



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 2009.

2009 Second Quarter Inquiries. During this quarter, the total number of inquiries for all four reported categories increased more than 138%, from 245,505 in the 1st quarter of 2009 to 585,164 in the 2nd quarter of 2009. Notably, the number of Radio and Television Broadcasting inquiries increased more than 160%, from 215,928 in the 1st quarter of 2009 to 563,397 in the 2nd quarter of 2009. The bulk of the Radio and Television Broadcasting inquiries, i.e., more than 98%, pertained to Equipment Related Issues. Wireline inquiries increased 12% from 12,568 in the 1st quarter of 2009 to 14,139 in the 2nd quarter of 2009. Telephone Consumer Protection Act (TCPA) inquiries constituted 58% of the inquiries in this category. The number of Cable and Satellite Services inquiries decreased more than 67%, as compared to the 1st quarter from 13,017 to 4,241. Inquiries regarding Digital Television Issues constituted 5.5 % of the inquiries in this category. Wireless inquiries decreased almost 15% from 3,992 in the 1st quarter of 2009 to 3,387 in the 2nd quarter of 2009.

2009 Second Quarter Complaints. During this quarter, complaints in the reported categories decreased over 71%, from 245,241 in the 1st quarter of 2009 to 70,341 in the 2nd quarter of 2009. Most of the decrease occurred in two of the reported categories -- the Radio and Television Broadcasting category, where complaints decreased from 188,558 in the 1st quarter of 2009 to 17,047 in the 2nd quarter of 2009, and the Wireline Telecommunications category, where complaints decreased from 36,427 in the 1st quarter to 34,491 in the 2nd quarter. Cable & Satellite Services complaints decreased 42% from 4,113 in the 1st quarter of 2009 to 2,384 in the 2nd quarter of 2009. Wireless complaints increased over 1% from 16,142 in the 1st quarter of 2009 to 16,419 in the 2nd quarter of 2009. TCPA issues comprised more than 75% of the complaints in this category. Wireline complaints decreased almost 6% in the 2nd quarter of 2009 to 34,491 from 36,427 in the 1st quarter of 2009. 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 nearly 87% 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
2nd Quarter Calendar Year 2009
Executive Summary

This report tracks the top subject areas for consumer inquiries and complaints received during the 2nd quarter of calendar year 2009 and processed by the Consumer & Governmental Affairs Bureau (CGB).ⁱ 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, electronic mail (e-mail), 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.

2009 Second Quarter Inquiries. During this quarter, the total number of inquiries for all four reported categories increased more than 138%, from 245,505 in the 1st quarter of 2009 to 585,164 in the 2nd quarter of 2009. Notably, the number of Radio and Television Broadcasting inquiries increased more than 160%, from 215,928 in the 1st quarter of 2009 to 563,397 in the 2nd quarter of 2009. The bulk of the Radio and Television Broadcasting inquiries, i.e., more than 98%, pertained to Equipment Related Issues. Wireline inquiries increased 12% from 12,568 in the 1st quarter of 2009 to 14,139 in the 2nd quarter of 2009. Telephone Consumer Protection Act (TCPA) inquiries constituted 58% of the inquiries in this category. The number of Cable and Satellite Services inquiries decreased more than 67%, as compared to the 1st quarter from 13,017 to 4,241. Inquiries regarding Digital Television Issues constituted 5.5 % of the inquiries in this category. Wireless inquiries decreased almost 15% from 3,992 in the 1st quarter of 2009 to 3,387 in the 2nd quarter of 2009.

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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.html>.

ⁱ The data reported reflects the complaints and inquiries recorded in CGB's automated tracking systems for the period April 1, 2009 to June 30, 2009. 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.

REPORT ON INFORMAL CONSUMER INQUIRIES AND COMPLAINTS
2nd Quarter Calendar Year 2009
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

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

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

License Information (General): Inquiries regarding broadcast station license, transfer of control, frequency assignment, sale and transfer and other general broadcast license issues

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

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 a 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 a 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: Inquiries regarding unwanted signals from nearby transmitters to wireless communications equipment

License Information (General): Inquiries regarding General Moile Radio Services (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 wireless 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

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) 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)
Second Quarter - Calendar Year 2009**

	April	May	June	Quarter Totals
Cable & Satellite Services				
Digital Television Issues	55	80	98	233
Service Related Issues	224	175	211	610
Satellite Home Viewer Improvement Act Issues	191	176	244	611
Programming Issues	184	217	216	617
Billing & Rates Issues	791	657	722	2,170
<i>Totals</i>	1,445	1,305	1,491	4,241

	April	May	June	Quarter Totals
Radio and Television Broadcasting				
Carrier Marketing & Advertising	121	129	132	382
Digital Television Issues	311	328	886	1,525
License Information (General)	970	953	1,271	3,194
Broadcast Programming Issues	2,212	804	920	3,936
Equipment Related Issues	56,713	127,714	369,933	554,360
<i>Totals</i>	60,327	129,928	373,142	563,397

	April	May	June	Quarter Totals
Wireless Telecommunications				
Tower Related Issues	96	87	87	270
License Information (General)	136	110	117	363
Billing & Rates	233	222	213	668
Service Related Issues	315	301	288	904
Interference	546	222	414	1,182
<i>Totals</i>	1,326	942	1,119	3,387

	April	May	June	Quarter Totals
Wireline Telecommunications				
Slamming	215	219	198	632
Billing & Rates	622	589	464	1,675
Universal Service Issues	769	568	433	1,770
Cramming	595	621	567	1,783
Telephone Consumer Protection Act Issues	3,421	2,750	2,108	8,279
<i>Totals</i>	5,622	4,747	3,770	14,139

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)
Second Quarter - Calendar Year 2009

	April	May	June	Quarter Totals
Cable & Satellite Services				
Digital Television Issues	69	103	131	303
Carrier Marketing & Advertising	113	101	108	322
Service Related Issues	115	118	134	367
Billing & Rates Issues	210	146	186	542
Programming Issues	364	232	254	850
<i>Totals</i>	871	700	813	2,384

	April	May	June	Quarter Totals
Radio and Television Broadcasting				
Carrier Marketing & Advertising	57	28	46	131
Other Programming Issues	310	231	267	808
Programming - General Criticism	198	116	529	843
Digital Television Issues	272	225	1,828	2,325
Programming - Indecency/Obscenity**	9,109	1,235	2,596	12,940
<i>Totals</i>	9,946	1,835	5,266	17,047

	April	May	June	Quarter Totals
Wireless Telecommunications				
Carrier Marketing & Advertising	98	109	116	323
Contract - Early Termination	147	109	151	407
Service Related Issues	170	177	178	525
Billing & Rates	947	909	901	2,757
Telephone Consumer Protection Act	5,469	3,852	3,086	12,407
<i>Totals</i>	6,831	5,156	4,432	16,419

	April	May	June	Quarter Totals
Wireline Telecommunications				
Service Quality	257	260	284	801
Billing & Rates	1,272	1,264	1,234	3,770
Telephone Consumer Protection Act-Unsolicited Fax	2,620	2,171	1,993	6,784
Telephone Consumer Protection Act - Do Not Call List	4,162	3,654	3,303	11,119
Telephone Consumer Protection Act -Other Issues	4,458	3,829	3,730	12,017
<i>Totals</i>	12,769	11,178	10,544	34,491

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.