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STATE OF MICHIGAN

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

In the matter of the application of
PB Michigan Fiber Asset Entity, LLC, Case No. U-21910
for a temporary and permanent license
to provide basic local exchange service Volume No. 1
in the incumbent local exchange carriers'
service territories throughout the State
of Michigan.

EVIDENTIARY HEARING

Proceedings held via Microsoft Teams in the
above-entitled matter before Christopher S. Saunders,
J.D., Administrative Law Judge with MOAHR, for the
Michigan Public Service Commission, Lansing, Michigan,
on Friday, July 18, 2025, at 9:01 a.m.

APPEARANCES:

KYLE A. O'MEARA, J.D.
TRENT J. CUNNINGHAM, J.D.
Fahey Schultz Burzych Rhodes, PLC
4151 Okemos Road
Okemos, Michigan 48864

On behalf of PB Michigan Fiber Asset
Entity, LLC

ADAM M. COZORT,
ANNA B. STIRLING,
Assistant Attorneys General
7109 W. Saginaw Highway, Floor 3
Lansing, Michigan 48917

On behalf of Michigan Public Service
Commission Staff

REPORTED BY: Lori Anne Penn, CSR-1315

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I N D E X

WITNESS:

PAGE

CHAD WACHTER

Amended Direct Testimony Bound In

7

E X H I B I T S

NUMBER

DESCRIPTION

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E	CONFIDENTIAL Organizational Chart	6	12

1 Friday, July 18, 2025

2 At 9:01 a.m.

3 - - -

4 (Hearing commenced pursuant to due notice.)

5 JUDGE SAUNDERS: Good morning. We are on
6 the record before the Michigan Public Service Commission,
7 Docket No. U-21910, entitled In the matter of the
8 application of PB Michigan Fiber Asset Entity, LLC, for a
9 temporary and permanent license to provide basic local
10 exchange service in the incumbent local exchange carrier
11 service territories throughout the State of Michigan.
12 For the record, my name is Christopher Saunders, I'm an
13 Administrative Law Judge with the Michigan Office of
14 Administrative Hearings and Rules, and I have been
15 assigned to be the presiding officer in this matter.
16 This is the date and time set by the Commission for an
17 evidentiary hearing, and the record should reflect that
18 this evidentiary hearing is being held remotely using
19 Microsoft Teams; a link to participate was provided to
20 all parties of record.

21 Now, present we do have counsel this
22 morning, so let's go ahead and we will start off with
23 appearances. And Mr. O'Meara, would you be so kind as to
24 place your appearance on the record on behalf of the
25 Company.

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1 MR. O'MEARA: Yes, your Honor. On behalf
2 of PB Michigan Fiber Asset Entity, LLC, Kyle O'Meara and
3 Trent Cunningham of the law firm Fahey Schultz Burzych
4 Rhodes.

5 JUDGE SAUNDERS: Good morning. Thank you
6 very much. And moving on, on behalf of Staff,
7 Mr. Cozort, would you be so kind as to place your
8 appearance on the record.

9 MR. COZORT: Yes, your Honor. Adam
10 Cozort appearing on behalf of Staff, also with Anna
11 Stirling.

12 JUDGE SAUNDERS: Thank you very much, and
13 good morning.

14 The first issued I'd like to address this
15 morning is the matter of notice. So Mr. O'Meara, could
16 you state for the record whether or not PB Michigan Fiber
17 Asset Entity, LLC, was able to comply with the
18 Commission's instructions regarding notice in this
19 matter.

20 MR. O'MEARA: Yes, your Honor. PB
21 Michigan Fiber Asset Entity, LLC, complied with the
22 notice provisions. You'll see in the docket, docket
23 entries 12 and 13, two proofs of service. We sent notice
24 to the incumbent local exchange carriers via email, we
25 sent notice to the county clerks via mail. We did have a
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1 couple of emails kick back, so we did send those to the
2 incumbent local exchange carriers via mail, too, and the
3 emails from the list that was provided by Staff kicked
4 backed, so that is our second proof of service. We did
5 receive one inquiry from a county clerk asking
6 essentially what this was about, and we did address that
7 with the Alcona County clerk.

8 JUDGE SAUNDERS: O.K. Wonderful. Thank
9 you very much.

10 All right. Mr. Cozort, any concerns on
11 behalf of Staff regarding notice in this matter?

12 MR. COZORT: No, your Honor.

13 JUDGE SAUNDERS: O.K., great. Thank you
14 very much.

15 All right. Moving along, then,
16 Mr. O'Meara, it's your application. At this point in
17 time, do you have testimony and exhibits you'd like to
18 have proposed for the record?

19 MR. O'MEARA: I do, your Honor. We have
20 the testimony, it's Amended Direct Testimony of Chad
21 Wachter on behalf of PB Michigan Fiber Asset, LLC, that
22 is located on page 9 of our amended application, and we
23 do request that to be bound into the record.

24 JUDGE SAUNDERS: O.K. Are there any
25 exhibits along with that testimony that you'd like to

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1 move for the admission of?

2 MR. O'MEARA: Yes, your Honor. They
3 would be Exhibit A, Corporate Formation Documents from
4 Delaware; Exhibit B, Amended Certificate to Transact
5 Business in Michigan; Exhibit C, Management Biographies;
6 Exhibit D, Financial Statements that were submitted under
7 seal on docket 6; and then Exhibit E, an Org Chart,
8 Organizational Chart of PB Michigan Fiber Asset Entity,
9 LLC, that was also submitted under seal.

10 JUDGE SAUNDERS: O.K., great. Thank you
11 very much, Mr. O'Meara. And you're moving for the
12 admission of Exhibits A, B, C, D, and E, then; is that
13 correct?

14 MR. COZORT: Correct, your Honor.

15 JUDGE SAUNDERS: O.K., great. Thank you
16 very much.

17 All right. Well, first of all,
18 Mr. Cozort, could you tell me, is there any objection to
19 binding in the Amended Direct Testimony of Chad Wachter
20 into the record?

21 MR. COZORT: No, your Honor, no objection
22 from Staff.

23 JUDGE SAUNDERS: O.K. Then that Amended
24 Direct Testimony will be bound into the record.

25 (Testimony bound in.)

STATE OF MICHIGAN

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

In the Matter of the Application of)	
)	
PB Michigan Fiber Asset Entity, LLC)	<u>Case No. U-21910</u>
)	
For a Temporary and Permanent License to)	
Provide Basic Local Exchange Service)	
in the Incumbent Local Exchange Carriers')	
Service Territories throughout the State of Michigan)	

Amended Direct Testimony and Verification of Chad Wachter
on Behalf of PB Michigan Fiber Asset Entity, LLC

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

2 A. My name is Chad Wachter, and I am the Chief General Counsel of PB Michigan Fiber
3 Asset Entity, LLC (“Applicant”). My business address is 2901 Society Hill Road, Opelika,
4 Alabama 36804.

5 **Q. Please give a brief description of your background and professional experience.**

6 A. I received a Juris Doctor degree from Vanderbilt University Law School in 1990 and a
7 Bachelor of Science degree in Physics from Birmingham-Southern College in 1987. I
8 served as Assistant General Counsel at Powertel, Inc., the first digital wireless provider in
9 the U.S., from January 1996 to April 1998. I then served as General Counsel and Managing
10 Director of a subsidiary at Knology, Inc., a publicly traded broadband and
11 telecommunications company, from April 1998 to September 2012. Later, I was President
12 of Bridgeway Diagnostics, LLC from July 2014 to June 2016. I have worked at Point
13 Broadband since then.

14 **Q. What is the purpose of your testimony in this proceeding?**

1 A. The purpose of my testimony is to describe the facilities-based fiber services that Applicant
2 proposes to offer in Michigan and to review issues related to its request for a license to
3 provide such services. My testimony specifically relates to Applicant’s managerial,
4 financial, and technical competence to provide the telecommunications services for which
5 authority is requested, and its compliance with the rules and policies of this Commission.

6 **Q. Please describe the authority that Applicant seeks from the Commission.**

7 A. Applicant seeks to obtain a competitive local exchange carrier (“CLEC”) license for
8 offering facilities-based local exchange telecommunications services in all incumbent local
9 exchange carriers’ service territories throughout the state of Michigan. At this time,
10 Applicant does not seek to terminate any exemption held by a rural telephone company
11 pursuant to 47 U.S.C. § 251(f).

12 **Q. Please describe the geographic area Applicant plans to serve.**

13 A. Applicant seeks authority to provide telecommunications service throughout the State of
14 Michigan. At this time, Applicant does not seek to terminate any exemption held by a rural
15 telephone company pursuant to 47 U.S.C. § 251(f). Applicant’s local calling areas will be
16 identical to the Commission approved local calling areas as documented in these incumbent
17 carriers’ local tariffs.

18 **Q. Is Applicant authorized to do business in Michigan?**

19 A. Yes. Please see the Amended Certificate of Authority to Transact Business in Michigan
20 attached as **Exhibit B** to Application to provide basic local exchange service.

21 **Q. Has Applicant been authorized to provide telecommunications service in any other**
22 **jurisdictions?**

1 A. No. However, Applicant's affiliate Point Broadband Fiber Holding, LLC ("Point
2 Broadband Fiber") is authorized to provide basic local exchange service in the incumbent
3 local exchange carriers' service territories throughout the state of Michigan pursuant to an
4 Order of the Commission issued in Case No. U-20716 on April 15, 2020. Point Broadband
5 Fiber and other affiliates of Applicant currently are authorized to provide
6 telecommunications services in Alabama, Florida, Georgia, Maryland, New York, Ohio,
7 Tennessee, and Texas.

8 **Q. Please describe Applicant's technical and managerial qualifications.**

9 A. Applicant is managed by a highly skilled team with substantial expertise and experience in
10 the communications industry, including extensive telecommunications business, technical,
11 and managerial expertise. Descriptions of the qualifications and backgrounds for the key
12 personnel for Applicant's operations are provided as **Exhibit C** to the Application.

13 **Q. Please describe Applicant's financial qualifications.**

14 A. Applicant possesses the requisite financial resources to provide telecommunications
15 services in Michigan, as demonstrated by the financial statements of its parent Point
16 Broadband Acquisition, LLC provided under seal as **Exhibit D**. As shown in the financial
17 statements, Applicant is financially qualified to operate within Michigan and can rely
18 on Point Broadband Acquisition, LLC for its financial support. Applicant commits to draw
19 on its resources and abilities to provide high quality telecommunications
20 services.

21 **Q. Does Applicant intend to provide service within one year of the date the license is
22 granted?**

23 A. Yes, Applicant intends to provide service as soon as practicable after the Commission
24 grants this Application.

1 **Q. If the Commission grants the requested license, will Applicant abide by the rules,**
2 **regulations, policies, and orders of the Commission, and the laws of Michigan, in its**
3 **provision of services?**

4 A. Yes, Applicant commits to abide by all the above and will implement procedures necessary
5 to prevent any prohibited practices.

6 **Q. Please describe the public interest benefits associated with Applicant's offering of**
7 **telecommunications services in Michigan.**

8 A. The Commission has determined that competition in the provision of telecommunications
9 services is in the public interest. And the Michigan telecommunications statute was
10 designed to promote competition, particularly in the local telecommunications market.
11 Authorizing Applicant to operate in Michigan will facilitate further fiber network
12 deployment and thus offer state of the art fiber-based services to more Michigan
13 consumers. That, in turn, will promote competition and customer choices. In addition,
14 increased competition will create incentives for lower prices, more innovative services, and
15 more responsive customer service. Thus, Commission approval of the Application will
16 reaffirm the principle of competition in the telecommunication market within the state and
17 will benefit Michigan residents.

18 **Q. Is Applicant prepared to file a tariff prior to providing service?**

19 A. Yes. Applicants will submit a tariff prior to providing basic local exchange services.

20 **Q. Do you ratify and confirm the statements made in Applicant's application?**

21 A. Yes.

22 **Q. Does this conclude your testimony?**

23 A. Yes.

STATE OF MICHIGAN

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In the Matter of the Application of)
)
PB Michigan Fiber Asset Entity, LLC) Case No. U-21910
)
 For a Temporary and Permanent License to)
 Provide Basic Local Exchange Service)
 throughout the State of Michigan)
)

VERIFICATION

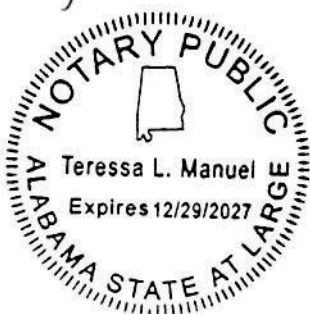
State of Alabama §
 §
 County of Lee §

I, Chad Wachter, state that I am Chief General Counsel of PB Michigan Fiber Asset Entity, LLC ("Company"); that I am authorized to make this Verification on behalf of the Company; that the foregoing was prepared under my direction and supervision; and that the contents with respect to the Company are true and correct to the best of my knowledge, information, and belief. I declare under penalty of perjury under the laws of the State of Michigan that the foregoing is true and correct.



Chad Wachter
 Chief General Counsel
 PB Michigan Fiber Asset Entity, LLC

Subscribed and sworn to by Chad Wachter before me on the 29 day of May, 2025.



Teresa L. Manuel, Notary Public

Lee County, Alabama

My Commission Expires: 12/29/2027

1 JUDGE SAUNDERS: Additionally, is there
2 any objection to the admission of Exhibits A, B, C, D, or
3 E?

4 MR. COZORT: No, your Honor.

5 JUDGE SAUNDERS: O.K. Then Exhibits A,
6 B, C, D, and E are admitted into evidence.

7 O.K. Mr. O'Meara, did you have anything
8 additional by way of testimony or exhibits?

9 MR. O'MEARA: No, your Honor.

10 JUDGE SAUNDERS: O.K. Thank you.
11 Anything further on behalf of the Company now?

12 MR. O'MEARA: No, your Honor.

13 JUDGE SAUNDERS: Oh, O.K., great. Thank
14 you very much.

15 O.K. Mr. Cozort, anything on behalf of
16 Staff this morning?

17 MR. COZORT: No, your Honor.

18 JUDGE SAUNDERS: O.K. Does Staff oppose
19 the application?

20 MR. COZORT: No, I believe the
21 application has already been approved by the Commission
22 for temporary and permanent status, so we have no
23 objection.

24 JUDGE SAUNDERS: O.K., great. Thank you
25 very much.

1 All right. So then the last thing I'd
2 like to ask, Mr. O'Meara, do you wish to waive Section 81
3 of the Michigan Administrative Procedures Act so that I
4 may transmit this matter to the Commission as soon as
5 possible?

6 MR. O'MEARA: We do, your Honor. And
7 then the only other thing I'd like to add is we
8 appreciate all the assistance from Staff, including Lori
9 and Wendy who are on the call right now.

10 JUDGE SAUNDERS: Great. Thank you very
11 much, I greatly appreciate that.

12 And Mr. Cozort, do you wish -- does Staff
13 wish to waive Section 81 of the APA as well so that I can
14 transmit this to the Commission?

15 MR. COZORT: Yes.

16 JUDGE SAUNDERS: O.K., great. Thank you
17 very much.

18 All right. Well, I believe that's all
19 that I have this morning. Mr. O'Meara, anything further
20 at all on behalf of the Applicant?

21 MR. O'MEARA: No, your Honor. Thank you.

22 JUDGE SAUNDERS: Great. Mr. Cozort,
23 anything further at all on behalf of Staff this morning?

24 MR. COZORT: No, your Honor. Thank you.

25 JUDGE SAUNDERS: Great. O.K. Thank you

1 very much.

2 Well, then as I indicated, I will
3 transmit this over to the Commission for consideration.
4 I appreciate all the parties being available this
5 morning. And that being all, there being nothing
6 further, let's go ahead and go off the record.

7 (At 9:07 a.m., the hearing concluded.)

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C E R T I F I C A T E

I, Lori Anne Penn (CSR-1315), do hereby certify that I reported in stenotype via Microsoft Teams the proceedings had in the above-entitled matter, that being Case No. U-21910, before Christopher S. Saunders, J.D., Administrative Law Judge with Michigan Office of Administrative Hearings and Rules, for the Michigan Public Service Commission, Lansing, Michigan, on Friday, July 18, 2025; and do further certify that the foregoing transcript, consisting of Volume 1, pages 1-15, constitutes a true and correct transcript of my stenotype notes.

Lori Anne Penn

Lori Anne Penn, CSR-1315
Penn Reporting, LLC
lori.penn@yahoo.com

Dated: July 22, 2025