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

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QUARTERLY REPORT OF INFORMAL CONSUMER INQUIRIES AND COMPLAINTS FOR FIRST QUARTER OF CALENDAR YEAR 2011 RELEASED

Washington, DC – The Commission has released its Report of the top subject areas of informal consumer inquiries and complaints received and processed by the Consumer & Governmental Affairs Bureau (CGB) during the first quarter of calendar year 2011.

2011 First Quarter Inquiries. During the first quarter of 2011, the overall number of inquiries for the top four reported inquiry categories decreased by more than 37% from the number received and processed by CGB during the previous quarter, from 32,894 during the fourth quarter of 2010, to 20,451, as described below. The number of Cable and Satellite Services inquiries increased by 7%, from 1,922 to 2,057. Inquiries regarding Billing and Rates Issues constituted more than 45% of the inquiries in this category during the first quarter. The number of Radio and Television Broadcasting inquiries increased by nearly 33%, from 4,783 to 6,381, primarily due to an increase in the number of inquiries concerning broadcast programming issues. Wireless Telecommunications inquiries notably decreased by more than 81%, from 18,311 to 3,477, with a substantial decrease in the number of inquiries relating to Bill Shock. Wireline Telecommunications inquiries increased more by than 8%, from 7,878 to 8,536, with Telephone Consumer Protection Act (TCPA) matters constituting more than 63% of the first quarter inquiries in this category.

2011 First Quarter Complaints. During the first quarter of 2011, the overall number of complaints in the top four reported categories increased by 27% from those received and processed during the fourth quarter of 2010, from 48,469 to 61,603. Cable & Satellite Services complaints decreased by 4%, from 1,724 to 1,651. The number of Radio and Television Broadcasting complaints decreased by more than 4%, from 3,116 to 2,977. Wireless Telecommunications complaints increased by more than 30%, from 21,076 to 27,495, with Call or Message to Wireless Device-related complaints comprising the bulk of the complaints in this category. Wireline Telecommunications complaints increased by nearly 31%, from 22,553 to 29,480, with TCPA-Other Issues, Do Not Call List and Unsolicited Faxes constituting the top categories of Wireline complaints received which, when combined, constituted over 88% of the Wireline complaints in the reported subcategories during the first quarter.

The Commission receives many inquiries and complaints that do not involve violations of the Communications Act, or a rule, policy or order of the Commission. The existence of a complaint does not necessarily establish wrongdoing by the named company. The first quarter Report, as well as previous reports on informal consumer inquiries and complaints, can be viewed at: <http://www.fcc.gov/cgb/quarter/welcome.html>.

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REPORT OF INFORMAL CONSUMER INQUIRIES AND COMPLAINTS
First Quarter, Calendar Year 2011
Executive Summary

This Report tracks the top subject areas of consumer inquiries and complaints received and processed during the first quarter of calendar year 2011 by the Consumer & Governmental Affairs Bureau (CGB).ⁱ A consumer inquiry is defined as correspondence or communications received by the Commission from or on behalf of an individual seeking information regarding a matter under the FCC's jurisdiction. An informal consumer complaint is defined as a communication received by a CGB Consumer Center, either via U.S. mail, fax, e-mail, the 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.

2011 First Quarter Inquiries. During the first quarter of 2011, the overall number of inquiries for the top four reported inquiry categories decreased by more than 37% from the number received and processed by CGB during the previous quarter, from 32,894 during the fourth quarter of 2010, to 20,451, as described below. The number of Cable and Satellite Services inquiries increased by 7%, from 1,922 to 2,057. Inquiries regarding Billing and Rates Issues constituted more than 45% of the inquiries in this category during the first quarter. The number of Radio and Television Broadcasting inquiries increased by nearly 33%, from 4,783 to 6,381, primarily due to an increase in the number of inquiries concerning broadcast programming issues. Wireless Telecommunications inquiries notably decreased by more than 81%, from 18,311 to 3,477, with a substantial decrease in the number of inquiries relating to Bill Shock. Wireline Telecommunications inquiries increased more by than 8%, from 7,878 to 8,536, with Telephone Consumer Protection Act (TCPA) matters constituting more than 63% of the first quarter inquiries in this category.

2011 First Quarter Complaints. During the first quarter of 2011, the overall number of complaints in the top four reported categories increased by 27% from those received and processed during the fourth quarter of 2010, from 48,469 to 61,603. Cable & Satellite Services complaints decreased by 4%, from 1,724 to 1,651. The number of Radio and Television Broadcasting complaints decreased by more than 4%, from 3,116 to 2,977. Wireless Telecommunications complaints increased by more than 30%, from 21,076 to 27,495, with Call or Message to Wireless Device-related complaints comprising the bulk of the complaints in this category. Wireline Telecommunications complaints increased by nearly 31%, from 22,553 to 29,480, with TCPA-Other Issues, Do Not Call List and Unsolicited Faxes constituting the top categories of Wireline complaints received which, when combined, constituted over 88% of the Wireline complaints in the reported subcategories during the first quarter.

The Commission receives many inquiries and complaints that do not involve violations of the Communications Act, or a rule, policy or order of the Commission. The existence of a complaint does not necessarily establish wrongdoing by the named company. The first quarter Report, as well as previous reports on informal consumer inquiries and complaints, can be viewed at: <http://www.fcc.gov/cgb/quarter/welcome.html>.

ⁱ The data reported reflects the complaints and inquiries recorded in CGB's automated tracking systems during the period from January 1 to March 31, 2011. The information generated for this Report is that entered into the tracking systems on or before those specific dates. In addition, the data referenced in 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.

REPORT OF INFORMAL CONSUMER INQUIRIES AND COMPLAINTS
First Quarter, Calendar Year 2011
Top Consumer Issues – Subject Category Reference Guide

CABLE & SATELLITE SERVICES

Billing & Rates: billing and rates charged for program service

Digital Television: digital TV service or the transition to digital TV

Disability & Access: video description, closed captioning, and emergency access to video programming

Over-The-Air Reception Devices (OTARD): installation, maintenance or use of antennas (including direct-to-home satellite dishes, TV antennas, and wireless cable antennas) used to receive video programming

Programming: program content or the choice of channels/programs available to subscribers

Provider Marketing & Advertising: provider advertising and marketing practices, including alleged misrepresentations

Satellite Television Extension & Localism Act (STELA): The Satellite Home Viewer Improvement Act of 1999 (SHVIA) and Satellite Home Viewer Extension and Reauthorization Act of 2004 (SHVERA) and was further updated under the Satellite Television Extension & Localism Act of 2010 (STELA).

Service: quality of service provided

RADIO & TELEVISION BROADCASTING

Digital Television: digital TV service or the transition to digital TV

Disability & Access: video description, closed captioning, and emergency access to video programming

Interference: reception of unwanted signals from nearby transmitters to home electronic equipment

Programming:

- Indecency/Obscenity: obscene, indecent or profane programming
- Other: miscellaneous programming issues (*e.g.*, contests and lotteries, freedom of speech, how to start a station, journalism, false information, lists of stations)

- General Criticisms: non-specific concerns regarding programming content

Station Marketing & Advertising: station advertising and marketing practices, including alleged misrepresentations

WIRELESS TELECOMMUNICATIONS

Billing & Rates:

- **Airtime Charges**: charges to subscribers for actual time spent using a wireless phone
- **Credit/Refunds/Adjustments**: credits, refunds, or bill adjustments
- **Line Items**: surcharges and taxes appearing on a wireless bill:
 - Access Charge: miscellaneous line item charges
 - E-911: provision of automatic location information and automatic number identification via a wireless phone used to contact a 911 call center
 - Taxes: taxes appearing on wireless bill
 - Universal Service: availability and affordability of phone service for low income consumers in geographic areas in which the cost of providing telephone service is high
- **Recurring Charges**: recurring monthly charges that appear on a subscriber's bill
- **Roaming Rates**: charges assessed to the subscriber for wireless calls made while roaming in another carrier's territory
- **Rounding**: practice of rounding calls to a full minute
- **Service Plan Rates**: terms and conditions of service:
 - Activation Fee: usually a one-time charge to initiate service
 - Off-Peak: specified period during which per-minute rate is lower
 - Optional Services: including caller-ID, voice mail, road-rescue
 - Peak: specified time during which per-minute rate is higher
 - Prepaid Service: subscriber pays for service in advance
 - Promo Plan: including minute allowances
 - Security Deposit: usually a one-time charge that is held by the carrier for a specified period required for subscriber to acquire service

Carrier Marketing & Advertising: carrier advertising and marketing practices, including alleged misrepresentations

Contract – Early Termination of Service: termination of a subscriber’s service prior to end of specified contract term:

- By Subscriber: subscriber’s liability for terminating service prior to end of specified contract term
- By Carrier: carrier’s right to terminate a subscriber’s service prior to end of specified contract term

Equipment (EQUI)

- Equipment Unauthorized Charges (EQUC)- subscriber charged for wireless phone without agreeing to purchasing phone
- Faulty Equipment (EFAU) - technical or malfunctioning equipment
- Stolen Equipment (ESTO) - misuse or reporting problems associated with stolen equipment

Interference: reception of unwanted signals from nearby transmitters to electronic equipment

License Information (General): General Mobile Radio Services (GMRS) license acquisition, requirements, eligibility, cancellation, frequency coordination, replacement and other related issues

Service: quality of service or the lack of signal 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: calls that do not go through because of overcrowding of the service frequencies
- Roaming Availability: availability of service outside of the subscriber’s local calling area
- Roaming Service: overall quality of service while roaming
- Service Interruption: inability to use wireless phone because service was interrupted by service provider

Telephone Consumer Protection Act (TCPA): compliance with TCPA wireless requirements

Tower: light outages, paint, posting, zoning and registration

WIRELINE TELECOMMUNICATIONS

Billing & Rates:

Credit/Refunds/Adjustments: account credits, refunds or adjustments

Line Items: charges and taxes appearing on a telephone bill:

- Access – Subscriber Line Charge: subscriber local-loop line charges for maintaining residential and business and telephone access to the network
- Access – Universal Service: FCC’s universal service fund-affordable access to basic telephone service for low-income consumers and consumers in high-cost areas, and provision of communications services to schools, libraries and health care facilities
- Interstate Directory Assistance: charges assessed for access to directory assistance information
- Taxes on Telephone Bill: local, state, or federal taxes appearing on a telephone bill
- Truth in Billing - No Service Provider ID: the name of the service provider and/or contact information for the service provider is not easily identifiable on the bill
- Truth in Billing - Bundled Charges: bill fails to contain plain language description and breakdown of charges for each carrier where multiple carriers appear on the bill
- Truth in Billing - No Payment Solution: bill fails to clearly distinguish charges for which nonpayment will result in disconnection from those that will not result in disconnection

Rates: rates and charges billed by telephone companies:

- Casual Call Billing: rates billed for calls placed from non-public phones through a carrier that is not the presubscribed carrier for the telephone (or does not recognize a telephone number as that of a subscriber)
- Double Billing: disputes concerning double billing for calls or services
- DSL Rate Problem: DSL promotional plan rates altered or unspecified to consumer
- International Internet Dial-up: international calls billed to subscriber 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.
- 809 International Billing: 809 area code collect call and consumer dialing scams
- 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 concerning interstate rates and charges

Cramming: unauthorized, misleading or deceptive charges appearing on a subscriber’s bill

Recurring Charges: recurring charges that appear on a subscriber’s bill

Service Quality: quality of service provided by carrier:

- DSL Service Inadequate: poor quality of service or service outages
- Interstate Telecommunications: poor call reception, service outages, 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 carriers including, but not limited to, additional services being added without the consumer's knowledge or approval

Slamming: practice of changing a subscriber's telecommunications service provider (or a calling plan) without the subscriber's consent

- 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 formats, such as sweepstakes

Telephone Consumer Protection Act (TCPA): 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: other aspects of TCPA (*e.g.*, prerecorded messages, abandoned calls & war dialing, business telephone complaints, emergency telephone complaints, call or message to wireless device, and/or call or message to toll free numbers)

Universal Service Issues: contribution methodology, general information, rural health care and calculation increases.

**Summary of Top Consumer Inquiry Subjects
Processed by the FCC's Consumer & Governmental Affairs Bureau
First Quarter - Calendar Year 2011**

| | January | February | March | Quarter Totals |
|--|---------|----------|-------|----------------|
| Cable & Satellite Services | | | | |
| Service Related Issues | 79 | 55 | 62 | 196 |
| Programming Issues | 63 | 67 | 83 | 213 |
| Satellite Television Extension & Localism Act Issues | 142 | 89 | 74 | 305 |
| Over-the-Air Reception Device Issues | 125 | 128 | 148 | 401 |
| Billing & Rates Issues | 307 | 308 | 327 | 942 |
| <i>Totals</i> | 716 | 647 | 694 | 2,057 |

| | January | February | March | Quarter Totals |
|--|---------|----------|-------|----------------|
| Radio and Television Broadcasting | | | | |
| Disability & Access Issues | 55 | 67 | 69 | 191 |
| Station Marketing & Advertising | 73 | 85 | 76 | 234 |
| Interference | 196 | 199 | 195 | 590 |
| Digital Television Issues | 499 | 371 | 413 | 1,283 |
| Broadcast Programming Issues | 850 | 716 | 2,517 | 4,083 |
| <i>Totals</i> | 1,673 | 1,438 | 3,270 | 6,381 |

| | January | February | March | Quarter Totals |
|------------------------------------|---------|----------|-------|----------------|
| Wireless Telecommunications | | | | |
| Tower Related Issues | 60 | 68 | 70 | 198 |
| Interference | 167 | 135 | 183 | 485 |
| Billing & Rates | 253 | 234 | 206 | 693 |
| License Information (General) | 296 | 302 | 309 | 907 |
| Service Related Issues | 414 | 398 | 382 | 1,194 |
| <i>Totals</i> | 1,190 | 1,137 | 1,150 | 3,477 |

| | January | February | March | Quarter Totals |
|--|---------|----------|-------|----------------|
| Wireline Telecommunications | | | | |
| Slamming | 151 | 157 | 159 | 467 |
| Cramming | 207 | 171 | 155 | 533 |
| Billing & Rates | 377 | 395 | 219 | 991 |
| Universal Service Issues | 366 | 368 | 366 | 1,100 |
| Telephone Consumer Protection Act Issues | 1,629 | 1,791 | 2,025 | 5,445 |
| <i>Totals</i> | 2,730 | 2,882 | 2,924 | 8,536 |

Notes:

* A consumer inquiry is defined as any correspondence or communication received at Consumer and Governmental Affairs Bureau (CGB) Consumer Center from individuals seeking information on matters under the FCC's jurisdiction.

** See attachment for a brief description of each subject category.

*** 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 Consumer Complaint Subjects
Processed by the FCC's Consumer & Governmental Affairs Bureau
First Quarter - Calendar Year 2011**

| | January | February | March | Quarter Totals |
|---------------------------------------|---------|----------|-------|----------------|
| Cable & Satellite Services | | | | |
| Disability & Access Issues | 68 | 39 | 36 | 143 |
| Provider Marketing & Advertising | 52 | 50 | 51 | 153 |
| Service Related Issues | 115 | 127 | 121 | 363 |
| Billing & Rates Issues | 155 | 152 | 210 | 517 |
| Programming Issues | 167 | 162 | 146 | 475 |
| <i>Totals</i> | 557 | 530 | 564 | 1,651 |

| | January | February | March | Quarter Totals |
|--|---------|----------|-------|----------------|
| Radio and Television Broadcasting | | | | |
| Digital Television Issues | 23 | 57 | 38 | 118 |
| Interference | 54 | 33 | 51 | 138 |
| Programming - General Criticism | 144 | 112 | 109 | 365 |
| Programming - Indecency/Obscenity** | 392 | 219 | 218 | 829 |
| Other Programming Issues | 656 | 385 | 486 | 1,527 |
| <i>Totals</i> | 1,269 | 806 | 902 | 2,977 |

| | January | February | March | Quarter Totals |
|---|---------|----------|--------|----------------|
| Wireless Telecommunications | | | | |
| Contract - Early Termination | 147 | 142 | 145 | 434 |
| Equipment Related Issues | 204 | 192 | 212 | 608 |
| Service Related Issues | 360 | 323 | 363 | 1,046 |
| Billing & Rates | 1,074 | 1,110 | 1,259 | 3,443 |
| Telephone Consumer Protection Act - Wireless Communications | 5,964 | 7,277 | 8,723 | 21,964 |
| <i>Totals</i> | 7,749 | 9,044 | 10,702 | 27,495 |

| | January | February | March | Quarter Totals |
|--|---------|----------|--------|----------------|
| Wireline Telecommunications | | | | |
| Service Quality | 287 | 269 | 341 | 897 |
| Billing & Rates | 799 | 841 | 953 | 2,593 |
| Telephone Consumer Protection Act-Unsolicited Fax | 1,626 | 2,198 | 2,135 | 5,959 |
| Telephone Consumer Protection Act - Do Not Call List | 2,918 | 3,147 | 3,536 | 9,601 |
| Telephone Consumer Protection Act -Other Issues | 3,317 | 3,351 | 3,762 | 10,430 |
| <i>Totals</i> | 8,947 | 9,806 | 10,727 | 29,480 |

Notes:

* An informal consumer complaint is defined as any correspondence or communication received at a Consumer and Governmental Affairs Bureau (CGB) Consumer Center via U.S. mail, fax, e-mail, the 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) requests relief. The complaint figures in this Report reflect selected categories of complaints -- specifically, the top complaint categories listed above-- and are not inclusive of all complaints handled by the FCC.

** The number of broadcast programming complaints assigned to each of the programming sub-categories is based upon 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 noted in this Report reflects complaints received by CGB, EB, and those e-mailed directly to the respective offices of the FCC Chairman and the Commissioners. The reported counts may include duplicate complaints or contacts that subsequently are determined insufficient to be actionable.

*** See attachment for a brief description of each subject category.

****The data noted in this Report reflect statistics at the national level as reported to the Commission, and therefore are not necessarily indicative of corresponding state or local trends.

*****The complaint figures in this Report represent volume only for the categories and subcategories listed and are not inclusive of all complaints for all categories handled by the FCC.