



NEWS

Federal Communications Commission
445 12th Street, S.W.
Washington, D. C. 20554

News Media Information 202 / 418-0500
Internet: <http://www.fcc.gov>
TTY: 1-888-835-5322

This is an unofficial announcement of Commission action. Release of the full text of a Commission order constitutes official action.
See MCI v. FCC, 515 F 2d 385 (D.C. Circ 1974).

For Immediate Release:
June 10, 2004

News Media Contact:
Rosemary Kimball at (202) 418-0511
e-mail: rosemary.kimball@fcc.gov

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 fourth quarter of calendar year 2003.

The implementation of the National Do-Not-Call Registry on October 1, 2003, and the Wireless Local Number Portability rules on November 24, 2003, resulted in increases in complaints during the quarter. Wireless complaints increased from 4,825 last quarter to 8,512 this quarter. Although complaint activity increased in all top Wireless categories, most of the increase was attributable to Number Portability complaints, for which tracking commenced in late November. Wireline complaints rose from 11,093 to 20,423 due to the activation of the National Do Not Call Registry, which caused Telephone Consumer Protection Act (TCPA) complaints to more than triple.

Beginning with this report, the Bureau will be reporting indecency and obscenity complaints received by the Commissioners' Offices and through the fccinfo@fcc.gov e-mail address. This change in method largely accounts for the increase in Radio and Broadcast complaints during the fourth quarter. Meanwhile, Cable complaints decreased from 253 to 185 as counts in all top cable categories declined.

Inquiry trends largely followed complaint trends. Wireless inquiries increased from 11,828 last quarter to 16,895 due to the inception of Number Portability tracking and increases in Billing and Electrical Interference inquiries. Wireline inquiries rose from 44,550 to 49,171, buoyed by an increase in TCPA inquiries that overshadowed declines in Billing and Rates and Cramming inquiries. Radio & Television Broadcasting inquiries registered the largest percentage increase, rising from 3,244 to 6,652 during the fourth quarter. Programming and Content inquiries, which nearly quadrupled, fueled the increase. Cable inquiries fell from 4,474 to 3,972 due to decreases in Service-Related and Over the Air Reception Device (OTARD) 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.

- FCC -

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

REPORT ON INFORMAL CONSUMER INQUIRIES AND COMPLAINTS
4th Quarter Calendar Year 2003
Executive Summary

This report tracks consumer inquiries and complaints processed by the Consumer & Governmental Affairs Bureau (CGB) received during the 4th quarter of calendar year 2003.¹ 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.

The implementation of the National Do-Not-Call Registry on October 1, 2003, and the Wireless Local Number Portability rules on November 24, 2003, resulted in increases in complaints during the quarter. Wireless complaints increased from 4,825 last quarter to 8,512 this quarter. Although complaint activity increased in all top Wireless categories, most of the increase was attributable to Number Portability complaints, for which tracking commenced in late November. Wireline complaints rose from 11,093 to 20,423 due to the activation of the National Do Not Call Registry, which caused Telephone Consumer Protection Act (TCPA) complaints to more than triple.

Beginning with this report, the Bureau will be reporting indecency and obscenity complaints received by the Commissioners' Offices and through the fccinfo@fcc.gov e-mail address. This change in method largely accounts for the increase in Radio and Broadcast complaints during the fourth quarter. Meanwhile, Cable complaints decreased from 253 to 185 as counts in all top cable categories declined.

Inquiry trends largely followed complaint trends. Wireless inquiries increased from 11,828 last quarter to 16,895 due to the inception of Number Portability tracking and increases in Billing and Electrical Interference inquiries. Wireline inquiries rose from 44,550 to 49,171, buoyed by an increase in TCPA inquiries that overshadowed declines in Billing and Rates and Cramming inquiries. Radio & Television Broadcasting inquiries registered the largest percentage increase, rising from 3,244 to 6,652 during the fourth quarter. Programming and Content inquiries, which nearly quadrupled, fueled the increase. Cable inquiries fell from 4,474 to 3,972 due to decreases in Service-Related and Over the Air Reception Device (OTARD) 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.

¹ The data reported reflect the complaints and inquiries recorded in CGB's automated tracking systems for the period October 1, 2003 to December 31, 2003. 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 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 about the availability or quality of cable modem service.

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 Issues: Complaints/inquiries regarding satellite issues.

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

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

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 Broadcast Information: Inquiries regarding low power TV and low power radio

Political Programming: Inquiries regarding political programming and/or broadcast

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 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.
- Local Number Portability (LNP) – Monthly Recurring Charge: Monthly recurring charge to LNP fund
- Porting Charge: One-time fee charged by existing carrier to port number to new carrier
- 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

General Mobile Radio Service (GMRS) License Issue: Inquiries regarding GMRS license acquisition, requirements, eligibility, and replacement.

Number Portability: Complaints/inquiries regarding the porting of telephone numbers from wireline to wireless; wireless to wireline or wireless to wireless

Number Portability – Porting Request General: Complaints/inquiries regarding requests to port numbers

Number Portability – Porting Request – Local Area:

- Wireless to Wireless: Complaints/inquiries related to requests to have existing wireless carriers port numbers to wireless carrier outside a customer's local area
- Wireless to Wireline: Complaints/inquiries related to requests to have existing wireless carriers port numbers to wireline carrier outside a customer's local area

Number Portability – Porting Request – Top 100 MSAs:

- Wireline to Wireless: Complaints/inquiries regarding requests to have existing wireless carriers port number to wireless carriers outside the top 100 MSAs subject to the November 24, 2003 deadline
- Wireline to Wireline: Complaints/inquiries regarding requests to have existing wireless carriers port number to wireline carriers outside the top 100 MSAs subject to the November 24, 2003 deadline

Number Portability – Porting Request – Rate Center:

- Wireline to Wireless: Complaints/inquiries regarding requests to have existing wireless carriers port number to wireless carriers outside the rate center where its facilities are located
- Wireless to Wireline: Complaints/inquiries regarding requests to have existing wireless carriers port number to wireline carrier outside the rate center where its facilities are located

Number Portability – Porting Request – Valid Request: Complaints/inquiries concerning an existing carrier's refusal to port after receipt of a valid request by a new carrier

Number Portability – Porting Request – Length of Time: Complaints/inquiries concerning an existing wireless carrier's failure to port a number to a new carrier within 2 ½ hours

Number Portability – Equipment: Complaints/inquiries from customers who cannot use an existing carrier's handset equipment after being ported to a new carrier

Number Portability – Contract Termination: Complaints/inquiries about customers who try to break long-standing contracts with an existing carrier by porting numbers to new carriers

Service – Quality/Coverage: Disputes/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

WIRELIN 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
- Local Number Portability (LNP) – Monthly Recurring Charge: Monthly recurring charge to LNP fund
- Porting Charge: One-time fee charged by existing carrier to port number to new carrier
- 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: Complaints/inquiries about allegedly unauthorized, misleading, or deceptive charges appearing on a telephone bill

Digital Subscriber Line (DSL) Issues: Complaints/inquiries regarding DSL.

Service Quality: Complaints/inquiries regarding the quality of service provided by telephone companies:

- DSL Service Inadequate: poor quality of service or service outage
- Interstate Telecommunications: poor call reception, service outage, 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 carrier including, but not limited to, additional services being added without the consumer’s knowledge or approval, etc.

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)
Fourth Quarter - Calendar Year 2003**

	October	November	December	Quarter Total
Cable Services				
Billing & Rates	28	12	25	65
Cable Modem Service	9	5	7	21
Disability Issues	5	4	8	17
Programming Issues	9	5	8	22
Service Related Issues	18	14	28	60
Totals	69	40	76	185

	October	November	December	Quarter Total
Radio & Television Broadcasting				
Disability Issues	8	5	7	20
Loud Commercial	3	1	2	6
Programming - General Criticism	34	19	45	98
Programming - Indecency/Obscenity**	28,206	41,075	76,987	146,268
Other Programming Issues	7	1	3	11
Totals	28,258	41,101	77,044	146,403

	October	November	December	Quarter Total
Wireless Telecommunications				
Billing & Rates	906	793	1,241	2,940
Carrier Marketing & Advertising	213	193	279	685
Contract - Early Termination	208	217	311	736
Number Portability	n/a	204	3,243	3,447
Service Quality	211	235	258	704
Totals	1,538	1,642	5,332	8,512

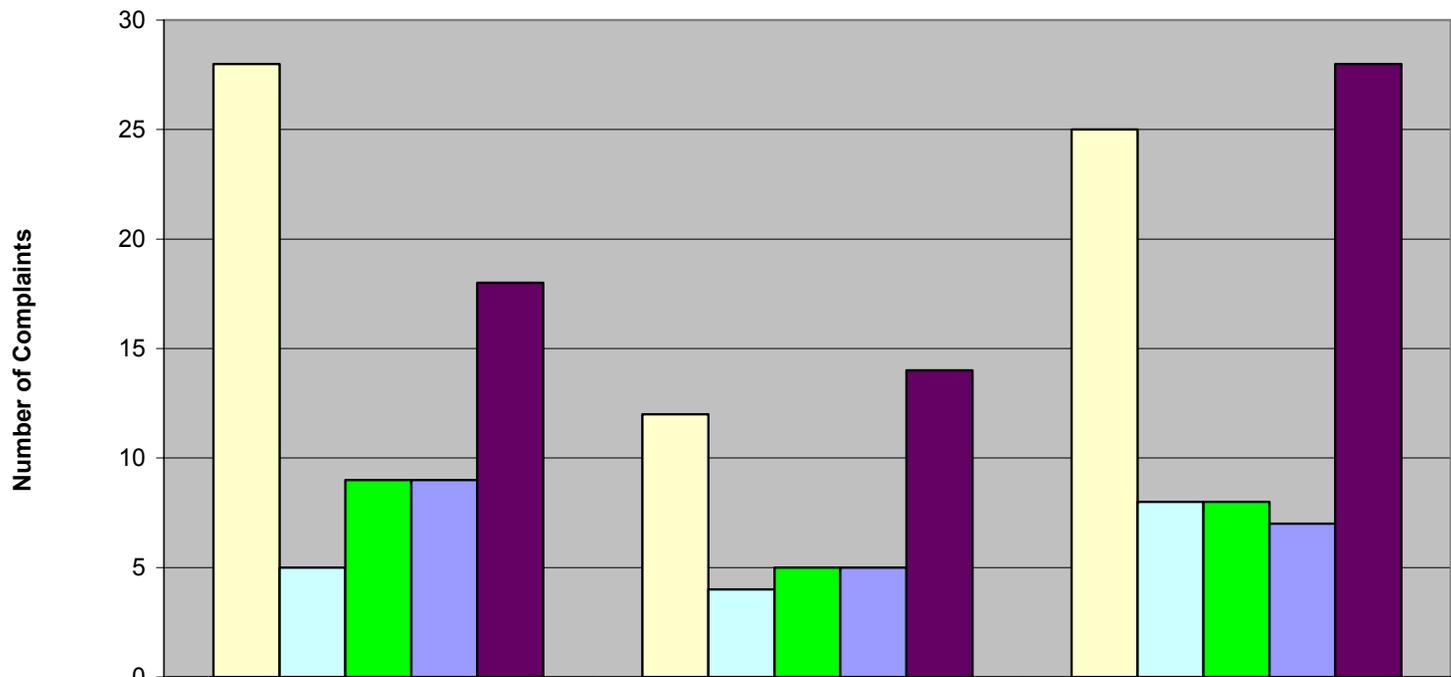
	October	November	December	Quarter Total
Wireline Telecommunications				
Billing & Rates	1,372	1,115	1,590	4,077
Carrier Marketing & Advertising	241	218	257	716
Service Quality	196	125	149	470
Slamming	506	390	473	1,369
Telephone Consumer Protection Act	6,518	4,315	2,958	13,791
Totals	8,833	6,163	5,427	20,423

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. 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.

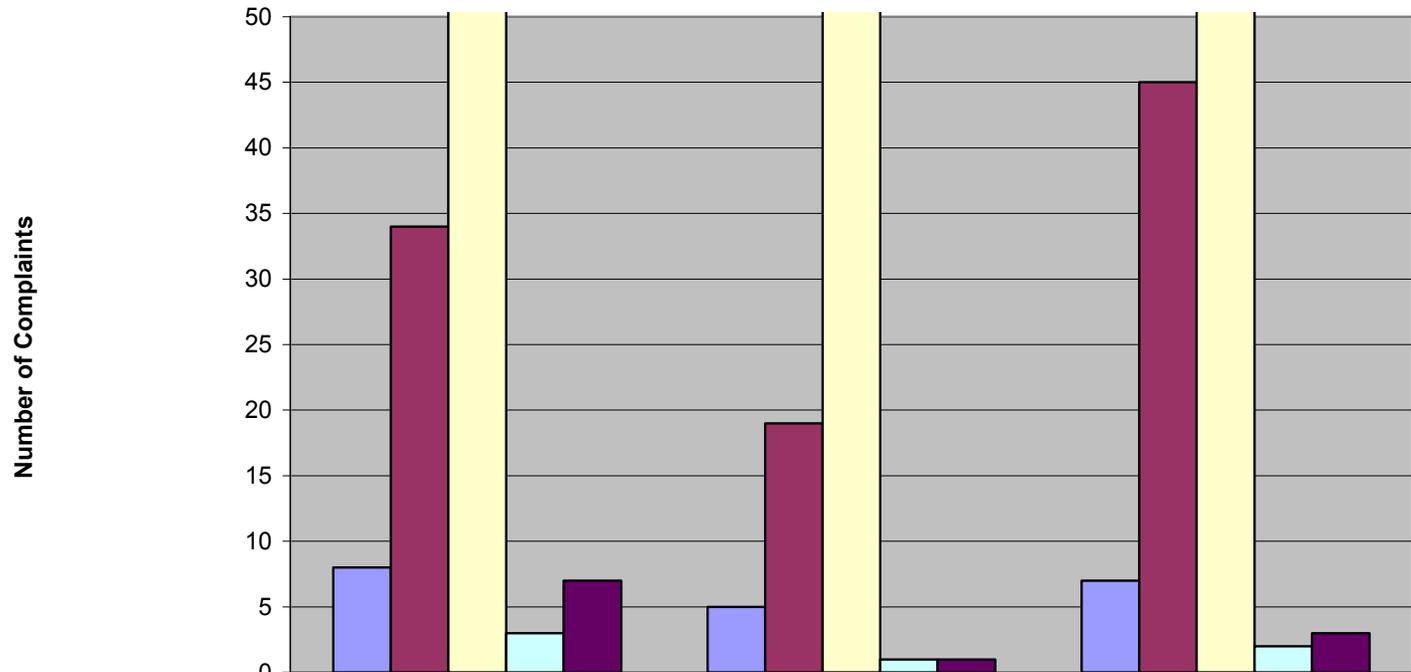
** Complaints regarding alleged indecency/obscenity during specific broadcasts are forwarded to the Enforcement Bureau (EB) for appropriate handling. Commencing with this report, the reported counts reflect complaints received directly by CGB, complaints received directly by EB, and complaints emailed directly to the FCC Commissioner's offices and FCC INFO. In addition, the Commission received over 100,000 emails related to FCC indecency rulings about certain broadcast programs.

**Consumer & Governmental Affairs Bureau
Top Cable Service Consumer Complaints
Fourth Quarter - Calendar Year 2003**



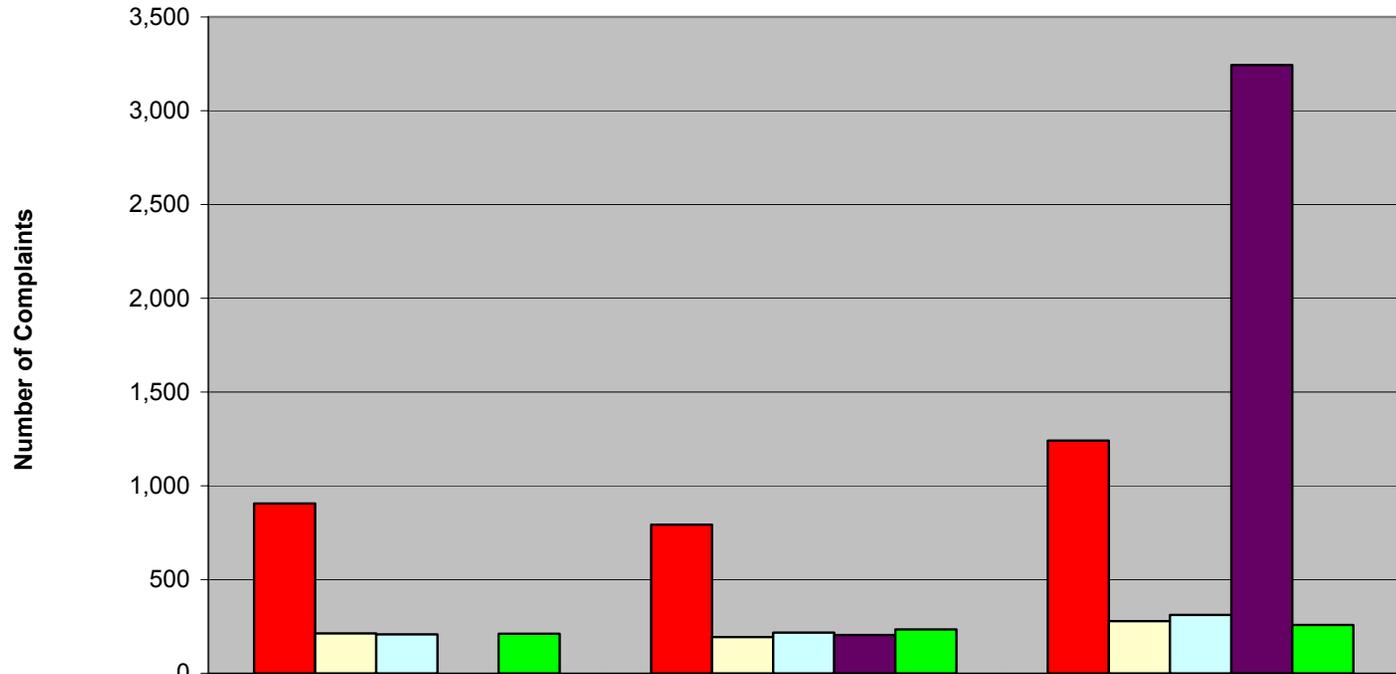
	October	November	December
□ Billing & Rates	28	12	25
□ Disability Issues	5	4	8
■ Programming Issues	9	5	8
■ Cable Modem Service	9	5	7
■ Service Related Issues	18	14	28

**Consumer & Governmental Affairs Bureau
Top Radio & Television Broadcasting Consumer Complaints
Fourth Quarter - Calendar Year 2003**



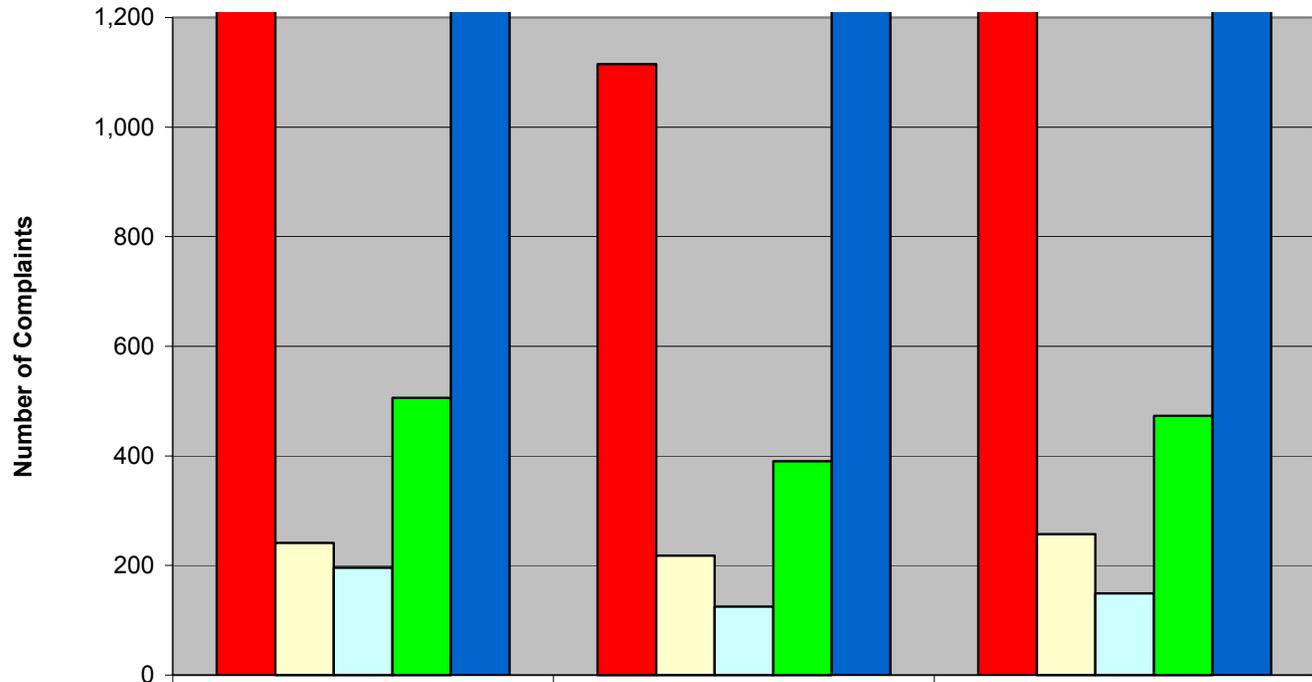
	October	November	December
■ Disability Issues	8	5	7
■ Programming - General Criticism	34	19	45
■ Programming - Indecency/Obscenity**	28,206	41,075	76,987
■ Loud Commercial	3	1	2
■ Other Programming Issues	7	1	3

**Consumer & Governmental Affairs Bureau
Top Wireless Telecommunications Consumer Complaints
Fourth Quarter - Calendar Year 2003**



	October	November	December
■ Billing & Rates	906	793	1,241
■ Carrier Marketing & Advertising	213	193	279
■ Contract - Early Termination	208	217	311
■ Number Portability	0	204	3,243
■ Service Quality	211	235	258

**Consumer & Governmental Affairs Bureau
Top Wireline Telecommunications Consumer Complaints
Fourth Quarter - Calendar Year 2003**



	October	November	December
■ Billing & Rates	1,372	1,115	1,590
■ Carrier Marketing & Advertising	241	218	257
■ Service Quality	196	125	149
■ Slamming	506	390	473
■ Telephone Consumer Protection Act	6,518	4,315	2,958

Summary of Top Consumer Inquiry* Subjects
Processed by the FCC's Consumer & Governmental Affairs Bureau (CGB)
Fourth Quarter - Calendar Year 2003

	October	November	December	Quarter Total
Cable Services				
Billing & Rates	152	175	224	551
Over the Air Reception Device Issues	281	202	220	703
Satellite Home Viewer Improvement Act	222	130	187	539
Satellite Issues	238	159	184	581
Service-Related Issues	604	473	521	1,598
<i>Totals</i>	1,497	1,139	1,336	3,972

	October	November	December	Quarter Total
Radio & Television Broadcasting				
General Broadcast Information	213	199	183	595
How to Start Broadcast Station	167	156	154	477
Low Power Broadcast Information	173	164	155	492
Political Programming	88	52	38	178
Programming & Content	679	1,643	2,588	4,910
<i>Totals</i>	1,320	2,214	3,118	6,652

	October	November	December	Quarter Total
Wireless Telecommunications				
Amateur License	507	442	506	1,455
Billing & Rates	1,441	1,355	2,536	5,332
Electrical Interference	2,024	1,512	1,644	5,180
General Mobile Radio Service License	591	487	910	1,988
Number Portability	256	526	2,158	2,940
<i>Totals</i>	4,819	4,322	7,754	16,895

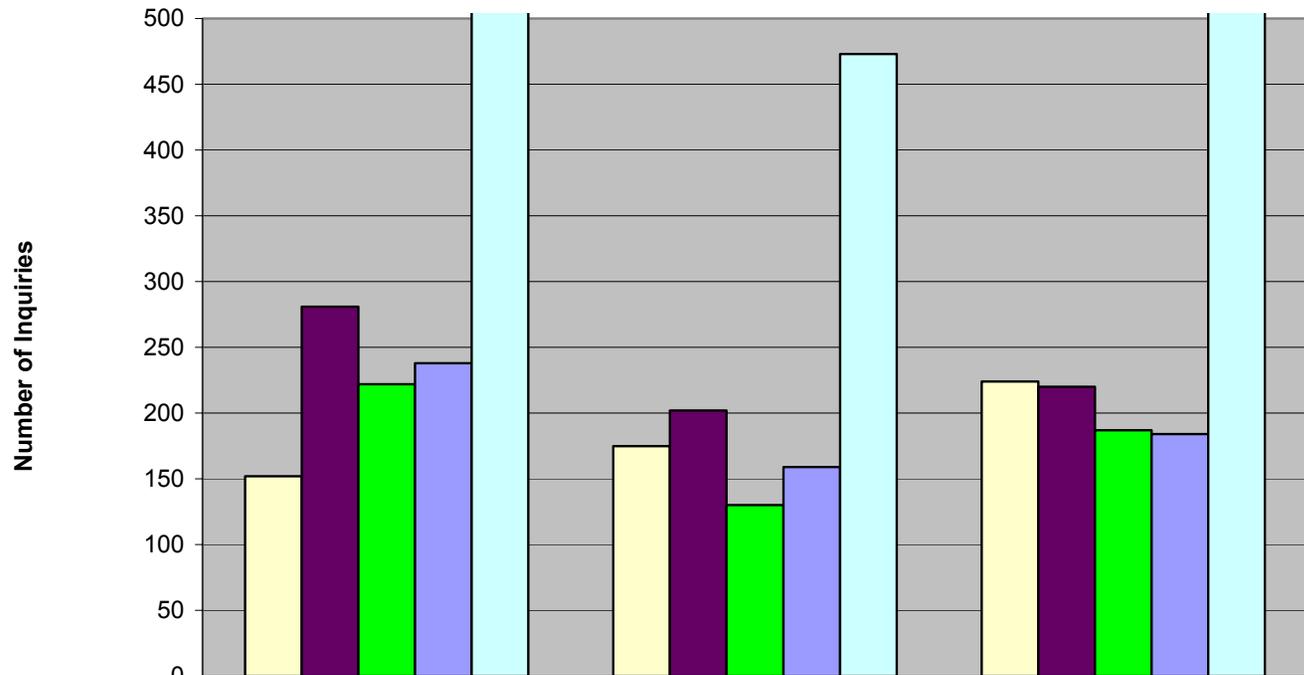
	October	November	December	Quarter Total
Wireline Telecommunications				
Billing & Rates	1,734	1,371	1,384	4,489
Cramming	3,430	2,725	3,187	9,342
Digital Subscriber Line Issues	80	72	69	221
Slamming	8,214	6,670	7,074	21,958
Telephone Consumer Protection Act	6,709	4,028	2,424	13,161
<i>Totals</i>	20,167	14,866	14,138	49,171

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.

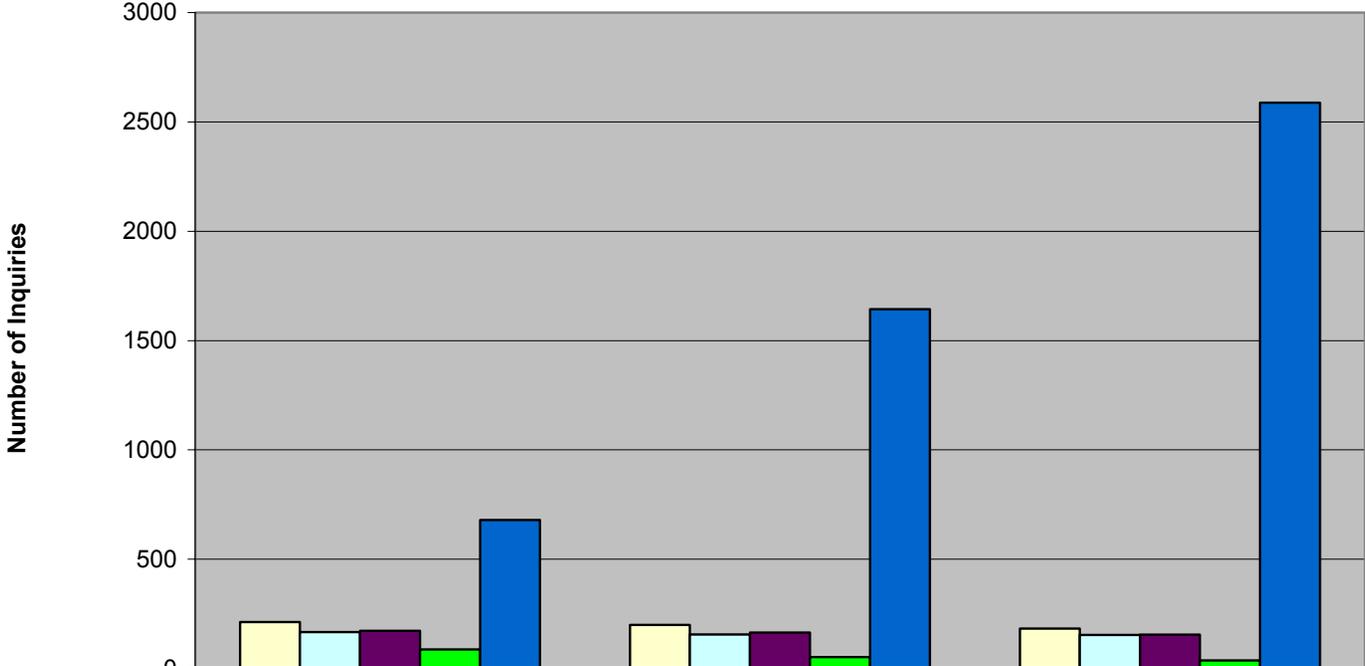
The data within this report account for statistics at the national level as reported to the Commission, and therefore are not necessarily indicative of corresponding state or local trends.

**Consumer & Governmental Affairs Bureau
Top Cable Service Consumer Inquiries
Fourth Quarter - Calendar Year 2003**



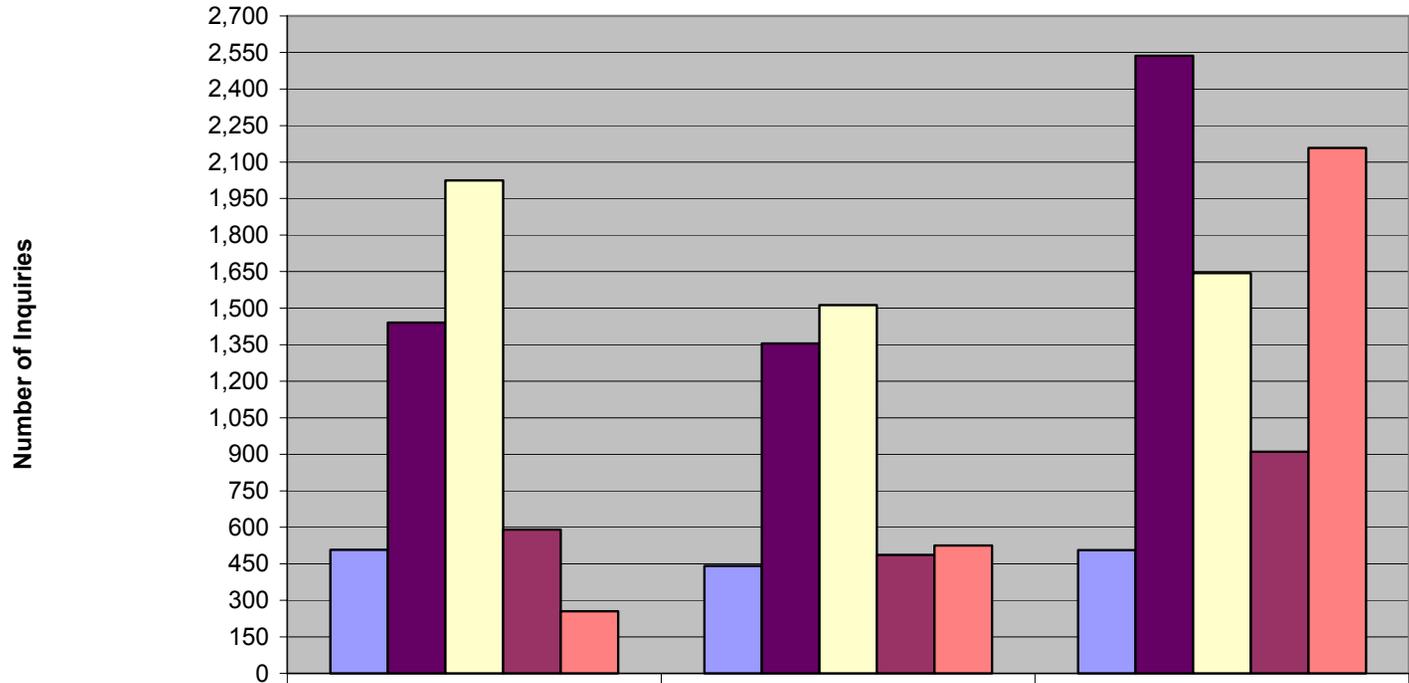
	October	November	December
■ Billing & Rates	152	175	224
■ Over the Air Reception Device Issues	281	202	220
■ Satellite Home Viewer Improvement Act	222	130	187
■ Satellite Issues	238	159	184
■ Service-Related Issues	604	473	521

**Consumer & Governmental Affairs Bureau
 Top Radio & Television Broadcasting Inquiries
 Fourth Quarter - Calendar Year 2003**



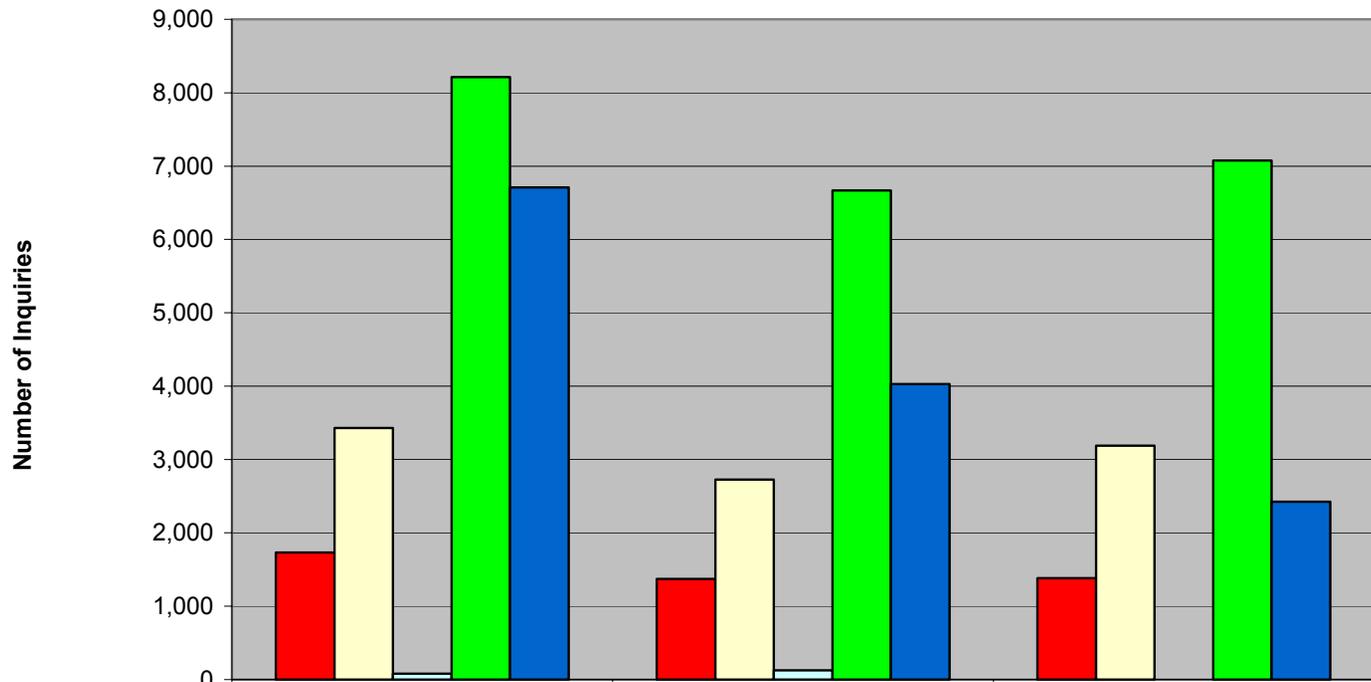
	October	November	December
General Broadcast Information	213	199	183
How to Start Broadcast Station	167	156	154
Low Power Broadcast Information	173	164	155
Political Programming	88	52	38
Programming & Content	679	1,643	2,588

**Consumer & Governmental Affairs Bureau
Top Wireless Telecommunications Consumer Inquiries
Fourth Quarter - Calendar Year 2003**



	October	November	December
Amateur License	507	442	506
Billing & Rates	1,441	1,355	2,536
Electrical Interference	2,024	1,512	1,644
General Mobile Radio Service License	591	487	910
Number Portability	256	526	2,158

**Consumer & Governmental Affairs Bureau
Top Wireline Telecommunications Consumer Inquiries
Fourth Quarter - Calendar Year 2003**



	October	November	December
■ Billing & Rates	1,734	1,371	1,384
□ Cramming	3,430	2,725	3,187
□ Number Portability	82	124	1
■ Slamming	8,214	6,670	7,074
■ Telephone Consumer Protection Act	6,709	4,028	2,424

