



# NEWS

**Federal Communications Commission**  
**445 12<sup>th</sup> Street, S.W.**  
**Washington, D. C. 20554**

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

---

This is an unofficial announcement of Commission action. Release of the full text of a Commission order constitutes official action.  
See MCI v. FCC, 515 F 2d 385 (D.C. Circ 1974).

---

For Immediate Release:  
March 4, 2005

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

## **QUARTERLY REPORT ON INFORMAL CONSUMER INQUIRIES AND COMPLAINTS RELEASED**

Washington, DC – The Commission has released its report on the inquiries and complaints processed by the Consumer & Governmental Affairs Bureau (CGB) during the fourth quarter of calendar year 2004.

Wireless complaints recorded a sharp decline in the 4<sup>th</sup> quarter, dropping from 9,120 to 4,369. There were decreases in each of the top five categories, with Billing and Rate complaints leading the way with a more than 50% decline. Wireline complaints also show a sharp decrease, dropping from 16,827 to 11,228. As with Wireless complaints, there were decreases in each of the top five categories.

Indecency Complaints remain the top category of Radio and Television Broadcasting complaints and increased from 121,688 in the 3<sup>rd</sup> quarter to 317,833 in the 4<sup>th</sup> quarter. Increases in the number of complaints received in connection with e-mail or write-in campaigns directed at specific radio or television broadcasts during the quarter accounted for the change. Cable Services complaints decreased from 266 in the 3<sup>rd</sup> quarter to 132 in the 4<sup>th</sup> quarter, with a sharp decline in the Billing and Rates category leading the way.

There was a modest increase in the number of Wireless inquiries during the 4<sup>th</sup> quarter as the rose from 10,237 in the 3<sup>rd</sup> quarter to 10,383 in the 4<sup>th</sup> quarter, with Number Portability dropping completely from the top categories list. Increases in the Billing and Rates and General Mobile Radio Service License categories accounted for the change. Wireline inquiries continued a downward trend, dropping from 42,661 in the 3<sup>rd</sup> quarter to 38,055 in the 4<sup>th</sup> quarter. Radio and Television Broadcasting inquiries from rose sharply from 7,150 in the 3<sup>rd</sup> quarter to 20,565 in the 4<sup>th</sup> quarter. A surge in the number of Political Programming inquiries, which increased from 449 to 12,949, accounted for the change. Cable inquiries experienced a modest decline, falling from 4,710 in the 3<sup>rd</sup> quarter to 4,054 in the 4<sup>th</sup> quarter.

The Commission receives many inquiries and complaints that do not involve violations of the Communications Act, or a rule or order of the Commission. The existence of a complaint does not necessarily indicate wrongdoing by the company at issue.

- FCC -

CGB contact: Thomas Wyatt at (202) 418-1400.

**REPORT ON INFORMAL CONSUMER INQUIRIES AND COMPLAINTS**  
**4th Quarter Calendar Year 2004**  
**Executive Summary**

This report tracks consumer inquiries and complaints processed by the Consumer & Governmental Affairs Bureau (CGB) received during the 4<sup>th</sup> quarter of calendar year 2004.<sup>1</sup> Inquiries are defined as correspondence or communications received at the Commission from individuals seeking information on matters under the FCC's jurisdiction. Informal consumer complaints are defined as a communication received at CGB's consumer centers either via postal mail, fax, email or telephone from or on behalf of an individual that: (i) identifies a particular entity under the FCC's jurisdiction; (ii) alleges harm or injury; and (iii) seeks relief.

Wireless complaints recorded a sharp decline in the 4<sup>th</sup> quarter, dropping from 9,120 to 4,369. There were decreases in each of the top five categories, with Billing and Rate complaints leading the way with a more than 50% decline. Wireline complaints also show a sharp decrease, dropping from 16,827 to 11,228. As with Wireless complaints, there were decreases in each of the top five categories.

Indecency Complaints remain the top category of Radio and Television Broadcasting complaints and increased from 121,688 in the 3<sup>rd</sup> quarter to 317,833 in the 4<sup>th</sup> quarter. Increases in the number of complaints received in connection with e-mail or write-in campaigns directed at specific radio or television broadcasts during the quarter accounted for the change. Cable Services complaints decreased from 266 in the 3<sup>rd</sup> quarter to 132 in the 4<sup>th</sup> quarter, with a sharp decline in the Billing and Rates category leading the way.

There was a modest increase in the number of Wireless inquiries during the 4<sup>th</sup> quarter as the rose from 10,237 in the 3<sup>rd</sup> quarter to 10,383 in the 4<sup>th</sup> quarter, with Number Portability dropping completely from the top categories list. Increases in the Billing and Rates and General Mobile Radio Service License categories accounted for the change. Wireline inquiries continued a downward trend, dropping from 42,661 in the 3<sup>rd</sup> quarter to 38,055 in the 4<sup>th</sup> quarter. Radio and Television Broadcasting inquiries from rose sharply from 7,150 in the 3<sup>rd</sup> quarter to 20,565 in the 4<sup>th</sup> quarter. A surge in the number of Political Programming inquiries, which increased from 449 to 12,949, accounted for the change. Cable inquiries experienced a modest decline, falling from 4,710 in the 3<sup>rd</sup> quarter to 4,054 in the 4<sup>th</sup> quarter.

The Commission receives many inquiries and informal complaints that do not involve violations of the Communications Act, or a rule or order of the Commission. The existence of a complaint does not necessarily indicate wrongdoing by the company or companies at issue.

---

<sup>1</sup> The data reported reflect the complaints and inquiries recorded in CGB's automated tracking systems for the period October 1, 2004 to December 31, 2004. The information generated for this specific report is information entered into the tracking systems on or before a specific date. In addition, the data within this report account for statistics at the national level as reported to the Commission and, therefore, are not necessarily indicative of corresponding state or local trends.

## **Top Consumer Issues – Subject Category Reference Guide**

### **CABLE SERVICES**

**Billing & Rates:** Complaints/inquiries concerning billing matters and the rates charged for cable programming service (or expanded basic) tier on a cable system

**Cable Modem Service:** Complaints/inquiries regarding cable modem service.

**Connections to Cable Systems:** Complaints/inquiries regarding availability or quality of connections to cable systems.

**Disability Issues:** Complaints/inquiries regarding video description, closed captioning, and emergency access to video programming.

**Over-The-Air-Reception-Devices (OTARD) Issues:** Complaints/inquiries regarding the installation, maintenance or use of antennas -- including direct-to-home satellite dishes that are less than one meter (39.37") in diameter (or of any size in Alaska), TV antennas, and wireless cable antennas -- to receive video programming

**Programming Issues:** Complaints/inquiries regarding program content or the choice of channels or programs available to subscribers.

**Satellite Issues:** Complaints/inquiries regarding satellite.

**Service Related Issues:** Complaints/inquiries about the quality of service provided by cable operators.

### **RADIO & TELEVISION BROADCASTING**

**Disability Issues:** Complaints/inquiries regarding video description, closed captioning, and emergency access to video programming.

**General Broadcast Information:** Inquiries regarding general broadcast requirements, licenses, and community obligations.

**How to Start Broadcast Station:** Inquiries regarding starting a broadcast station.

**Low Power Issues:** Inquiries regarding low power TV and low power radio

**Political Programming:** Inquires regarding political programming.

## **Programming Issues**

- Indecency/Obscenity: Complaints/inquiries regarding broadcast programs that allegedly contain indecent or obscene material
- Loud Commercials: Complaints/inquiries regarding abrupt changes in volume during transition from regular programming to commercials
- Religious: Complaints/inquiries regarding religious programs
- Violence: Complaints/inquiries regarding violence in programs
- General Content Criticism: generalized concerns regarding the content of broadcast programs

## **WIRELESS TELECOMMUNICATIONS**

**Amateur License Issue:** Inquiries regarding Amateur license acquisition, requirements, eligibility, and replacement

### **Billing and Rates-Related – Includes the Following Subcategories:**

**Billing/Rates - Airtime Charges:** Complaints/inquiries regarding charges to subscriber for actual time spent talking on a wireless phone

**Billing/Rates-Credit/Refunds/Adjustments:** Complaints/inquiries regarding credits, refunds, or bill adjustments

**Billing/Rates - Line Items:** complaints/inquiries regarding surcharges and taxes appearing on a phone bill

- Access Charge: Complaints/inquiries regarding miscellaneous line items charges
- E-911: Complaints/inquiries regarding provision of automatic location information and automatic number identification via a wireless phone used to contact a 911 call center.
- Taxes: Complaints/inquiries regarding taxes appearing on cellular bill
- Universal Service: Complaints/inquiries about the availability and affordability of phone service for low income consumers in geographic areas where the costs of providing telephone service is high

**Billing/Rates – Recurring Charges:** Complaints/inquiries over recurring monthly charges that appear on a customer’s bill

**Billing/Rates – Roaming Rates:** Complaints/inquiries about charges assessed to the subscriber for wireless calls made while roaming in another carrier’s territory

**Billing/Rates – Rounding:** Complaints/inquiries about the practice of rounding calls to a full minute

**Billing/Rates – Service Plan Rate:** Complaints/inquiries about the terms and conditions of service:

- Activation Fee: usually one time charge to initiate service
- Off-Peak: specified time where per-minute rate is lower
- Optional Services: including caller-id, voice mail, road-rescue, etc.
- Peak: specified time where per-minute rate is higher
- Prepaid Service: subscriber pays for service in advance
- Promo Plan: including minute allowances
- Security Deposit: usually one time charge that is held by the carrier for a specified timeframe in order for subscriber to acquire service

**Carrier Marketing & Advertising:** Complaints/inquiries regarding advertising and marketing practices of carriers including alleged misrepresentations

**Contract – Early Termination:** Complaints/inquiries regarding termination of a subscriber’s service prior to end of specified contract term

- Termination of Service by subscriber: subscriber’s liability for terminating service prior to specified contract term
- Termination of Service by carrier: carrier’s right to disconnect a subscriber’s service prior to end of a specified contract term

**Electrical Interference Issue:** Inquiries regarding unwanted signals from nearby transmitters to home entertainment electronic equipment.

**General Mobile Radio Service (GMRS) License Issue:** Inquiries regarding GMRS license acquisition, requirements, eligibility, and replacement.

**Land Mobile (LM) License Issue:** Inquiries regarding LM license acquisition, requirements, eligibility, and replacement.

**Service – Quality/Coverage:** Complaints/inquiries regarding quality of service or the lack of coverage within a geographic area served by a wireless provider:

- Dead Spots: inability to receive service within certain areas
- Dropped Calls: premature termination of calls
- Home Area Service: overall quality of service within the subscriber’s local calling area
- Network Busy Signal: involving calls that do not go through because of overcrowding of the service frequencies
- Roaming Availability: availability of service outside the subscriber’s local calling area
- Roaming Service: overall quality of service while roaming
- Service Interruption: inability to use cellular phone because service was interrupted by service provider

## **WIRELINTELECOMMUNICATIONS**

### **Billing and Rates-Related – Includes the Following Subcategories:**

**Billing/Rates Credit/Refunds/Adjustments:** Complaints/inquiries about credits, refunds, or adjustments allegedly owed to the subscriber

**Billing/Rates – Line Item:** Complaints/inquiries about the line items appearing on telephone bills:

- Access – Subscriber Line Charge: questions regarding subscriber local-loop line charges for maintaining residential and business and telephone access to the network
- Access – Universal Service: questions regarding the FCC’s universal service fund-affordable access to basic telephone service for low-income consumers and consumers in high-cost areas, and communications services for schools and libraries and health care facilities
- Interstate Directory Assistance: questions about charges assessed for access to directory assistance information
- Taxes on Telephone Bill: questions about local, state, or federal taxes appearing on a telephone bill
- Truth in Billing - No Service Provider ID: Complaints/inquiries about whether the name of the service provider and/or contact information for the service provider is easily identifiable on the bill
- Truth in Billing - Bundled Charges: Complaints/inquiries about whether bills contain plain language description and breakdown of charges for each carrier when multiple carriers appear on the bill
- Truth in Billing - No Payment Solution: Complaints/inquiries about whether a bill clearly distinguishes charges for which nonpayment will result in disconnection from those that will not result in disconnection

**Billing/Rates – Rates:** Miscellaneous complaints/inquiries about the rates and charges billed by telephone companies:

- Casual Call Billing: rates billed for calls placed from non-public phones through a carrier who is not the presubscribed carrier for the telephone (or which does not recognize a telephone number as that of a subscriber)
- Double Billing: dispute involving alleged double billing for calls or services
- DSL Rate Problem: DSL promotion plan rates allegedly altered or unspecified to consumer
- International Internet Dial-up: international calls (routed to places like Chad, Madagascar or other countries) that were billed to consumers as a result of using local (domestic) Internet service providers to access websites
- International Calls – Rates: international calls, rates and/or service that either originate or terminate in the U.S.

- International 809# Billing: 809 area code collect call and consumer dialing scam
- 900 Pay-Per-Call Billing: commercially provided interstate 900 number information or entertainment services
- OSP Rates: rates charged for interstate calls placed from public phones
- Rates for Interstate Telecommunications Services – Billing: disputes about interstate rates and charges

**Billing/Rates – Recurring Charges**: Complaints/inquiries about recurring charges that appear on a customer’s bill

**Carrier Marketing & Advertising**: Complaints/inquiries regarding the marketing and advertising practices of interexchange carriers

**Card (Calling & Prepaid) Issues**: Complaints/inquiries regarding long distance service provider issued and/or prepaid calling cards.

**Cramming**: Complaints/inquiries about allegedly unauthorized, misleading, or deceptive charges appearing on a telephone bill.

**Slamming**: Complaints/inquiries regarding the practice of changing a subscriber’s telecommunications service provider (or a calling plan) without the subscriber’s permission

- International slam: changing a subscriber’s international long distance service without permission
- Local Service slammed: changing a subscriber’s local or regional intrastate long distance service without permission
- Local and Long Distance slammed: changing a subscriber’s local and long distance service without permission
- Long Distance slammed: changing a subscriber’s interstate telephone company service without permission
- Slamming w/Problem LOA: changing a subscriber’s interstate telephone company based on fraudulent signed documents or illegal format, such as sweepstake.

**Telephone Consumer Protection Act (TCPA)**: Complaints/inquiries regarding compliance with the TCPA:

- Artificial or Prerecorded Message and/or ATDS: calls to a residence using an artificial or prerecorded voice to deliver a message without prior consent of the called party prohibited unless an emergency exists
- Do Not Call List Request Not Honored: no person or entity may initiate any telephone solicitation to a residential telephone subscriber-- unless such person or entity has instituted procedures for maintaining a list of persons who have requested not to receive telephone solicitations

- Fax Complaint: unsolicited (“junk”) faxes or the use of a computer or other device to send any messages via a telephone facsimile prohibited unless such message clearly contains the date and time it is sent and an identification of the business, other entity or individual sending the message
- TCPA General Solicitations: the initiation of a call or message for the purpose of encouraging the purchase or rental of, or investment in property, goods, or services
- Time of Day violation: no person or entity may initiate any telephone solicitation to a residential telephone subscriber before 8 a.m. or after 9 p.m. (local time based on the called party’s location)



**Summary of Top Consumer Complaint\* Subjects  
Processed by the FCC's Consumer & Governmental Affairs Bureau (CGB)  
Fourth Quarter - Calendar Year 2004**

	October	November	December	Quarter Total
<b>Cable Services</b>				
Billing & Rates	4	20	15	39
Cable Modem Service	2	7	4	13
Disability Issues	4	3	7	14
Programming Issues	5	16	16	37
Service Related Issues	5	14	10	29
<b>Totals</b>	<b>20</b>	<b>60</b>	<b>52</b>	<b>132</b>

	October	November	December	Quarter Total
<b>Radio &amp; Television Broadcasting</b>				
Disability Issues	5	4	7	16
Programming - General Criticism	38	66	109	213
Programming - Indecency/Obscenity**	119,785	190,805	7,243	317,833
Other Programming Issues	1	7	13	21
<b>Totals</b>	<b>119,829</b>	<b>190,882</b>	<b>7,372</b>	<b>318,083</b>

	October	November	December	Quarter Total
<b>Wireless Telecommunications</b>				
Billing & Rates	837	768	695	2,300
Carrier Marketing & Advertising	166	183	188	537
Contract - Early Termination	224	236	210	670
Number Portability	103	76	77	256
Service Quality	208	197	201	606
<b>Totals</b>	<b>1,538</b>	<b>1,460</b>	<b>1,371</b>	<b>4,369</b>

	October	November	December	Quarter Total
<b>Wireline Telecommunications</b>				
Billing & Rates	651	823	670	2,144
Carrier Marketing & Advertising	77	85	88	250
Service Quality	111	119	124	354
Slamming	198	202	126	526
Telephone Consumer Protection Act	3,873	2,101	1,980	7,954
<b>Totals</b>	<b>4,910</b>	<b>3,330</b>	<b>2,988</b>	<b>11,228</b>

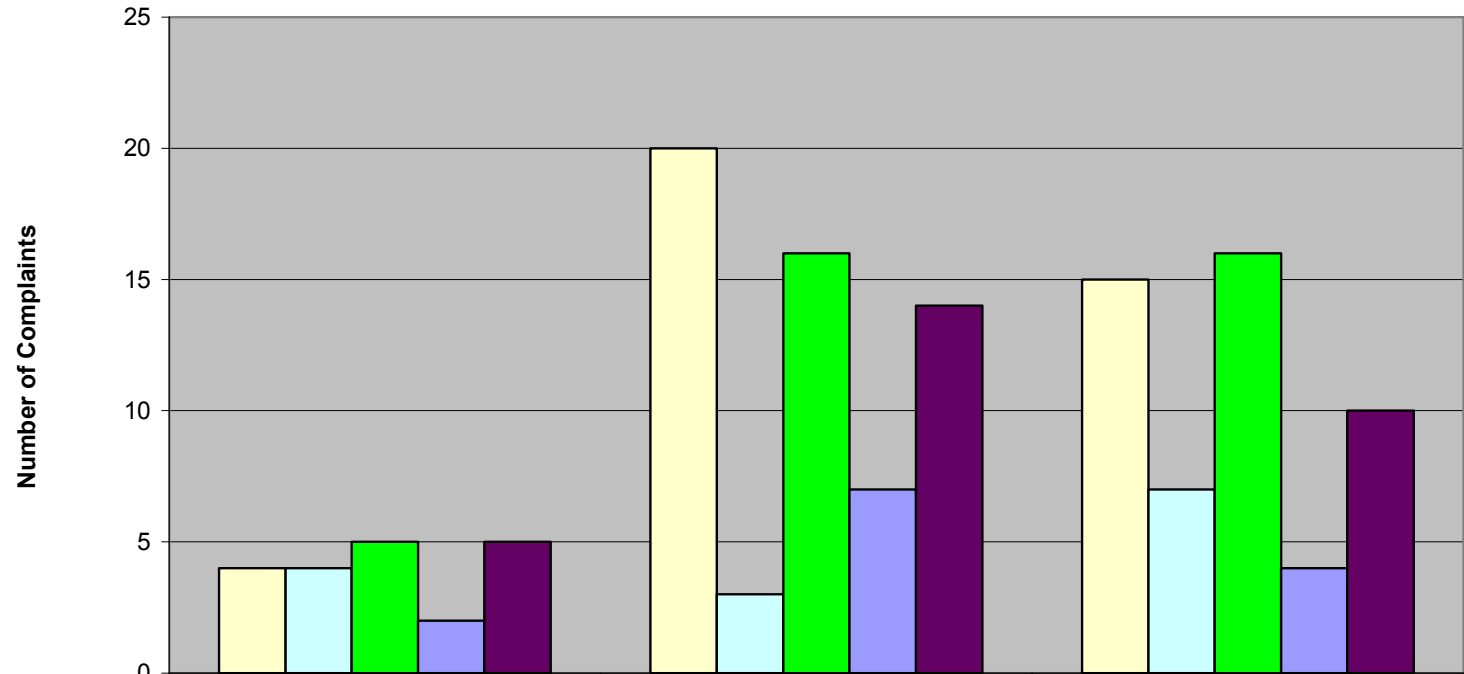
**NOTES:** (1) See attachment for brief description of subject categories.

\* A complaint is defined as a communication received at CGB's consumer centers either via letter, fax, email or telephone from or on behalf of an individual that: (i) identifies a particular entity under the FCC's jurisdiction; (ii) alleges harm or injury; and (iii) seeks relief. The FCC receives many complaints that do not involve violations of the Communications Act or a FCC rule or order. The existence of a complaint does not necessarily indicate wrongdoing by the company involved.

\*\* Complaints regarding alleged indecency/obscenity during specific broadcasts are forwarded to the Enforcement Bureau (EB) for appropriate handling. The reported counts reflect complaints received directly by CGB, complaints forwarded to EB, complaints received separately by EB, and complaints emailed to the FCC Commissioner's offices and FCCINFO. The reported data may also include duplicate complaints or contacts that subsequently are determined insufficient to constitute actionable complaints.

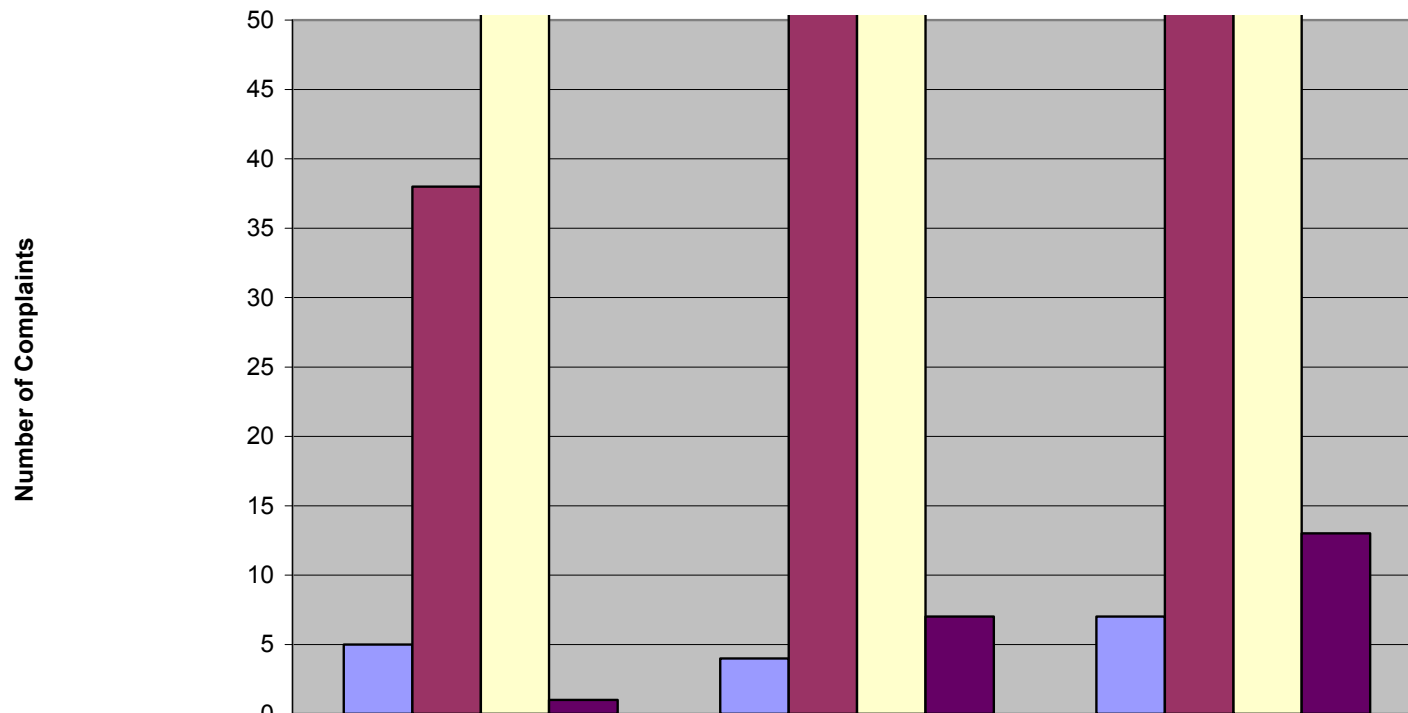
The data within this report account for statistics at the national level as reported to the Commission, and therefore are not necessarily indicative of corresponding state or local trends.

**Consumer & Governmental Affairs Bureau  
Top Cable Service Consumer Complaints  
Fourth Quarter - Calendar Year 2004**



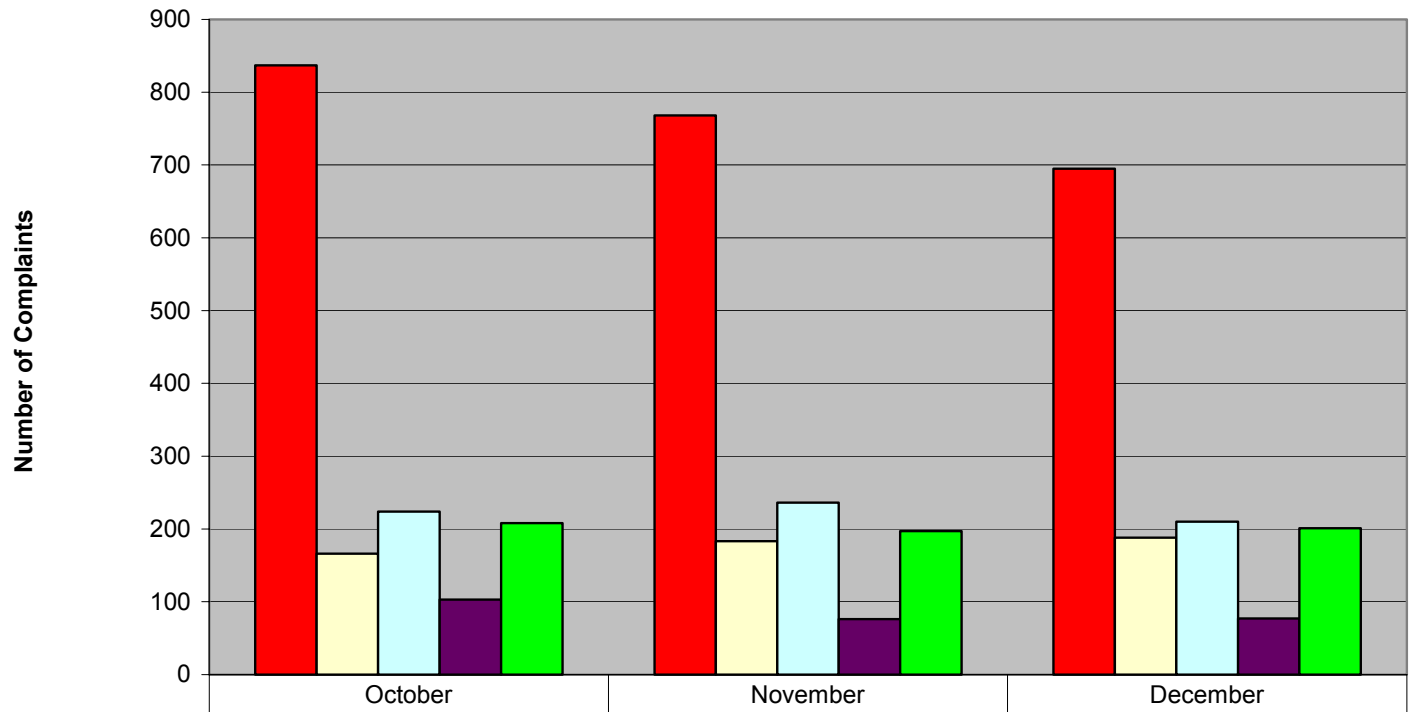
	October	November	December
■ Billing & Rates	4	20	15
■ Disability Issues	4	3	7
■ Programming Issues	5	16	16
■ Cable Modem Service	2	7	4
■ Service Related Issues	5	14	10

**Consumer & Governmental Affairs Bureau  
Top Radio & Television Broadcasting Consumer Complaints  
Fourth Quarter - Calendar Year 2004**



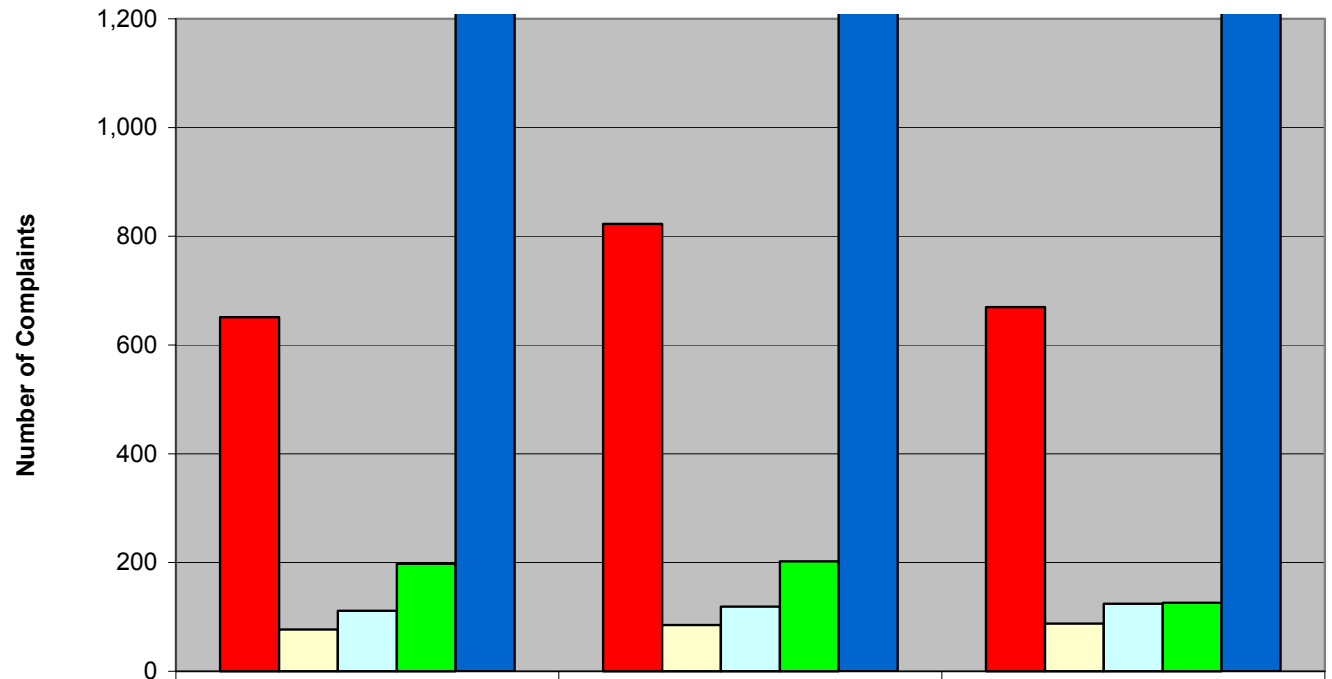
	October	November	December
■ Disability Issues	5	4	7
■ Programming - General Criticism	38	66	109
■ Programming - Indecency/Obscenity**	119,785	190,805	7,243
■ Other Programming Issues	1	7	13

**Consumer & Governmental Affairs Bureau  
Top Wireless Telecommunications Consumer Complaints  
Fourth Quarter - Calendar Year 2004**



■ Billing & Rates	837	768	695
□ Carrier Marketing & Advertising	166	183	188
□ Contract - Early Termination	224	236	210
■ Number Portability	103	76	77
■ Service Quality	208	197	201

**Consumer & Governmental Affairs Bureau  
Top Wireline Telecommunications Consumer Complaints  
Fourth Quarter - Calendar Year 2004**



	October	November	December
■ Billing & Rates	651	823	670
■ Carrier Marketing & Advertising	77	85	88
■ Service Quality	111	119	124
■ Slamming	198	202	126
■ Telephone Consumer Protection Act	3,873	2,101	1,980

**Summary of Top Consumer Inquiry\* Subjects**  
**Processed by the FCC's Consumer & Governmental Affairs Bureau (CGB)**  
**Fourth Quarter - Calendar Year 2004**

	October	November	December	Quarter Total
<b>Cable Services</b>				
Over the Air Reception Device Issues	216	250	195	661
Programming Issues	251	281	233	765
Satellite Home Viewer Improvement Act Issues	210	182	185	577
Satellite Issues	270	230	223	723
Service-Related Issues	423	441	464	1,328
<i>Totals</i>	1,370	1,384	1,300	4,054

	October	November	December	Quarter Total
<b>Radio &amp; Television Broadcasting</b>				
General Broadcast Information	233	248	171	652
How to Start Broadcast Station	140	116	109	365
Low Power Broadcast Information	108	134	90	332
Political Programming	12,635	284	30	12,949
Programming & Content	1,452	2,256	2,559	6,267
<i>Totals</i>	14,568	3,038	2,959	20,565

	October	November	December	Quarter Total
<b>Wireless Telecommunications</b>				
Amateur License	448	486	525	1,459
Billing & Rates	139	128	107	374
Electrical Interference	2,004	1,987	1,915	5,906
General Mobile Radio Service License	477	623	800	1,900
Land Mobile License	250	280	214	744
<i>Totals</i>	3,318	3,504	3,561	10,383

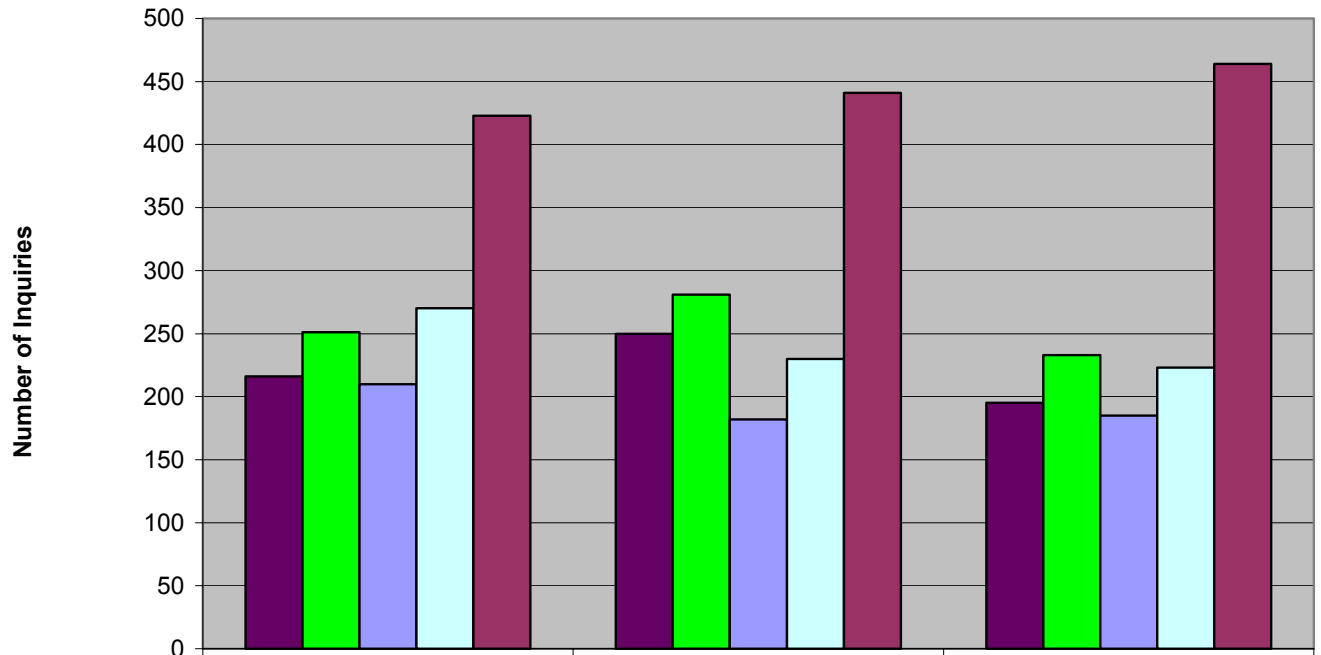
	October	November	December	Quarter Total
<b>Wireline Telecommunications</b>				
Billing & Rates	1,417	1,230	1,336	3,983
Cramming	3,505	3,540	3,618	10,663
Number Portability	100	71	65	236
Slamming	5,224	4,966	4,475	14,665
Telephone Consumer Protection Act	3,530	2,651	2,327	8,508
<i>Totals</i>	13,776	12,458	11,821	38,055

**NOTES:**

\* An inquiry is defined as a correspondence received at CGB's consumer centers either via letter, fax, email or telephone from individuals seeking information on matters under the FCC's jurisdiction.

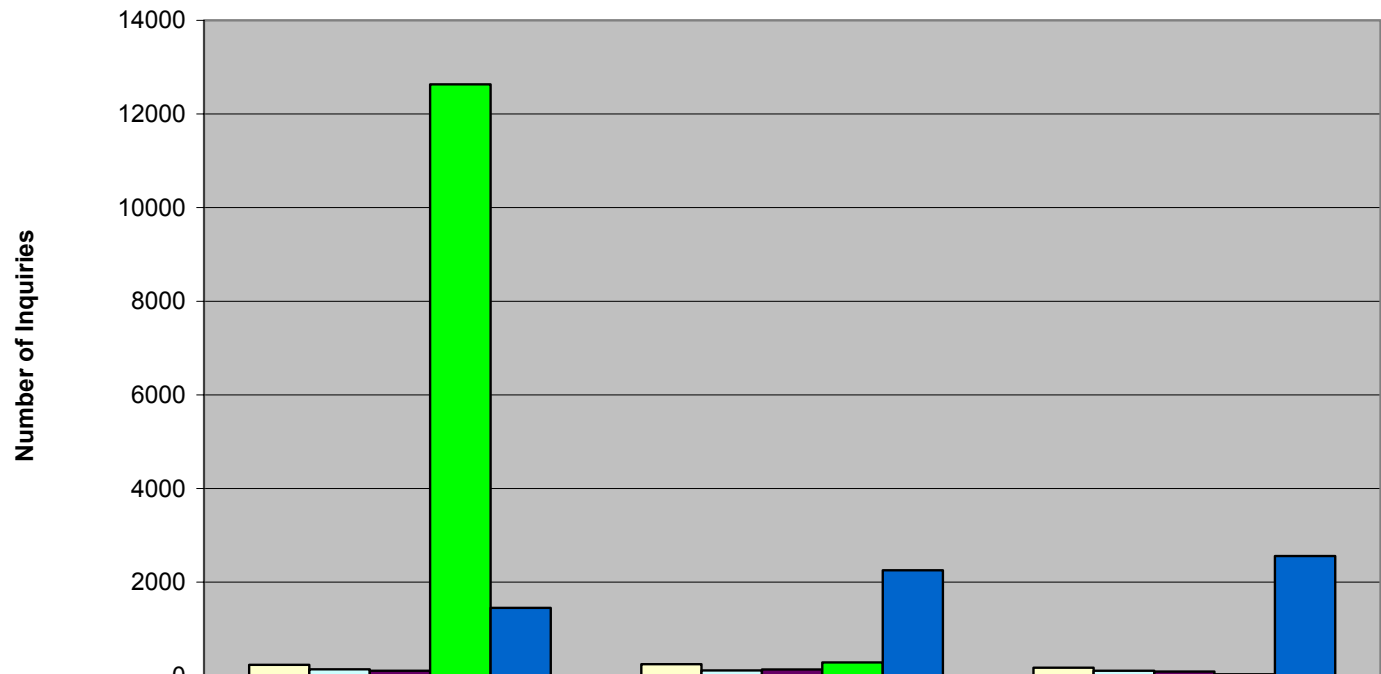
The data within this report account for statistics at the national level as reported to the Commission, and therefore are not necessarily indicative of corresponding state or local trends.

**Consumer & Governmental Affairs Bureau  
Top Cable Service Consumer Inquiries  
Fourth Quarter - Calendar Year 2004**



	October	November	December
■ Over the Air Reception Device Issues	216	250	195
■ Programming Issues	251	281	233
■ Satellite Home Viewer Improvement Act Issues	210	182	185
■ Satellite Issues	270	230	223
■ Service-Related Issues	423	441	464

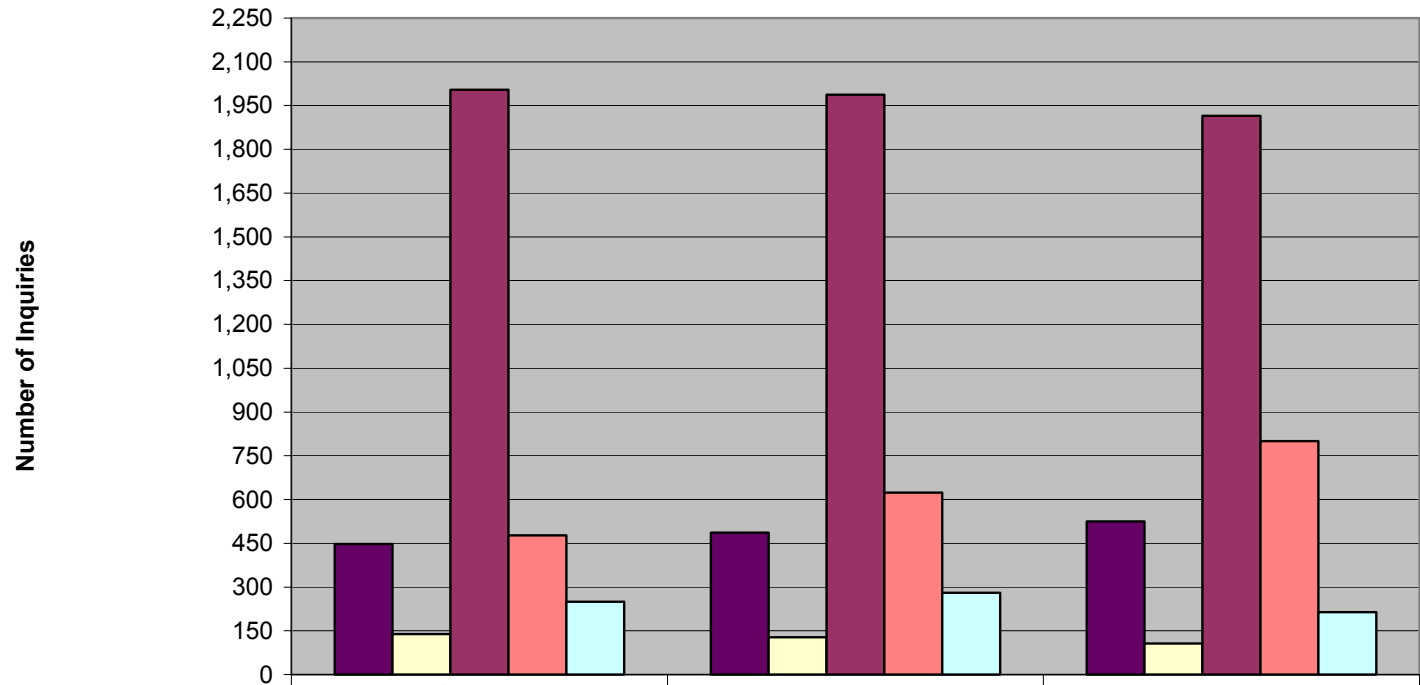
**Consumer & Governmental Affairs Bureau  
Top Radio & Television Broadcasting Inquiries  
Fourth Quarter - Calendar Year 2004**



	October	November	December
General Broadcast Information	233	248	171
How to Start Broadcast Station	140	116	109
Low Power Broadcast Information	108	134	90
Political Programming	12,635	284	30
Programming & Content	1,452	2,256	2,559

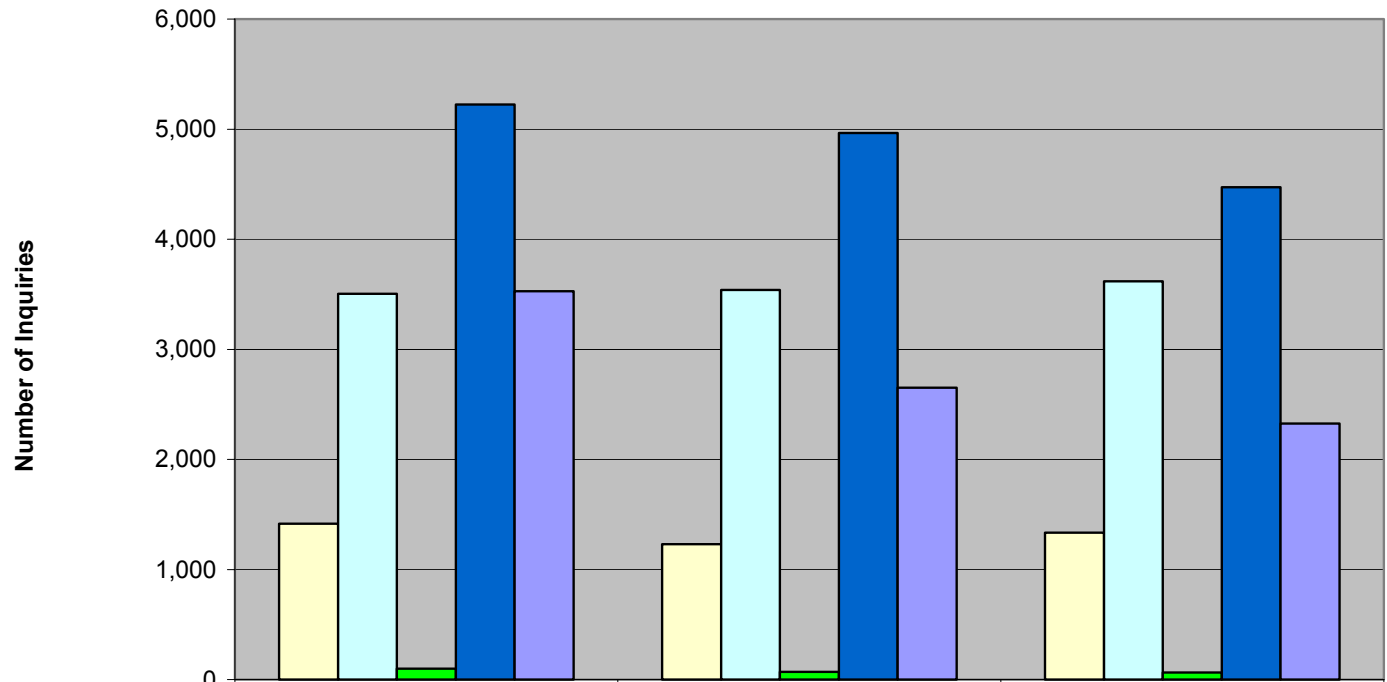


**Consumer & Governmental Affairs Bureau  
Top Wireless Telecommunications Consumer Inquiries  
Fourth Quarter - Calendar Year 2004**



	October	November	December
■ Amateur License	448	486	525
□ Billing & Rates	139	128	107
■ Electrical Interference	2,004	1,987	1,915
■ General Mobile Radio Service License	477	623	800
□ Land Mobile License	250	280	214

**Consumer & Governmental Affairs Bureau  
Top Wireline Telecommunications Consumer Inquiries  
Fourth Quarter - Calendar Year 2004**



	October	November	December
■ Billing & Rates	1,417	1,230	1,336
■ Cramming	3,505	3,540	3,618
■ Number Portability	100	71	65
■ Slamming	5,224	4,966	4,475
■ Telephone Consumer Protection Act	3,530	2,651	2,327