

Background

"**Cramming**" is the practice of placing unauthorized, misleading or deceptive charges on your telephone bill. Crammers rely on confusing telephone bills in an attempt to trick consumers into paying for services they did not authorize or receive, or that cost more than the consumer was led to believe.

How Does Cramming Occur?

In addition to providing local telephone service, local telephone companies often bill their customers for long distance and other services that other companies provide. If a local telephone company, long distance telephone company or another type of service provider either accidentally or intentionally places unauthorized, misleading or deceptive charges on your bill, you may have been "crammed."

Cramming can also occur if a local or long distance company or another type of service provider does not clearly or accurately describe all of the relevant charges to you when marketing a service. Although you may have authorized the service, you did not understand or were misled about how much it would really cost.

Cramming Charges: What They Look Like

Cramming comes in many forms and is often hard to detect unless you closely review your telephone bill. Charges described as follows can be legitimate if you authorize them but, if unauthorized, could constitute cramming:

Cramming Charges: What They Look Like (cont'd.)

- Charges for services that are explained on your telephone bill in general terms such as "service fee," "service charge," "other fees," "voicemail," "mail server," "calling plan," "psychic" and "membership;"
- Charges that are added to your telephone bill every month without a clear explanation of the services provided – such as a "monthly fee" or "minimum monthly usage fee;" and
- Charges for an authorized service, but you were misled about its actual cost.

While cramming charges typically appear on consumers' local telephone bills, they may also be included with bills issued by long distance telephone companies and companies providing other types of services, including wireless telephone, beeper and pager services.

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The FCC's Truth-in-Billing Rules

The Federal Communications Commission's (FCC) Truth-in-Billing rules require telephone companies to provide clear, non-misleading, plain language in describing services for which you are being billed. Because one telephone company, usually your local telephone company, may include charges you incurred for another company's service on your bill, the company sending you the bill must identify the service provider associated with each charge. If a bill contains charges in addition to basic local service, it must distinguish between charges for which non-payment will result in disconnection of basic, local service and charges for which non-payment will not result in disconnection. Telephone companies must also display, on each bill, one or more toll-free numbers that you can call to ask about or dispute any charge on the bill.

This information empowers you to protect yourself from cramming and other types of telecommunications fraud. It also helps you make informed choices when you shop around to find the best telephone service to meet your needs.

How to Protect Yourself and Save Money

- Carefully review your telephone bill every month. Treat your telephone service like any other major consumer purchase or service. Review your monthly bills just as closely as you review your monthly credit card and bank statements.
- Ask yourself the following questions as you review your telephone bill:

How to Protect Yourself and Save Money (cont'd.)

- 1) Do I recognize the names of all the companies listed on my bill?
 - 2) What services were provided by the listed companies?
 - 3) Does my bill include charges for calls I did not place and services I did not authorize?
 - 4) Are the rates and line items consistent with the rates and line items that the company quoted to me?
- You may be billed for a call you placed or a service you used, but the description listed on your telephone bill for the call or service may be unclear. If you don't know what service was provided for a charge listed on your bill, ask the company that billed the charge to explain the service provided before paying the charge.
 - Make sure you know what service was provided, even for small charges. Crammers often try to go undetected by submitting \$2.00 or \$3.00 charges to thousands of consumers.
 - Keep a record of the telephone services you have authorized and used – including calls placed to 900 numbers and other types of telephone information services. These records can be helpful when billing descriptions are unclear.
 - Carefully read all forms and promotional materials – including the fine print – before signing up for telephone or other services to be billed on your phone bill.
 - Companies compete for your telephone business. Use your buying power wisely and shop around. If you think that a company's charges are too high or that its services do not meet your needs, contact other companies and try to get a better deal.

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Actions You Can Take if You've Been Crammed

Take the following actions if unknown or suspicious charges are listed on your telephone bill:

- Immediately call the company that charged you for calls you did not place, or services you did not authorize or use. Ask the company to explain the charges. Request an adjustment to your bill for any incorrect charges.
- Call your own local telephone company. Explain your concerns about the charges and ask your local telephone company the procedure for removing incorrect charges from your bill.

Filing a Complaint

If neither the company sending you the bill nor the company that provided the service in question will remove charges from your telephone bill that you consider to be incorrect, you can file a complaint as follows:

- with the FCC for charges related to telephone services between states or internationally,
- with your state public service commission for telephone services within your state; and
- with the FTC for non-telephone services on your telephone bill.

Filing a Complaint with the FCC

For charges related to telephone service between states or internationally, you can file your complaint with the FCC. There is no charge for filing a complaint. You can file a complaint using an FCC online complaint form found at www.fcc.gov/complaints. You can also file your complaint with the FCC's Consumer Center by 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:

Filing a Complaint with the FCC (cont'd.)

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

What to Include in Your Complaint

The best way to provide all the information needed for the FCC to process your complaint is to complete fully the online complaint form. When you open the online complaint form, you will be asked a series of questions that will take you to the particular section of the form you need to complete. If you do not use the online complaint form, your complaint, at a minimum, should indicate:

- your name, address, email address and phone number where you can be reached;
- the telephone and account numbers that are the subject of your complaint;
- the names and phone numbers of any companies involved with your complaint;
- the amount of any disputed charges, whether you paid them, whether you received a refund or adjustment to your bill, the amount of any adjustment or refund you have received, an explanation if the disputed charges are related to services in addition to residential or business telephone services; and
- the details of your complaint and any additional relevant information.

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Filing a Complaint with Your State Public Service Commission or the FTC

For charges for telephone services provided within your state, contact your state public service commission. For contact information for your state public service commission, visit www.naruc.org/commissions.cfm or check the blue pages or government section of your local telephone directory.

For charges on your telephone bill for non-telephone services, file your complaint with the Federal Trade Commission (FTC). You can file a complaint with the FTC online at <https://www.ftccomplaintassistant.gov>. You can also submit a complaint by calling the FTC toll-free at 1-877-382-4357 (voice) or 1-866-653-4261 (TTY), or writing to:

Federal Trade Commission
CRC-240
600 Pennsylvania Ave., NW
Washington, DC 20580.

For More Information

For information about other telecommunications issues, visit the FCC's Consumer & Governmental Affairs Bureau website at www.fcc.gov/consumer-governmental-affairs-bureau, or contact the FCC's Consumer Center using the information provided for filing a complaint.

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

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