



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 RELEASED

Washington, DC – The Commission has released its report on the inquiries and complaints processed by the Consumer & Governmental Affairs Bureau (CGB) during the first quarter of calendar year 2005.

Wireless complaints recorded an increase, rising from 4,369 in the 4th quarter Calendar Year 2004 to 7,330 in the 1st quarter calendar year 2005. There were increases in each of the top five categories. Wireline complaints also show an increase, rising from 11,228 to 16,765. As with wireless complaints, there were increases in each of the top five categories.

There was a decline in the number of Radio and Television Broadcasting complaints, which dropped from 317,833 in the 4th quarter 2004 to 157,650 in the 1st quarter 2005. A decline in the number of complaints received in connection with e-mail or write-in campaigns directed at specific radio or television broadcasts accounted for the change. Cable and Satellite Services complaints recorded an increase, rising from 132 in the 4th quarter 2004 to 718 in the 1st quarter 2005. There were increases in each of the top categories. However, the biggest increase occurred in the Programming category, which rose from 39 in the 4th quarter 2004 to 502 in the 1st quarter 2005.

There was a modest increase in the number of wireless inquiries during the 1st quarter as they rose from 10,383 to 10,774. Billing and Rates dropped completely from the top inquires categories list. Wireline inquiries continued a downward trend reported in the 4th quarter 2004 as they dropped from 38,055 to 36,439. Radio and Television Broadcasting inquiries dropped sharply from 20,565 in the 4th quarter 2004 to 8,115 in the 1st quarter 2005. There were declines in each of the top categories except Programming and Content which increased modestly from 6,267 to 6,551. Cable and Satellite Services inquiries also experienced a modest increase, rising from 4,054 in the 4th quarter to 4,677 in the 1st quarter 2005.

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.

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

REPORT ON INFORMAL CONSUMER INQUIRIES AND COMPLAINTS
1st Quarter Calendar Year 2005
Executive Summary

This report tracks consumer inquiries and informal complaints processed by the Consumer & Governmental Affairs Bureau (CGB) during the 1st quarter of calendar year 2005.¹ 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 correspondence or communications received by the Commission 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, injury; or a violation; and (iii) seeks relief.

Wireless complaints recorded an increase, rising from 4,369 in the 4th quarter Calendar Year 2004 to 7,330 in the 1st quarter calendar year 2005. There were increases in each of the top five categories. Wireline complaints also show an increase, rising from 11,228 to 16,765. As with wireless complaints, there were increases in each of the top five categories.

There was a decline in the number of Radio and Television Broadcasting complaints, which dropped from 317,833 in the 4th quarter 2004 to 157,650 in the 1st quarter 2005. A decrease in the number of complaints received in connection with e-mail or write-in campaigns directed at specific radio or television broadcasts accounted for the change. Cable and Satellite Services complaints recorded an increase, rising from 132 in the 4th quarter 2004 to 718 in the 1st quarter 2005. There were increases in each of the top categories. However, the biggest percentage increase occurred in the Programming category, which rose from 39 in the 4th quarter 2004 to 502 in the 1st quarter 2005.

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The Commission receives many inquiries and 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 or companies at issue.

¹ The data reported reflect the complaints and inquiries recorded in CGB's automated tracking systems for the period January 1, 2005 to March 31, 2005. 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 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

Accessibility Issues: Complaints/inquiries regarding video description, closed captioning, and emergency access to video programming

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 Modem Service: Complaints/inquiries regarding cable modem service

Connections to Cable Systems: Complaints/inquiries regarding availability or quality of connections to cable systems

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

Accessibility Issues: Complaints/inquiries regarding video description, closed captioning, and emergency access to video programming

Commercial Advertisement Issues: Complaints/inquiries regarding commercial advertisements

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

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

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

Political Programming: Inquires regarding political programming

Programming Issues

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

WIRELESS TELECOMMUNICATIONS

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

Billing and Rates-Related – 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 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: 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 a 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 the end of specified contract term

- Termination of Service by subscriber: subscriber’s liability for terminating service prior to a specified contract term
- Termination of Service by carrier: carrier’s right to disconnect a subscriber’s service prior to the end of a specified contract term

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

Tower-Related Issues: Complaints/inquiries regarding tower related issues

WIRELINE TELECOMMUNICATIONS

Billing and Rates-Related – 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

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

Card (Calling & Prepaid) Issues: Complaints/inquiries regarding long distance service provider issued and/or prepaid calling cards

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

Digital Service Line (DSL) Issues: Complaints/inquiries regarding DSL issues

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: 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. or 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 2005

	January	February	March	Quarter Total
Cable and Satellite Services				
Billing & Rates	37	42	24	103
Cable Modem Service	12	8	11	31
Accessibility	4	7	6	17
Programming Issues	192	166	144	502
Service Related Issues	22	28	15	65
<i>Totals</i>	98	113	79	718

	January	February	March	Quarter Total
Radio & Television Broadcasting				
Accessibility	7	5	4	16
Programming - General Criticism	211	215	129	555
Programming - Indecency/Obscenity**	138,652	14,480	3,884	157,016
Other Programming Issues	25	27	11	63
<i>Totals</i>	138,760	14,625	3,983	157,650

	January	February	March	Quarter Total
Wireless Telecommunications				
Billing & Rates	1,336	1,450	1,220	4,006
Carrier Marketing & Advertising	299	344	236	879
Contract - Early Termination	374	415	329	1,118
Equipment	149	162	138	449
Service Quality	283	299	296	878
<i>Totals</i>	2,448	2,665	2,216	7,330

	January	February	March	Quarter Total
Wireline Telecommunications				
Billing & Rates	1,447	1,519	1,334	4,300
Carrier Marketing & Advertising	131	161	141	433
Cramming	236	210	184	630
Slamming	262	259	185	706
Telephone Consumer Protection Act	2,759	3,665	4,272	10,696
<i>Totals</i>	4,833	5,868	6,063	16,765

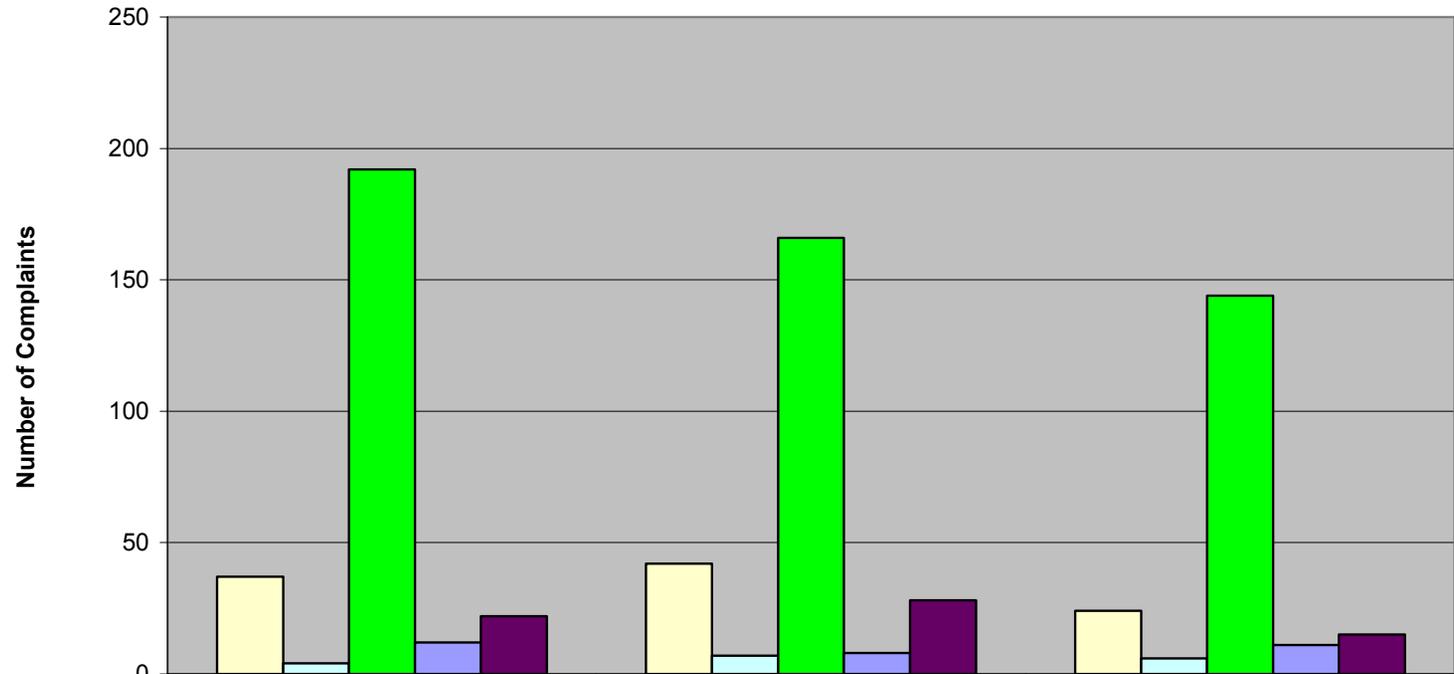
NOTES: (1) See attachment for brief description of subject categories.

* A complaint is defined as a communication received at CGB's consumer center 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 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 counts reflect complaints received directly by CGB, complaints received separately by EB, and complaints emailed directly to the FCC Commissioners' respective offices. The reported counts may include duplicates or contacts that subsequently are determined not to constitute actionable complaints.

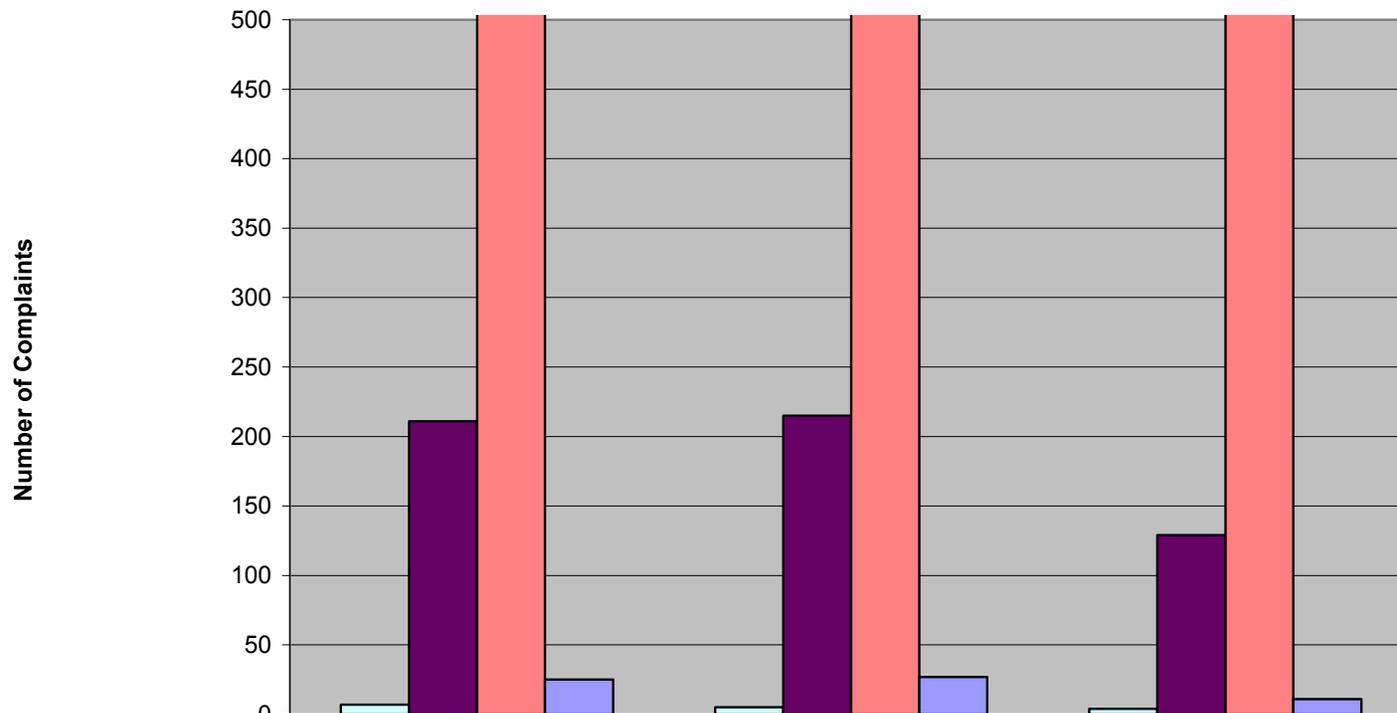
The data within this report account for statistics at the national level as reported to the Commission, and therefore are not necessarily indicative of corresponding state or local trends.

**Consumer & Governmental Affairs Bureau
Top Cable Service Consumer Complaints
First Quarter - Calendar Year 2005**



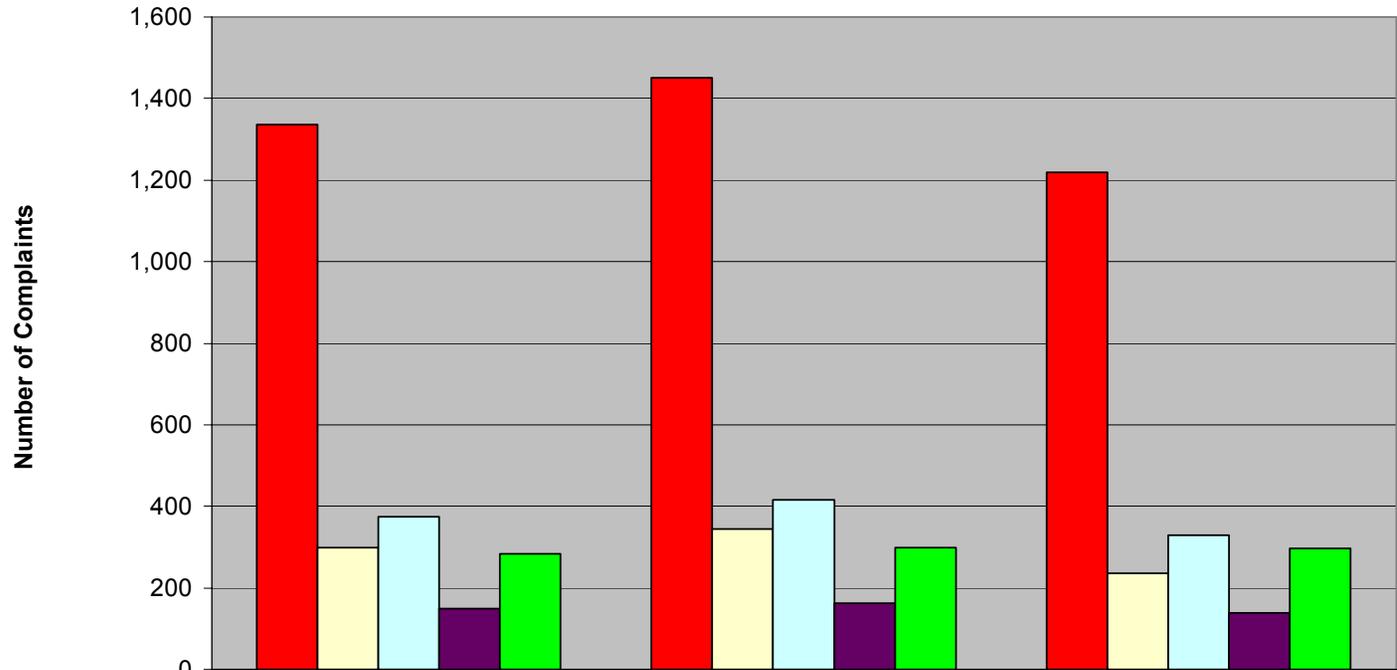
	January	February	March
■ Billing & Rates	37	42	24
■ Accessibility	4	7	6
■ Programming Issues	192	166	144
■ Cable Modem Service	12	8	11
■ Service Related Issues	22	28	15

**Consumer & Governmental Affairs Bureau
Top Radio & Television Broadcasting Consumer Complaints
First Quarter - Calendar Year 2005**



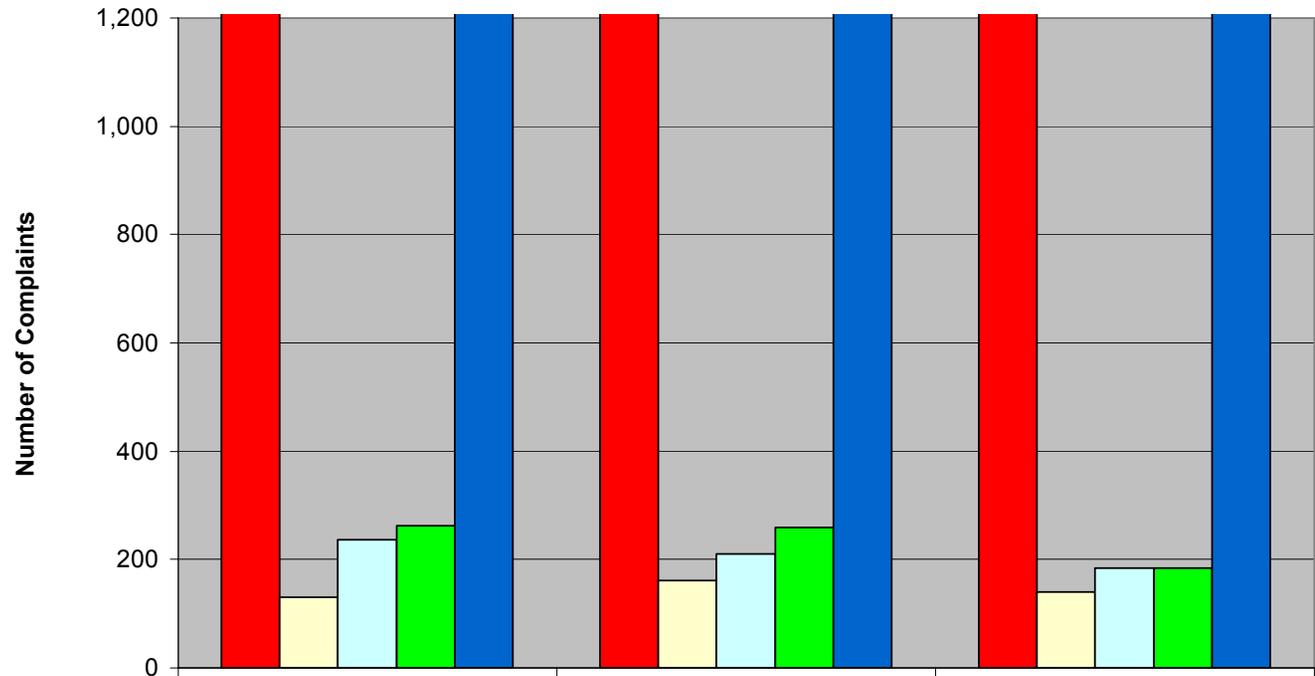
	January	February	March
Accessibility	7	5	4
Programming - General Criticism	211	215	129
Programming - Indecency/Obscenity**	138,652	14,480	3,884
Other Programming Issues	25	27	11

**Consumer & Governmental Affairs Bureau
Top Wireless Telecommunications Consumer Complaints
First Quarter - Calendar Year 2005**



	January	February	March
■ Billing & Rates	1,336	1,450	1,220
■ Carrier Marketing & Advertising	299	344	236
■ Contract - Early Termination	374	415	329
■ Equipment	149	162	138
■ Service Quality	283	299	296

**Consumer & Governmental Affairs Bureau
Top Wireline Telecommunications Consumer Complaints
First Quarter - Calendar Year 2005**



	January	February	March
■ Billing & Rates	1,447	1,519	1,334
□ Carrier Marketing & Advertising	131	161	141
□ Cramming	236	210	184
■ Slamming	262	259	185
■ Telephone Consumer Protection Act	2,759	3,665	4,272

Summary of Top Consumer Inquiry* Subjects
Processed by the FCC's Consumer & Governmental Affairs Bureau (CGB)
First Quarter - Calendar Year 2005

	January	February	March	Quarter Total
Cable and Satellite Services				
Billing & Rates	227	190	204	621
Programming Issues	351	247	216	814
Over the Air Reception Device Issues	231	234	280	745
Satellite Issues	275	266	270	811
Service-Related Issues	609	534	543	1,686
<i>Totals</i>	1,693	1,471	1,513	4,677

	January	February	March	Quarter Total
Radio & Television Broadcasting				
Commercial Advertisement Issues	376	379	202	
General Broadcast Information	256	258	213	727
How to Start Broadcast Station	140	132	146	418
Low Power Broadcast Information	122	144	153	419
Programming & Content	2,659	2,848	1,044	6,551
<i>Totals</i>	3,553	3,761	1,758	8,115

	January	February	March	Quarter Total
Wireless Telecommunications				
Amateur License	545	494	558	1,597
Electrical Interference	2,115	2,071	2,175	6,361
General Mobile Radio Service License	590	455	504	1,549
Land Mobile License	309	219	265	793
Tower-Related Issues	152	134	188	474
<i>Totals</i>	3,711	3,373	3,690	10,774

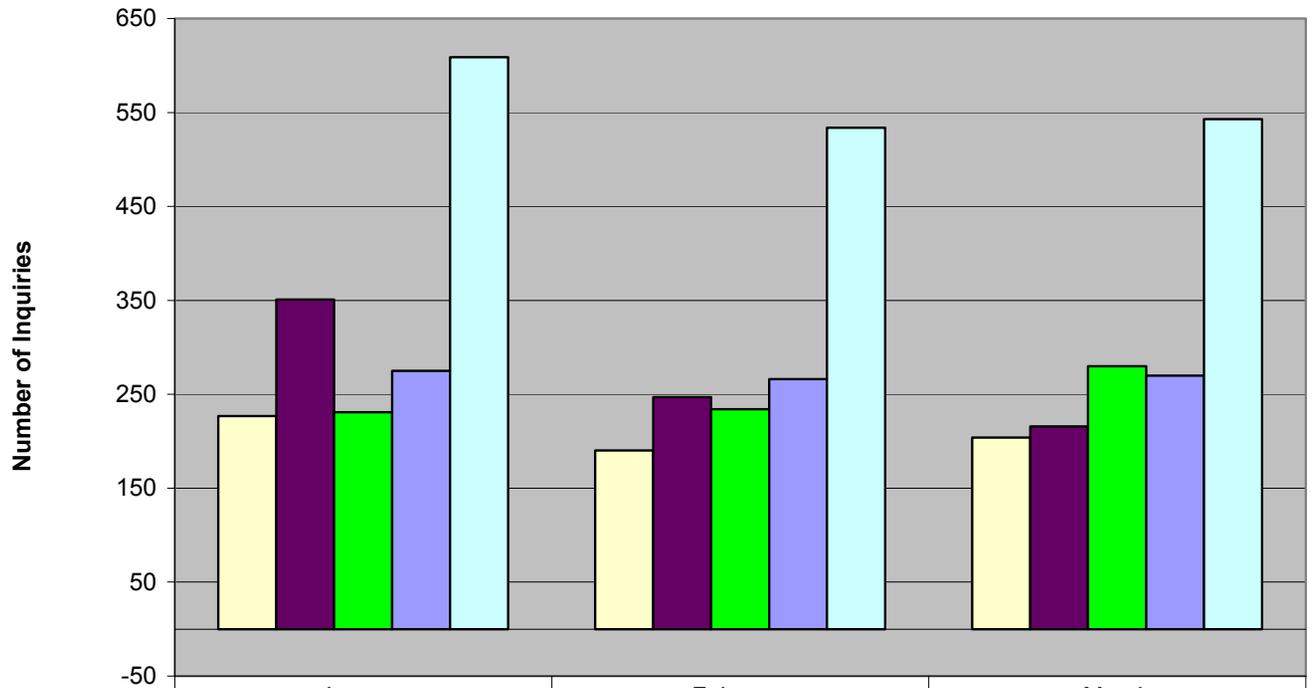
	January	February	March	Quarter Total
Wireline Telecommunications				
Billing & Rates	1,410	1,516	1,439	4,365
Cramming	3,669	3,377	3,636	10,682
Digital Service Line Issues	128	114	121	363
Slamming	3,884	4,086	4,413	12,383
Telephone Consumer Protection Act	2,615	2,853	3,178	8,646
<i>Totals</i>	11,706	11,946	12,787	36,439

NOTES:

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

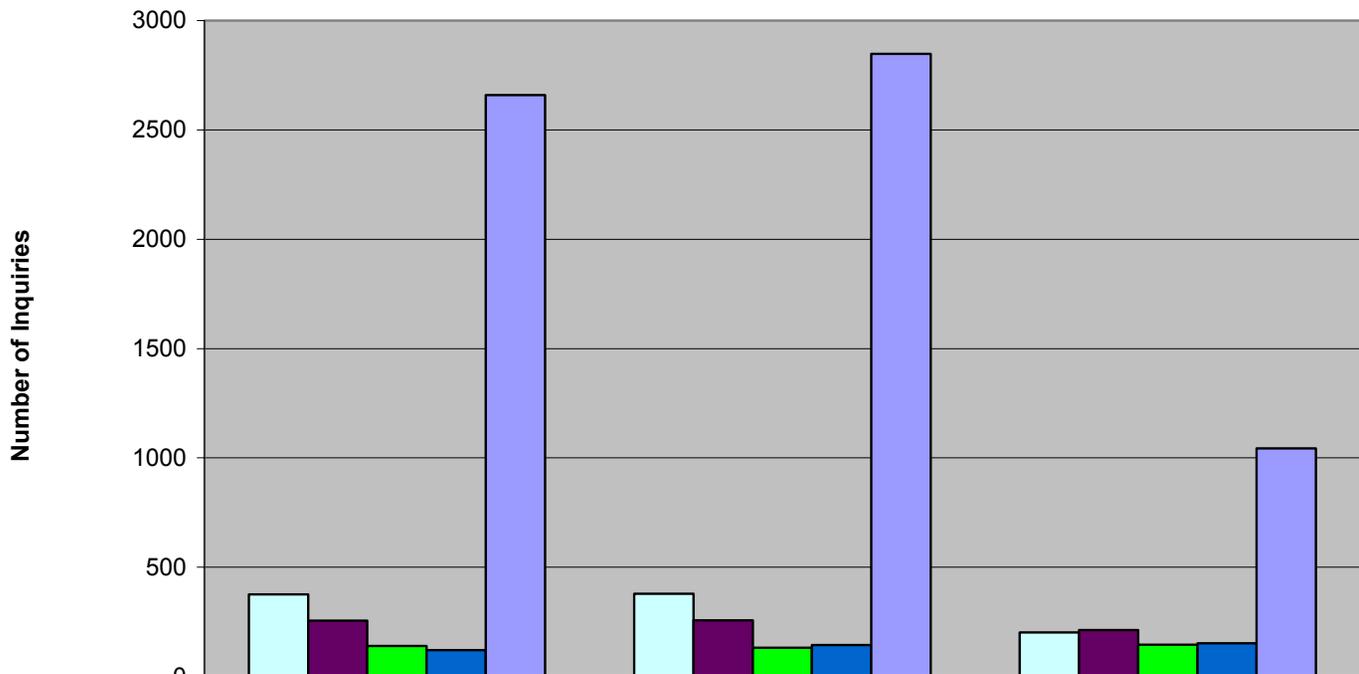
The data within this report account for statistics at the national level as reported to the Commission, and therefore are not necessarily indicative of corresponding state or local trends.

**Consumer & Governmental Affairs Bureau
Top Cable and Satellite Service Consumer Inquiries
First Quarter - Calendar Year 2005**



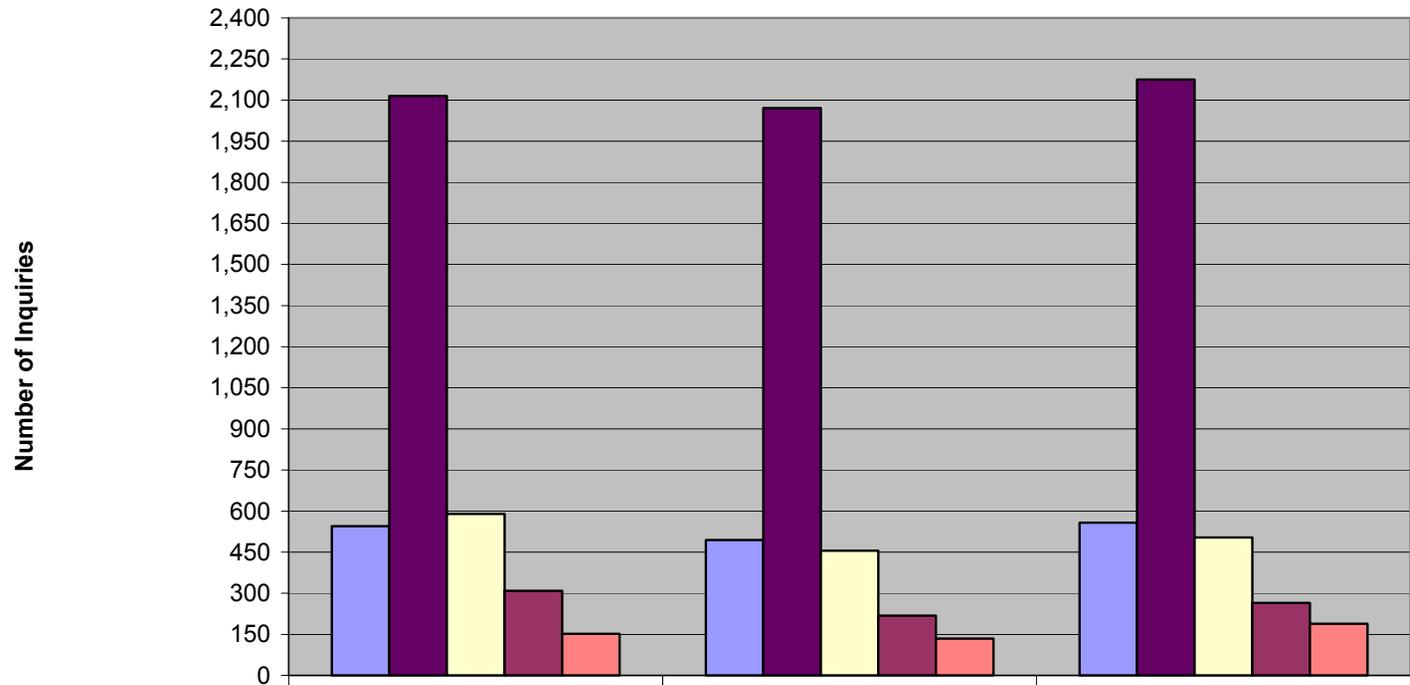
	January	February	March
Billing & Rates	227	190	204
Programming Issues	351	247	216
Over the Air Reception Device Issues	231	234	280
Satellite Issues	275	266	270
Service-Related Issues	609	534	543

**Consumer & Governmental Affairs Bureau
Top Radio & Television Broadcasting Inquiries
First Quarter - Calendar Year 2005**



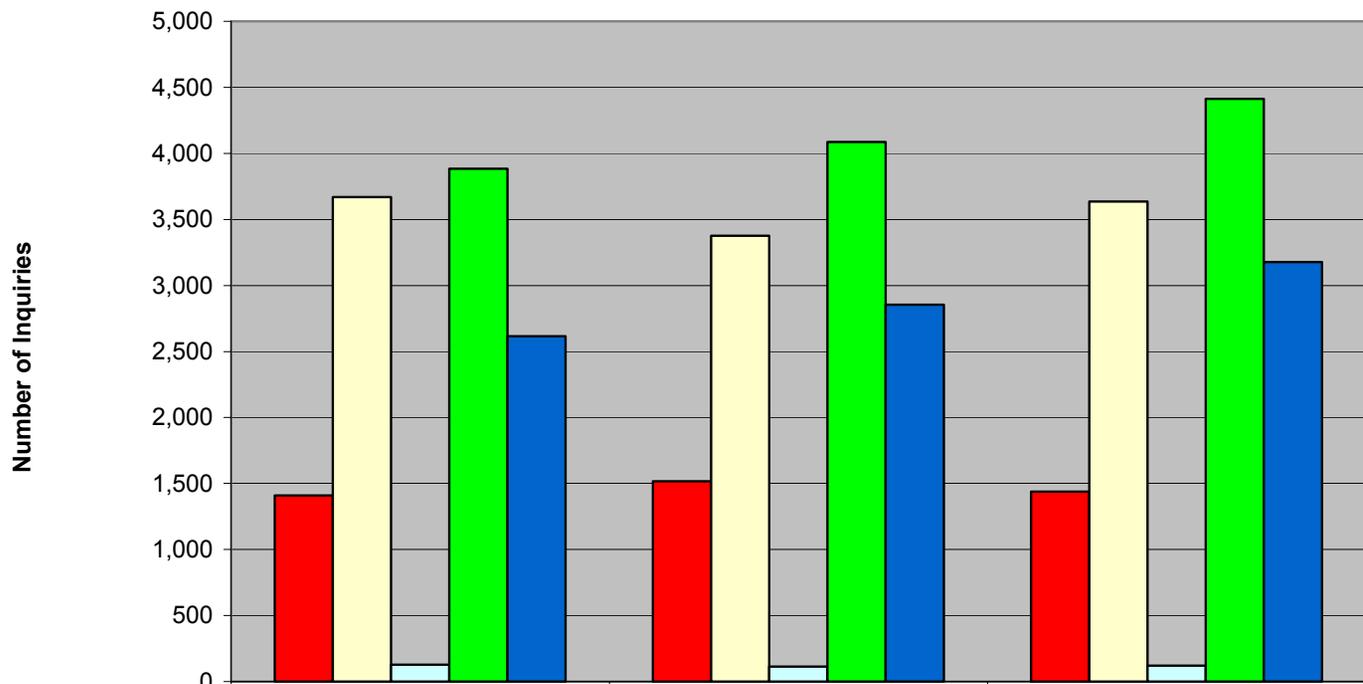
	January	February	March
Commercial Advertisement Issues	376	379	202
General Broadcast Information	256	258	213
How to Start Broadcast Station	140	132	146
Low Power Broadcast Information	122	144	153
Programming & Content	2,659	2,848	1,044

**Consumer & Governmental Affairs Bureau
Top Wireless Telecommunications Consumer Inquiries
First Quarter - Calendar Year 2005**



	January	February	March
Amateur License	545	494	558
Electrical Interference	2,115	2,071	2,175
General Mobile Radio Service License	590	455	504
Land Mobile License	309	219	265
Tower-Related Issues	152	134	188

**Consumer & Governmental Affairs Bureau
Top Wireline Telecommunications Consumer Inquiries
First Quarter - Calendar Year 2005**



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□ Cramming	3,669	3,377	3,636
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■ Slamming	3,884	4,086	4,413
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