



NEWS

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

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QUARTERLY REPORT ON INFORMAL CONSUMER INQUIRIES AND COMPLAINTS RELEASED

Washington, DC – The Commission has released its report on the top subject areas for inquiries and complaints processed by the Consumer & Governmental Affairs Bureau (CGB) during the second quarter of calendar year 2006.

Wireless complaints decreased from 4,616 in the 1st quarter to 4,050 in the 2nd quarter. Telephone Consumer Protection Act replaced Equipment as a one of the top Wireless categories this quarter. Wireline complaint receipts decreased from 23,358 to 15,753. The number of Radio and Television Broadcasting complaints decreased from 275,257 in the 1st quarter to 53,352 in the 2nd quarter.

There was an increase in the number of Wireless inquiries received during the 2nd quarter as they rose from 7,130 in the 1st quarter to 9,296 in the 2nd quarter. Billing and Rates, and Contract - Early Termination replaced Commercial License and Land Mobile Issues as one of the top Wireless inquiry categories this quarter. Wireline inquiries increased from 31,231 in the 1st quarter to 35,324 in the 2nd quarter. Radio and Television Broadcasting inquiry receipts decreased from 4,238 in the 1st quarter to 3,390 in the 2nd quarter. Low Power Issues replaced Accessibility Issues as one of the top Radio and Television Broadcasting inquiry categories this 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.

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REPORT ON INFORMAL CONSUMER INQUIRIES AND COMPLAINTS
2nd Quarter Calendar Year 2006
Executive Summary

This report tracks the top subject areas for consumer inquiries and complaints processed by the Consumer & Governmental Affairs Bureau (CGB) received during the 2nd quarter of calendar year 2006.¹ 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, internet, 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.

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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.

¹ The data reported reflect the complaints and inquiries recorded in CGB's automated tracking systems for the period April 1, 2006 to June 30, 2006. 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 & SATELLITE SERVICES

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

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

Cable Modem Service: Complaints/inquiries regarding cable modem service

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

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 Home Viewer Improvement Act (SHVIA): Complaints/inquiries regarding SHVIA issues

Service Related Issues: Complaints/inquiries about the quality of service provided by cable operators or satellite programming distributors

RADIO & TELEVISION BROADCASTING

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

Commercial Advertisement Issues: Complaints/inquiries regarding commercial advertisements

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

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

Programming Issues

- Obscenity/ Indecency/Profanity: Complaints/inquiries regarding programs that allegedly contain obscene, indecent or profane 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 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

Commercial License Issues: Inquiries regarding commercial licenses.

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

WIRELINE TELECOMMUNICATIONS

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

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

Digital Service Line (DSL) Issues: Complaints/inquiries regarding DSL issues

Service Quality: Complaints/inquiries regarding the quality of service provided by telephone companies:

- DSL Service Inadequate: poor quality of service or service outage
- Interstate Telecommunications: poor call reception, service outage, service disconnects, or carrier’s failure to release telephone line (and no charges are associated)
- Long Distance Service Treatment: inadequate customer service treatment by long distance carrier including, but not limited to, additional services being added without the consumer’s knowledge or approval, etc.

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)
Second Quarter - Calendar Year 2006

	April	May	June	Quarter Total
Cable & Satellite Services				
Accessibility Issues	7	5	2	14
Billing & Rates	16	32	25	73
Cable Modem Service	13	35	19	67
Programming Issues	28	42	91	161
Service Related Issues	11	37	36	84
Totals	75	151	173	399

	April	May	June	Quarter Total
Radio & Television Broadcasting				
Accessibility Issues	31	6	4	41
Programming - General Criticism	164	100	198	462
Programming - Indecency/Obscenity **	11,326	40,000	741	52,067
Other Programming Issues	308	471	3	782
Totals	11,829	40,577	946	53,352

	April	May	June	Quarter Total
Wireless Telecommunications				
Billing & Rates	561	683	722	1,966
Carrier Marketing & Advertising	136	181	134	451
Contract - Early Termination	121	206	155	482
Service Quality	174	203	224	601
Telephone Consumer Protection Act	179	196	175	550
Totals	1,171	1,469	1,410	4,050

	April	May	June	Quarter Total
Wireline Telecommunications				
Billing & Rates	658	879	744	2,281
Cramming	116	163	122	401
Service Quality	159	227	252	638
Telephone Consumer Protection Act - Other Issues	1,805	3,455	1,361	6,621
Telephone Consumer Protection Act - Unsolicited Fax	1,590	1,370	2,852	5,812
Totals	4,328	6,094	5,331	15,753

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

* A complaint is defined as a communication received at CGB's consumer center either via letter, fax, email, internet, 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 programs are forwarded to the Enforcement Bureau (EB) for appropriate handling. The reported counts reflect complaints received by CGB, complaints received separately by EB, and complaints emailed directly to the offices of the FCC Chairman and the respective offices of the Commissioners. The reported counts 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.

Summary of Top Consumer Inquiry* Subjects
Processed by the FCC's Consumer & Governmental Affairs Bureau (CGB)
Second Quarter - Calendar Year 2006

	April	May	June	Quarter Total
Cable & Satellite Services				
Over the Air Reception Device Issues	214	210	199	623
Programming Issues	233	187	115	535
Satellite Home Viewer Improvement Act Issues	187	147	102	436
Satellite Issues	307	676	292	1,275
Service-Related Issues	401	399	395	1,195
<i>Totals</i>	1,342	1,619	1,103	4,064

	April	May	June	Quarter Total
Radio & Television Broadcasting				
Commercial Advertisement Issues	82	89	99	270
General Broadcast Information	125	154	181	460
How to Start Broadcast Station	95	110	102	307
Low Power Issues	126	103	109	338
Programming & Content	871	667	477	2,015
<i>Totals</i>	1,299	1,123	968	3,390

	April	May	June	Quarter Total
Wireless Telecommunications				
Amateur License	380	623	528	1,531
Billing & Rates	553	931	398	1,882
Electrical Interference	1,203	1,338	1,283	3,824
Contract - Early Termination	124	255	112	491
General Mobile Radio Service License	425	553	590	1,568
<i>Totals</i>	2,685	3,700	2,911	9,296

	April	May	June	Quarter Total
Wireline Telecommunications				
Billing & Rates	945	1,368	785	3,098
Cramming	1,345	1,773	1,177	4,295
Slamming	1,602	1,621	1,678	4,901
Telephone Consumer Protection Act - Other Issues	4,396	6,063	6,475	16,934
Telephone Consumer Protection Act - Unsolicited Fax	1,482	3,323	1,291	6,096
<i>Totals</i>	9,770	14,148	11,406	35,324

NOTES:

* An inquiry is defined as a correspondence received at CGB's consumer center either via letter, fax, email, internet, 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.