STATEMENT OF
COMMISSIONER ROBERT M. McDOWELL

Re: *Empowering Consumers to Prevent and Detect Billing for Unauthorized Charges ("Cramming")*, *Consumer Information and Disclosure*, *Truth-in-Billing and Billing Format*; CG Docket Nos. 11-116 and 09-158, CC Docket No. 98-170

I vote to approve today's notice of proposed rulemaking ("NPRM") designed to alert consumers to the practice of what has become known as "cramming" unauthorized charges on their telephone bills.

As the record develops, I will be interested in learning more about the scope of the practice of "cramming" and ways to empower consumers through potential amendments to the FCC's truth-in-billing rules. This NPRM explores whether these potential new requirements should be extended to both wireline and commercial mobile radio service ("CMRS") carriers, and I look forward to learning more on this particular topic. I also appreciate that the NPRM seeks comment on the Commission's legal authority and asks whether the proposed rules would be compatible with the First Amendment.

Finally, we must always remember that there are economic effects of new rules. As such, I will look for any innovative programs that may already exist in the marketplace that have the purpose of alerting consumers to "cramming" charges and notifying them of opportunities to request that charges be blocked from their carrier bills. If the record contains compelling evidence that marketplace solutions are not adequate, I will encourage my colleagues to craft potential rules in a manner that is narrowly-targeted to our stated goals.

I thank the Chairman for his leadership and appreciate the hard work of the Consumer and Governmental Affairs Bureau. As we move forward, I look forward to reviewing the record and working with interested parties and my colleagues on this topic.