

# Consumer Issues: The FCC Perspective

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# CGB Mission

- ***Educate Consumers:***

- CGB works to educate and inform consumers about telecommunications goods and services, and to increase consumer awareness of the FCC's rules, regulations and policies.

- ***Coordinate Consumer Telecommunications Policy Efforts:***

- **Internally**, through its Consumer Policy Division, CGB has primary responsibility for consumer policy and rules and works to ensure that consumer perspectives are considered in all other Commission policy-making activities.

- **Externally**, through its Office of Intergovernmental Affairs and Consumer Affairs and Outreach Division, CGB works with other governmental agencies -- federal, tribal, state and local – and with consumers and consumer organizations to ensure an understanding of the FCC's rules, regulations and policies and coordinate policies.

- ***Resolve Consumer Inquiries and Complaints:***

- CGB, through the FCC's national call center, provides informal mediation and resolution of individual informal consumer inquiries and complaints consistent with controlling laws and FCC regulations.

# Consumer Perception of Service Quality

- Consumer surveys show mixed results
  - 2003 GAO Report:
    - 83 percent of wireless users satisfied with service
    - 47 percent believe call quality is improving
    - But 22 percent of users are unable to complete 10 percent or more of calls
  - Evaluation of quality tends to be subjective
  - Consumer expectations often outpace actual improvements

# Local Number Portability

- LNP allows a consumer to change service providers and still keep the same phone number, even if a consumer changes from a wireline phone to a wireless phone .
- LNP allows consumers to switch from one wireless carrier to another within the same local area. It does not allow consumers to keep the same phone number when moving to a new town or city.

# Local Number Portability

- As of May 2004, over 3.5 million numbers have been switched.
- Most of these—approximately 3.34 million—involved wireless customers switching from one wireless carrier to another.
- Approximately 229,000 involved landline customers taking their landline number to a wireless carrier.
- Just over 7,000 people transferred a wireless number to a landline phone.

# Truth-In-Billing

- The Commission has adopted truth-in-billing guidelines to ensure that telephone bills give consumers essential information they need to protect themselves from fraud and to make informed choices in a competitive environment.
- Among other things, these guidelines require all telephone bills to:
  - Be clearly organized and identify any change in service provider;
  - Provide a toll-free number for customers to call for customer service in order to lodge a complaint or request information.

# Truth-In-Billing

- In March 2004, the National Association of State Utility Consumer Advocates (NASUCA) filed a petition seeking a declaratory ruling prohibiting telecommunications carriers – both wireline and wireless – from “imposing monthly line-item charges, surcharges or other fees on customers’ bills unless such charges have been expressly mandated by a regulatory agency.
- NASUCA contends:
  - All monthly line items are subject to the “full and non-misleading billed charges” principle adopted by the Commission in its Truth-in-Billing Order; and
  - Carriers’ current uses of line-item charges are misleading and deceptive in their application, bear no demonstrable relationship to the regulatory costs they purport to recover, and therefore constitute unreasonable and unjust carrier practices and charges
- The Commission has received comments and reply comments both supporting and opposing the NASUCA position. Commission staff is currently reviewing the record.

# Do-Not-Call

- On June 26, 2003, the FCC revised its rules implementing the Telephone Consumer Protection Act (TCPA) of 1991 and established, in coordination with the FTC, a national Do-Not-Call Registry.
- The national Do-Not-Call Registry went into effect on October 1, 2003.

# Do-Not-Call

- Subscribers may register their residential telephone numbers, including wireless numbers, on the Do-Not-Call Registry by telephone or by Internet and at no cost.
- The Registry covers commercial interstate and intrastate telemarketing calls.

# Controlling the Assault of Non-Solicited Pornography and Marketing Act of 2003 (CAN-SPAM Act)

- Imposes limitations and penalties on the transmission of unsolicited commercial email.
- Directs FCC to implement rules pertaining to unsolicited email sent to wireless telephones and pagers.

# CAN-SPAM

The FCC August 2004 Order on CAN-SPAM established a general prohibition on sending commercial messages to mobile phones and pagers

- Includes any commercial message sent to an electronic mail address provided by a wireless provider.
- Exception where individual addressee has given the sender express prior authorization
- CMRS providers supply Commission with Internet domains
- No individual addresses would be collected or listed.

# Types of Complaints that the FCC Handles

- State-to-state long distance telephone services
- Wireless Service
- Paging Services
- Telephone and Equipment Accessibility
- Unwanted Telemarketing Calls
- Obscene & indecent materials on radio or TV
- Technical matters like frequency coordination, antenna registration, interference, and tower lighting
- Closed captioning

# Consumer Complaints – Fourth Qtr 2003

	Oct	Nov	Dec	Total
Billing & Rates	906	793	1,241	2,940
Carrier & Market Adv.	213	193	279	685
Contract – Early Term.	208	217	311	736
Number Portability	n/a	204	3,243	3,447
Service Quality	211	235	258	704
Totals	1,538	1,642	5,332	8,512

# CGB Wireless Outreach and Education Initiatives

## ***Consumer-Related Publications***

- “What You Should Know About Wireless Phone Service” booklet – the FCC’s most requested publication!
- Consumer Fact Sheets and Alerts, such as the Wireless Local Number Portability, Wireless 911, Use of TTY Devices with Digital Wireless Phones, and Understanding Cell Phone Coverage Areas

## ***Forums and Workshops***

- E911 Coordination Initiatives
- Tower Siting Workshops
- Consumer Forums
- Participation in Governmental, Industry and Consumer-oriented Events

## ***Joint Outreach and Education Initiatives***

- South Dakota Public Utility Commission
- NARUC Telecommunications and Consumer Affairs Committees
- FCC Intergovernmental Advisory Committee
- FCC Consumer Advisory Committee

# Conclusion

- Many complex and difficult wireless telecommunications issues face the FCC, states, and local governments
- The FCC is endeavoring to establish beneficial relationships with our governmental counterparts and industry to tackle these difficult issues

# Appendix

# Wireless Service Quality Issues

- Coverage
  - Service Area Limitations
  - Dead Spots
- Capacity – Blocked Calls
- Reliability – Dropped Calls
- Customer Service
  - Consumer Information
  - Billing

## Consumer Alerts & Factsheets

[http://www.fcc.gov/cgb/information\\_directory.html](http://www.fcc.gov/cgb/information_directory.html)

## CGB's Consumer Website

<http://www.fcc.gov/cgb/consumers.html>

## CGB's Tribal, State and Local Government Website

[http://www.fcc.gov/cgb/tribal\\_state\\_local.html](http://www.fcc.gov/cgb/tribal_state_local.html)

# Filing a Complaint

- **Email:**

You can send a complaint to [fccinfo@fcc.gov](mailto:fccinfo@fcc.gov)

- **Phone:**

Toll Free: 1-888-CALL-FCC (1-888-225-5322) voice, 1-888-TELL-FCC (1-888-835-5322) TTY. Our Consumer and Mediation Specialists are available Monday through Friday, 8 a.m. to 5:30 p.m. ET

- **Fax:**

Toll-Free: 1-866-418-0232

# Filing a Complaint

- **Electronically:**

USE [FORM 475](#) for general telephone complaints such as billing disputes, cramming, wireless questions, telephone company advertising practices, paging services, unsolicited telephone marketing calls and faxes, and accessibility by persons with disabilities to telecommunications equipment and services:

- **Postal Mail:**

Federal Communications Commission  
Consumer & Governmental Affairs Bureau  
Consumer Complaints  
445 12th Street, SW  
Washington, D.C. 20554

Go

[Help - Advanced](#)[Consumer Alerts and Factsheets.](#)[Consumer Policy Issues](#)

Click Here  
to learn how  
to put  
yourself on  
the National  
Do Not Call  
Registry



# ECFS

Express

File your  
comments electronically  
using [ECFS Express](#).

**Hot Topics:**[Parents Place](#)[Rural Telecommunication](#)

## *Filing a Complaint with the FCC Is EASY*

The FCC makes it convenient to file a complaint. Complaints can be filed electronically, by e-mail, by postal mail or by fax. Choose one of our two categories below ([General](#) or [Slamming](#)) for information on complaint filing.

**General Complaints:** wireless and wireline telecommunications issues, cable, broadcasting and telecommunications accessibility issues. When not filing electronically please remember to [include this information](#).

- \* **Electronically:** USE [FORM 475](#) for general telephone complaints such as billing disputes, cramming, wireless questions, telephone company advertising practices, paging services, unsolicited telephone marketing calls and faxes, and accessibility by persons with disabilities to telecommunications equipment and services: [Privacy information for Form 475](#)
- \* **Postal Mail:** Federal Communications Commission  
Consumer & Governmental Affairs Bureau  
Consumer Complaints  
445 12<sup>th</sup> Street, SW  
Washington, D.C. 20554
- \* **E-Mail:** You can send a complaint to [fccinfo@fcc.gov](mailto:fccinfo@fcc.gov)

# Complaints Should Include:

- Your contact information:
  - Name
  - Address
  - Telephone number or numbers involved with your complaint
- Specific information about your complaint
  - Include the names of **all** companies involved with your complaint
- Names and telephone numbers of company representatives
- Copy of any bills related to the dispute; and
- Type of resolution sought, such as credit or refund