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STATE OF GEORGIA

BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of)	
Proposed Rulemaking)	
for Truth-in-Billing)	CC Docket No. 98-170
and Billing Format)	

COMMENTS OF THE GEORGIA CONSUMERS' UTILITY COUNSEL DIVISION OF THE GOVERNOR'S OFFICE OF CONSUMER AFFAIRS

Pursuant to the Notice of Proposed Rulemaking for Truth-in-Billing and Billing Format issued by the Federal Communications Commission ("FCC") on September 17, 1998, the Consumers' Utility Counsel Division ("CUCD") of the Governor's Office of Consumer Affairs files the following comments regarding the above referenced docket. CUCD's Comments will address the three guidelines outlined in the Notice of Proposed Rulemaking¹:

- 1) Telephone bills should be clearly organized and highlight any new charges or changes to consumers' services;
- 2) Telephone bills should contain full and non-misleading descriptions of all charges and clear identification of the service provider responsible for each charge; and,
- 3) Telephone bills should contain clear and conspicuous disclosure of any information consumers need to make inquiries about charges.

CUCD is a consumer advocate division of the Governor's Office of Consumer Affairs statutorily authorized to represent the class of residential and small business ratepayers in proceedings before the Georgia Public Service Commission, Federal agencies and the courts, O.C.G.A. Section 46-10-4. CUCD submits these Comments in support of the above three FCC guidelines to be used in formulating new rules for Truth-in-Billing and Billing Format.

¹ See FCC Notice of Proposed Rulemaking for Truth-in-Billing and Billing Format, adopted September 17, 1998 (CC Docket No. 98-170).

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I. INTRODUCTION

Consumer confusion about telephone bills and its corresponding correlation to slamming and cramming complaints has been the primary cause for consumer complaints to the FCC. State consumer advocate agencies also deal with hundreds of complaints in this area. In fact, slamming and cramming complaints by far outnumber all other types of telecommunications complaints. The state of Georgia recently passed anti-slamming legislation and while CUCD applauds the legislative effort, there is reason to believe that Federal Truth-in-Billing and Billing Format rules would help greatly to aid consumers in identifying carriers engaged in slamming and cramming activities.

Even though the average consumer is probably more aware now than ever before of the fraudulent activities known as "slamming" and "cramming" practiced by unscrupulous parties in the telecommunications industry, it can and does happen to even the most savvy consumer. Some consumers discover the fraudulent behavior fairly quickly, while many other consumers do not. Part of the discovery problem lies in the somewhat confusing nature of the telephone bill as presently rendered by the majority of telephone companies. While the primary disciplinary action should be focused on the culprits who perform the "slamming" and "cramming" activities, perhaps it is time to look for additional solutions that would aid the consumer in detection and identification of the slammers and crammers.

1. Telephone bills should be clearly organized and highlight any new charges or changes to consumer's services.

One of the most oft heard complaints by consumers is that their telephone bill is too long and too complicated to read from front to back. Most of the time the only part the consumer pays attention to is the "amount owed" and if it seems similar to previous bills, they send in their remittance without scrutinizing it for any unauthorized changes or unwanted charges. It is only at some later date when they realize the carrier has been switched, or they have paid for charges they didn't authorize.

Part of the telephone bill confusion stems from line item charges for things like "access", "universal service", or "monthly service". Even though these charges may be legitimate, an explanation of these charges should be included with every customer's bill. The explanation should be written in such a manner that is clearly understood by the average customer. By the same token, the explanation should not unnecessarily contribute to the length of the bill which further adds to the problem.

As to new charges or changes to a consumer's bill, CUCD supports the suggestion put forth by the FCC to highlight them at the front of the bill in a separate page or section. The new charges or changes should be in **bold** print in the same font size as the rest of the bill. This would go a long way to alert the consumer to changes or new charges which are different from the previous month's bill, and which may, or may not, be legitimate. For example, if the name of a different carrier appears on the bill as the carrier of choice, the consumer has a better chance of

recognizing a slamming problem, if there is such a problem. Hopefully, this type of notice at the beginning of the customer bill will hasten an earlier detection of fraudulent activity by the customer, or victim of such behavior.

2. Telephone bills should contain full and non-misleading descriptions of all charges and clear identification of the service provider responsible for each charge.

The number one complaint from consumers to CUCD is the fact that many telephone bills do not clearly identify a carrier providing long distance service that is different from the presubscribed long distance provider. Instead, the billing company's name appears giving the customer the impression that they are the provider of the service. When the customer calls the billing company they either refuse to give the customer any information or refer the inquiry to another carrier. Consumers are left with a frustrating situation in which they don't know how to contact the carrier who is ultimately the source of the problem.

CUCD supports the FCC recommendation that the name of the service provider must be listed on the bill in addition to the billing aggregator or billing clearinghouse. CUCD further suggests that a customer service telephone number of the carrier must be provided on the bill. This would provide the necessary information for a consumer to identify the carrier responsible for the charges and consequently, to contact the carrier in their attempt to resolve whatever questions or problems exist without having to call a multitude of carriers in search of the correct one.

In addition, CUCD supports the FCC suggestion that if an entity is reselling the service of a facilities-based carrier, the name of the reseller must appear on the telephone bill. The idea here is to help the consumer learn the true identity of the reseller thereby enabling a speedier detection of the slamming activity. Like the situation in the above paragraph, the same hold true in this instance. A consumer trying to resolve a slamming complaint through the facilities-based carrier gets the run around and is forced to make time-consuming calls to learn the true identity of the reseller. The name and customer service number of the carrier who is charging for the call should be included in the telephone bill in such a way that it cannot be mistaken by the customer.

3. Telephone bills should clearly and conspicuously disclose all information necessary for consumers to make inquiries about charges on their bills.

A preponderance of the telecommunications complaints received by CUCD are those in which the consumer has already made attempts to dispute the changes or charges appearing on their bill without success. Often, the consumer is unsuccessful in resolving their own complaint, not for lack of trying, but because they don't have accurate or available information in their telephone bill to aid them in their resolution. Hence, in desperation, they file a complaint with CUCD or the FCC or both.

CUCD supports the inclusion on each customer bill the name, address, and toll-free customer service number of every service provider who lists charges for service on a customer's telephone bill. At the very least, the consumer will have at their fingertips the correct contact number to either lodge a complaint or obtain the desired information from the carrier who has provided the service.

Another problem that currently exists with some carrier customer service departments that needs to be addressed is the inability or unwillingness of certain customer service representatives to adequately deal with consumer complaints. It has been CUCD's experience when trying to resolve complaints that consumers turn to state agencies for help because when and if, the consumer finds the company that "slammed" them, the customer service reps give inaccurate or misleading information concerning that particular customer's account. CUCD agrees with the FCC that truth-in-billing should include "truth-in-customer information" practices as well.

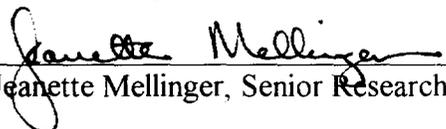
II. CONCLUSION

As witnessed by the aforesaid comments, CUCD supports the FCC in promulgating new rules concerning billing disclosures in an effort to aid consumers in a better understanding of their telephone bills. The aid rendered to consumers should result in more easily understood telephone bills, either for informational purposes or to be of assistance in the discovery of unwanted changes or charges.

Respectfully submitted this 12th day of November, 1998.



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CERTIFICATE OF SERVICE

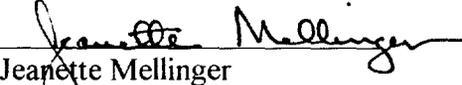
I do hereby certify that I have this date served a copy of the within and foregoing attached Comments of the Consumers' Utility Counsel Division of the Governor's Office of Consumer Affairs, FCC Docket No. CC 98-170, upon the following party by depositing same in the United States Mail with adequate postage affixed thereon and properly addressed as follows:

Magalie Roman Salas
Office of the Secretary
Federal Communications Commission
445 12th Street, S.W.; Roomj204
Washington D.C., 20554

Diskette to:

Anita Cheng
Federal Communications Commission
Common Carrier Bureau
2025 M Street, N.W., Sixth Floor
Washington, D.C. 20554

This 12th day of November, 1998.


Jeanette Mellinger
Senior Research Associate