



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 the report on the inquiries and complaints processed by the Consumer & Governmental Affairs Bureau (CGB) during the fourth quarter of calendar year 2002.

Complaint activity within the top categories increased during the fourth quarter, mirroring an increase in complaint activity overall.

Most of the increase occurred within Wireline Telecommunications, where complaint activity was 26.3% higher than during the third quarter. A 65.1% rise in Telephone Consumer Protection Act (TCPA) complaints and a 33.7% increase in Cramming complaints led Wireline complaints higher.

Wireless Telecommunications complaints decreased by 5.7%, due largely to a 27.7% drop in Service Quality complaints. Service Quality complaints decreased from 591 in the third quarter of 2002, to 427 in this quarter. Service Quality complaints represent slightly more than 10 percent of the total number of wireless complaints. Early Termination and Equipment complaints, both of which fell slightly less than 12%, also figured prominently in the decline in Wireless complaints.

Radio and Television Broadcasting complaints fell 34.6%, but this outcome was distorted by a one-time mail-in campaign that inflated Disability complaint counts during the third quarter. Indecency and Obscenity complaints, on the other hand, rose 36.6%. Cable Services complaints more than tripled on low volume as Billing and Rates complaints more than quadrupled.

The Commission receives many 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 at issue.

- FCC -

CGB contact: Warren O'Hearn at (202) 418-2230.

REPORT ON INFORMAL CONSUMER INQUIRIES AND COMPLAINTS
4th Quarter Calendar Year 2002
Executive Summary

This report tracks consumer inquiries and complaints processed by the Consumer & Governmental Affairs Bureau (CGB) during the fourth quarter of calendar year 2002. Inquiries are defined as correspondence or communications received at the Commission from individuals seeking information on matters under the FCC's jurisdiction. Informal consumer complaints are defined as a communication received at CGB's consumer centers 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 or injury; and (iii) seeks relief.

Complaint activity within the top categories increased during the fourth quarter, mirroring an increase in complaint activity overall.

Most of the increase occurred within Wireline Telecommunications, where complaint activity was 26.3% higher than during the third quarter. A 65.1% rise in Telephone Consumer Protection Act (TCPA) complaints and a 33.7% increase in Cramming complaints led Wireline complaints higher.

Wireless Telecommunications complaints decreased by 5.7%, due largely to a 27.7% drop in Service Quality complaints. Service Quality complaints decreased from 591 in the third quarter of 2002, to 427 in this quarter. Service Quality complaints represent slightly more than 10 percent of the total number of wireless complaints. Early Termination and Equipment complaints, both of which fell slightly less than 12%, also figured prominently in the decline in Wireless complaints.

Radio and Television Broadcasting complaints fell 34.6%, but this outcome was distorted by a one-time mail-in campaign that inflated Disability complaint counts during the third quarter. Indecency and Obscenity complaints, on the other hand, rose 36.6%. Cable Services complaints more than tripled on low volume as Billing and Rates complaints more than quadrupled.

Meanwhile, inquiry activity within the top categories was slightly changed during the fourth quarter. The lone exception was Wireline inquiries, which fell 9.4%. Inquiries relating to Wireline Billing and Rates were down 25.6%, and Slamming inquiries were lower by 9.1%. However, TCPA inquiries were 8.2% higher, tracking the upward move of TCPA complaints. Radio and Television Broadcasting inquiries were 2.1% lower overall and, except for Madalyn M. O'Hair Broadcast Rumor inquiries (down 39.7%), exhibited no meaningful movement. Cable Services inquiries declined by 4.4% due to decreases in Service-Related (16.2%) and Over-the-Air Reception Device (16.0%) inquiries. Cable Programming inquiries offset these declines, rising 39.6%. Wireless inquiries edged 1.9% higher, with a 58.2% rise in General Mobile Radio Service License inquiries.

The Commission receives many 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 at issue.

Top Consumer Issues – Subject Category Reference Guide

CABLE SERVICES

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

Cable Modem Service: Complaints/inquiries concerning cable modem broadband service

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

Disability 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) Issues: Complaints/inquiries concerning satellite carriers' provision of television broadcast (including distant or national) programming to subscribers.

Service Related Issues: Complaints/inquiries about the quality of service provided by cable operators.

RADIO & TELEVISION BROADCASTING

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

Disability Issues: Complaints/Inquiries regarding video description, closed captioning, and emergency access to video programming.

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

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

Madalyn M. O’Hair Religious Broadcast Rumor: Inquiries regarding a rumor that Madalyn Murray O’Hair, a widely known, self-proclaimed atheist, proposed that FCC consider limiting or banning religious programming

Programming Issues

- Indecency/Obscenity: Complaints/inquiries regarding broadcast programs that allegedly contain indecent or obscene 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 broadcast programs

WIRELESS TELECOMMUNICATIONS

Amateur License Issues: 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 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

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

Equipment: Complaints/inquiries about telecommunications equipment used or purchased by a subscriber.

- Faulty Equipment: involves technical problems or malfunctioning equipment
- Stolen Equipment: involves the purported misuse of or other problems associated with stolen 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

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

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

Digital Subscriber Line: Complaints/inquiries regarding the digital subscriber line service provided by telephone companies:

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: Complaints/inquiries about 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. 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)
Fourth Quarter - Calendar Year 2002

	October	November	December	Quarter Total
Cable Services				
Billing & Rates	28	6	18	52
Cable Modem Service	6	3	6	15
Connections to Cable TV System	4	2	4	10
Disability Issues	9	8	3	20
Service Related Issues	21	22	16	59
<i>Totals</i>	68	41	47	156

	October	November	December	Quarter Total
Radio & Television Broadcasting				
Disability Issues	15	16	4	35
Programming - General Criticism	34	9	14	57
Programming - Indecency/Obscenity**	39	41	17	97
Programming - Religious	4	0	0	4
Other Programming Issues	30	15	15	60
<i>Totals</i>	122	81	50	253

	October	November	December	Quarter Total
Wireless Telecommunications				
Billing & Rates	1,163	678	757	2,598
Carrier Marketing & Advertising	190	98	89	377
Contract - Early Termination	228	141	122	491
Equipment	71	55	40	166
Service Quality	178	125	124	427
<i>Totals</i>	1,830	1,097	1,132	4,059

	October	November	December	Quarter Total
Wireline Telecommunications				
Billing & Rates	2,087	1,317	1,449	4,853
Carrier Marketing & Advertising	322	203	216	741
Cramming	480	300	347	1,127
Slamming	878	507	510	1,895
Telephone Consumer Protection Act	1,197	903	909	3,009
<i>Totals</i>	4,964	3,230	3,431	11,625

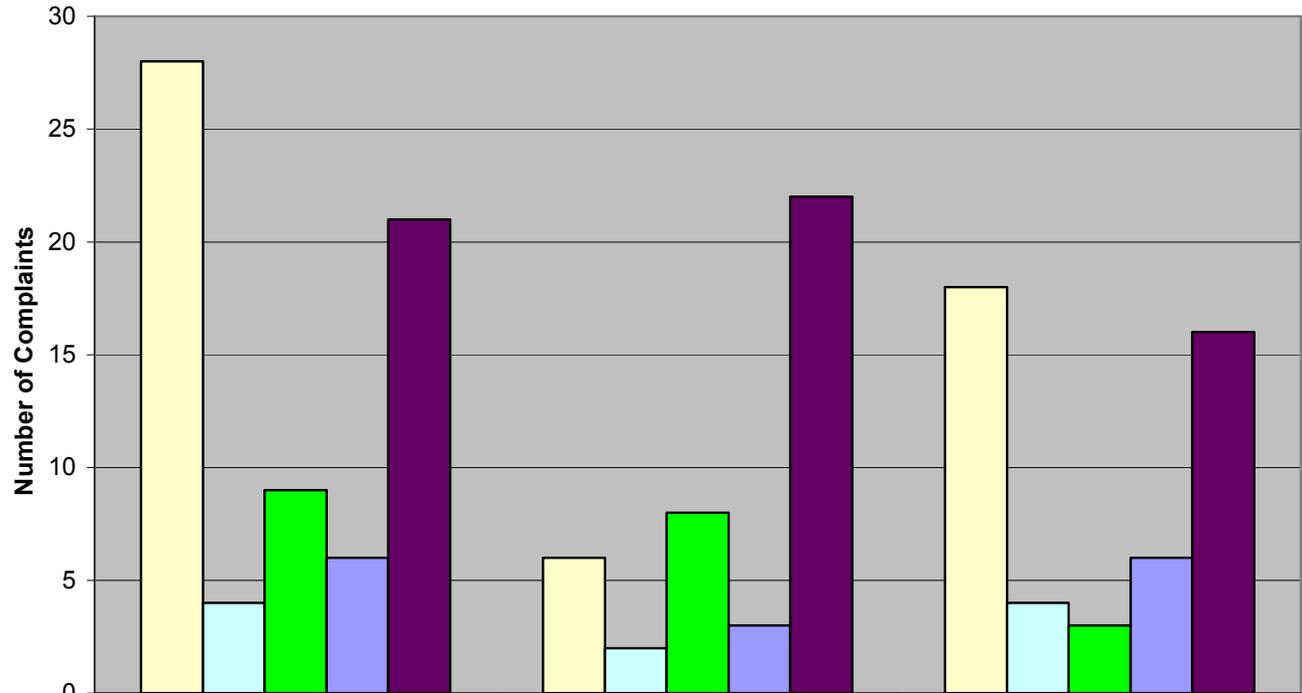
NOTES: (1) See attachment for brief description of subject categories.

* A complaint is defined as a communication received at CGB's consumer centers 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 numbers reported in this category include complaints forwarded to EB as well as complaints received separately by EB. The Commission received at least 6,900 correspondences regarding one specific program, and the Enforcement Bureau has accounted for these correspondences as one consolidated complaint in its complaint counts this quarter.

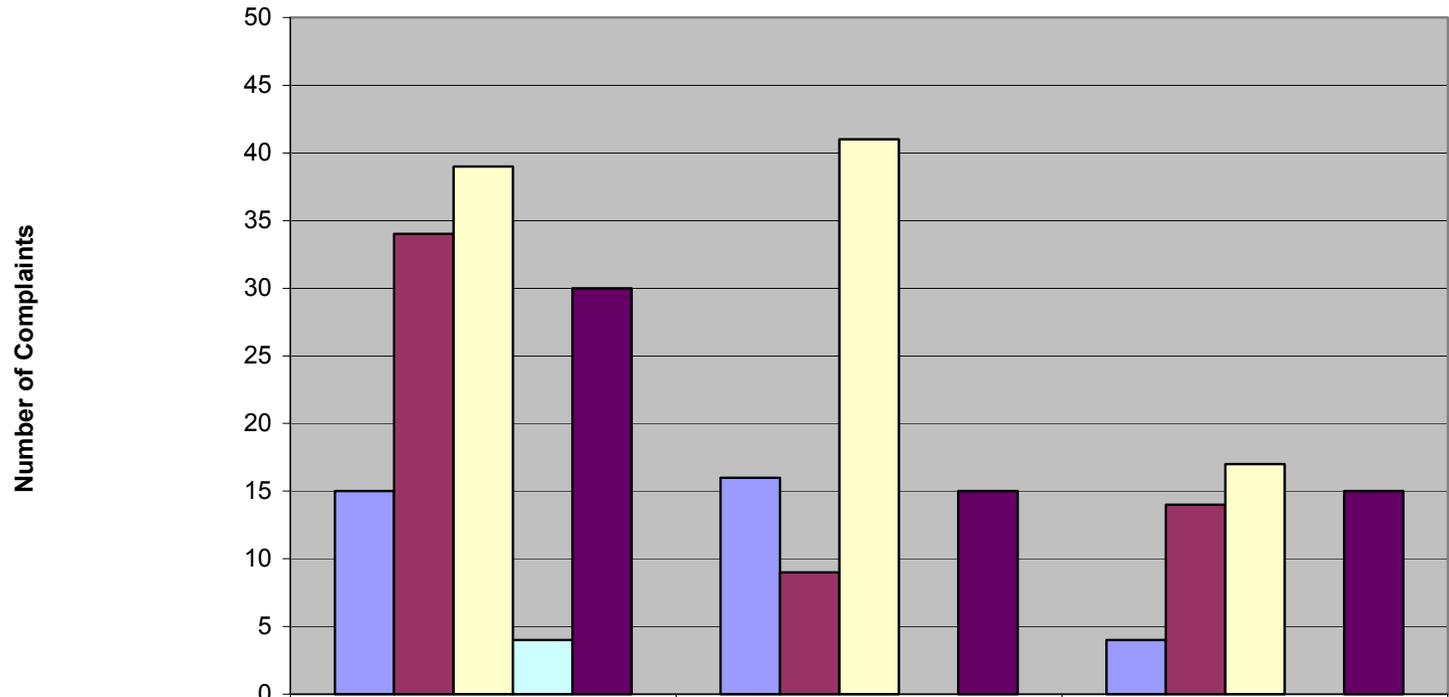
The data within this report account for statistics at the national level as reported to the Commission, and therefore are not necessarily indicative of corresponding state or local trends.

**Consumer & Governmental Affairs Bureau
Top Cable Service Consumer Complaints
Fourth Quarter - Calendar Year 2002**



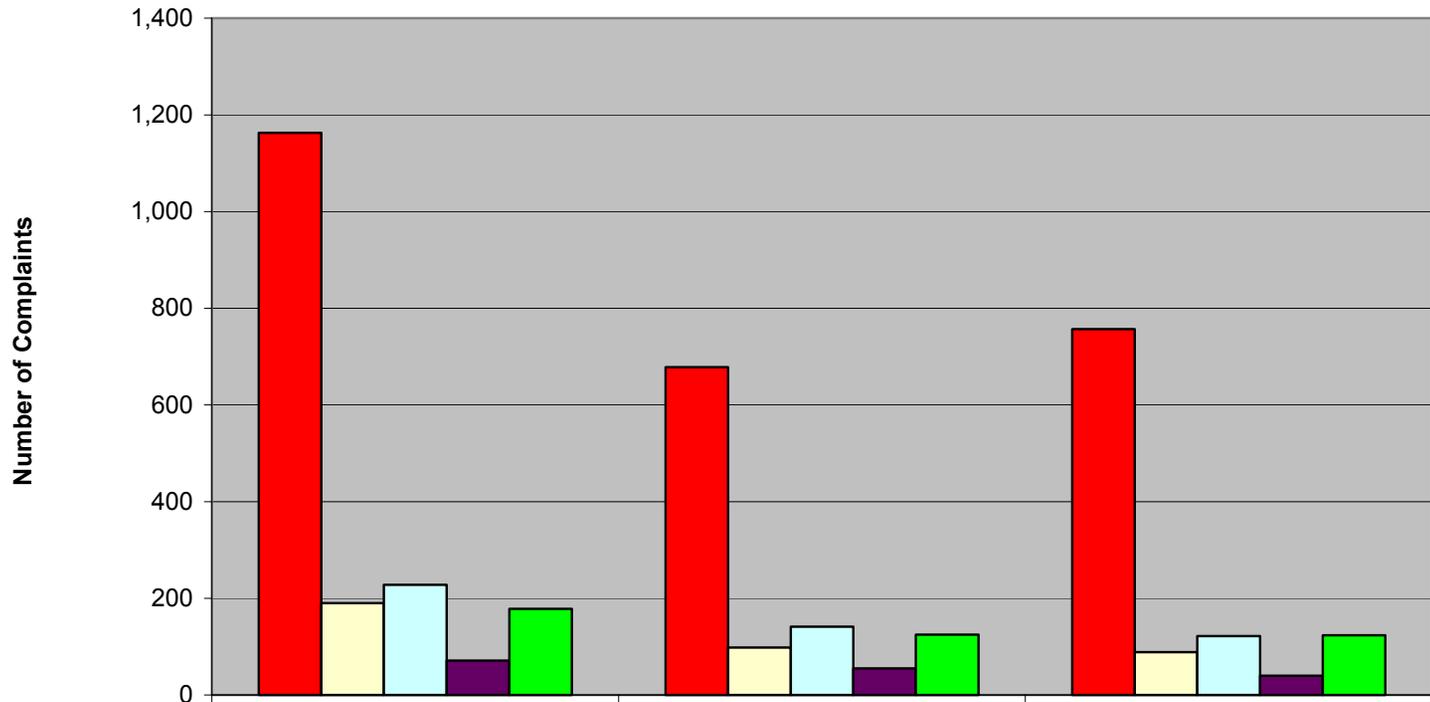
	October	November	December
■ Billing & Rates	28	6	18
■ Connections to Cable TV System	4	2	4
■ Disability Issues	9	8	3
■ Cable Modem Service	6	3	6
■ Service Related Issues	21	22	16

**Consumer & Governmental Affairs Bureau
Top Radio & Television Broadcasting Consumer Complaints
Fourth Quarter - Calendar Year 2002**



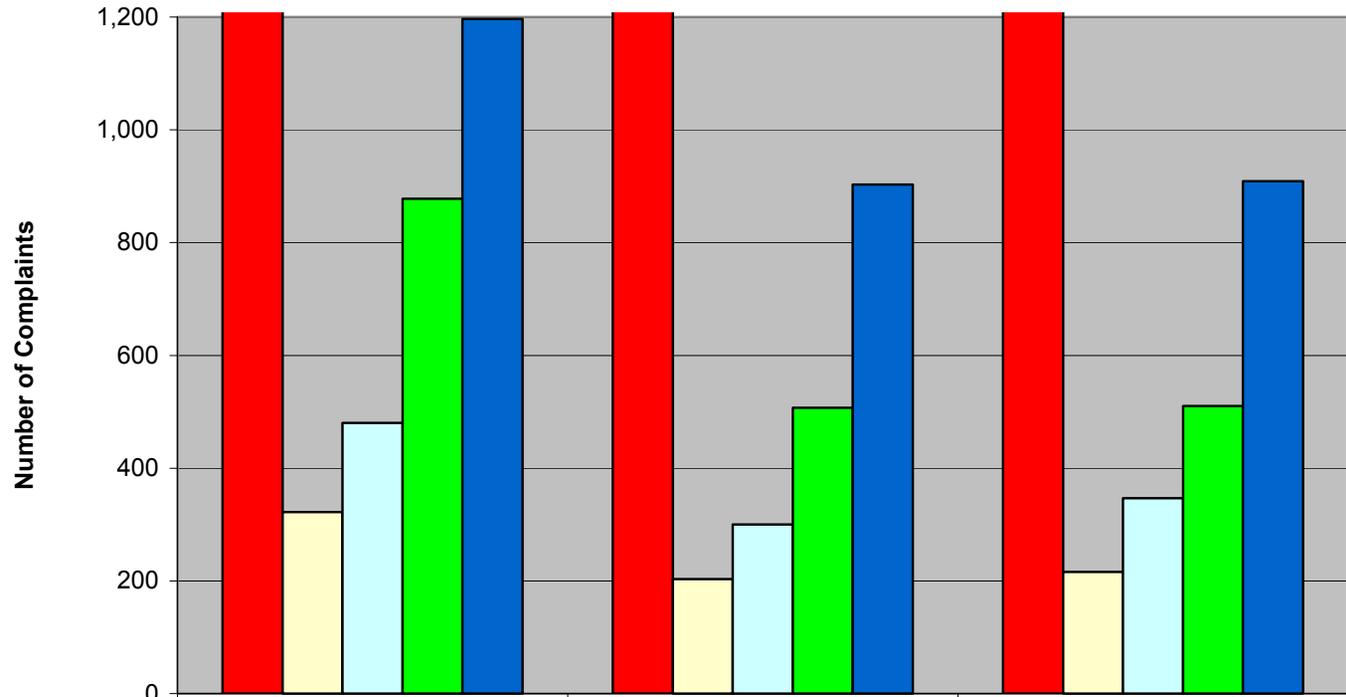
■ Disability Issues	15	16	4
■ Programming - General Criticism	34	9	14
■ Programming - Indecency/Obscenity**	39	41	17
■ Programming - Religious	4	0	0
■ Other Programming Issues	30	15	15

**Consumer & Governmental Affairs Bureau
Top Wireless Telecommunications Consumer Complaints
Fourth Quarter - Calendar Year 2002**



	October	November	December
■ Billing & Rates	1,163	678	757
■ Carrier Marketing & Advertising	190	98	89
■ Contract - Early Termination	228	141	122
■ Equipment	71	55	40
■ Service Quality	178	125	124

**Consumer & Governmental Affairs Bureau
Top Wireline Telecommunications Consumer Complaints
Fourth Quarter - Calendar Year 2002**



	October	November	December
■ Billing & Rates	2,087	1,317	1,449
■ Carrier Marketing & Advertising	322	203	216
■ Cramming	480	300	347
■ Slamming	878	507	510
■ Telephone Consumer Protection Act	1,197	903	909

Summary of Top Consumer Inquiry* Subjects
Processed by the FCC's Consumer & Governmental Affairs Bureau (CGB)
Fourth Quarter - Calendar Year 2002

	October	November	December	Quarter Total
Cable Services				
Over the Air Reception Device Issues	421	351	243	1,015
Programming Issues	236	211	205	652
Rates	176	181	111	468
Satellite Home Viewer Improvement Act	337	252	221	810
Service-Related Issues	545	414	450	1,409
<i>Totals</i>	1,715	1,409	1,230	4,354

	October	November	December	Quarter Total
Radio & Television Broadcasting				
General Broadcast Information	323	234	191	748
How to Start Broadcast Station	265	228	199	692
Low Power Broadcast Information	303	249	155	707
Madalyn M. O'Hair Religious Broadcast Rumor	69	56	54	179
General Programming & Content	680	640	466	1,786
<i>Totals</i>	1,640	1,407	1,065	4,112

	October	November	December	Quarter Total
Wireless Telecommunications				
Amateur License	846	723	765	2,334
Billing & Rates	991	1,096	1,339	3,426
Electrical Interference	2,097	2,116	2,026	6,239
General Mobile Radio Service License	521	565	1,065	2,151
Land Mobile License	341	378	354	1,073
<i>Totals</i>	4,796	4,878	5,549	15,223

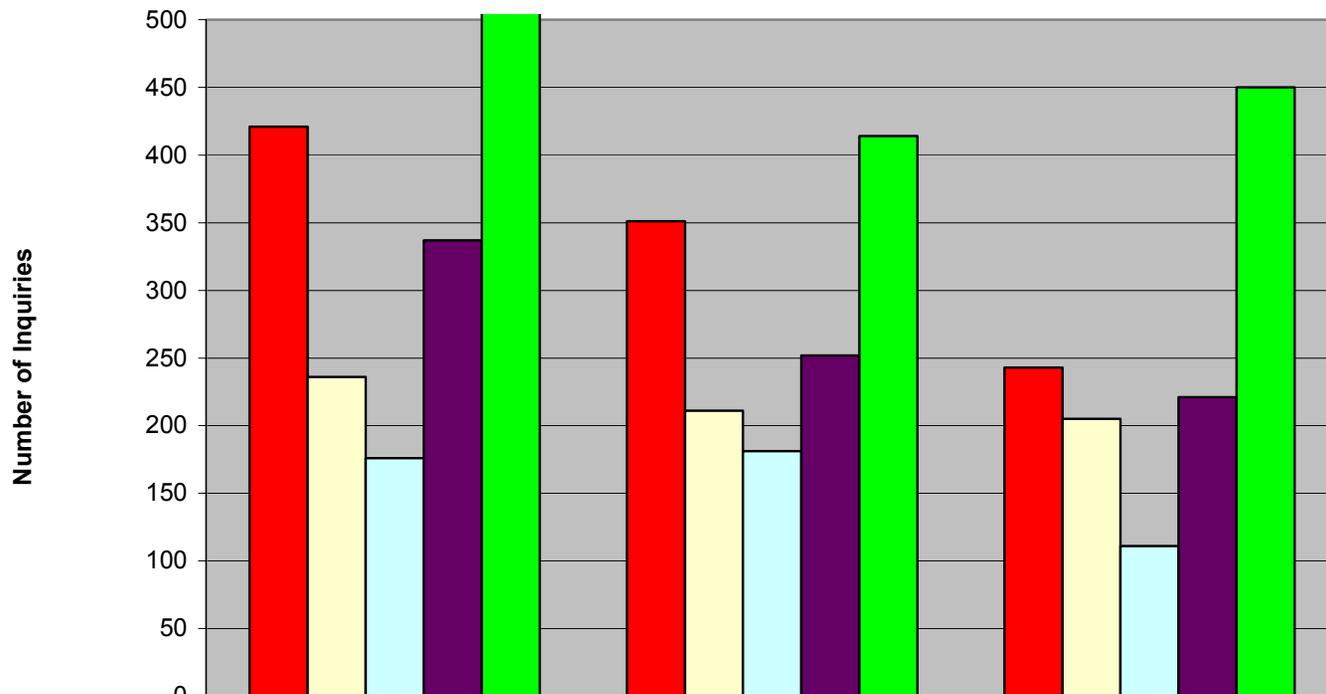
	October	November	December	Quarter Total
Wireline Telecommunications				
Billing & Rates	2,668	2,181	1,781	6,630
Digital Subscriber Line	113	113	135	361
Cramming	5,132	4,610	4,265	14,007
Slamming	10,339	9,385	9,488	29,212
Telephone Consumer Protection Act	2,139	2,008	2,235	6,382
<i>Totals</i>	20,391	18,297	17,904	56,592

NOTES:

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

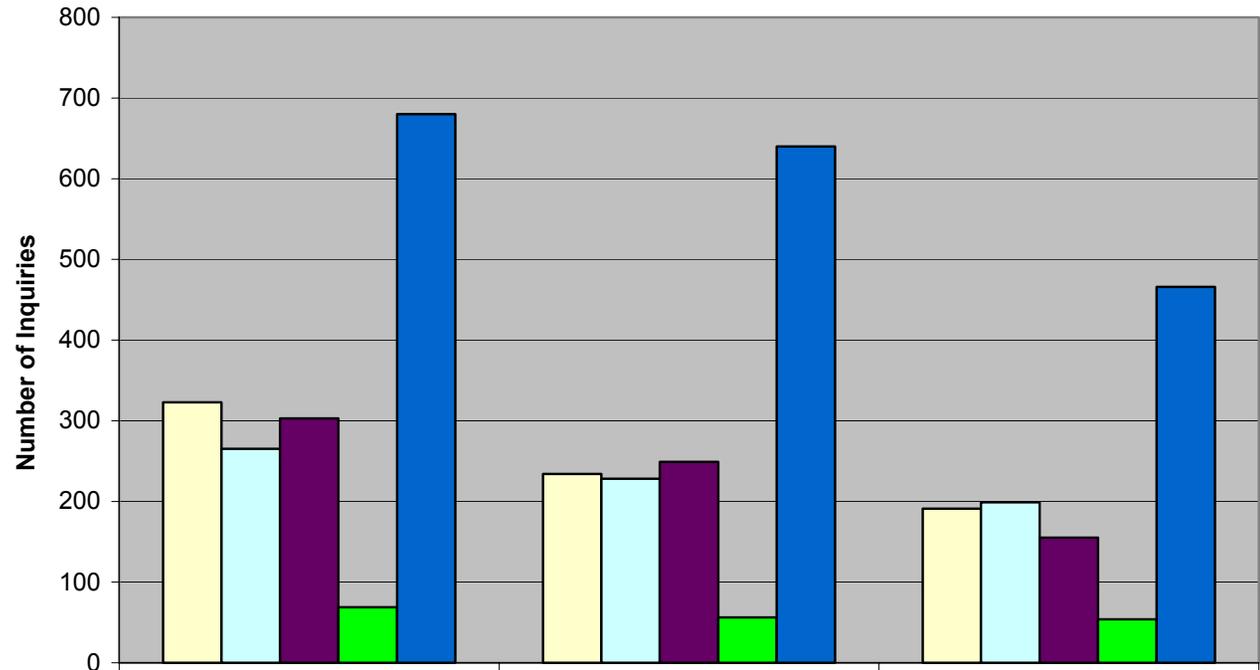
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**Consumer & Governmental Affairs Bureau
Top Cable Service Consumer Inquiries
Fourth Quarter - Calendar Year 2002**



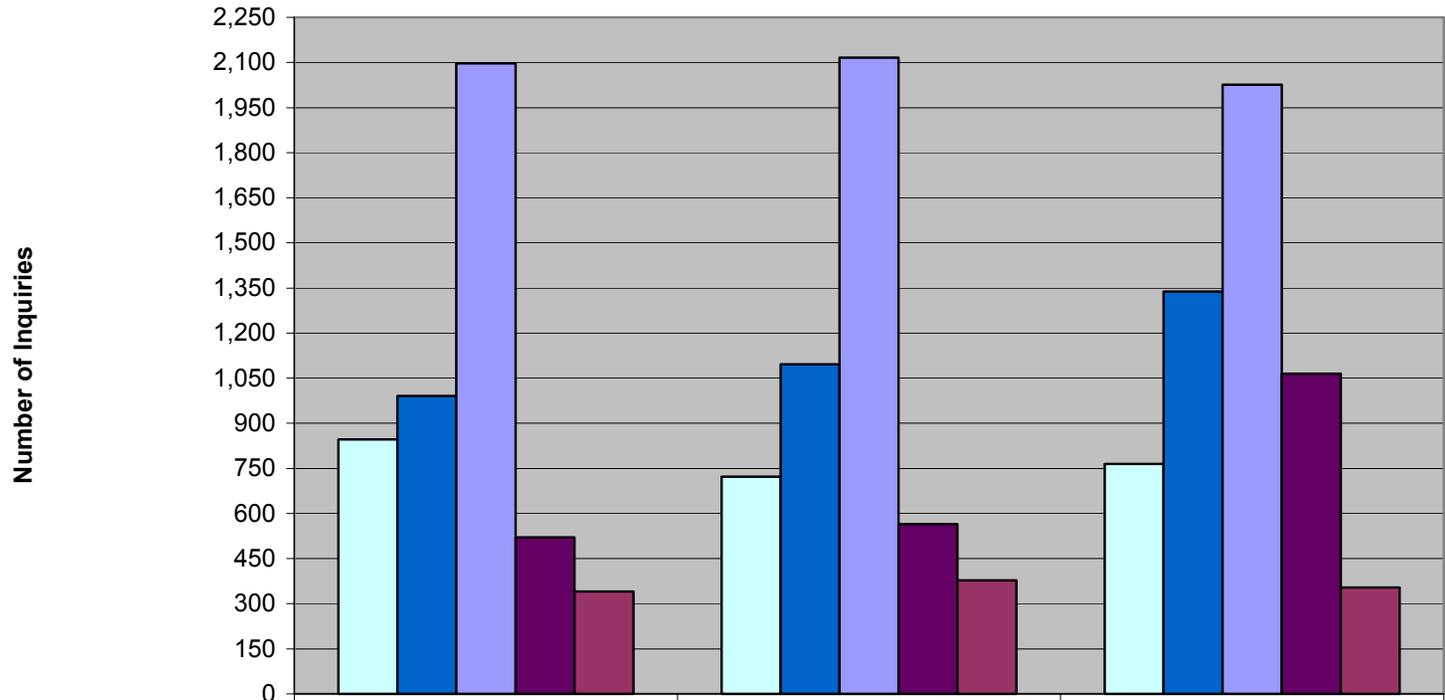
	October	November	December
■ Over the Air Reception Device Issues	421	351	243
□ Programming Issues	236	211	205
□ Billing & Rates	176	181	111
■ Satellite Home Viewer Improvement Act	337	252	221
■ Service-Related Issues	545	414	450

**Consumer & Governmental Affairs Bureau
Top Radio & Television Broadcasting Inquiries
Fourth Quarter - Calendar Year 2002**



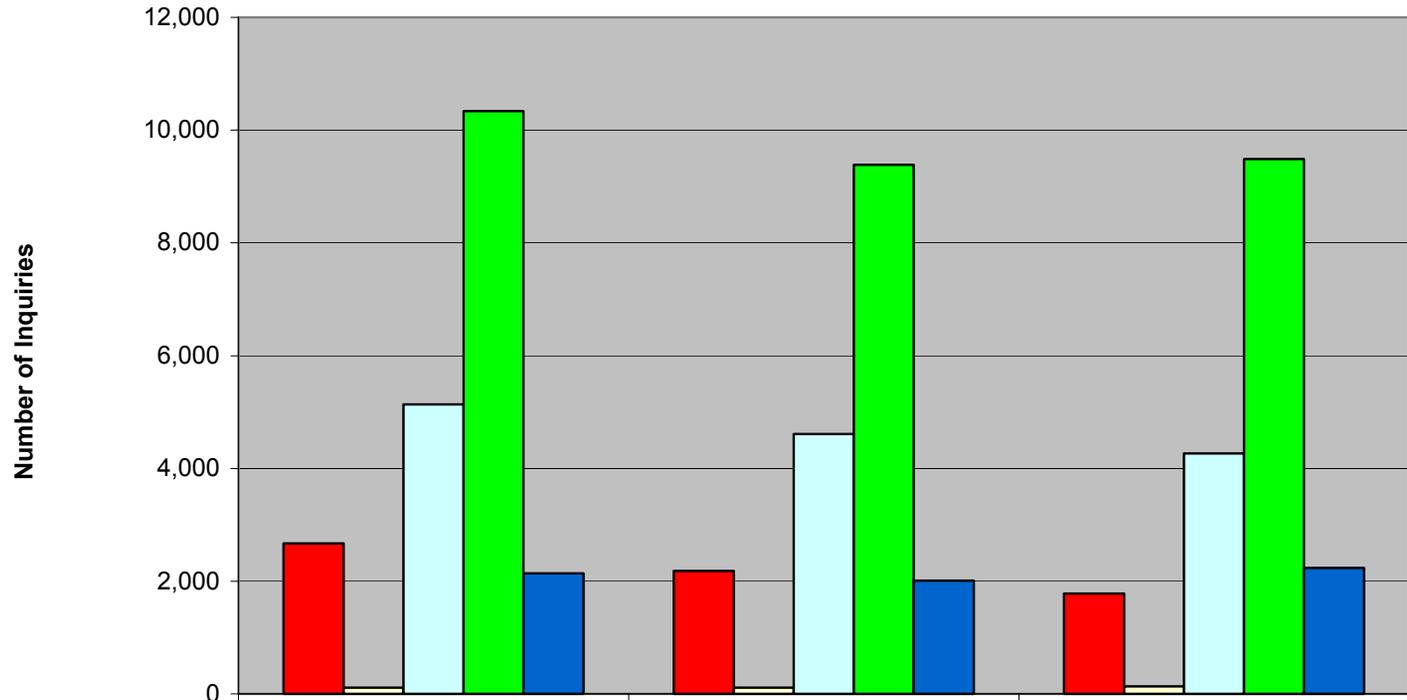
	October	November	December
General Broadcast Information	323	234	191
How to Start Broadcast Station	265	228	199
Low Power Broadcast Information	303	249	155
Madalyn M. O'Hair Religious Broadcast Rumor	69	56	54
General Programming & Content	680	640	466

**Consumer & Governmental Affairs Bureau
Top Wireless Telecommunications Consumer Inquiries
Fourth Quarter - Calendar Year 2002**



	October	November	December
Amateur License	846	723	765
Billing & Rates	991	1,096	1,339
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**Consumer & Governmental Affairs Bureau
 Top Wireline Telecommunications Consumer Inquiries
 Fourth Quarter - Calendar Year 2002**



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