

Before the
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C.

In the Matter of)	
)	
Consumer Information and Disclosure)	CG Docket No. 09-158
)	
Truth-in-Billing and Billing Format)	CG Docket No. 98-170
)	
IP-Enabled Services)	WC Docket No. 04-36

REPLY COMMENTS OF BILLING CONCEPTS, INC.

Billing Concepts, Inc. (“BCI”) respectfully submits the following reply comments in response to the Notice of Inquiry (“NOI”), CG Docket No. 09-158, issued by the Federal Communications Commission (the “Commission”) adopted August 27, 2009.

I. Introduction

The Notice of Inquiry (“NOI”) posed by the Federal Communications Commission on August 27, 2009 focused on the protection and empowerment of American consumers by ensuring sufficient access to relevant information about communications services. In response to the Commission’s request for comments, BCI highlighted the fact that BCI has implemented an effective, comprehensive due diligence and performance monitoring program to combat cramming, detailed its efficient dispute resolution process, and proposed bill formatting changes to enhance the impact of The Truth-In-Billing Orders. It is evident from a review of the comments that most filing parties are not interested in establishing additional regulations by the Commission regarding the Truth-in-Billing principles. Although the comments also reveal that there is a significant difference of opinion on how to reduce cramming, there is an almost universal agreement to make the dispute resolution process easier for the consumer. In these

reply comments, BCI will focus on the relative severity of cramming, the dispute resolution process and the Truth in Billing Orders.

II. BCI Statistics Show More Than 98% Consumer Satisfaction with Third Party Charges

Cramming is a significant and paramount concern for BCI. In order to effectively understand the concept of cramming, cramming must be reviewed in its proper context. Based on AT&T's statistics, over 98 percent of consumers have no complaints about the charges third party service providers submitted.¹ BCI's data further confirms this conclusion. Strictly based on inquiry levels, the charges submitted by BCI on behalf of the service providers, result in over 98 percent consumer satisfaction. Actual "cramming" allegations are significantly less because this number includes consumers that may need additional information on the service.

Notwithstanding these statistics, BCI created and implemented the industry's first and only comprehensive due diligence and performance monitoring program. The foundation of the program is based on verifying that only charges with express consumer authorizations are submitted for billing. The objective is to eliminate cramming before it occurs and proactively address issues when they arise. This program has been extremely successful in achieving its intended objectives. BCI has personally met with all of the LECs and many state agencies to provide specific details of its program.

¹ In the Comments of AT&T, Inc., AT&T's data illustrates low rates of complaints about slamming and cramming. "Around 0.002 percent of AT&T's wireline customers directly complained, and an even smaller percentage complained through the FCC, about cramming or slamming." (p. 33). AT&T then includes a footnote stating that this data could very well overstate the actual incidence of cramming, because they include in their data cramming complaints, even when the service provider is able to establish a valid authorization for the contested transaction. Indeed, since tracking complaints in early 2008, the number of cramming complaints has never exceeded 2 complaints for every thousand bills that contain third-party charges in any month.

III. BCI's Liberal Dispute Resolution Process Can Be Improved with Bill Format Changes

In addition to cramming, dispute resolution is a critical concern for BCI. Based on BCI's 23 years in the industry, we know that consumer satisfaction directly correlates with how efficiently a dispute can be resolved. BCI requires all service providers to maintain consumer satisfaction policies.

The focus for BCI and its service provider customers is to ensure the consumer is satisfied by answering calls in a timely manner, in addition to adequately addressing consumer concerns. As previously discussed in its comments, BCI maintains a liberal credit policy, our toll free number appears on every consumer's bill, and our customer service call center is open Monday through Friday, from 7 A.M. to 9 P.M. Central Standard Time.

BCI maintains its position that by allowing the third party service provider's contact number to be placed on the phone bill, instead of the billing aggregator's phone number, it would help alleviate many escalations in the dispute resolution process. BCI believes that consumers should not have to contact multiple parties for resolution, and the service provider for whom they have the relationship, will have the ability to answer any questions, access the sign-up information as well as resolve their dispute. BCI is an advocate for having the third party service provider's name or logo in large font placed at the top left corner of the page, instead of the billing aggregator's, which would help alleviate consumer confusion as to which company originated the charge.

IV. Bill Format Changes and Consumer Education Can Increase Consumer Awareness

In addition, BCI believes that proper bill labeling and consumer education is the key to alleviating consumer confusion. BCI agrees that a comprehensive government-wide consumer education outreach effort would be beneficial to the consumers. These community outreach

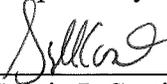
programs should be put on by the Commission to include leaders in the telecommunications industry, such as the LECs, billing aggregators and third party service providers. This would allow for the most comprehensive range of information, and the likelihood of compliance will be greatly enhanced.

BCI supports the Minnesota Office of the Attorney General to encourage the Commission to consider prohibiting the billing agents name, or at the very least, requiring the actual third party service provider to “be the most prominently featured name associated with the third party charges.”² If the billing agent’s name must be listed, BCI also agrees that it should be listed after the actual third party service provider, and identified in equal or smaller font, so that the focus is on the entity that has the relationship with the consumer.

IV. Conclusion

BCI is committed to continue to combat cramming, help facilitate more streamlined dispute resolution processes, and assist in consumer education. As an industry leader, and proponent of reducing and/or eliminating cramming, BCI urges the Commission to consider these Reply Comments when determining what action, if any, the Commission ultimately decides upon concerning cramming, dispute resolution and Truth-in-Billing.

Respectfully submitted,



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² Comments of the Office of the Minnesota Attorney General, filed October 13, 2009 (Page 5)