



# NEWS

**Federal Communications Commission**  
445 12<sup>th</sup> 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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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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For Immediate Release:  
May 30, 2003

News Media Contact:  
Rosemary Kimball at (202) 418-0511  
e-mail: [rkimball@fcc.gov](mailto:rkimball@fcc.gov)

## **QUARTERLY REPORT ON INFORMAL CONSUMER INQUIRIES AND COMPLAINTS RELEASED**

Washington, DC – The Commission has released the report on the inquiries and complaints processed by the Consumer & Governmental Affairs Bureau (CGB) during the first quarter of calendar year 2003.

Complaint activity within the top categories increased across the board during the first quarter. Cable complaints nearly doubled on low volume, as Service-related complaints moved up from 59 last quarter to 147 this quarter and Cable Modem Service complaints rose from 15 to 32. Radio & Television Broadcasting complaints increased from 253 last quarter to 439 this quarter. The largest increases included Other Programming Issue complaints, which rose from 60 to 157, and Programming-General Criticism complaints, which were up from 57 to 111. Wireless complaints inched up from 4,058 to 4,119 overall. Carrier Marketing and Advertising complaints increased from 377 last quarter to 454 this quarter, the biggest increase in the Wireless category. Telephone Consumer Protection Act (TCPA) complaint activity (up from 3,009 to 4,119) accounted for most of the 1,877 complaint increase in the Wireline category during the quarter.

Inquiry activity increased in all areas, consistent with complaint activity. Cable Service-related inquiries reversed last quarter's decline as they rose from 1,409 to 1,998 and paced an overall increase in Cable inquiries from 4,354 last quarter to 5,190 this quarter. Radio & Television Broadcasting inquiries rose from 4,112 to 4,681, with increases in Low Power Broadcast Information and Programming and Content inquiries accounting for most of the gain. Wireless inquiries edged up from 15,223 last quarter to 15,539 this quarter absent any meaningful changes within subcategories. Wireline inquiries were up from 56,592 last quarter to 59,526 this quarter, with increases in TCPA and Slamming inquiries leading the way.

The Commission receives many informal 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.

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CGB contact: Thomas Wyatt at (202) 418-1400.

**REPORT ON INFORMAL CONSUMER INQUIRIES AND COMPLAINTS**  
**1st Quarter Calendar Year 2003**  
**Executive Summary**

This report tracks consumer inquiries and complaints processed by the Consumer & Governmental Affairs Bureau (CGB) during the first quarter of calendar year 2003. Inquiries are defined as correspondence or communications received at the Commission from individuals seeking information on matters under the FCC's jurisdiction. Informal consumer complaints are defined as a communication received at CGB's consumer centers either via postal mail, fax, email 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.

Complaint activity within the top categories increased across the board during the first quarter. Cable complaints nearly doubled on low volume, as Service-related complaints moved up from 59 last quarter to 147 this quarter and Cable Modem Service complaints rose from 15 to 32. Radio & Television Broadcasting complaints increased from 253 last quarter to 439 this quarter. The largest increases included Other Programming Issue complaints, which rose from 60 to 157, and Programming-General Criticism complaints, which were up from 57 to 111. Wireless complaints inched up from 4,058 to 4,119 overall. Carrier Marketing and Advertising complaints increased from 377 last quarter to 454 this quarter, the biggest increase in the Wireless category. Telephone Consumer Protection Act (TCPA) complaint activity (up from 3,009 to 4,119) accounted for most of the 1,877 complaint increase in the Wireline category during the quarter.

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## Top Consumer Issues – Subject Category Reference Guide

### *CABLE SERVICES*

**Billing & Rates:** Complaints/inquiries concerning billing matters and the rates charged for cable programming service (or expanded basic) tier on a cable system

**Cable Modem Service:** Complaints/inquiries regarding cable modem service

**Disability Issues:** Complaints/Inquiries regarding video description, closed captioning, and emergency access to video programming.

**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 Issues:** Complaints/inquiries regarding satellite

**Satellite Home Viewer Improvement Act (SHVIA) Issues:** Complaints/inquiries concerning satellite carriers provision of television broadcast (including distant or national) programming to subscribers.

**Service Related Issues:** Complaints/inquiries about the quality of service provided by cable operators.

### *RADIO & TELEVISION BROADCASTING*

**General Broadcast Information:** Inquiries regarding general broadcast requirements, licenses, and community obligations.

**Disability Issues:** Complaints/Inquiries regarding video description, closed captioning, and emergency access to video programming.

**How to Start Broadcast Station:** Inquiries regarding starting a broadcast station.

**Low Power Issues:** Inquiries regarding low power TV and low power radio

**Madalyn M. O’Hair Religious Broadcast Rumor:** Inquiries regarding rumor on limiting or banning religious programming

## **Programming Issues**

- Indecency/Obscenity: Complaints/inquiries regarding broadcast programs that allegedly contain indecent or obscene material
- Loud Commercials: Complaints/inquiries regarding abrupt changes in volume during transition from regular programming to commercials
- Other Programming: Complaints/inquiries regarding various aspects of programming
- Religious: Complaints/inquiries regarding religious programs
- Violence: Complaints/inquiries regarding violence in programs
- General Content Criticism: generalized concerns regarding the content of broadcast programs

## ***WIRELESS TELECOMMUNICATIONS***

**Amateur License Issues:** Inquiries regarding Amateur license acquisition, requirements, eligibility, and replacement.

### **Billing and Rates-Related – Includes the Following Subcategories:**

**Billing/Rates - Airtime Charges:** Disputes regarding charges to subscriber for actual time spent talking on a wireless phone

**Billing/Rates-Credit/Refunds/Adjustments:** Disputes 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 cellular 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:** Disputes over recurring monthly charges that appear on a customer's bill

**Billing/Rates – Roaming Rates:** Disputes 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 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 one time charge that is held by the carrier for a specified timeframe in order for subscriber to acquire service

**Carrier Marketing & Advertising:** Disputes/inquiries regarding advertising and marketing practices of carriers including alleged misrepresentations

**Contract – Early Termination:** Disputes/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

**Electrical Interference Issue:** Inquiries regarding unwanted signals from nearby transmitters to home entertainment electronic equipment

**Equipment:** Complaints/inquiries about telecommunications equipment used or purchased by a subscriber.

- Faulty Equipment: involves technical problems or malfunctioning equipment
- Stolen Equipment: involves the purported misuse of or other problems associated with stolen equipment

**General Mobile Radio Service (GMRS) License Issue:** Inquiries regarding GMRS license acquisition, requirements, eligibility, and replacement.

**Land Mobile (LM) License Issue:** Inquiries regarding LM license acquisition, requirements, eligibility, and replacement.

**Service – Quality/Coverage:** Disputes/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 cellular phone because service was interrupted by service provider

## ***WIRELINE TELECOMMUNICATIONS***

### **Billing and Rates-Related – Includes the Following Subcategories:**

**Billing/Rates Credit/Refunds/Adjustments:** Disputes/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: Disputes/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: Disputes/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: Disputes/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 disputes/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

**Carrier Marketing & Advertising**: Complaints/inquiries regarding the marketing and advertising practices of interexchange carriers

**Cramming**: Complaints/inquiries about allegedly unauthorized, misleading, or deceptive charges appearing on a telephone bill

**Digital Subscriber Line Issues**: Complaints/inquires regarding digital subscriber line service

**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):** Complaints/inquiries regarding compliance with the TCPA:

- Artificial or Prerecorded Message and/or ATDS: calls to a residence using an artificial or prerecorded voice to deliver a message without prior consent of the called party prohibited unless an emergency exists
- Do Not Call List Request Not Honored: no person or entity may initiate any telephone solicitation to a residential telephone subscriber-- unless such person or entity has instituted procedures for maintaining a list of persons who have requested not to receive telephone solicitations
- Fax Complaint: unsolicited (“junk”) faxes or the use of a computer or other device to send any messages via a telephone facsimile prohibited unless such message clearly contains the date and time it is sent and an identification of the business, other entity or individual sending the message
- TCPA General Solicitations: Disputes/inquiries about the initiation of a call or message for the purpose of encouraging the purchase or rental of, or investment in property, goods, or services
- Time of Day violation: no person or entity may initiate any telephone solicitation to a residential telephone subscriber before 8 a.m. after 9 p.m. (local time based on the called party’s location)



**Summary of Top Consumer Complaint\* Subjects**  
**Processed by the FCC's Consumer & Governmental Affairs Bureau (CGB)**  
**First Quarter - Calendar Year 2003**

	January*	February	March	Quarter Total
<b>Cable Services</b>				
Billing & Rates	30	18	18	66
Cable Modem Service	10	16	6	32
Disability Issues	9	6	9	24
Programming Issues	21	7	11	39
Service Related Issues	78	24	45	147
<b>Totals</b>	<b>148</b>	<b>71</b>	<b>89</b>	<b>308</b>

	January*	February	March	Quarter Total
<b>Radio &amp; Television Broadcasting</b>				
Disability Issues	8	9	6	23
Programming - General Criticism	52	23	36	111
Programming - Indecency/Obscenity***	46	45	53	144
Programming - Religious	3	1	0	4
Other Programming Issues	42	64	51	157
<b>Totals</b>	<b>151</b>	<b>142</b>	<b>146</b>	<b>439</b>

	January*	February	March	Quarter Total
<b>Wireless Telecommunications</b>				
Billing & Rates	1,173	670	705	2,548
Carrier Marketing & Advertising	185	141	128	454
Contract - Early Termination	207	137	137	481
Equipment	86	42	58	186
Service Quality	215	135	100	450
<b>Totals</b>	<b>1,866</b>	<b>1,125</b>	<b>1,128</b>	<b>4,119</b>

	January*	February	March	Quarter Total
<b>Wireline Telecommunications</b>				
Billing & Rates	2,411	1,534	1,578	5,523
Carrier Marketing & Advertising	336	272	215	823
Cramming	555	414	362	1,331
Slamming	737	524	479	1,740
Telephone Consumer Protection Act	1,639	1,183	1,263	4,085
<b>Totals</b>	<b>5,678</b>	<b>3,927</b>	<b>3,897</b>	<b>13,502</b>

**NOTES:** (1) See attachment for brief description of subject categories.

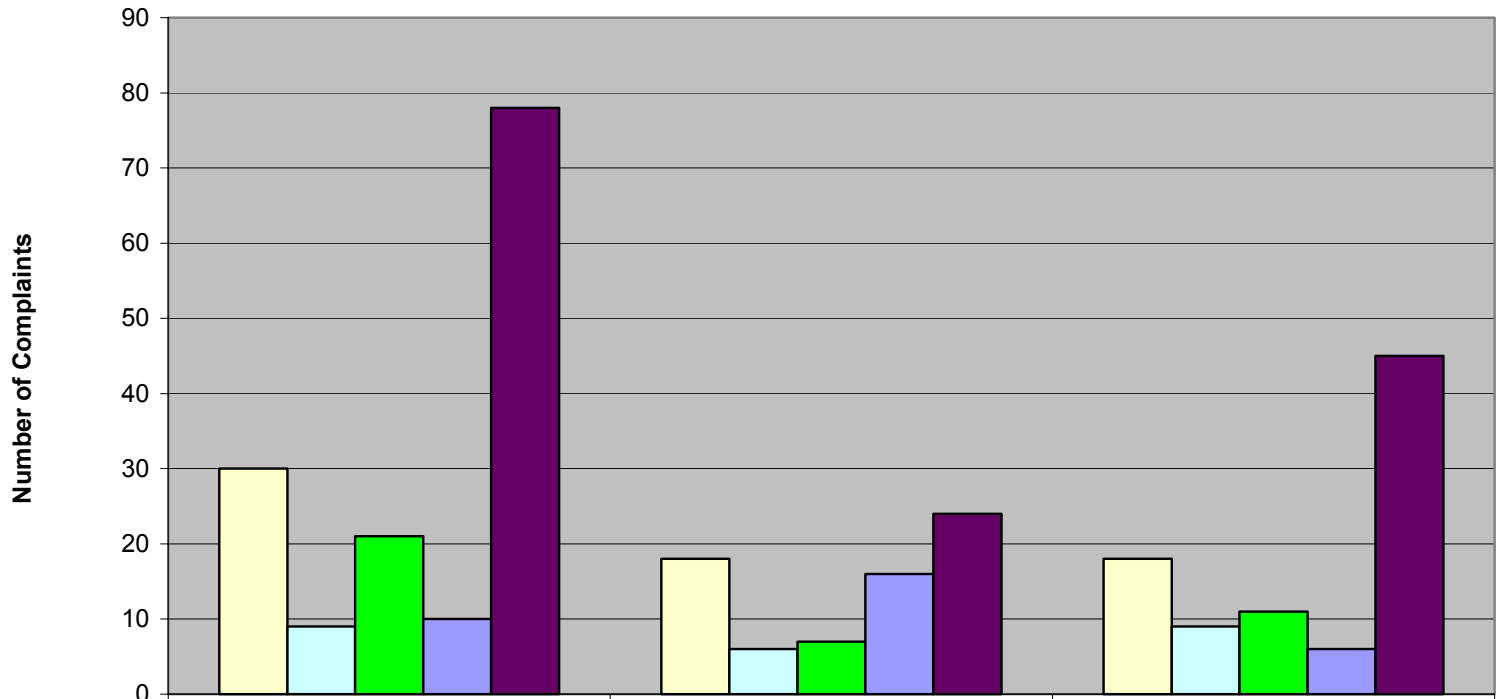
\* Due to processing delays caused by adverse weather, 2,858 top category complaints received in December 2002 were not recorded on OSCAR until January 2003. All of these complaints are accounted for in the statistics for January.

\*\* A complaint is defined as a communication received at CGB's consumer centers either via letter, fax, email or telephone from or on behalf of an individual that: (i) identifies a particular entity under the FCC's jurisdiction; (ii) alleges harm or or injury; and (iii) seeks relief. The FCC receives many complaints that do not involve violations of the Communications Act or a FCC rule or order. The existence of a complaint does not necessarily indicate wrongdoing by the company involved.

\*\*\* Complaints regarding alleged indecency/obscenity during specific broadcasts are forwarded to the Enforcement Bureau (EB) for appropriate handling. The numbers reported in this category include 61 complaints forwarded to EB or received separately by EB.

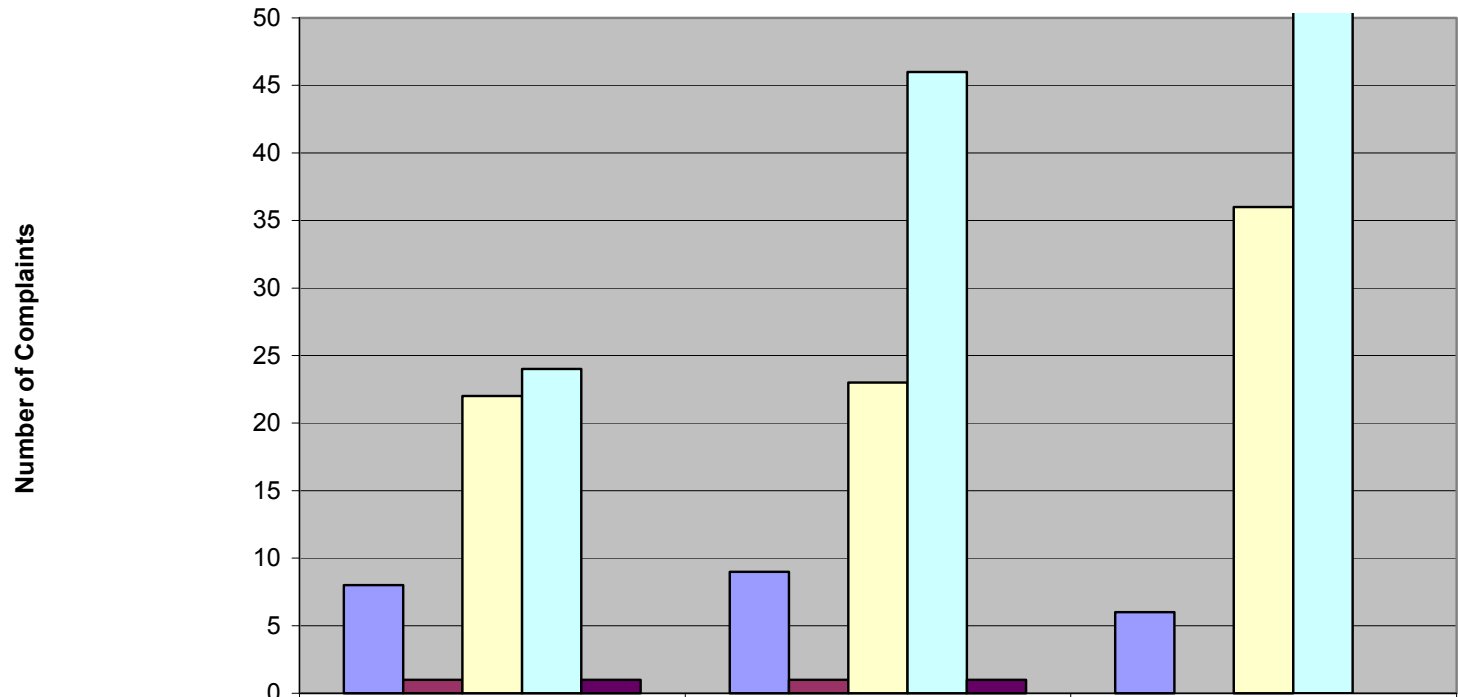
The data within this report account for statistics at the national level as reported to the Commission, and therefore are not necessarily indicative of corresponding state or local trends.

**Consumer & Governmental Affairs Bureau  
Top Cable Service Consumer Complaints  
First Quarter - Calendar Year 2003**



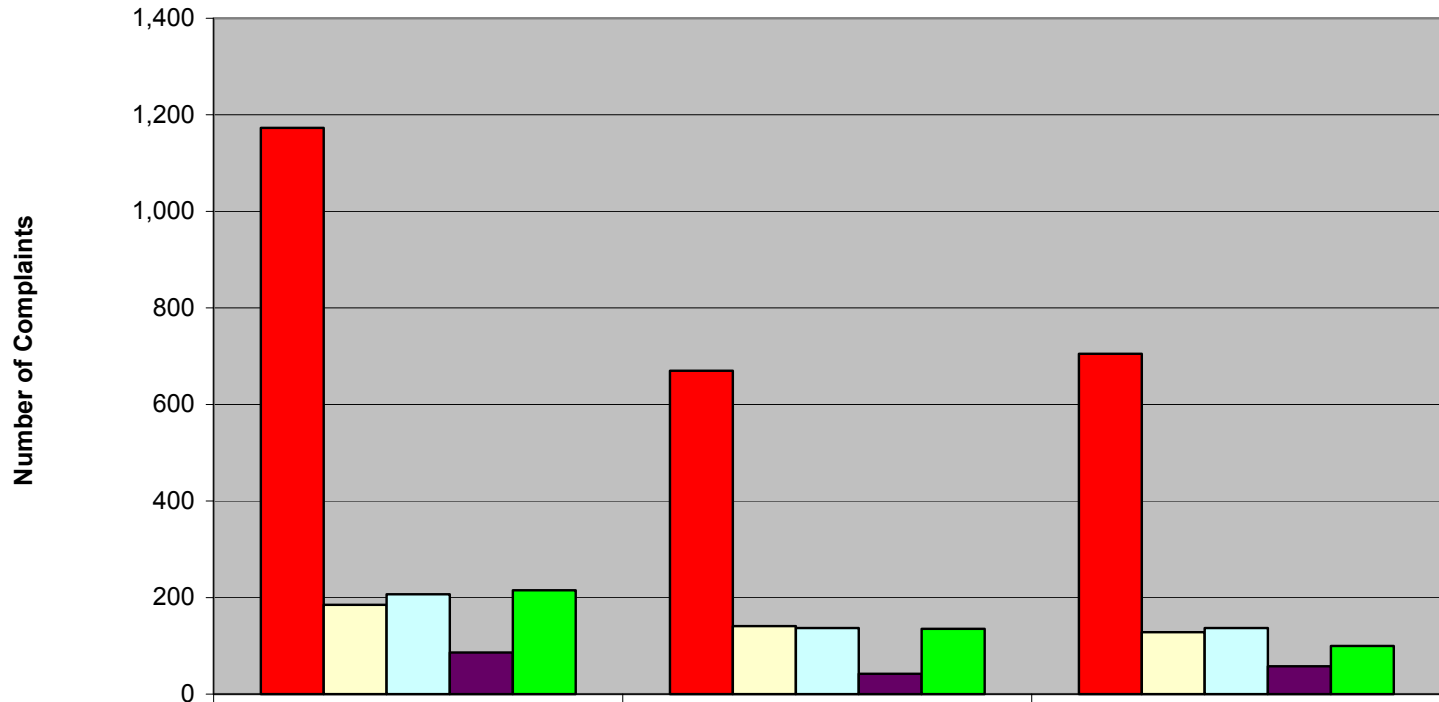
	January*	February	March
■ Billing & Rates	30	18	18
■ Disability Issues	9	6	9
■ Programming Issues	21	7	11
■ Cable Modem Service	10	16	6
■ Service Related Issues	78	24	45

**Consumer & Governmental Affairs Bureau  
Top Radio & Television Broadcasting Consumer Complaints  
First Quarter - Calendar Year 2003**



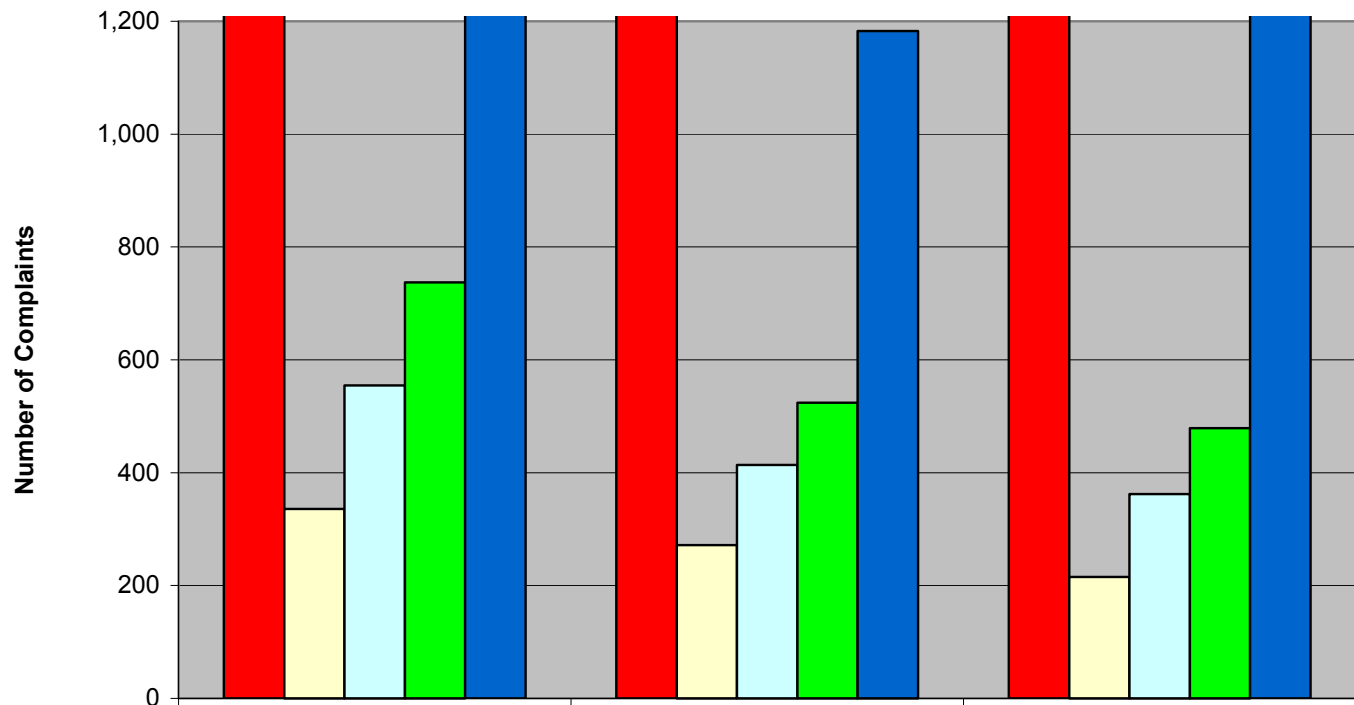
	January	February	March
■ Disability Issues	8	9	6
■ Howard Stern Commentary Criticism	1	1	0
■ Programming - General Criticism	22	23	36
■ Programming - Indecency/Obscenity**	24	46	54
■ Programming - Religious	1	1	0

**Consumer & Governmental Affairs Bureau  
Top Wireless Telecommunications Consumer Complaints  
First Quarter - Calendar Year 2003**



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**Consumer & Governmental Affairs Bureau  
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First Quarter - Calendar Year 2003**



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**Summary of Top Consumer Inquiry\* Subjects**  
**Processed by the FCC's Consumer & Governmental Affairs Bureau (CGB)**  
**First Quarter - Calendar Year 2003**

	January	February	March	Quarter Total
<b>Cable Services</b>				
Billing & Rates	213	165	209	587
Over the Air Reception Device Issues	423	364	388	1,175
Satellite Home Viewer Improvement Act	235	253	196	684
Satellite Issues	265	217	264	746
Service-Related Issues	719	568	711	1,998
<b>Totals</b>	<b>1,855</b>	<b>1,567</b>	<b>1,768</b>	<b>5,190</b>

	January	February	March	Quarter Total
<b>Radio &amp; Television Broadcasting</b>				
General Broadcast Information	286	284	284	854
How to Start Broadcast Station	254	218	235	707
Low Power Broadcast Information	289	261	319	869
Political Programming	38	49	42	129
Programming & Content	845	643	634	2,122
<b>Totals</b>	<b>1,712</b>	<b>1,455</b>	<b>1,514</b>	<b>4,681</b>

	January	February	March	Quarter Total
<b>Wireless Telecommunications</b>				
Amateur License	922	751	805	2,478
Billing & Rates	1,080	1,138	1,409	3,627
Electrical Interference	2,390	2,117	2,138	6,645
General Mobile Radio Service License	743	526	480	1,749
Land Mobile License	370	330	340	1,040
<b>Totals</b>	<b>5,505</b>	<b>4,862</b>	<b>5,172</b>	<b>15,539</b>

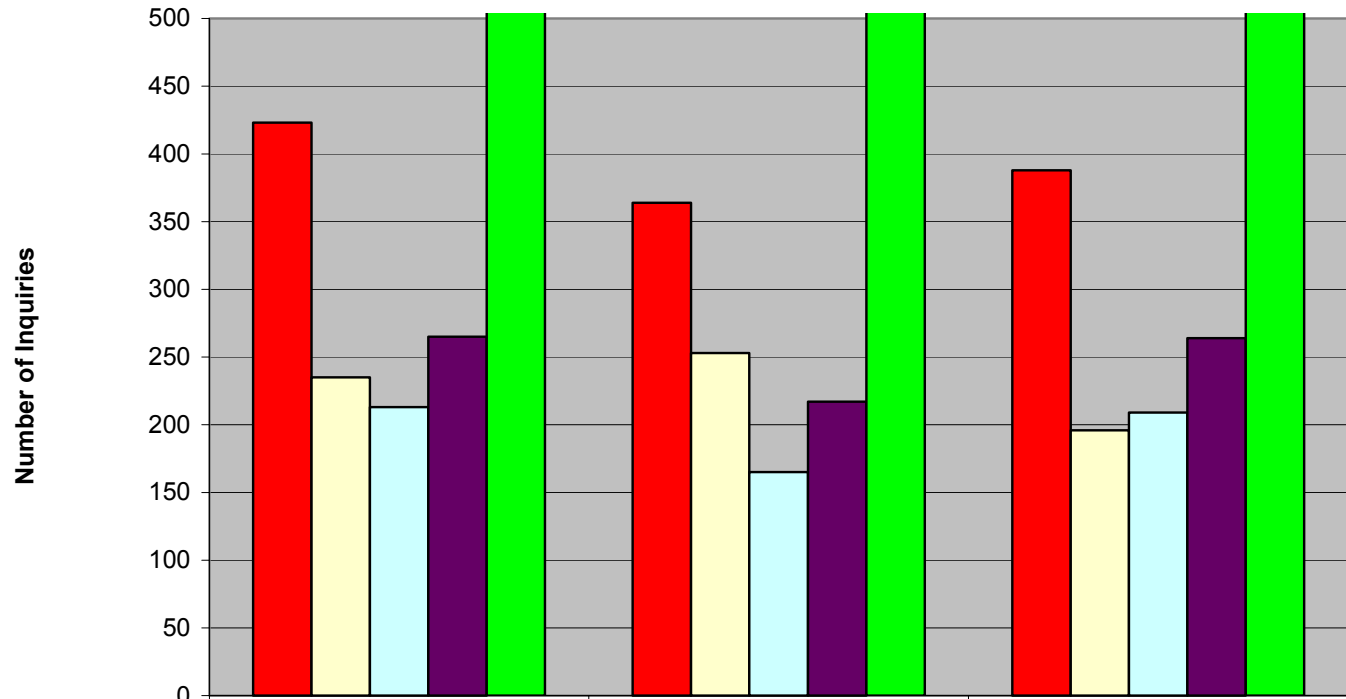
	January	February	March	Quarter Total
<b>Wireline Telecommunications</b>				
Billing & Rates	2,451	2,220	2,334	7,005
Cramming	4,792	4,503	4,895	14,190
Digital Subscriber Line Issues	160	135	161	456
Slamming	11,088	8,931	10,857	30,876
Telephone Consumer Protection Act	2,117	2,293	2,589	6,999
<b>Totals</b>	<b>20,608</b>	<b>18,082</b>	<b>20,836</b>	<b>59,526</b>

**NOTES:**

\* An inquiry is defined as a correspondence received at CGB's consumer centers either via letter, fax, email or telephone from individuals seeking information on matters under the FCC's jurisdiction.

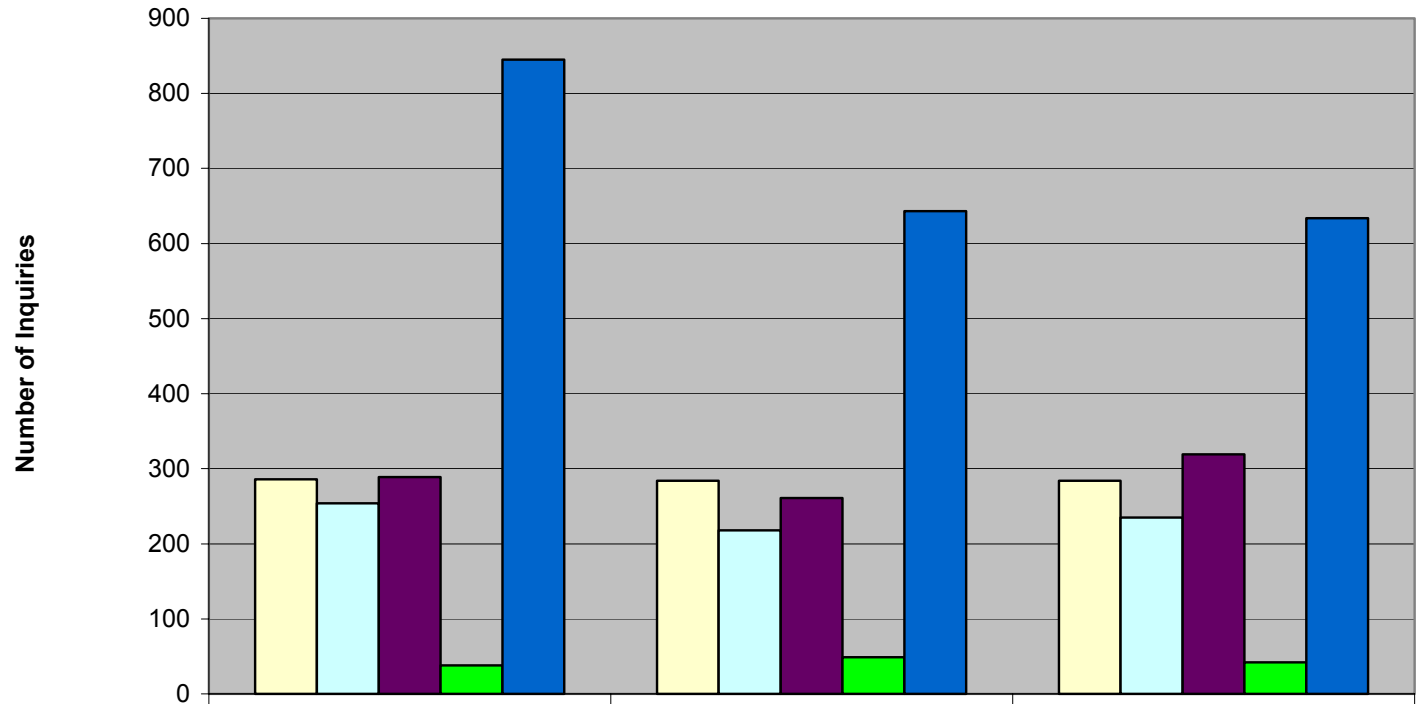
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Top Cable Service Consumer Inquiries  
First Quarter - Calendar Year 2003**



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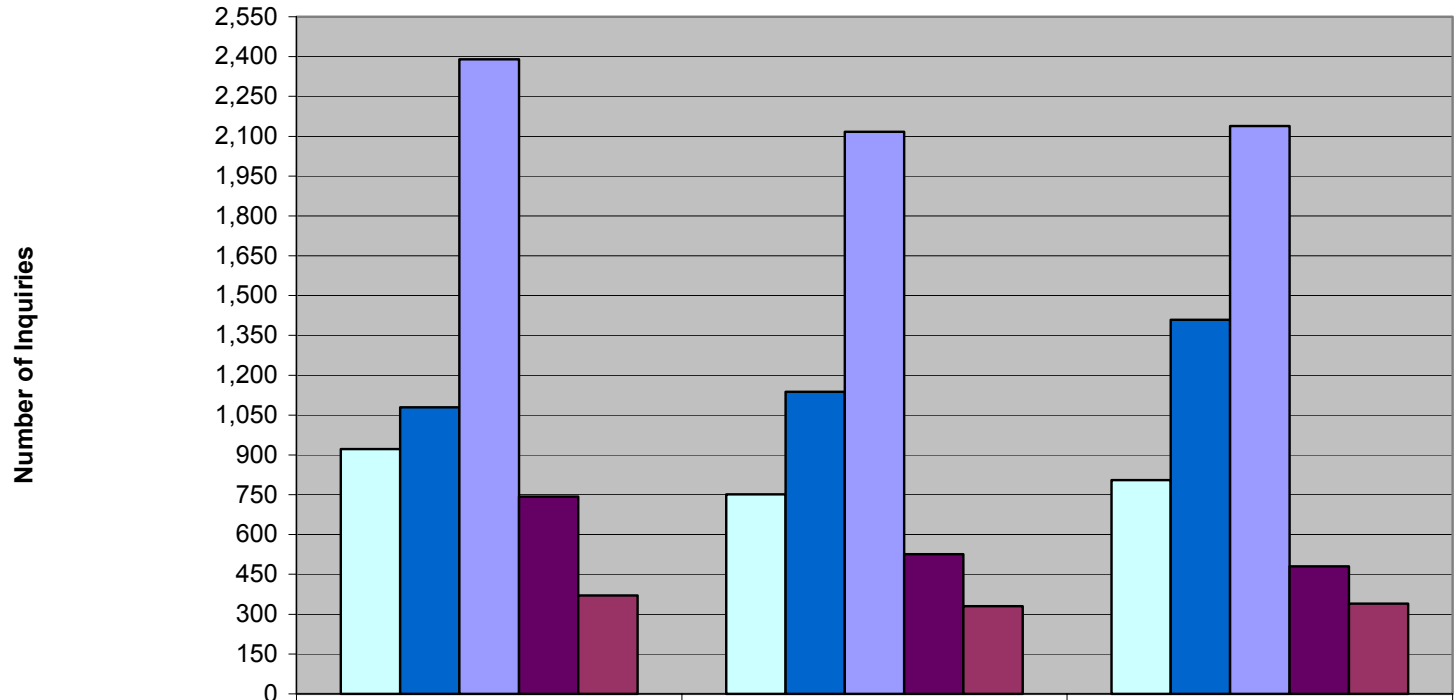
**Consumer & Governmental Affairs Bureau  
Top Radio & Television Broadcasting Inquiries  
First Quarter - Calendar Year 2003**



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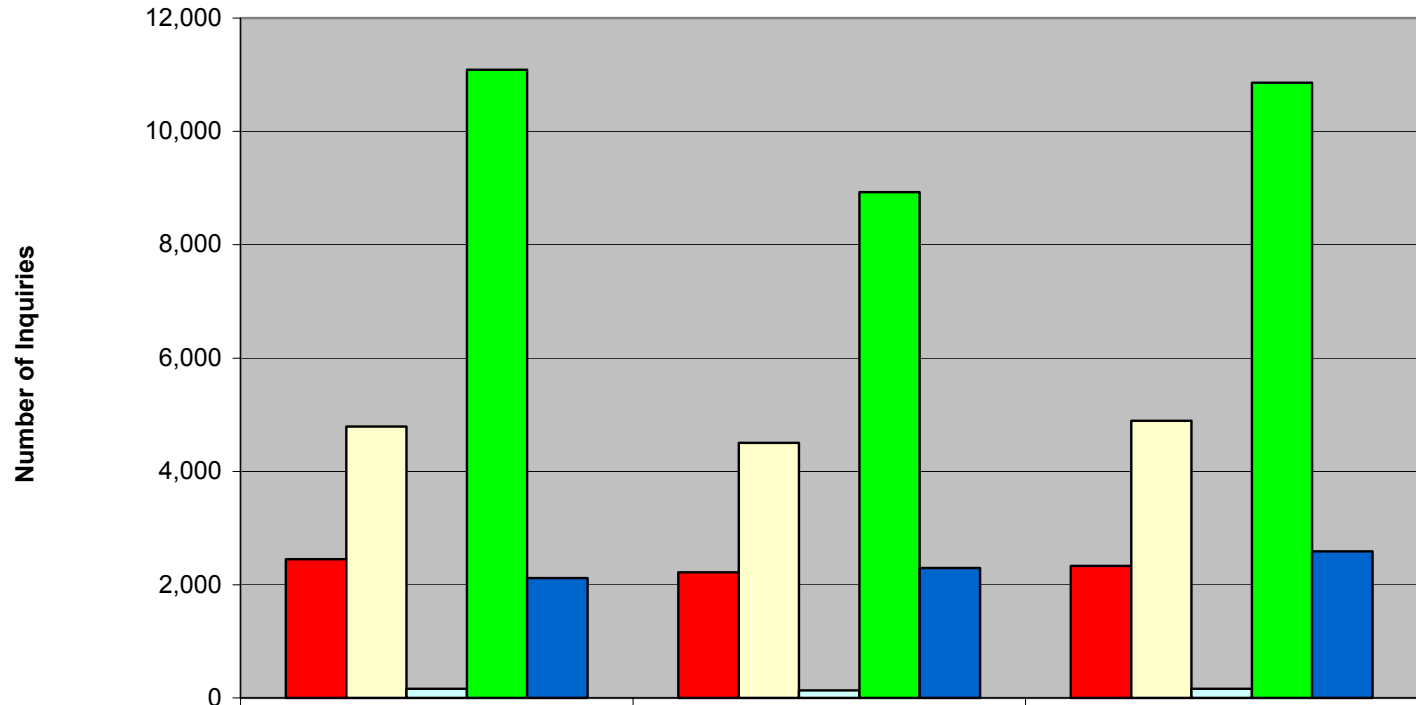


**Consumer & Governmental Affairs Bureau  
Top Wireless Telecommunications Consumer Inquiries  
First Quarter - Calendar Year 2003**



	January	February	March
Amateur License	922	751	805
Billing & Rates	1,080	1,138	1,409
Electrical Interference	2,390	2,117	2,138
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**Consumer & Governmental Affairs Bureau  
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 First Quarter - Calendar Year 2003**



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