



# 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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## FIRST QUARTER 2010 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 first quarter of calendar year 2010.

*2010 First Quarter Inquiries.* During this quarter, the total number of inquiries for all four reported categories increased more than 7%, from 24,496 in the 4<sup>th</sup> quarter of 2009 to 26,240 in the 1<sup>st</sup> quarter of 2010. Notably, the number of Radio and Television Broadcasting inquiries decreased nearly 6% from 5,449 in the 4<sup>th</sup> quarter of 2009 to 5,135 in the 1<sup>st</sup> quarter of 2010. The bulk of the Radio and Television Broadcasting inquiries, i.e., more than 52%, pertained to Broadcast Programming Issues. Wireline inquiries increased more than 10% from 10,979 in the 4<sup>th</sup> quarter of 2009 to 12,107 in the 1<sup>st</sup> quarter of 2010. Telephone Consumer Protection Act (TCPA) inquiries constituted more than 52% of the inquiries in this category. The number of Cable and Satellite Services inquiries decreased nearly 3%, as compared to the 4<sup>th</sup> quarter from 3,981 to 3,868. Inquiries regarding Billing and Rates Issues constituted more than 44% of the inquiries in this category. Wireless inquiries increased more than 25% from 4,087 in the 4<sup>th</sup> quarter of 2009 to 5,130 in the 1<sup>st</sup> quarter of 2010.

*2010 First Quarter Complaints.* During this quarter, complaints in the reported categories increased more than 230%, from 53,661 in the 4<sup>th</sup> quarter of 2009 to 177,589 in the 1<sup>st</sup> quarter of 2010. In this regard, there was a notable increase in the Radio and Television Broadcasting category, where complaints increased from 9,740 in the 4<sup>th</sup> quarter of 2009 to 132,416 in the 1<sup>st</sup> quarter of 2010 an increase of more than 1259%. Cable & Satellite Services complaints increased 9% from 1,851 in the 4<sup>th</sup> quarter of 2009 to 2,029 in the 1<sup>st</sup> quarter of 2010. Further, Wireless Telecommunications complaints increased 3% from 16,145 in the 4<sup>th</sup> quarter of 2009 to 16,753 in the 1<sup>st</sup> quarter of 2010. TCPA issues comprised nearly 67% of the complaints in this category. Wireline Telecommunications complaints increased by nearly 2% in the 1<sup>st</sup> quarter of 2010 to 26,391 from 25,925 in the 4<sup>th</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 84% 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**  
**1<sup>st</sup> Quarter Calendar Year 2010**  
**Executive Summary**

This report tracks the top subject areas for consumer inquiries and complaints received during the 1<sup>st</sup> quarter of calendar year 2010 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.

2010 First Quarter Inquiries. During this quarter, the total number of inquiries for all four reported categories increased more than 7%, from 24,496 in the 4<sup>th</sup> quarter of 2009 to 26,240 in the 1<sup>st</sup> quarter of 2010. Notably, the number of Radio and Television Broadcasting inquiries decreased nearly 6% from 5,449 in the 4<sup>th</sup> quarter of 2009 to 5,135 in the 1<sup>st</sup> quarter of 2010. The bulk of the Radio and Television Broadcasting inquiries, i.e., more than 52%, pertained to Broadcast Programming Issues. Wireline inquiries increased more than 10% from 10,979 in the 4<sup>th</sup> quarter of 2009 to 12,107 in the 1<sup>st</sup> quarter of 2010. Telephone Consumer Protection Act (TCPA) inquiries constituted more than 52% of the inquiries in this category. The number of Cable and Satellite Services inquiries decreased nearly 3%, as compared to the 4<sup>th</sup> quarter from 3,981 to 3,868. Inquiries regarding Billing and Rates Issues constituted more than 44% of the inquiries in this category. Wireless inquiries increased more than 25% from 4,087 in the 4<sup>th</sup> quarter of 2009 to 5,130 in the 1<sup>st</sup> quarter of 2010.

2010 First Quarter Complaints. During this quarter, complaints in the reported categories increased more than 230%, from 53,661 in the 4<sup>th</sup> quarter of 2009 to 177,589 in the 1<sup>st</sup> quarter of 2010. In this regard, there was a notable increase in the Radio and Television Broadcasting category, where complaints increased from 9,740 in the 4<sup>th</sup> quarter of 2009 to 132,416 in the 1<sup>st</sup> quarter of 2010 an increase of more than 1259%. Cable & Satellite Services complaints increased 9% from 1,851 in the 4<sup>th</sup> quarter of 2009 to 2,029 in the 1<sup>st</sup> quarter of 2010. Further, Wireless Telecommunications complaints increased 3% from 16,145 in the 4<sup>th</sup> quarter of 2009 to 16,753 in the 1<sup>st</sup> quarter of 2010. TCPA issues comprised nearly 67% of the complaints in this category. Wireline Telecommunications complaints increased by nearly 2% in the 1<sup>st</sup> quarter of 2010 to 26,391 from 25,925 in the 4<sup>th</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 84% 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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<sup>i</sup> The data reported reflects the complaints and inquiries recorded in CGB's automated tracking systems for the period January 1, 2010 to March 31, 2010. 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**  
**1<sup>st</sup> Quarter Calendar Year 2010**  
**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

**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

**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**

### **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 Mobile 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)**  
**First Quarter - Calendar Year 2010**

	January	February	March	Quarter Totals
<b>Cable &amp; Satellite Services</b>				
Programming Issues	307	123	220	650
Service Related Issues	176	122	172	470
Over-the-Air Reception Device Issues	162	129	210	501
Satellite Home Viewer Improvement Act Issues	224	170	148	542
Billing & Rates Issues	525	455	725	1,705
<i>Totals</i>	1,394	999	1,475	<b>3,868</b>

	January	February	March	Quarter Totals
<b>Radio and Television Broadcasting</b>				
Disability Issues	58	62	108	228
Carrier Marketing & Advertising	125	82	121	328
Digital Television Issues	213	170	168	551
Interference	449	382	484	1,315
Broadcast Programming Issues	966	744	1,003	2,713
<i>Totals</i>	1,811	1,440	1,884	<b>5,135</b>

	January	February	March	Quarter Totals
<b>Wireless Telecommunications</b>				
Tower Related Issues	120	101	115	336
Interference	222	171	262	655
Billing & Rates	335	207	348	890
Service Related Issues	428	360	508	1,296
License Information (General)	628	571	754	1,953
<i>Totals</i>	1,733	1,410	1,987	<b>5,130</b>

	January	February	March	Quarter Totals
<b>Wireline Telecommunications</b>				
Slamming	230	193	239	662
Universal Service Issues	507	388	411	1,306
Billing & Rates	534	481	585	1,600
Cramming	711	631	800	2,142
Telephone Consumer Protection Act Issues	2,067	1,949	2,381	6,397
<i>Totals</i>	4,049	3,642	4,416	<b>12,107</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)**  
**First Quarter - Calendar Year 2010**

	January	February	March	Quarter Totals
<b>Cable &amp; Satellite Services</b>				
Digital Television Issues	33	25	20	78
Carrier Marketing & Advertising	84	90	94	268
Service Related Issues	127	128	141	396
Billing & Rates Issues	168	173	206	547
Programming Issues	254	188	298	740
<i>Totals</i>	666	604	759	<b>2,029</b>

	January	February	March	Quarter Totals
<b>Radio and Television Broadcasting</b>				
Carrier Marketing & Advertising	40	43	23	106
Programming - General Criticism	188	100	234	522
Digital Television Issues	235	154	146	535
Other Programming Issues	183	162	257	602
Programming - Indecency/Obscenity**	127,655	1,916	1,080	130,651
<i>Totals</i>	128,301	2,375	1,740	<b>132,416</b>

	January	February	March	Quarter Totals
<b>Wireless Telecommunications</b>				
Carrier Marketing & Advertising	168	117	105	390
Contract - Early Termination	159	145	143	447
Service Related Issues	285	249	277	811
Billing & Rates	1,242	1,175	1,376	3,793
Telephone Consumer Protection Act	3,873	3,441	3,998	11,312
<i>Totals</i>	5,727	5,127	5,899	<b>16,753</b>

	January	February	March	Quarter Totals
<b>Wireline Telecommunications</b>				
Service Quality	288	237	321	846
Billing & Rates	1,029	926	1,192	3,147
Telephone Consumer Protection Act-Unsolicited Fax	1,738	1,780	2,113	5,631
Telephone Consumer Protection Act - Do Not Call List	2,639	2,532	2,870	8,041
Telephone Consumer Protection Act -Other Issues	2,773	2,754	3,199	8,726
<i>Totals</i>	8,467	8,229	9,695	<b>26,391</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.