



NEWS

Federal Communications Commission
445 12th Street, S.W.
Washington, D. C. 20554

News Media Information 202 / 418-0500
Internet: <http://www.fcc.gov>
TTY: 1-888-835-5322

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See MCI v. FCC, 515 F 2d 385 (D.C. Circ 1974).

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News Media Contact:
Rosemary Kimball at (202) 418-0511
e-mail: rosemary.kimball@fcc.gov

**FCC SEEKS COMMENTS ON IMPOSITION OF MANDATORY MINIMUM
INFORMATION SHARING REQUIREMENTS ON TELCOS**
*Adjustments to Customer Account Record Exchange (CARE) System
Could Improve Billing Accuracy*

Washington, DC – The FCC has asked for comments on whether it should impose mandatory minimum information sharing requirements on all local and long-distance telephone companies. The goal is to increase the accuracy of billing information and decrease consumer complaints.

Petitions filed on September 5, 2002, by Americatel and on November 22, 2002, by AT&T, Sprint and MCI (jointly) requested changes in The Customer Account Record Exchange (CARE) system to reflect changes in the marketplace. The CARE system is the voluntary industry standard for exchanging the customer information necessary to establish and maintain customer accounts, and to execute and confirm customer orders and customer transfers from one long distance carrier to another.

The CARE system was adopted by the industry after the break-up of AT&T. Historically, local phone companies managed the exchange of customer data between themselves and the various long distance carriers that were competing for their customers' business. When a customer elected to change long distance companies, or otherwise changed billing, name or address (BNA) information, the local phone company would provide CARE data to the appropriate long distance company to ensure seamless provision of service to the customer.

At the time the CARE system was adopted, the existing local phone companies, for the most part, did not compete for long distance service, and local markets were not competitive. Since passage of the 1996 Telecom Act, the increasing number of customers switching local phone companies has affected the ability of long distance carriers to bill for long distance services rendered to those customers. Although most local and long distance companies participated in CARE before 1996, CARE data are not currently exchanged in a uniform manner now that the number of local phone companies has increased significantly. This often leaves long distance carriers in the dark as to whether a customer remains on the network, has switched to another local or long distance company or has made changes in BNA. The end result can be customer complaints about double billing, continued billing, cramming, slamming and violations

of the Commission's truth-in-billing requirements when they do not receive accurate, timely or complete information regarding their customers' accounts.

After reviewing the comments received in response to the rulemaking petitions, the Commission determined that the issues would be more appropriately addressed through a notice and comment rulemaking proceeding than by an immediate ruling on the petitions. Therefore, it asked for comment on whether imposing mandatory minimum CARE standards on all local and interexchange carriers could provide consistency within the industry and eliminate a significant percentage of consumer complaints concerning billing errors. The Commission asked for comment on how extensive the billing problems described in the petitions are, and whether they are sufficiently pervasive throughout the industry to warrant regulatory intervention at this time. The Commission said it believed that a uniform process observed by all regulated entities – competitive LECs, incumbent LECs and interexchange carriers alike – could provide a better framework for fair and consistent enforcement activity by the Commission. The Commission sought comment on whether these billing problems may also arise in the context of wireline-to-wireless number porting, and on proposals for addressing any such issues in wireline-to-wireless number porting situations.

Action by the Commission March 11, 2004, by Notice of Proposed Rulemaking (FCC 04-50). Chairman Powell, Commissioners Abernathy, Copps, Martin and Adelstein.

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CGB Contact: Nancy Stevenson at (202) 418-2512

CG Docket 02-386.