



NEWS

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

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QUARTERLY REPORT ON INFORMAL CONSUMER INQUIRIES AND COMPLAINTS RELEASE

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 2008.

2008 First Quarter Inquiries. During this quarter, the total number of inquiries for all four reported categories increased more than 176%, from 46,960 in the 4th quarter of 2007 to 82,897 in the 1st quarter of 2008. Notably, the number of Radio and Television Broadcasting inquiries increased 310% in the 1st quarter of 2008 from 16,745 in the 4th quarter of 2007 to 51,920 in the 1st quarter of 2008. The bulk of the Radio and Television Broadcasting inquiries, i.e., 90%, pertained to digital television issues. Wireline inquiries increased 8% from 19,524 in the 4th quarter of 2007 to 21,096 this quarter. Telephone Consumer Protection Act (TCPA) inquiries constituted 75% of the inquiries in this category. The number of Cable and Satellite Services inquiries increased nearly 10%, as compared to last quarter, from 3,459 to 3,800. Inquiries regarding Billing & Rates Information constituted 38% of the inquiries in this category. Wireless inquiries decreased 16% from 7,232 to 6,081 this quarter.

2008 First Quarter Complaints. During this quarter, complaints in the reported categories increased over 413%, from 42,946 in the 4th quarter of 2007 to 177,593 in the 1st quarter of 2008. Most of the increase occurred in the Radio and Television Broadcasting category where complaints rose from 1,249 in the 4th quarter of 2007 to 122,104 in the first quarter of 2008. Programming Indecency/Obscenity complaints comprised 99% of the 122,104 complaints in this category. Cable & Satellite Services-related complaints increased 50% from 615 in the 4th quarter of 2007 to 923 in the 1st quarter of 2008. Wireless complaints increased 52% from 12,448 in the 4th quarter of 2007 to 18,964 in the 1st quarter of 2008. TCPA issues comprised over 67% of the complaints in this category. Wireless TCPA complaints rose again

this quarter, from 6,489 in the 4th quarter of 2007 to 12,839 in the 1st quarter of 2008. Wireline complaints also rose in the 1st quarter of 2008 to 35,602 from 28,634 in the 4th quarter of 2007. 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 complaints and when combined, totaled over 88% of the wireline-related 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.htm>.

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REPORT ON INFORMAL CONSUMER INQUIRIES AND COMPLAINTS
1st Quarter Calendar Year 2008
Executive Summary

This report tracks the top subject areas for consumer inquiries and complaints received during the 1st quarter of calendar year 2008 and processed by the Consumer & Governmental Affairs Bureau (CGB).ⁱ 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, email, 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.

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ⁱ The data reported reflects the complaints and inquiries recorded in CGB's automated tracking systems for the period January 1, 2008 to March 31, 2008. 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.

Summary of Top Consumer Inquiry * Subjects
Processed by the FCC's Consumer & Governmental Affairs Bureau (CGB)
First Quarter - Calendar Year 2008

Draft 9-25-2008 0800

	January	February	March	Quarter Totals
Cable & Satellite Services				
Disability & Access Related Issues	31	22	18	71
Service-Related Issues	202	126	182	510
Over-the-Air Reception Devices Issues	169	184	180	533
Satellite Home Viewer Improvement Act	226	146	187	559
Programming Issues	168	333	177	678
Billing & Rates	516	444	489	1,449
<i>Totals</i>	1,312	1,255	1,233	3,800

	January	February	March	Quarter Totals
Radio and Television Broadcasting				
Emergency Alert System (EAS)	36	45	48	129
Disability & Access Related Issues	28	66	43	137
Political Programming Issues	514	33	61	608
Interference	428	404	400	1,232
Broadcast Programming Issues	1,416	989	916	3,321
Digital Television Issues	21,839	12,023	12,631	46,493
<i>Totals</i>	24,261	13,560	14,099	51,920

	January	February	March	Quarter Totals
Wireless Telecommunications				
Amateur License Information	108	101	67	276
Interference	280	255	248	783
Billing & Rates Information	341	325	275	941
Service-Related Issues	570	511	499	1,580
License Information (General)	932	789	780	2,501
<i>Totals</i>	2,231	1,981	1,869	6,081

	January	February	March	Quarter Totals
Wireline Telecommunications				
Number Portability	125	154	117	396
Universal Service Issues	175	192	157	524
Billing & Rates Information	364	358	381	1,103
Slamming	487	461	484	1,432
Cramming	576	566	588	1,730
Telephone Consumer Protection Act	5,287	5,133	5,491	15,911
<i>Totals</i>	7,014	6,864	7,218	21,096

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 2008

Draft 9-25-08 1300

	January	February	March	Quarter Totals
Cable & Satellite Services				
Disability & Access related issues	3	6	9	18
Cable TV & Satellite Connectivity and Availability	42	50	19	111
Service Related Issues	28	81	67	176
Programming Issues	95	190	95	380
Billing & Rates	30	106	102	238
<i>Totals</i>	198	433	292	923

	January	February	March	Quarter Totals
Radio and Television Broadcasting				
Disability & Access related issues	4	16	2	22
Other Programming Issues	38	108	55	201
Programming - General Criticism	193	487	270	950
Programming - Indecency/Obscenity**	108,919	10,825	1,187	120,931
<i>Totals</i>	109,154	11,436	1,514	122,104

	January	February	March	Quarter Totals
Wireless Telecommunications				
Carrier Marketing & Advertising	216	171	74	461
Contract - Early Termination	158	242	124	524
Service-Related Issues	1,718	539	155	2,412
Billing & Rates Information	617	1,367	744	2,728
Telephone Consumer Protection Act	4,494	3,258	5,087	12,839
<i>Totals</i>	7,203	5,577	6,184	18,964

	January	February	March	Quarter Totals
Wireline Telecommunications				
Service Quality	180	271	174	625
Slamming	235	134	207	576
Billing & Rates Information	862	1,504	685	3,051
Telephone Consumer Protection Act - Do Not Call List	1,668	1,443	1,557	4,668
Telephone Consumer Protection Act -Other Issues	3,281	3,356	3,493	10,130
Telephone Consumer Protection Act-Unsolicited Fax	4,390	3,612	5,783	13,785
<i>Totals</i>	10,616	10,320	11,899	32,835

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 emailed 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.

Top Consumer Issues – Subject Category Reference Guide

CABLE & SATELLITE SERVICES

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

Cable TV & Satellite Connectivity and Availability: Complaints/inquiries regarding the availability or quality of connections to cable and satellite systems

Disability & Access Related 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 Home Viewer Improvement Act (SHVIA): 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

Disability & Access Related Issues: Complaints/inquiries regarding video description, closed captioning, and emergency access to video programming

Broadcast Programming Issues: Complaints/inquiries related to general over the air programming issues

Digital Television Issues: Complaints/inquiries concerning digital TV service or the transition to digital TV

Emergency Alert System (EAS): Complaints/inquiries concerning the emergency alert system

Interference: Complaints/Inquiries regarding unwanted signals from nearby transmitters to home entertainment electronic equipment

Political Programming Issues: Complaints/inquiries with program content of a political oriented nature

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

Amateur License Information: Inquiries regarding Amateur license acquisition, requirements, eligibility, and replacement

Billing & Rates Information – 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 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: 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 home entertainment electronic equipment

License Information (General): Inquiries regarding 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 cellular 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

WIRELINE TELECOMMUNICATIONS

Billing & Rates Information– 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): 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