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Federal Communications Commission
445 12th Street, S.W.
Washington, D. C. 20554

News Media Information 202 / 418-0500
Internet: <http://www.fcc.gov>
TTY: 1-888-835-5322

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See MCI v. FCC, 515 F.2d 385 (D.C. Cir. 1974).

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News Media Contact:
Rosemary Kimball at (202) 418-0511
e-mail: rosemary.kimball@fcc.gov

QUARTERLY REPORT OF INFORMAL CONSUMER INQUIRIES AND COMPLAINTS FOR FOURTH QUARTER OF CALENDAR YEAR 2010 RELEASED

Washington, DC – The Commission has released its Report of the top subject areas of informal consumer inquiries and complaints received and processed by the Consumer & Governmental Affairs Bureau (CGB) during the fourth quarter of calendar year 2010.

2010 Fourth Quarter Inquiries. During the fourth quarter of 2010, the overall number of inquiries for the top four reported inquiry categories increased by more than 84% from the number received and processed by CGB during the previous quarter, from 17,782 during the third quarter of 2010, to 32,894. The number of Cable and Satellite Services inquiries decreased by nearly 26%, from 2,614 to 1,922. Inquiries regarding Billing and Rates Issues constituted more than 53% of the inquiries in this category during the fourth quarter. The number of Radio and Television Broadcasting inquiries increased by nearly 37%, from 3,490 to 4,783. The bulk of these inquiries (more than 40%), pertained to broadcast programming issues. Wireless Telecommunications inquiries notably increased by more than 450%, from 3,282 to 18,311, with a substantial number of fourth quarter inquiries, related to Bill Shock (15,263). Wireline Telecommunications inquiries decreased more by than 6%, from 8,396 to 7,878, with Telephone Consumer Protection Act (TCPA) matters constituting more than 60% of the fourth quarter inquiries in this category.

2010 Fourth Quarter Complaints. During the fourth quarter of 2010, the overall number of complaints in the top four reported categories increased by 1% from those received and processed during the third quarter of 2010, from 47,947 to 48,469. Cable & Satellite Services complaints increased by nearly 9%, from 1,581 to 1,724. The number of Radio and Television Broadcasting complaints increased by more than 19%, from 2,611 to 3,116. Wireless Telecommunications complaints increased by more than 16%, from 18,064 to 21,076, with TCPA issues comprising nearly 51% of the fourth quarter complaints in this category. Wireline Telecommunications complaints decreased by nearly 12%, from 25,691 to 22,553, with TCPA-Other Issues, Do Not Call List and Unsolicited Faxes constituting the top categories of Wireline complaints which, when combined, constituted over 86% of the Wireline complaints in the reported subcategories during the fourth quarter.

The Commission receives many inquiries and complaints that do not involve violations of the Communications Act, or a rule, policy or order of the Commission. The existence of a complaint does not necessarily establish wrongdoing by the named company. The fourth quarter Report, as well as previous reports on informal consumer inquiries and complaints, can be viewed at: <http://www.fcc.gov/cgb/quarter/welcome.html>.

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REPORT OF INFORMAL CONSUMER INQUIRIES AND COMPLAINTS
Fourth Quarter, Calendar Year 2010
Executive Summary

This Report tracks the top subject areas of consumer inquiries and complaints received and processed during the fourth quarter of calendar year 2010 by the Consumer & Governmental Affairs Bureau (CGB).ⁱ A consumer inquiry is defined as correspondence or communications received by the Commission from or on behalf of an individual seeking information regarding a matter under the FCC's jurisdiction. An informal consumer complaint is defined as a communication received by a CGB Consumer Center, either via U.S. mail, fax, e-mail, the 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 Fourth Quarter Inquiries. During the fourth quarter of 2010, the overall number of inquiries for the top four reported inquiry categories increased by more than 84% from the number received and processed by CGB during the previous quarter, from 17,782 during the third quarter of 2010, to 32,894. The number of Cable and Satellite Services inquiries decreased by nearly 26%, from 2,614 to 1,922. Inquiries regarding Billing and Rates Issues constituted more than 53% of the inquiries in this category during the fourth quarter. The number of Radio and Television Broadcasting inquiries increased by nearly 37%, from 3,490 to 4,783. The bulk of these inquiries (more than 40%), pertained to broadcast programming issues. Wireless Telecommunications inquiries notably increased by more than 450%, from 3,282 to 18,311, with a substantial number of fourth quarter inquiries, related to Bill Shock (15,263). Wireline Telecommunications inquiries decreased more by than 6%, from 8,396 to 7,878, with Telephone Consumer Protection Act (TCPA) matters constituting more than 60% of the fourth quarter inquiries in this category.

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The Commission receives many inquiries and complaints that do not involve violations of the Communications Act, or a rule, policy or order of the Commission. The existence of a complaint does not necessarily establish wrongdoing by the named company. The fourth quarter Report, as well as previous reports on informal consumer inquiries and complaints, 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 during the period from October 1 to December 31, 2010. The information generated for this Report is that entered into the tracking systems on or before those specific dates. In addition, the data referenced in 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 OF INFORMAL CONSUMER INQUIRIES AND COMPLAINTS
Fourth Quarter, Calendar Year 2010
Top Consumer Issues – Subject Category Reference Guide

CABLE & SATELLITE SERVICES

Billing & Rates: billing and rates charged for program service

Provider Marketing & Advertising: provider advertising and marketing practices, including alleged misrepresentations

Digital Television: digital TV service or the transition to digital TV

Over-The-Air Reception Devices (OTARD): installation, maintenance or use of antennas (including direct-to-home satellite dishes, TV antennas, and wireless cable antennas) used to receive video programming

Programming: program content or the choice of channels/programs available to subscribers

Satellite Home Viewer Improvement Act (SHVIA): SHVIA matters

Service: quality of service provided

RADIO & TELEVISION BROADCASTING

Station Marketing & Advertising: station advertising and marketing practices, including alleged misrepresentations

Digital Television: digital TV service or the transition to digital TV

Disability & Access: video description, closed captioning, and emergency access to video programming

Interference: reception of unwanted signals from nearby transmitters to home electronic equipment

Programming:

- Indecency/Obscenity: obscene, indecent or profane programming
- Other: miscellaneous programming issues (*e.g.*, contests and lotteries, freedom of speech, how to start a station, journalism, false information, lists of stations)
- General Criticisms: non-specific concerns regarding programming content

WIRELESS TELECOMMUNICATIONS

Billing & Rates:

- **Airtime Charges:** charges to subscribers for actual time spent using a wireless phone
- **Credit/Refunds/Adjustments:** credits, refunds, or bill adjustments
- **Line Items:** surcharges and taxes appearing on a wireless bill:
 - Access Charge: miscellaneous line item charges
 - E-911: provision of automatic location information and automatic number identification via a wireless phone used to contact a 911 call center
 - Taxes: taxes appearing on wireless bill
 - Universal Service: availability and affordability of phone service for low income consumers in geographic areas in which the cost of providing telephone service is high
- **Recurring Charges:** recurring monthly charges that appear on a subscriber's bill
- **Roaming Rates:** charges assessed to the subscriber for wireless calls made while roaming in another carrier's territory
- **Rounding:** practice of rounding calls to a full minute
- **Service Plan Rates:** terms and conditions of service:
 - Activation Fee: usually a one-time charge to initiate service
 - Off-Peak: specified period during which per-minute rate is lower
 - Optional Services: including caller-ID, voice mail, road-rescue
 - Peak: specified time during which 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 period required for subscriber to acquire service

Bill Shock: sudden unexpected increase in the monthly wireless bill, even when the subscriber has not changed service plans

Carrier Marketing & Advertising: carrier advertising and marketing practices, including alleged misrepresentations

Contract – Early Termination of Service: termination of a subscriber's service prior to end of specified contract term:

- By Subscriber: subscriber's liability for terminating service prior to end of specified contract term
- By Carrier: carrier's right to terminate a subscriber's service prior to end of specified contract term

Equipment (EQUI)

- Equipment Unauthorized Charges (EQUC)- subscriber charged for wireless phone without agreeing to purchasing phone
- Faulty Equipment (EFAU) - technical or malfunctioning equipment
- Stolen Equipment (ESTO) - misuse or reporting problems associated with stolen equipment

Interference: reception of unwanted signals from nearby transmitters to electronic equipment

License Information (General): General Mobile Radio Services (GMRS) license acquisition, requirements, eligibility, cancellation, frequency coordination, replacement and other related issues

Service: quality of service or the lack of signal 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: calls that do not go through because of overcrowding of the service frequencies
- Roaming Availability: availability of service outside of 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): compliance with TCPA wireless requirements

Tower: light outages, paint, posting, zoning and registration

WIRELINE TELECOMMUNICATIONS**Billing & Rates:**

Credit/Refunds/Adjustments: account credits, refunds or adjustments

Line Items: charges and taxes appearing on a telephone bill:

- Access – Subscriber Line Charge: subscriber local-loop line charges for maintaining residential and business and telephone access to the network
- Access – Universal Service: FCC's universal service fund-affordable access to basic telephone service for low-income consumers and consumers in high-cost

areas, and provision of communications services to schools, libraries and health care facilities

- Interstate Directory Assistance: charges assessed for access to directory assistance information
- Taxes on Telephone Bill: local, state, or federal taxes appearing on a telephone bill
- Truth in Billing - No Service Provider ID: the name of the service provider and/or contact information for the service provider is not easily identifiable on the bill
- Truth in Billing - Bundled Charges: bill fails to contain plain language description and breakdown of charges for each carrier where multiple carriers appear on the bill
- Truth in Billing - No Payment Solution: bill fails to clearly distinguish charges for which nonpayment will result in disconnection from those that will not result in disconnection

Rates: rates and charges billed by telephone companies:

- Casual Call Billing: rates billed for calls placed from non-public phones through a carrier that is not the presubscribed carrier for the telephone (or does not recognize a telephone number as that of a subscriber)
- Double Billing: disputes concerning double billing for calls or services
- DSL Rate Problem: DSL promotional plan rates altered or unspecified to consumer
- International Internet Dial-up: international calls billed to subscriber 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.
- 809 International Billing: 809 area code collect call and consumer dialing scams
- 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 concerning interstate rates and charges

Recurring Charges: recurring charges that appear on a subscriber's bill

Cramming: unauthorized, misleading or deceptive charges appearing on a subscriber's bill

Service Quality: quality of service provided by carrier:

- DSL Service Inadequate: poor quality of service or service outages
- Interstate Telecommunications: poor call reception, service outages, 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 carriers including, but not limited to, additional services being added without the consumer's knowledge or approval

Slamming: practice of changing a subscriber's telecommunications service provider (or a calling plan) without the subscriber's consent

- 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 formats, such as sweepstakes

Telephone Consumer Protection Act (TCPA): 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: other aspects of TCPA (*e.g.*, prerecorded messages, abandoned calls & war dialing, business telephone complaints, emergency telephone complaints, call or message to wireless device, and/or call or message to toll free numbers)

Universal Service Issues: 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)
Fourth Quarter - Calendar Year 2010**

	October	November	December	Quarter Totals
Cable & Satellite Services				
Satellite Home Viewer Improvement Act Issues	93	0	0	93
Service Related Issues	72	56	43	171
Programming Issues	99	72	77	248
Over-the-Air Reception Device Issues	137	132	116	385
Billing & Rates Issues	382	329	314	1,025
<i>Totals</i>	783	589	550	1,922

	October	November	December	Quarter Totals
Radio and Television Broadcasting				
Disability Issues	79	56	66	201
Carrier Marketing & Advertising	91	80	58	229
Interference	185	215	206	606
Digital Television Issues	643	621	529	1,793
Broadcast Programming Issues	678	659	617	1,954
<i>Totals</i>	1,676	1,631	1,476	4,783

	October	November	December	Quarter Totals
Wireless Telecommunications				
Interference	99	123	117	339
Billing & Rates	270	236	220	726
License Information (General)	280	287	245	812
Service Related Issues	433	388	350	1,171
Bill Shock	961	13,967	335	15,263
<i>Totals</i>	2,043	15,001	1,267	18,311

	October	November	December	Quarter Totals
Wireline Telecommunications				
Slamming	172	147	128	447
Cramming	259	232	210	701
Billing & Rates	336	299	293	928
Universal Service Issues	373	317	307	997
Telephone Consumer Protection Act Issues	1,829	1,616	1,360	4,805
<i>Totals</i>	2,969	2,611	2,298	7,878

Notes:

* An consumer inquiry is defined as any correspondence or communication received at Consumer and Governmental Affairs Bureau (CGB) Consumer Centers from individuals seeking information on matters under the FCC's jurisdiction.

** See attachment for a brief description of each subject category.

*** 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
Fourth Quarter - Calendar Year 2010**

	October	November	December	Quarter Totals
Cable & Satellite Services				
Disability Issues	30	28	69	127
Carrier Marketing & Advertising	108	68	44	220
Service Related Issues	184	146	99	429
Billing & Rates Issues	138	164	128	430
Programming Issues	233	150	135	518
<i>Totals</i>	693	556	475	1,724

	October	November	December	Quarter Totals
Radio and Television Broadcasting				
Interference	41	33	70	144
Digital Television Issues	68	38	43	149
Programming - General Criticism	173	162	64	399
Programming - Indecency/Obscenity**	528	430	194	1,152
Other Programming Issues	504	382	386	1,272
<i>Totals</i>	1,314	1,045	757	3,116

	October	November	December	Quarter Totals
Wireless Telecommunications				
Bill Shock	259	81	76	416
Equipment Related Issues	171	173	181	525
Service Related Issues	286	308	292	886
Billing & Rates	1,138	946	875	2,959
Telephone Consumer Protection Act	5,129	5,958	5,203	16,290
<i>Totals</i>	6,983	7,466	6,627	21,076

	October	November	December	Quarter Totals
Wireline Telecommunications				
Service Quality	250	292	256	798
Billing & Rates	812	788	677	2,277
Telephone Consumer Protection Act-Unsolicited Fax	1,670	1,461	1,208	4,339
Telephone Consumer Protection Act - Do Not Call List	2,363	2,397	2,331	7,091
Telephone Consumer Protection Act -Other Issues	2,767	2,736	2,545	8,048
<i>Totals</i>	7,862	7,674	7,017	22,553

Notes:

* An informal consumer complaint is defined as any correspondence or communication received at a Consumer and Governmental Affairs Bureau (CGB) Consumer Center via U.S. mail, fax, e-mail, the 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) requests relief. The complaint figures in this Report reflect selected categories of complaints -- specifically, the top complaint categories listed above-- and are not inclusive of all complaints handled by the FCC.

** The number of broadcasting programming complaints assigned to each of the programming sub-categories is based upon 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 noted in this Report reflects complaints received by CGB, EB, and those e-mailed directly to the respective offices of the FCC Chairman and the Commissioners. The reported counts may include duplicate complaints or contacts that subsequently are determined insufficient to be actionable.

*** See attachment for a brief description of each subject category.

****The data noted in this Report reflect statistics at the national level as reported to the Commission, and therefore are not necessarily indicative of corresponding state or local trends.

*****The complaint figures in this Report represent volume only for the categories and subcategories listed and are not inclusive