of 1991 PA 179,)
Michigan Telecommunications Act.)
_____)

Case No. U-20845
(e-file paperless)

RESPONSE OF CYNERGYCOMM.NET, INC. TO THE MICHIGAN PUBLIC SERVICE COMMISSION’S SHOW CAUSE ORDER DATED JUNE 30, 2020

NOW COMES CynergyComm.net, Inc., by and through its attorneys, Fraser Trebilcock Davis & Dunlap, P.C., and in response to the Michigan Public Service Commission’s Show Cause Order Dated June 30, 2020, states as follows:

On June 30, 2020, the Michigan Public Service Commission issued a Show Cause Order requiring CynergyComm.net, Inc. (CynergyComm) to show cause why it should not be found in violation for non-compliance with MCL 484.2313(5). CynergyComm was directed by this Show Cause Order to respond to the allegations set forth in the Show Cause Order together with supporting documentation by July 9, 2020. CynergyComm submits this Response, together with the Direct Testimony of Sharon Maun, in response to the Show Cause Order.

As this Commission correctly points out in the Show Cause Order, CynergyComm is in the process of winding down its business. See pre-filed testimony from CynergyComm’s owner, Sharon Maun, at page 2, lines 6-8. CynergyComm has now retained counsel, the undersigned, to assist in the winding down and discontinuance of its business while complying with all applicable state and federal laws. *Id.* at 6-8; 12-14. CynergyComm is prepared to cooperate with Staff to help ensure compliance with these legal requirements. *Id.* at 9-11.

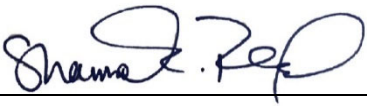


CynergyComm assures this Commission that it will continue to comply with all applicable state and federal laws, including MCL 484.2313(5), as it winds down. *Id.* at 9-14.

Further, CynergyComm has not discontinued its service or unilaterally disconnected a single customer from its services as a result of its earlier efforts to wind down its business, and will only do so in the future in a manner consistent with federal and state law. *Id.* at 15-21. CynergyComm will also cooperate with its customers as they seek alternate service. *Id.* at page 3, lines 1-2. Given the foregoing, CynergyComm respectfully requests that this Commission hold its Show Cause Order in abeyance, pending CynergyComm's continued compliance with all applicable state and federal discontinuance laws, including the (future) filing of an application to discontinue with the FCC.

FRASER TREBILCOCK DAVIS & DUNLAP, P.C.
Attorneys for CynergyComm.net, Inc.

Dated: July 8, 2020

By: 

Shaina R. Reed (P74740)
Fraser Trebilcock Davis & Dunlap, P.C.
124 W. Allegan, Ste. 1000
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STATE OF MICHIGAN

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DIRECT TESTIMONY OF

SHARON MAUN

ON BEHALF OF CYNERGYCOMM.NET, INC.

JULY 8, 2020

1 **Q. Please state your name, title, and business address.**

2 A. My name is Sharon Maun. I am the owner and president of CynergyComm.net, Inc.
3 (“CynergyComm”), a Florida corporation located at 158 Pelican Way, Panama City Beach,
4 Florida 32408. CynergyComm does business in Michigan, with an office at 6472 S. Straits
5 Highway, Indian River, Michigan 49749.

6 **Q. Is CynergyComm winding down its business operations?**

7 A. Yes, CynergyComm is in the process of winding down its business operations, with
8 assistance of counsel.

9 **Q. Will you cooperate, with assistance of your counsel, with Staff to ensure compliance**
10 **with all legal requirements relating to discontinuance of a telecommunication service?**

11 A. Yes.

12 **Q. Will you comply with all applicable state and federal laws relating to discontinuance**
13 **of a telecommunication service?**

14 A. Yes.

15 **Q. Is CynergyComm still providing service?**

16 A. Yes.

17 **Q. Has CynergyComm unilaterally discontinued any of its customers’ service as part of**
18 **the winding down?**

19 A. No.

20 **Q. How will CynergyComm discontinue its customers’ service?**

21 A. In a manner that is consistent with federal and state law.

1 Q. Will you cooperate with your customers as they seek alternate service?

2 A. Yes.

3 Q. Does this conclude your testimony?

4 A. Yes, it does.

STATE OF MICHIGAN

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

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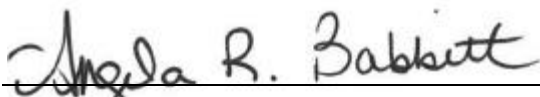
Case No. U-20845
(e-file paperless)

CERTIFICATE OF SERVICE

Angela R. Babbitt hereby certifies that on the 8th day of July, 2020, she served the *Entry of an Appearance in and Administrative Hearing, Response of CynergyComm.Net to the Michigan Public Service Commission's Show Cause Order Dated June 30, 2020, Direct Testimony of Sharon Maun* and this *Certificate of Service* in the above docket on the following persons via electronic mail:

Administrative Law Judge
Honorable Kandra K. Robbins
Michigan Public Service Commission
7109 W. Saginaw Hwy.
Lansing, MI 48917
Robbinsk1@michigan.gov

MPSC Staff
Benjamin J. Holwerda
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7109 W. Saginaw Hwy.
Lansing, MI 48917
holwerdab@michigan.gov



Angela R. Babbitt