



# NEWS

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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. Cir. 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 2007.

2007 Fourth Quarter Inquiries. During this quarter there was a greater than 147% increase in the total number of inquiries for all four reported categories from 18,977 in the 3<sup>rd</sup> quarter to 46,960 in the 4<sup>th</sup> quarter. Notably, there was an 80% increase in the number of Wireless inquiries received in the 4<sup>th</sup> quarter from 4,014 to 7,232. The bulk of the Wireless inquiries, i.e., 44%, pertained to General License Information. Wireline inquiries increased 155% from 7,645 to 19,524 this quarter. Telephone Consumer Protection Act (TCPA) contributed over 78% of the inquiries for this category. The number of Radio and Television Broadcasting inquiries increased slightly more than 368% from 3,576 to 16,745. Digital Television (DTV) issues ranked as the top Radio and Television Broadcasting inquiry sub-category this quarter representing over 75% of the 16,745 inquiries. By contrast, Cable and Satellite Services inquiries decreased 7% from 3,742 to 3,459 this quarter. Inquiries regarding Billing & Rates Information contributed 38% of the inquiries for this category.

2007 Fourth Quarter Complaints. During this quarter, complaints in the reported categories increased 37% from 31,194 in the 3<sup>rd</sup> quarter to 42,946 in the 4<sup>th</sup> quarter. Wireless and Wireline were the categories where most of the increase is reflected. Cable & Satellite Services related complaints increased slightly over 6% from 579 in the 3<sup>rd</sup> quarter to 615 in the 4<sup>th</sup> quarter. The number of Radio and Television Broadcasting complaints increased this quarter by over 26% from 987 to 1,249. Programming General Criticism was the highest contributor in this category with 46% of the 1,249 complaints. Wireless complaints increased 59% from 7,851 to 12,448. TCPA issues continued as the top ranking category this quarter representing 52% of the complaints in this category. Wireless TCPA complaints rose again this quarter, from 4,113 to 6,489. Wireline complaints also rose in the 4<sup>th</sup> quarter to 28,634 from 21,759 in the 3<sup>rd</sup> quarter. Telephone Consumer Protection Act - Other Issues, Telephone Consumer Protection Act - Do Not Call List and Telephone Consumer Protection Act – Unsolicited Fax ranked as the top categories and when combined, totaled over 88% of the Wireline related complaints in the reported sub-categories.

*Yearly Comparisons and Trends.* The number of inquiries in the top consumer subjects as reported in the quarterly reports has decreased from 152,136 in 2006 to 111,678 in 2007. The sub-categories in which notable decreases were experienced in 2007, as compared to 2006, were: (1) TCPA, a 54% decrease from 56,025 in 2006 to 25,971 in 2007; (2) Slamming, a more than 52% decrease from 15,641 in 2006 to 7,382 in 2007; and (3) Cramming, a more than 43% decrease from 14,469 in 2006 to 8,145 in 2007.

The number of complaints in the top consumer subjects as reported in the quarterly reports has decreased from 609,773 in 2006 to 278,812 in 2007. The subcategory in which there was a substantial decrease in 2007, as compared to 2006, was Programming – Indecency/Obscenity, where there was a 71% decrease from 520,330 in 2006 to 154,626 in 2007. By contrast, the number of Wireline TCPA related inquiries increased 39% from 52,589 in 2006 to 73,209 in 2007.

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. The quarterly report on informal consumer inquiries and complaints release can be viewed at: <http://www.fcc.gov/cgb/quarter/welcome.htm>.

**REPORT ON INFORMAL CONSUMER INQUIRIES AND COMPLAINTS**  
**4<sup>th</sup> Quarter Calendar Year 2007**  
**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 4<sup>th</sup> quarter of calendar year 2007.<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. An informal consumer complaint is 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.

*2007 Fourth Quarter Inquiries.* During this quarter there was a greater than 147% increase in the total number of inquiries for all four reported categories from 18,977 in the 3<sup>rd</sup> quarter to 46,960 in the 4<sup>th</sup> quarter. Notably, there was an 80% increase in the number of Wireless inquiries received in the 4<sup>th</sup> quarter from 4,014 to 7,232. The bulk of the Wireless inquiries, i.e., 44%, pertained to General License Information. Wireline inquiries increased 155% from 7,645 to 19,524 this quarter. Telephone Consumer Protection Act (TCPA) contributed over 78% of the inquiries for this category. The number of Radio and Television Broadcasting inquiries increased slightly more than 368% from 3,576 to 16,745. Digital Television (DTV) issues ranked as the top Radio and Television Broadcasting inquiry sub-category this quarter representing over 75% of the 16,745 inquiries. By contrast, Cable and Satellite Services inquiries decreased 7% from 3,742 to 3,459 this quarter. Inquiries regarding Billing & Rates Information contributed 38% of the inquiries for this category.

*2007 Fourth Quarter Complaints.* During this quarter, complaints in the reported categories increased 37% from 31,194 in the 3<sup>rd</sup> quarter to 42,946 in the 4<sup>th</sup> quarter. Wireless and Wireline were the categories where most of the increase is reflected. Cable & Satellite Services related complaints increased slightly over 6% from 579 in the 3<sup>rd</sup> quarter to 615 in the 4<sup>th</sup> quarter. The number of Radio and Television Broadcasting complaints increased this quarter by over 26% from 987 to 1,249. Programming General Criticism was the highest contributor in this category with 46% of the 1,249 complaints. Wireless complaints increased 59% from 7,851 to 12,448. TCPA issues continued as the top ranking category this quarter representing 52% of the complaints in this category. Wireless TCPA complaints rose again this quarter, from 4,113 to 6,489. Wireline complaints also rose in the 4<sup>th</sup> quarter to 28,634 from 21,759 in the 3<sup>rd</sup> quarter. Telephone Consumer Protection Act - Other Issues, Telephone Consumer Protection Act - Do Not Call List and Telephone Consumer Protection Act - Unsolicited Fax ranked as the top categories and when combined, totaled over 88% of the Wireline related complaints in the reported sub-categories.

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52% decrease from 15,641 in 2006 to 7,382 in 2007; and (3) Cramming, a more than 43% decrease from 14,469 in 2006 to 8,145 in 2007.

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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. The quarterly report on informal consumer inquiries and complaints release can be viewed at: <http://www.fcc.gov/cgb/quarter/welcome.htm>.

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<sup>i</sup> The data reported reflects the complaints and inquiries recorded in CGB's automated tracking systems for the period October 1, 2007 to December 31, 2007. 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 by 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)  
Fourth Quarter - Calendar Year 2007**

	October	November	December	Quarter Totals
<b>Cable &amp; Satellite Services</b>				
Satellite Home Viewer Improvement Act Issue	176	147	128	451
Programming Issues	185	149	166	500
Service Related Issues	219	219	146	584
Over-the-Air Reception Device Issues	263	189	140	592
Billing & Rates Information	463	429	440	1,332
<i>Totals</i>	1,306	1,133	1,020	<b>3,459</b>

	October	November	December	Quarter Totals
<b>Radio and Television Broadcasting</b>				
Emergency Alert System (EAS)	21	32	33	86
Disability & Access related issues	93	63	60	216
Interference	468	344	376	1,188
Broadcast Programming Issues	1,035	721	879	2,635
Digital Television Issues	1,073	6,784	4,763	12,620
<i>Totals</i>	2,690	7,944	6,111	<b>16,745</b>

	October	November	December	Quarter Totals
<b>Wireless Telecommunications</b>				
Amateur License Information	174	103	137	414
Interference	212	235	234	681
Billing & Rates Information	416	333	339	1,088
Service Related Issues	644	622	598	1,864
License Information (General)	940	766	1,479	3,185
<i>Totals</i>	2,386	2,059	2,787	<b>7,232</b>

	October	November	December	Quarter Totals
<b>Wireline Telecommunications</b>				
Billing & Rates Information	410	262	362	1,034
Slamming Information	568	404	420	1,392
Cramming Information	671	552	544	1,767
Telephone Consumer Protection Act Issues	5,398	5,224	4,709	15,331
<i>Totals</i>	7,047	6,442	6,035	<b>19,524</b>

**Notes:**

\* An inquiry is defined as any correspondence or communication received at CGB's Consumer Centers from individuals seeking information on matters under the FCC's jurisdiction.

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

(2) 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.

\*\* The inquiries figures in this report represent volume for the categories and sub-categories listed in this report only and are not inclusive of all inquiries for all categories handled by the FCC.

**Summary of Top Complaint \* Subjects**  
**Processed by the FCC's Consumer & Governmental Affairs Bureau (CGB)**  
**Fourth Quarter - Calendar Year 2007**

	October	November	December	Quarter Totals
<b>Cable &amp; Satellite Services</b>				
Billing & Rates	30	35	30	95
Service Related Issues	28	44	28	100
Connection to Cable systems	42	17	42	101
Cable Modem Services	51	14	51	116
Programming Issues	69	50	84	203
<i>Totals</i>	220	160	235	<b>615</b>

	October	November	December	Quarter Totals
<b>Radio and Television Broadcasting</b>				
Disability & Access related issues	4	13	4	21
Other Programming Issues	44	120	58	222
Programming - Indecency/Obscenity**	112	125	196	433
Programming - General Criticism	192	193	188	573
<i>Totals</i>	352	451	446	<b>1,249</b>

	October	November	December	Quarter Totals
<b>Wireless Telecommunications</b>				
Carrier Marketing & Advertising	110	72	216	398
Contract - Early Termination	174	123	158	455
Billing & Rates	663	579	805	2,047
Service Related Issues	988	368	1,703	3,059
Telephone Consumer Protection Act	1,934	1,755	2,800	6,489
<i>Totals</i>	3,869	2,897	5,682	<b>12,448</b>

	October	November	December	Quarter Totals
<b>Wireline Telecommunications</b>				
Slamming	185	133	168	486
Service Quality	210	194	214	618
Billing & Rates	611	735	707	2,053
Telephone Consumer Protection Act - Do Not Call List	1,268	1,382	1,326	3,976
Telephone Consumer Protection Act -Other Issues	1,966	2,457	2,553	6,976
Telephone Consumer Protection Act-Unsolicited Fax	3,728	4,189	6,608	14,525
<i>Totals</i>	7,968	9,090	11,576	<b>28,634</b>

**Notes:**

\* An informal consumer complaint is defined as any correspondence or communication received at CGB's Consumer Centers either via postal mail, fax, electronic mail (e-mail) 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) requests relief. The complaint figures in this report reflect selected categories of complaints -- namely, the top complaint subjects -- and are not inclusive of all complaints handled by the FCC.

\*\* The number of programming complaints assigned to each of the programming sub-categories is based on initial processing. The distribution of programming complaints among the sub-categories may change upon further review. Complaints regarding alleged indecency/obscenity/profanity during specific programs are forwarded to the Enforcement Bureau (EB) for appropriate handling. The number of Programming complaints reported here reflects 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 include duplicate complaints or contacts that subsequently are determined insufficient to constitute actionable complaints.

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

(2) 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**

**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

**Connection 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**

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

**Broadcast Programming issues:** Complaints/inquiries related to general over the air programming issues

**Digital TV Issues:** Complaints/inquiries concerning digital TV service or the transition to digital TV

**Emergency Alert System (EAS):** Complaints/inquiries concerning the emergency alert system

**Interference:** Complaints/Inquiries regarding unwanted signals from nearby transmitters to home entertainment electronic equipment

## **Programming Issues**

- Indecency/Obscenity: Complaints/inquiries regarding programs that allegedly contain obscene, indecent or profane material
- General Criticism: generalized concerns regarding the content of programs
- Other Programming Issues: Miscellaneous programming issues

## **WIRELESS TELECOMMUNICATIONS**

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

### **Billing and Rates – 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 wireless 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

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

**License Information (General):** Inquiries regarding GMRS license acquisition, requirements, eligibility, cancellation, frequency coordination, replacement and other general license related issues

**Service Related Issues:** 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

**Telephone Consumer Protection Act (TCPA):** Complaints/inquiries regarding compliance with the TCPA requirements applicable to wireless telecommunications

## **WIRELINE TELECOMMUNICATIONS**

### **Billing and Rates – 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

**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 TCPA:

- Do Not Call List: any telephone solicitation to a residential telephone subscriber who has requested not to receive telephone solicitations
- Unsolicited Fax: unsolicited (“junk”) faxes or the use of a computer or other device to send any messages via a telephone facsimile
- Other Issues: Complaints/inquiries dealing with all other aspects of TCPA except Do Not Call List and Junk Fax