

Background

The Federal Communications Commission (FCC) uses informal complaints to help consumers resolve problems with the communications services that the FCC regulates. You should always first try to resolve any problem directly with the company causing the problem or sending you a bill for service. If you can't resolve the problem directly, you can file an informal complaint on many issues. Here's a description of many of the FCC's consumer protection requirements (and what you can file complaints about), and some information about the informal complaint process.

Informal Complaints to the FCC About Telephone Service

The FCC regulates telecommunications services between states and internationally, and imposes numerous consumer protection requirements on telecommunications service providers. These requirements include rules to ensure that telephone bills clearly indicate the services for which you are being billed. FCC rules also prevent telephone companies from switching your preferred telephone company for toll calls without your permission (slamming); placing unauthorized, deceptive, or misleading charges on your telephone bill (cramming); and disclosing your calling records without your permission. In most cases, if you change service providers, the FCC requires your old provider to "port" your telephone number to your new provider according to a specific schedule.

If you have a problem with a telephone company regarding any of these issues, you can file an informal complaint with the FCC using one of the methods described below. If appropriate, the FCC will send your complaint to the telephone company or companies involved. Telephone companies then have 30 days from receipt of your complaint to respond to you and provide a copy of the response to the FCC. The FCC reviews all responses to be certain they address the consumer's concerns, but does not issue a ruling or decision on the matter.

Informal Complaints to the FCC About Telephone Service (cont'd.)

The informal complaint process requires no complicated legal procedures, has no filing charge, and does not require the complaining party to appear before the FCC.

Informal Complaints to the FCC About Other Problems

Telemarketing. FCC rules prohibit or limit unwanted calls from telemarketers, unsolicited fax advertisements, and unsolicited commercial messages sent to wireless devices. For more information about these rules, visit www.fcc.gov/cgb/donotcall.

Access to Communications Services for the Disabled. FCC rules also mandate that equipment manufacturers and communications service providers make their products and services, including 911 emergency services, accessible to consumers with vision, speech, or hearing disabilities. For more information about these rules, visit www.fcc.gov/cgb/dro.

Radio and Television Broadcasting. The FCC imposes certain limits on radio and television broadcasters. It prohibits or limits the broadcast of material that is **obscene, indecent, or profane**. Broadcasting obscene material is banned completely, while indecent or profane material

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Informal Complaints to the FCC About Other Problems (cont'd.)

may only be broadcast outside the hours of 6:00 am to 10:00 pm, when children are not considered likely to be listening or watching. For more information regarding FCC rules on broadcasts of material that is obscene, indecent, or profane, visit www.fcc.gov/eb/oip.

Radio and television broadcasters must be licensed. Licensed broadcasters must disclose whether they have received or been promised payment (payola) for airing any material and identify who paid or promised to pay for it. The FCC also imposes limits on the broadcasting of contests, lotteries, and solicitations, and the airing of false information, if the false information can cause public harm. FCC rules dictate the amount of educational programming broadcasters must air and limit advertisements during children's programming. For more information about these rules, visit www.fcc.gov/mb.

Political Programming. The FCC requires broadcasters and satellite television providers to offer reasonable access to qualified candidates for federal office. In addition, broadcasters as well as cable and satellite television providers are required to offer equal opportunities to opposing candidates running for the same office.

Equipment Authorization. The FCC operates a program to authorize equipment that uses the radio frequency spectrum. Devices that use the spectrum may not be imported or marketed until they are shown to comply with the technical standards specified by the FCC.

While you can still file an informal complaint about any problems with telemarketing, access to communications services for the disabled, radio and television broadcasting, political programming, or equipment authorization, your informal complaint will be handled differently from an informal complaint about your telephone service. Such complaints are referred to our Enforcement Bureau or Office of Disability Rights for possible further action.

How to File Your Informal Complaint with the FCC

You can file your complaint regarding any of these issues using various FCC's complaint forms. The easiest way to file your complaint is to go to the FCC's on-line complaint forms found on the FCC Web site at <http://esupport.fcc.gov/complaints.htm>. You will be asked a series of questions that will take you to the correct form and section of the form for providing all of the information the FCC needs to process your complaint. You can also file your complaint with the FCC's Consumer Center by e-mailing fccinfo@fcc.gov; calling 1-888-CALL-FCC (1-888-225-5322) voice or 1-888-TELL-FCC (1-888-835-5322) TTY; faxing 1-866-418-0232; or writing to:

Federal Communications Commission
Consumer & Governmental Affairs Bureau
Consumer Inquiries and Complaints Division
445 12th Street, SW
Washington, D.C. 20554.

Filing a Formal Complaint with the FCC

If you are not satisfied with the response to your informal complaint, you can file a formal complaint. Your formal complaint must be filed within six months of the date of the response to your informal complaint. The current fee for filing a formal complaint is \$190.00, but it is subject to change.

Formal complaint proceedings are similar to court proceedings. Each party must comply with specific procedural rules, appear before the FCC, and file documents that address legal issues. Parties filing formal complaints usually are represented by lawyers or experts in communications law and the FCC's procedural rules.

Complete information on how to file formal complaints can be found in sections 1.720 through 1.735 of the FCC's rules, located at 47 C.F.R. §§ 1.720 – 1.735. You can also visit the FCC's Enforcement Bureau Web site at www.fcc.gov/eb/tcd/laction.html.

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Complaints About Local Telephone or Cable Service

If you have a problem with your local telephone service, including directory assistance, or telephone service within your state, and you can't resolve it directly with the company, contact your state public service commission. Contact information for your state public service commission can be found at www.naruc.org/commissions.cfm or in the blue pages or government section of your local telephone directory. For problems with rates for basic cable television service or cable television service quality that you can't resolve directly with the company, contact your Local Franchising Authority (LFA). Contact information for your LFA can be found on your cable service bill or in your local telephone directory. Your state or local Better Business Bureau, consumer protection agency, or state Attorney General's Office may also be able to help. Again, check for listings in your local telephone directory.

For More Information

For information about other telecommunications issues, visit the FCC's Consumer & Governmental Affairs Bureau Web site at www.fcc.gov/cgb, or contact the FCC's Consumer Center using the information provided for filing a complaint.

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For this or any other consumer publication in an accessible format (electronic ASCII text, Braille, large print, or audio), please write or call us at the address or phone number below, or send an e-mail to FCC504@fcc.gov.

To receive information on this and other FCC consumer topics through the Commission's electronic subscriber service, click on www.fcc.gov/cgb/contacts/.

This document is for consumer education purposes only and is not intended to affect any proceeding or cases involving this subject matter or related issues.

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