



# 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 2009.

*2009 Third Quarter Inquiries.* During this quarter, the total number of inquiries for all four reported categories decreased more than 95%, from 585,164 in the 2<sup>nd</sup> quarter of 2009 to 26,605 in the 3<sup>rd</sup> quarter of 2009. Notably, the number of Radio and Television Broadcasting inquiries decreased nearly 99% from 563,397 in the 2<sup>nd</sup> quarter of 2009 to 6,307 in the 3<sup>rd</sup> quarter of 2009. The bulk of the Radio and Television Broadcasting inquiries, i.e., more than 48%, pertained to Broadcast Programming Issues. Wireline inquiries decreased more than 10% from 14,139 in the 2<sup>nd</sup> quarter of 2009 to 12,754 in the 3<sup>rd</sup> quarter of 2009. Telephone Consumer Protection Act (TCPA) inquiries constituted more than 57% of the inquiries in this category. The number of Cable and Satellite Services inquiries decreased nearly 13%, as compared to the 2<sup>nd</sup> quarter from 4,241 to 3,669. Inquiries regarding Billing and Rates Issues constituted more than 45% of the inquiries in this category. Wireless inquiries increased more than 14% from 3,387 in the 2<sup>nd</sup> quarter of 2009 to 3,875 in the 3<sup>rd</sup> quarter of 2009.

*2009 Third Quarter Complaints.* During this quarter, complaints in the reported categories decreased nearly 11%, from 70,341 in the 2<sup>nd</sup> quarter of 2009 to 62,660 in the 3<sup>rd</sup> quarter of 2009. In this regard, there was a notable decrease in the Radio and Television Broadcasting category, where complaints decreased from 17,047 in the 2<sup>nd</sup> quarter of 2009 to 6,700 in the 3<sup>rd</sup> quarter of 2009 a decrease of more than 60%. Cable & Satellite Services complaints increased 22% from 2,384 in the 2<sup>nd</sup> quarter of 2009 to 2,910 in the 3<sup>rd</sup> quarter of 2009. Further, Wireless Telecommunications complaints increased 10% from 16,419 in the 2<sup>nd</sup> quarter of 2009 to 18,125 in the 3<sup>rd</sup> quarter of 2009. TCPA issues comprised 67% of the complaints in this category. Wireline Telecommunications complaints increased by over 1% in the 3<sup>rd</sup> quarter of 2009 to 34,925 from 34,491 in the 2<sup>nd</sup> 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 Telecommunications complaints and when combined, totaled over 85% of the 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**  
**3rd Quarter Calendar Year 2009**  
**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 2009 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, 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 Third Quarter Inquiries. During this quarter, the total number of inquiries for all four reported categories decreased more than 95%, from 585,164 in the 2<sup>nd</sup> quarter of 2009 to 26,605 in the 3<sup>rd</sup> quarter of 2009. Notably, the number of Radio and Television Broadcasting inquiries decreased nearly 99% from 563,397 in the 2<sup>nd</sup> quarter of 2009 to 6,307 in the 3<sup>rd</sup> quarter of 2009. The bulk of the Radio and Television Broadcasting inquiries, i.e., more than 48%, pertained to Broadcast Programming Issues. Wireline inquiries decreased more than 10% from 14,139 in the 2<sup>nd</sup> quarter of 2009 to 12,754 in the 3<sup>rd</sup> quarter of 2009. Telephone Consumer Protection Act (TCPA) inquiries constituted more than 57% of the inquiries in this category. The number of Cable and Satellite Services inquiries decreased nearly 13%, as compared to the 2<sup>nd</sup> quarter from 4,241 to 3,669. Inquiries regarding Billing and Rates Issues constituted more than 45% of the inquiries in this category. Wireless inquiries increased more than 14% from 3,387 in the 2<sup>nd</sup> quarter of 2009 to 3,875 in the 3<sup>rd</sup> quarter of 2009.

2009 Third Quarter Complaints. During this quarter, complaints in the reported categories decreased nearly 11%, from 70,341 in the 2<sup>nd</sup> quarter of 2009 to 62,660 in the 3<sup>rd</sup> quarter of 2009. In this regard, there was a notable decrease in the Radio and Television Broadcasting category, where complaints decreased from 17,047 in the 2<sup>nd</sup> quarter of 2009 to 6,700 in the 3<sup>rd</sup> quarter of 2009 a decrease of more than 60%. Cable & Satellite Services complaints increased 22% from 2,384 in the 2<sup>nd</sup> quarter of 2009 to 2,910 in the 3<sup>rd</sup> quarter of 2009. Further, Wireless Telecommunications complaints increased 10% from 16,419 in the 2<sup>nd</sup> quarter of 2009 to 18,125 in the 3<sup>rd</sup> quarter of 2009. TCPA issues comprised 67% of the complaints in this category. Wireline Telecommunications complaints increased by over 1% in the 3<sup>rd</sup> quarter of 2009 to 34,925 from 34,491 in the 2<sup>nd</sup> 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 Telecommunications complaints and when combined, totaled over 85% of the complaints in the reported sub-categories.

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does not necessarily indicate wrongdoing by the company at issue. The quarterly report on informal consumer inquiries and complaints release can be viewed at:  
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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, 2009 to September 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 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 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)**  
**Third Quarter - Calendar Year 2009**

	July	August	September	Quarter Totals
<b>Cable &amp; Satellite Services</b>				
Digital Television Issues	55	88	74	217
Programming Issues	169	196	173	538
Service Related Issues	191	213	213	617
Satellite Home Viewer Improvement Act Issues	212	219	196	627
Billing & Rates Issues	794	196	680	1,670
<i>Totals</i>	1,421	912	1,336	<b>3,669</b>

	July	August	September	Quarter Totals
<b>Radio and Television Broadcasting</b>				
Carrier Marketing & Advertising	104	129	130	363
Equipment Related Issues	232	148	71	451
License Information (General)	264	362	351	977
Digital Television Issues	642	455	391	1,488
Broadcast Programming Issues	938	1,087	1,003	3,028
<i>Totals</i>	2,180	2,181	1,946	<b>6,307</b>

	July	August	September	Quarter Totals
<b>Wireless Telecommunications</b>				
Tower Related Issues	90	70	102	262
License Information (General)	146	82	89	317
Interference	392	378	111	881
Billing & Rates	360	321	306	987
Service Related Issues	439	453	536	1,428
<i>Totals</i>	1,427	1,304	1,144	<b>3,875</b>

	July	August	September	Quarter Totals
<b>Wireline Telecommunications</b>				
Slamming	256	219	233	708
Universal Service Issues	356	360	393	1,109
Billing & Rates	633	639	521	1,793
Cramming	649	572	588	1,809
Telephone Consumer Protection Act Issues	2,828	2,195	2,312	7,335
<i>Totals</i>	4,722	3,985	4,047	<b>12,754</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 2009**

	July	August	September	Quarter Totals
<b>Cable &amp; Satellite Services</b>				
Digital Television Issues	59	88	76	223
Carrier Marketing & Advertising	120	118	119	357
Service Related Issues	98	297	150	545
Billing & Rates Issues	195	341	177	713
Programming Issues	269	521	282	1,072
<i>Totals</i>	741	1,365	804	<b>2,910</b>

	July	August	September	Quarter Totals
<b>Radio and Television Broadcasting</b>				
Carrier Marketing & Advertising	57	58	63	178
Programming - General Criticism	100	280	187	567
Other Programming Issues	295	360	324	979
Programming - Indecency/Obscenity**	511	701	615	1,827
Digital Television Issues	1,192	919	1,038	3,149
<i>Totals</i>	2,155	2,318	2,227	<b>6,700</b>

	July	August	September	Quarter Totals
<b>Wireless Telecommunications</b>				
Carrier Marketing & Advertising	131	147	134	412
Contract - Early Termination	137	183	182	502
Service Related Issues	246	372	279	897
Billing & Rates	1,057	1,829	1,278	4,164
Telephone Consumer Protection Act	3,841	4,219	4,090	12,150
<i>Totals</i>	5,412	6,750	5,963	<b>18,125</b>

	July	August	September	Quarter Totals
<b>Wireline Telecommunications</b>				
Service Quality	291	386	318	995
Billing & Rates	1,333	1,578	1,145	4,056
Telephone Consumer Protection Act-Unsolicited Fax	2,329	2,750	2,335	7,414
Telephone Consumer Protection Act - Do Not Call List	3,389	4,615	2,762	10,766
Telephone Consumer Protection Act -Other Issues	3,889	4,319	3,486	11,694
<i>Totals</i>	11,231	13,648	10,046	<b>34,925</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 e-mailed 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.