



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 RELEASE

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 fourth quarter of calendar year 2006.

Wireless complaints had a slight rise from 4,149 in the 3rd quarter to 4,600 in the 4th quarter. Billing and Rates was the top Wireless category again this quarter. Wireline complaints rose from 12,426 in the 3rd quarter to 13,490 in the 4th quarter. The number of Radio and Television Broadcasting complaints decreased from 163,134 in the 3rd quarter to 33,327 in the 4th quarter.

There was an increase in the number of Wireless inquiries received during this quarter from 5,054 in the 3rd quarter to 5,597 in the 4th quarter. Amateur License Information and Service Issues related inquiries continue as the top Wireless categories this quarter. Wireline inquiries decreased from 13,724 in the 3rd quarter to 12,824 in the 4th quarter. Radio and Television Broadcasting inquiry receipts increased from 3,925 in the 3rd quarter to 4,042 this quarter. Digital Television and Programming issues were ranked as 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.

CGB contact: Stephen Ebner at (202) 418-1400.

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REPORT ON INFORMAL CONSUMER INQUIRIES AND COMPLAINTS
4th 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 4th 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 October 1, 2006 to December 31, 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 Inquiry*Subjects
Processed by the FCC's Consumer & Governmental Affairs Bureau (CGB)
Fourth Quarter-Calendar Year 2006**

	October	November	December	Quarter Totals
Cable & Satellite Services				
Over the Air Reception Device Issues	159	119	122	400
Digital TV Issues	8	11	17	36
Satellite Home Viewer Improvement Act Issue	420	529	518	1,467
Cable TV & Satellite Issues	837	697	702	2,236
<i>Totals</i>	1,424	1,356	1,359	4,139

	October	November	December	Quarter Totals
Radio and Television Broadcasting				
EAS	26	26	10	62
Political Programming Issues	81	71	15	167
Digital Television Issues	115	88	132	335
Broadcast Programming Issues	1,401	1,121	956	3,478
<i>Totals</i>	1,623	1,306	1,113	4,042

	October	November	December	Quarter Totals
Wireless Telecommunications				
Amateur License Information	363	419	429	1,211
General Mobile Information	67	70	51	188
Land Mobile Information	52	52	42	146
Electrical Interference	45	77	47	169
Service Issues	1,426	1,275	1,182	3,883
<i>Totals</i>	1,953	1,893	1,751	5,597

	October	November	December	Quarter Totals
Wireline Telecommunications				
Billing & Rates Information	137	115	98	350
Cramming Information	1,161	999	988	3,148
Slamming Information	1,050	961	1,036	3,047
Telephone Consumer Protection Act Issues	2,078	2,365	1,836	6,279
<i>Totals</i>	4,426	4,440	3,958	12,824

Notes:

*An inquiry is defined as a correspondence received at CGB's consumer center either via letter, 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 and local trends.

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

	October	November	December	Quarter Totals
Cable & Satellite Services				
Billing & Rates	51	35	32	118
Cable Modem Services	26	51	43	120
Programming Issues	215	155	125	495
Service Related Issues	58	59	33	150
<i>Totals</i>	350	300	233	883

	October	November	December	Quarter Totals
Radio and Television Broadcasting				
Accessibility Issues	16	3	4	23
Programming - General Criticism	562	303	241	1,106
Programming - Indecency/Obscenity**	29,821	835	306	30,962
Other Programming Issues	149	982	105	1,236
<i>Totals</i>	30,548	2,123	656	33,327

	October	November	December	Quarter Totals
Wireless Telecommunications				
Billing & Rates	897	748	739	2,384
Carrier Marketing & Advertising	186	145	164	495
Contract - Early Termination	180	165	162	507
Service Quality	240	188	187	615
Telephone Consumer Protection Act	221	209	169	599
<i>Totals</i>	1,724	1,455	1,421	4,600

	October	November	December	Quarter Totals
Wireline Telecommunications				
Billing & Rates	765	665	616	2,046
Carrier Marketing & Advertising	104	97	97	298
Service Quality	161	109	116	386
Telephone Consumer Protection Act - Other Issues	1,580	1,552	1,158	4,290
Telephone Consumer Protection Act-Unsolicited Fax	2,845	2,106	1,519	6,470
<i>Totals</i>	5,455	4,529	3,506	13,490

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 inquiry; 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 wrong doing 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.

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