



# 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. 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 third quarter of calendar year 2008.

2008 Third Quarter Inquiries. During this quarter, the total number of inquiries for all four reported categories increased more than 64%, from 62,036 in the 2<sup>nd</sup> quarter of 2008 to 102,079 in the 3<sup>rd</sup> quarter of 2008. Notably, the number of Radio and Television Broadcasting inquiries increased more than 93%, from 31,719 in the 2<sup>nd</sup> quarter to 61,404 in the 3<sup>rd</sup> quarter. The bulk of the Radio and Television Broadcasting inquiries, i.e., 88%, pertained to Digital Television Issues. Wireline inquiries increased over 16% from 21,502 in the 2<sup>nd</sup> quarter to 24,981 in the 3<sup>rd</sup> quarter. Telephone Consumer Protection Act (TCPA) inquiries constituted over 73% of the inquiries in this category. The number of Cable and Satellite Services inquiries increased more than 118%, as compared to the 2<sup>nd</sup> quarter, from 4,130 to 9,008. Inquiries regarding Digital Television Issues constituted 60% of the inquiries in this category. Wireless inquiries increased more than 42% from 4,685 in the 2<sup>nd</sup> quarter to 6,686 in the 3<sup>rd</sup> quarter.

2008 Third Quarter Complaints. During this quarter, complaints in the reported categories increased over 14%, from 86,530 in the 2<sup>nd</sup> quarter to 98,816 in the 3<sup>rd</sup> quarter of 2008. Most of the increase occurred in the Radio and Television Broadcasting category where complaints increased from 30,317 in the second quarter to 40,057 this quarter. Programming Indecency/Obscenity complaints comprised over 93% of the 40,057 complaints in this category. Cable & Satellite Services-related complaints increased over 60% from 1,414 in the 2<sup>nd</sup> quarter of 2008 to 2,263 in the 3<sup>rd</sup> quarter. Wireless complaints increased 25% from 13,560 in the 2<sup>nd</sup> quarter of 2008 to 16,950 in the 3<sup>rd</sup> quarter. TCPA issues comprised over 67% of the complaints in this category. Wireline complaints decreased in the 3<sup>rd</sup> quarter of 2008 to 39,546 from 41,239 in the 2<sup>nd</sup> quarter of 2008. 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 of wireline complaints and when combined, totaled over 84% of the wireline-related complaints in the reported sub-categories.

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.html>.

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**REPORT ON INFORMAL CONSUMER INQUIRIES AND COMPLAINTS**  
**3<sup>rd</sup> Quarter Calendar Year 2008**  
**Executive Summary**

This report tracks the top subject areas for consumer inquiries and complaints received during the 3<sup>rd</sup> quarter of calendar year 2008 and processed by the Consumer & Governmental Affairs Bureau (CGB).<sup>i</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.

*2008 Third Quarter Inquiries.* During this quarter, the total number of inquiries for all four reported categories increased more than 64%, from 62,036 in the 2<sup>nd</sup> quarter of 2008 to 102,079 in the 3<sup>rd</sup> quarter of 2008. Notably, the number of Radio and Television Broadcasting inquiries increased more than 93%, from 31,719 in the 2<sup>nd</sup> quarter to 61,404 in the 3<sup>rd</sup> quarter. The bulk of the Radio and Television Broadcasting inquiries, i.e., 88%, pertained to Digital Television Issues. Wireline inquiries increased over 16% from 21,502 in the 2<sup>nd</sup> quarter to 24,981 in the 3<sup>rd</sup> quarter. Telephone Consumer Protection Act (TCPA) inquiries constituted over 73% of the inquiries in this category. The number of Cable and Satellite Services inquiries increased more than 118%, as compared to the 2<sup>nd</sup> quarter, from 4,130 to 9,008. Inquiries regarding Digital Television Issues constituted 60% of the inquiries in this category. Wireless inquiries increased more than 42% from 4,685 in the 2<sup>nd</sup> quarter to 6,686 in the 3<sup>rd</sup> quarter.

*2008 Third Quarter Complaints.* During this quarter, complaints in the reported categories increased over 14%, from 86,530 in the 2<sup>nd</sup> quarter to 98,816 in the 3<sup>rd</sup> quarter of 2008. Most of the increase occurred in the Radio and Television Broadcasting category where complaints increased from 30,317 in the second quarter to 40,057 this quarter. Programming Indecency/Obscenity complaints comprised over 93% of the 40,057 complaints in this category. Cable & Satellite Services-related complaints increased over 60% from 1,414 in the 2<sup>nd</sup> quarter of 2008 to 2,263 in the 3<sup>rd</sup> quarter. Wireless complaints increased 25% from 13,560 in the 2<sup>nd</sup> quarter of 2008 to 16,950 in the 3<sup>rd</sup> quarter. TCPA issues comprised over 67% of the complaints in this category. Wireline complaints decreased in the 3<sup>rd</sup> quarter of 2008 to 39,546 from 41,239 in the 2<sup>nd</sup> quarter of 2008. 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 of wireline complaints and when combined, totaled over 84% of the wireline-related complaints in the reported sub-categories.

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.html>.

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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 July 1, 2008 to September 30, 2008. 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.

**REPORT ON INFORMAL CONSUMER INQUIRIES AND COMPLAINTS**  
**3<sup>rd</sup> Quarter Calendar Year 2008**  
**Top Consumer Issues – Subject Category Reference Guide**

**CABLE & SATELLITE SERVICES**

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

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

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

**Disability & Access Related 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 Home Viewer Improvement Act (SHVIA) Issues:** 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**

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

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

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

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

**Equipment Related Issues:** Complaints/inquiries dealing with equipment related items such as antennas and set top boxes

**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 & 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

**Equipment Related Issues:** Complaints/inquiries dealing with equipment-related items such as antennas and set top boxes

**Interference:** Inquiries regarding unwanted signals from nearby transmitters to wireless communications 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

**Tower Related Issues:** Complaints/inquiries involving light outages, paint, posting, zoning and registration

### **WIRELINE TELECOMMUNICATIONS**

#### **Billing & 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

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

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

**Number Portability:** Complaints/inquiries regarding number portability

**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) Issues:** 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

**Universal Service Issues:** Complaints/inquiries regarding contribution methodology, general information, rural health care and calculation increases

**Summary of Top Consumer Inquiry \* Subjects  
Processed by the FCC's Consumer & Governmental Affairs Bureau (CGB)  
Third Quarter - Calendar Year 2008**

	July	August	September	Quarter Totals
<b>Cable &amp; Satellite Services</b>				
Disability & Access Related Issues	23	16	17	56
Service Related Issues	189	120	68	377
Satellite Home Viewer Improvement Act Issues	80	171	189	440
Programming Issues	161	156	161	478
Over-the-Air Reception Devices Issues	223	204	192	619
Billing & Rates Issues	615	612	406	1,633
Digital Television Issues	921	1407	3077	5,405
<i>Totals</i>	2,212	2,686	4,110	<b>9,008</b>

	July	August	September	Quarter Totals
<b>Radio and Television Broadcasting</b>				
Disability & Access Related Issues	52	55	61	168
Carrier Marketing & Advertising	117	99	108	324
Interference	121	317	86	524
Broadcast Programming Issues	1,073	750	1,236	3,059
Equipment Related Issues	524	796	1,875	3,195
Digital Television Issues	9,914	12,625	31,595	54,134
<i>Totals</i>	11,801	14,642	34,961	<b>61,404</b>

	July	August	September	Quarter Totals
<b>Wireless Telecommunications</b>				
Amateur License Information	71	51	99	221
Tower Related Issues	121	86	94	301
Billing & Rates	286	217	223	726
Interference	283	236	424	943
Service Related Issues	492	444	377	1,313
License Information (General)	1,438	900	844	3,182
<i>Totals</i>	2,691	1,934	2,061	<b>6,686</b>

	July	August	September	Quarter Totals
<b>Wireline Telecommunications</b>				
Number Portability	151	117	134	402
Universal Service Issues	157	141	155	453
Billing & Rates	456	351	408	1,215
Slamming	580	543	470	1,593
Cramming	913	991	973	2,877
Telephone Consumer Protection Act Issues	6,062	6,377	6,002	18,441
<i>Totals</i>	8,319	8,520	8,142	<b>24,981</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)  
Third Quarter - Calendar Year 2008**

	July	August	September	Quarter Totals
<b>Cable &amp; Satellite Services</b>				
Disability & Access Related Issues	39	20	20	79
Digital Television Issues	60	35	23	118
Carrier Marketing & Advertising	100	82	90	272
Billing & Rates Issues	270	123	135	528
Service Related Issues	330	118	96	544
Programming Issues	245	168	309	722
<i>Totals</i>	1,044	546	673	<b>2,263</b>

	July	August	September	Quarter Totals
<b>Radio and Television Broadcasting</b>				
Disability & Access Related Issues	20	4	18	42
Carrier Marketing & Advertising	45	101	45	191
Digital Television Issues	137	147	208	492
Programming - General Criticism	169	79	155	403
Other Programming Issues	436	278	757	1,471
Programming - Indecency/Obscenity**	5,468	14,153	17,837	37,458
<i>Totals</i>	6,275	14,762	19,020	<b>40,057</b>

	July	August	September	Quarter Totals
<b>Wireless Telecommunications</b>				
Carrier Marketing & Advertising	154	110	119	383
Equipment Related Issues	206	117	105	428
Contract - Early Termination	297	214	179	690
Service Related Issues	444	274	214	932
Billing & Rates	1,246	1,068	759	3,073
Telephone Consumer Protection Act	4,400	3,981	3,063	11,444
<i>Totals</i>	6,747	5,764	4,439	<b>16,950</b>

	July	August	September	Quarter Totals
<b>Wireline Telecommunications</b>				
Carrier Marketing & Advertising	207	172	155	534
Cramming	235	200	210	645
Service Quality	509	326	312	1,147
Billing & Rates	1,594	1,178	999	3,771
Telephone Consumer Protection Act - Do Not Call List	2,739	2,853	2,726	8,318
Telephone Consumer Protection Act -Other Issues	3,611	3,575	3,432	10,618
Telephone Consumer Protection Act-Unsolicited Fax	6,810	4,117	3,586	14,513
<i>Totals</i>	15,705	12,421	11,420	<b>39,546</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.