

**Before the
Federal Communications Commission
Washington, DC 20554**

In the Matter of)
) CG Docket No. 09-158
Measures Designed to Assist U.S. Wireless)
Consumers to Avoid “Bill Shock”)
)

COMMENTS OF CTIA – THE WIRELESS ASSOCIATION®

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CTIA – The Wireless Association® (“CTIA”)¹ respectfully submits these comments to the Public Notice in the above captioned proceeding.² CTIA urges the Federal Communications Commission (“FCC” or “the Commission”) not to regulate consumer tools for account management because it is unnecessary. Carriers already provide these tools, the market is innovating to bring new tools, and carriers have incentives to meet customers’ needs in a competitive market. The high levels of customer satisfaction with wireless services and providers are demonstrated not only in the Commission’s own survey, but also in a recently-completed Government Accountability Office survey. The Commission should not be focused on its own analysis of a survey that is flawed in many ways. Rather, the Commission should work with wireless carriers to educate wireless consumers of their available options, and should not prescribe – and ultimately limit – carriers’ ability to provide effective consumer account management tools. These competitive initiatives are inherently more effective and responsive than any formal regulatory process.

¹ CTIA – The Wireless Association® is the international organization of the wireless communications industry for both wireless carriers and manufacturers. Membership in the organization covers Commercial Mobile Radio Service (“CMRS”) providers and manufacturers, including cellular Advanced Wireless Service, 700 MHz, broadband PCS, and ESMR, as well as providers and manufacturers of wireless data services and products

² Public Notice, *Comment Sought on Measures Designed to Assist U.S. Wireless Consumers to Avoid “Bill Shock,”* 25 FCC Rcd 4838 (May 11, 2010) (“Bill Shock Public Notice”).

I. INTRODUCTION AND SUMMARY

With wireless carriers constantly striving to meet consumers' needs in the competitive market by enhancing their plans and service offerings, it comes as no surprise that several recent studies, including the Commission's own survey, have confirmed that wireless consumers are overwhelmingly satisfied with their wireless service. Currently, carriers provide their customers with myriad tools to monitor their accounts and use of services on their devices, on the web, and through alerts, and new tools are becoming available. The wireless industry's continuous introduction of consumer protection and account management tools are driven by rapidly-evolving consumer expectations in a dynamic marketplace. The account management tools detailed herein are satisfying the needs of the vast majority of consumers through constant innovation spurred by the competitive wireless market. It is concerning, then, that the FCC's Public Notice, News Release and Staff Paper make much fanfare of the unsupported term "bill shock" to buoy potential rules in this space. In fact, the publicly available survey questions did not use the term, survey participants were not asked whether they had experienced "bill shock," and the Commission has not made public the complete set of survey responses to determine whether participants described their experiences as "shock."

Notwithstanding the proposals in the Public Notice,³ this proceeding provides a valuable opportunity to educate consumers about how they can better manage their

³ The Commission's proposal to use the European Union ("EU") regulations specified in the Public Notice as a guide for potential U.S. regulations is – quite candidly – perplexing. The Commission's attempt to justify the proposed initiatives by analogizing them to the EU *international roaming* alerts is difficult to comprehend because the international roaming issues in Europe are far from a factual predicate for the type of *domestic* regulation proposed in this Public Notice. The EU regulations at issue govern notifications of international roaming charges, or international termination tariffs, and do not provide any guidance on the excessively broad goal of instituting usage alerts and cut-off mechanisms for *domestic* data, text and voice

wireless use. The information provided herein is readily available from numerous carriers and has been previously submitted to the Commission by CTIA and carriers. Wireless carriers already go to great lengths to keep their customers satisfied and informed by providing numerous features and tools on various platforms to track use. Therefore, the Commission should take this opportunity to work with the wireless carriers who already are innovating in this area to educate consumers on the available tools and services for monitoring wireless use.

II. CARRIERS PROVIDE WIRELESS CONSUMERS WITH A VARIETY OF TOOLS TO MONITOR THEIR ACCOUNTS AND USE OF SERVICES ON THEIR DEVICE, ON THE WEB, AND THROUGH ALERTS

Mandatory usage alerts and cut-off mechanisms are unnecessary because the wireless industry already provides consumers with an array of tools to monitor their accounts and use of various services on many different platforms.

A. Postpaid Wireless Customers Can Check Their Monthly Use on the Web, by Dialing Shortcuts From Their Phone, or on the Device Itself

Postpaid wireless customers are able to check their monthly use via the web, by dialing shortcuts from their mobile device, or using applications on their smartphone. Numerous wireless providers, including AT&T, Cellcom, SouthernLINC, Sprint Nextel, T-Mobile, U.S. Cellular, Verizon Wireless, and others provide consumers the ability to check monthly use via the web or by dialing shortcuts from their mobile device.⁴

use. The inapposite application of international roaming regulations the Commission attempts to use as a “guide” for potential regulations evidences a vivid disparity for the Commission’s proposed initiatives.

⁴ See Christopher Guttman-McCabe, *Consumer Tip: How to Manage Your Wireless Account*, CTIA Blog (May 12, 2010), available at <http://www.ctia.org/blog/index.cfm/2010/5/12/Consumer-Tip-How-to-Manage-Your-Wireless-Account> (last accessed June 28, 2010). See also, AT&T, *MyWireless*, <https://www.att.com/olam/dashboardAction.olamexecute> (create and sign into “mywireless” account to check usage) (last accessed June 25, 2010); Cellcom-Clearly the Best, *Support*, http://www.cellcom.com/faq_qa.html?categoryid=2 (last visited July 6, 2010)(MyCellcom allows users to

Customer Control and Management Tools

Many wireless carriers also provide additional tools for managing use. For example, AT&T, T-Mobile and Verizon Wireless provide methods of parental control or plan monitoring that allow subscribers to limit allotted minutes, messages, and downloads each month.⁵ These features let customers set voice and messaging allowances; receive free text alerts when a family member nears or reaches their limit; designate specific times of day when a family member can't call, message or use data on his or her cell phone (calls to other account members and 911 are always allowed); and create lists of blocked phone numbers to prevent unwanted calls and text messages from being sent or received.

view recent invoices, make payments and check minutes, data and messaging use); SouthernLINC, *MyLINC*, <http://www.southernlinc.com/managemyaccount.asp> (MyLINC Office allows you to log into your account and make changes with the click of a button. Once you add the MyLINC Office feature, come back to this page to change or configure email accounts. Go to webpage and click on "Customer Support" in the horizontal toolbar and then "manage my account") (last accessed June 25, 2010); Sprint, *Check My Usage*" http://www.sprint.com/index_c.html (click at bottom on "check my usage" at bottom of page) (last accessed June 25, 2010); T-Mobile, *My T-Mobile*, http://www.t-mobile.com/shop.aspx?WT.srch=1&WT.mc_id=151m1 (click on "My T-Mobile" in the top right corner of the screen to register and to sign in and check minutes and messages used) (last accessed June 25, 2010); U.S. Cellular, *Login*, <http://www.uscellular.com/uscellular/> ("Login" in the top of the screen and there one can view minutes used) (last accessed June 25, 2010); Verizon Wireless, *MyVerizon*, <http://www.verizonwireless.com/b2c/index.html> (click on "MyVerizon" in task bar and usage can be viewed upon login) (last accessed June 25, 2010).

⁵ See, e.g., AT&T, *Smart Limits*, <http://www.wireless.att.com/learn/articles-resources/parental-controls/smart-limits.jsp> (AT&T Smart Limits allows users to determine specifically how and when your child can use the phone such as times of day as well as number of text messages and minutes used per month and gives a warning when the child reaches their limit for texts or minutes) (last accessed June 25, 2010); T-Mobile, *Family Allowances*, https://www.t-mobile.com/shop/addons/services/information.aspx?PAsset=FamilyWireless&tp=Svc_Tab_FW101FamilyAllowances&WT.z_unav=mst_disc_save_FA ("Family Allowances" allows you to determine how many minutes, messages, and downloads each person in a family plan gets. Once enrolled, if a family member reaches an allowance, you'll be automatically notified and their service will temporarily be disabled. There are settings to always allow certain numbers called, even after a family member reaches their allowance. Also, you can change allowances at any time) (last accessed June 25, 2010); Verizon Wireless, *Parental Controls: Take Control*, https://wbillpay.verizonwireless.com/vzw/nos/uc/uc_overview.jsp (Parental Controls can limit child's use of phone in terms of minutes and text messages) (last accessed June 25, 2010).

Text-Based Alerts

Most importantly, wireless carriers already provide the specific features that the FCC seeks to regulate: usage alerts via text message and cut-off mechanisms. For example, U.S. Cellular provides a free program entitled “Overage Protection.”⁶ If a customer signs up for this program, U.S. Cellular will send a text message alert when the subscriber is nearing or at the point where overage charges will be incurred for voice or text message use.⁷ Sprint Nextel offers its “Spending Limit Program.” This program allows users to set a maximum balance their account can reach at a given time, either per phone or for the account as a whole. This ensures that when the subscriber reaches their limit, their service is cut off until the next month.⁸

⁶ U.S. Cellular, *Overage Protection*, <http://www.uscellular.com/uscellular/common/common.jsp?path=/overage-protection/index.html> (last accessed June 25, 2010).

⁷ *Id.*

⁸ Sprint, *Learn about the Spending Limit Program*, http://support.sprint.com/support/article/Learn_about_the_Account_Spending_Limit_program/case-wh164052-20100120-111115 (last accessed June 10, 2010).

	Trial period	Point of sale information/documentation	Ability to change plan w/o contract extension	Ability to purchase service w/o a contract (prepaid)	Ability to check use info/balance from web site, device	Post-paid plan bill shock preventative tools	Provides international roaming information/alerts	Ability to bring your own phone	Ability to pay full price for a handset and take service w/o a contract
AT&T	30-day ⁱ	Follows CTIA Consumer Code	Yes ⁱⁱ	Yes ⁱⁱⁱ	Yes ^{iv} , dial *BAL# for account balance, *MIN# for minutes, and *DATA# for data use	Smart Limits - determine how and when the phone can be used and sends an alert when the limit for texts or minutes is reached ^v	Yes ^{vi} /No	Yes ^{vii}	Yes ^{viii}
Sprint Nextel	30-day ^{ix}	Follows CTIA Consumer Code	Yes ^x	Yes ^{xi}	Yes ^{xii} , dial *2 for use and balance, and *4 for minutes balance	Spending Limit - set a max balance for a given time. For multiple phones accounts, users set spending limits per phone ^{xiii}	Yes ^{xiv} /No	Yes ^{xv}	Yes ^{xvi}
T-Mobile USA	14-day (30 days in CA) ^{xvii}	Follows CTIA Consumer Code	Yes ^{xviii}	Yes ^{xix}	Yes ^{xx} , dial #MSG# for text balance, #MIN# for minutes used, #BAL# for current balance	Use Controls - set allowances for voice and texts, and set times when calls, texts and data are restricted ^{xxi}	Yes ^{xxii} /Yes ^{xxiii}	Yes ^{xxiv}	Yes ^{xxv}
Verizon Wireless	30-day ^{xxvi}	Follows CTIA Consumer Code	Yes ^{xxvii}	Yes ^{xxviii}	Yes ^{xxix} , dial #BAL for balance, #MIN for minutes balance, #DATA for text and data use	Family Allowances - set the minutes, messages, and downloads each person gets; automatic notice upon reaching allowance ^{xxx}	Yes ^{xxxi} /Yes ^{xxxii}	Yes ^{xxxiii}	Yes ^{xxxiv}

	Trial period	Point of sale information/documentation	Ability to change plan w/o contract extension	Ability to purchase service w/o a contract (prepaid)	Ability to check use info/balance from web site, device	Post-paid plan bill shock preventative tools	Provides international roaming information/alerts	Ability to bring your own phone	Ability to pay full price for a handset and take service w/o a contract
Cricket Wireless	30-day ^{xxxv}	Follows CTIA Consumer Code	Yes ^{xxxvi}	Yes ^{xxxvii}	Yes, ^{xxxviii} dial *PAY or *611 for account balance	No post-paid plans	International Roaming requires the purchase of roaming minutes, therefore overage is impossible ^{xxxix}	Yes ^{xl}	Yes ^{xli}
Metro PCS	30-day ^{xlii}		Yes ^{xliii}	Yes ^{xliiv}	Yes ^{xlv} , dial *99 or 611 for account balance.	No post-paid plans	Does not provide international roaming	Yes ^{xlvi}	Yes ^{xlvii}
US Cellular	30-day ^{xlvi}	Follows CTIA Consumer Code	Yes ^{xlix}	Yes ^l	Yes ^{li} , dial #BAL (#225) for current balance, voice minutes and text messages	Overage Protection - set allowances for voice and text, alerts when subscriber is nearing or over limit ^{lii}	Yes ^{liii} /No	No ^{liv}	Yes ^{lv}
TracFone Wireless	30-day ^{lv}		Yes ^{lvii}	Yes ^{lviii}	Yes ^{lix} , voice balance and service end date displayed on device	No post-paid plans	Does not provide international roaming	No ^{lx}	Yes ^{lxi}
Southern LINC Wireless	15-day ^{lxii}	Follows CTIA Consumer Code	Yes ^{lxiii}	Yes ^{lxiv}	Yes ^{lxv} , dial 646 to hear how many peak and off-peak minutes you have used in your current billing period	Budget Manager Plan - fixed amount of minutes, so no overage charges ^{lxvi}	Does not provide international roaming	Yes ^{lxvii}	Yes ^{lxviii}

Applications

Consumers can easily track their use on smartphones through the numerous applications available to users, on virtually every available platform, to track minutes, data, and text messages.⁹ Some applications even offer the exceeded limit alerts that the Commission inquires about addressing through potential regulation.¹⁰ Additionally, these applications allow the user to track minutes and messages used or remaining, add features, view bill details, and review previous payments. For example, the Blackberry application entitled, “Mobile Minutes Tracker Premium” notifies the wireless user of their current minute balance, data plan balance, text message use, bill details, previous payments, and overcharge protection alerts. Additionally, wireless carriers, including MetroPCS, T-Mobile, and Verizon Wireless, offer applications that allow a user to track their account on an application (or “app”).¹¹ Accordingly, the wide range of available tools makes it very easy for consumers to track their wireless use.

⁹ See, e.g., iTunes, *MyWireless Application*, <http://itunes.apple.com/app/at-t-mywireless-mobile/id309172177?mt=8> (MyWireless Application to track minute, message and broadband usage) (last accessed June 8, 2010); DroidApps, *Netcounter-Monitor Data Usage on the Droid*, <http://www.droidapps.org/netcounter-monitor-data-usage-on-the-droid/> (Netcounter Application keeps track of data usage on your mobile phone and provides fro exceeded limit alerts) (last accessed June 8, 2010); Antroid Tapp, *Minutes Tracker Android App Review*, <http://www.androidtapp.com/minutes-tracker/> (Minutes Tracker for Android: allows you to keep a track on your T-Mobile cellular minutes) (last accessed June 8, 2010).

¹⁰ See, e.g., Blackberry App World, *Mobile Minutes Tracker Premium*, <http://appworld.blackberry.com/webstore/content/2617> (Blackberry’s Mobile Minutes Tracker Premium provides current minute balance, rollover minutes, data plan balance, SMS use, bill details, previous payments, and overcharge protection alerts) (last accessed June 8, 2010).

¹¹ See, e.g., MetroPCS, *MyMetro User Guide*, http://www.metropcs.com/products/mymetro/mymetro_guide.aspx (MyMetro Application to track usage or “MyMetro” online to manage MetroPCS account and view account information, pay bill, add features and more directly from your mobile phone screen) (last accessed June 8, 2010); Android Tapp, *T-Mobile My Account*, <http://www.androidtapp.com/t-mobile-my-account/> (T-Mobile My Account App for Android: allows users to track minutes and messages used/remaining, bill summary) (last accessed June 8, 2010); Verizon Wireless, *MyVerizon Application for Blackberry*, <http://www.verizon-phones.org/verizons-%e2%80%9cmy-verizon%e2%80%9d-application-for-blackberry-now-available.html> (MyVerizon Application for blackberry: If you are a BlackBerry user on Verizon, including Curve 8330, Pearl 8130 and 8830 World Edition or a Storm device, you can access My Verizon by downloading the application. The application allows users to check minutes and data usage, view account balance, make payments, view

Data Use Tools

The ability to track usage on the web or on customers' devices also extends to data plans. Verizon Wireless and Sprint Nextel, for example, offer mechanisms for customers to manage data use by checking their use on their provider's website.¹² In addition, the Apple iPad's operating system allows the user to track data use in "Settings" and provides onscreen messages as the user gets close to their monthly data limit.¹³ The most recent development, though, is the newest feature of Apple's latest iPhone operating system, iOS4, which notifies users of how large a photo attachment is *before* they send it and offers options for scaling it down to reduce file size and save bandwidth. These options allow consumers to easily track, and possibly limit, their data use.¹⁴

plan, add/remove features and change their voicemail passwords directly on the handset.) (last accessed June 8, 2010).

¹² See EVDOinfo.com, *EVDOinfo Tip of the Week #15: Monitor Your Sprint/Verizon/AT&T Data Usage*, <http://www.evdoinfo.com/content/view/2860/63/> (March 4, 2010) (last accessed June 28, 2010).

¹³ See, e.g., Apple, iPad-Stay Connected Everywhere You Go, <http://www.apple.com/ipad/3g/> (As you get close to your monthly data limit, you'll receive onscreen messages to help you decide whether to upgrade to another 250MB or switch to the unlimited plan. You can also check your data usage anytime in Settings.) (last accessed June 28, 2010).

¹⁴ The Commission sought comment in the Public Notice on the extent to which usage information is currently accessible via wireless devices by people with disabilities. Public Notice at 2. As CTIA has stated in numerous filings and before Congress, built-in accessibility features on mobile devices and applications downloadable to smartphones enable persons with disabilities to utilize the account management tools outlined above. See, e.g., A National Broadband Plan for Our Future, Comment Sought on Broadband Accessibility for People with Disabilities Workshop II: Barriers, Opportunities, and Policy Recommendations – NBP Public Notice #4, GN Docket No. 09-51, 09-47, 09-137 at 1-8 (filed October 6, 2009), available at http://files.ctia.org/pdf/filings/091006_CTIA_NBP_PN_4_Accessibility_Comment.pdf (last accessed July 6, 2010); Testimony of Bobby Franklin, Executive Vice President, CTIA – The Wireless Association®, Before the U.S. House of Representatives, Subcommittee on Communications, Technology and the Internet at 1-9 (June 10, 2010), available at <http://energycommerce.house.gov/documents/20100610/Franklin.Testimony.2010.06.10.pdf> (last accessed July 6, 2010). For example, account management tools available over wireless devices are typically offered in text based formats, which are accessible to the deaf or consumers with hearing loss. For the blind or consumers with low vision, these same text based account management tools may be utilized by screen reading, text-to-speech or text magnification features and applications. The blind or consumers with low vision also have a voice option to call customer service hotlines for account management information.

B. International Use of a Wireless Phone with a Postpaid Plan Can Be Easily Monitored

When consumers travel internationally, wireless carriers and independent applications developers provide numerous tools that allow consumers to monitor their use of international services on their devices, on the web, and through alerts. Most providers offer guidance to consumers on how to limit their use or to control wireless costs when travelling internationally.¹⁵ For example, AT&T, Sprint Nextel, T-Mobile, and Verizon Wireless provide a number of resources on their websites for customers planning to use their wireless devices while traveling internationally.¹⁶ Their sites include information on how to get the best international voice and data rates and offer tips and tutorials for customers traveling abroad.¹⁷ Many providers also allow customers to control their international data use by shutting off data services on their device, thereby preventing international data roaming.¹⁸ Additionally, smartphone users can download applications that track international use.¹⁹ For example, the Blackberry application called “e-office Mobile Data Alerter” allows consumers to monitor international data use, set up specified

¹⁵ The Commission’s recent “Wireless World Travel Week” released a great deal of information to consumers on available wireless resources while traveling internationally. CTIA applauds the Commission’s cooperative effort with the wireless industry to provide information that is easily accessible by consumers and is willing to partner with the Commission on similar consumer education and outreach programs in the future. FCC, *Wireless World Travel Made Simple*, <http://www.fcc.gov/worldtravel/> (last accessed July 6, 2010).

¹⁶ See AT&T, *International Calling Rates and Packages*, www.att.com/global (last accessed June 8, 2010); Sprint, *Travelling Internationally*, http://shop.sprint.com/en/services/worldwide/travelabroad_sprint.shtml (last accessed June 8, 2010); T-Mobile, *What do I need to do before using my phone while travelling internationally?*, <https://support.t-mobile.com/doc/tm22038.xml?related=y&Referring%20Related%20DocID%20List%20Index=1&docid=694&navtypeid=6&pagetypeid=7&prevPageIndex=4> (last accessed June 8, 2010); Verizon Wireless, *International Services*, www.verizonwireless.com/global (last accessed June 8, 2010).

¹⁷ See, e.g., AT&T, *iPhone Travel Tips*, <http://www.wireless.att.com/learn/international/roaming/iphone-travel-tips.jsp> (last accessed June 28, 2010) (providing a set of travel tips specifically for use of the iPhone while travelling outside of the United States to reduce or eliminate unwanted expenses).

¹⁸ *Id.*

¹⁹ See FCC, *Information on International Calling from Wireless Providers, VoIP Services, and Smartphone Manufacturers* <http://www.fcc.gov/worldtravel/WWTWproviders.html> (“FCC Wireless World Travel”) (last accessed June 28, 2010).

alerts based on use, and see what applications currently running on their device are consuming their data allocation.²⁰

Many carriers also provide use tracking options on the phone itself²¹ and some carriers provide customers with alerts regarding international use.²² For example, Verizon Wireless sends a free text message to customers when they turn on their phone in a foreign county welcoming them to the country, providing dialing instructions for calling from that country back to the U.S., and sending them the 24/7 customer service number for global customers.²³ If the customer is located in a country with a CDMA provider, Verizon Wireless also provides the customer with the data roaming rates for that country.²⁴ Moreover, Verizon Wireless mobile broadband customers operating their devices outside of the U.S. must click-through a disclosure screen providing information about potential data charge rates before being allowed to connect.²⁵ Also, T-Mobile customers, once registered on foreign carriers' networks, receive the following free text message alerting customer to check settings: "Free T-Mobile Msg: CAUTION: Charges while roaming are higher for voice, web, email & applications."²⁶ Therefore, wireless customers are made aware of the cost of using their phone internationally and methods of tracking such use.²⁷

²⁰ Blackberry App World, *e-Office Mobile Data Alerter*, <http://appworld.blackberry.com/webstore/content/1807> (last accessed June 28, 2010).

²¹ *See, e.g.*, FCC Wireless World Travel.

²² *Id.*

²³ *Id.*

²⁴ *Id.*

²⁵ *Id.*

²⁶ *Id.*

²⁷ One must be mindful that, in the context of international roaming, roaming charges may not show up on a user's bill within the same billing cycle as the use. Although any account management regulation would apply to a user's carrier, the roaming billing record transmitted by the visited carrier is not within the user's carrier's control. If a carrier does not receive intercarrier roaming records on a timely basis, it cannot comply with the rule. This may result in carriers scaling back roaming arrangements because roaming partners may be unable or refuse to send "real time" roaming records. Obviously, such a development

C. Prepaid is an Excellent Alternative With Virtually No Billing Surprises

Prepaid services are always an option if a consumer is concerned about excessive use on postpaid plans. With prepaid wireless service, a user cannot be surprised by a monthly bill because he or she pays for use upfront. Additionally, many prepaid carriers, including TracFone Wireless,²⁸ Cricket Communications,²⁹ and MetroPCS,³⁰ provide their customers with the ability to check use online on their websites, where the subscriber can also buy minutes. TracFone's Airtime Balance Display helps customers control use by showing how much airtime has been used and how much remains on the screen of the device and notifying the subscriber when more minutes are needed.³¹ For this reason, prepaid service provides a fantastic option for those who are concerned about or want to limit use because it is not possible to be surprised by a bill when you prepay for your service.

Prepaid service has become a popular option for wireless subscribers, with over 30 providers and almost 58 million prepaid and pay-as-you go subscriptions at year-end 2009. Prepaid wireless subscribership equaled 20.3 percent of all estimated wireless connections and 18.5 percent of the combined U.S. and territorial population at year-end

would negatively impact consumers. *See, e.g.,* Plan Terms-Wireless from AT&T, <http://www.wireless.att.com/cell-phone-service/legal/plan-terms.jsp> (last accessed July 6, 2010) (“Calls placed on networks served by other carriers may take longer to be processed, and billing for these calls may be delayed. . . Billing for domestic and international roaming usage may be delayed up to three billing cycles due to reporting between carriers.”)

²⁸ TracFone, *My Account* <https://www.tracfone.com/direct/MyAccount?app=TRACFONE&lang=en> (last accessed June 25, 2010) (My account allows the user to manage and keep track of your TracFone activity).

²⁹ Cricket, *MyCricket*, <https://account.mycricket.com/> (last accessed June 25, 2010) (MyCricket allows you to track payments made, usage, change plans, add minutes, and more).

³⁰ MetroPCS, *My Account*, <http://www.metropcs.com/> (Subscribers can check their usage on the web and in the top right corner scroll the cursor over “Support” and click on “My Account” to manage your MetroPCS account online. Also, MetroPCS notifies you during any TravelTalk call, which would be outside the MetroPCS network, how much money you have remaining.) (last accessed June 25, 2010).

³¹ TracFone, *Phone and Service Information*, http://www.tracfone.com/seo_info.jsp?task=about¤tView=prepaid_wireless_phone (last accessed June 25, 2010).

2009.³² Prepaid providers service a large portion of the United States population, and consumers have numerous choices among prepaid providers.

FCC rules in this space are unnecessary and, in fact could do more to harm consumers. Specifically, while it is clear that carriers would exceed the “spirit” of any notification requirements that might be proposed today, they may not meet the “letter” of the final rule. To the extent a carrier finds that it must change its operational support systems and billing software to comply with the FCC rule, it will likely focus on satisfying the “letter” of the rule in order to ensure compliance. Any such rule risks becoming a “ceiling” for consumer account notifications and not a basis on which carriers will compete and innovate.³³ A second problem with FCC regulation in this area is that it necessarily will seek to address current wireless industry rate and billing structures. This may have the unintended effect of slowing or preventing the industry’s continued rate structure innovation as carriers deploy 4G and IP-based services and experiment with new rate plans and services.

Therefore, the numerous account management tools available to postpaid and prepaid wireless customers to check use via the web, dialing shortcuts, or using the device or “apps” to help prevent incurring overage charges, benefit wireless users and enhances customer satisfaction.

III. WIRELESS CONSUMERS ARE OVERWHELMINGLY SATISFIED WITH THEIR WIRELESS SERVICE, A FACT THAT CANNOT BE SKEWED BY A FLAWED “BILL SHOCK” SURVEY

Providers regularly offer new or different services in response to consumers’ demands in their constant effort to enhance customer satisfaction. Along these lines,

³² CTIA, *Prepaid Wireless Service in the United States: A Snapshot from CTIA based on CTIA’s Semi-Annual Wireless Industry Survey Results: Year-End 2009 Results* (March 2010).

³³ Moreover, large carriers are able to spread these compliance costs over more customers, thereby realizing a potential competitive advantage and creating a disproportionate problem for smaller carriers.

numerous studies have confirmed that wireless consumers are tremendously satisfied with their wireless service. First, the Commission's own study, released on May 26, 2010, confirmed that 92 percent of American consumers are satisfied with their wireless service overall.³⁴ Moreover, the Government Accountability Office ("GAO") conducted a study at the request of Congress that confirmed the wireless industry innovates and adjusts to meet the needs of its customers in the competitive wireless market. The GAO study found that, "[i]n response to the areas of consumer concern . . . , wireless carriers have taken a number of actions in recent years. For example, officials from the four major carriers, Verizon Wireless, AT&T, Sprint Nextel, and T-Mobile, reported taking actions such as prorating their early termination fees, offering service options without contracts, and providing Web-based tools consumers can use to research a carrier's coverage area, among other efforts."³⁵ The GAO's finding complements the recent American Consumer Satisfaction Index that found wireless customer satisfaction set an all-time high for the second consecutive year,³⁶ and the Better Business Bureau finding that 97.4 percent of complaints by consumers about their wireless service are resolved.³⁷

The Commission's conclusions based on its survey do not match with these other results. An initial problem with the News Release and Staff Paper is the use of the term "bill shock." Concluding that 30 million Americans have experienced "bill shock" is one

³⁴ Federal Communications Commission, News Release, *FCC Survey Finds 4 Out Of 5 Americans Don't Know Their Broadband Speeds*, available at http://hraunfoss.fcc.gov/edocs_public/attachmatch/DOC-298525A1.doc (June 1, 2010).

³⁵ GAO, *Testimony Before the Committee on Commerce, Science, and Transportation, United States Senate: Preliminary Observations about Consumer Satisfaction and Problems with Wireless Phone Service and FCC's Efforts to Assist Consumers with Complaints*, available at <http://www.gao.gov/new.items/d09800t.pdf> (June 17, 2010).

³⁶ American Customer Satisfaction Index, ACSI Commentary May 2010, http://www.theacsi.org/index.php?option=com_content&task=view&id=216&Itemid=230 (last accessed June 28, 2010).

³⁷ BBB of Northeast Florida: News Center, *Complaints to Better Business Bureau Up Nearly 10 Percent in 2009*, <http://northeastflorida.bbb.org/NewsStory.asp?sid=100308Cmpl> (March 8, 2010) (last accessed June 28, 2010).

of the primary concerns. The survey itself fails to persuasively establish the existence of any pervasive “bill shock” resulting in “consumer confusion.”³⁸ The FCC chose to define “bill shock” as “a sudden increase in [consumers’] monthly bill when they have not changed their service plan.” However, the Commission provides no basis for using the term “bill shock” in any kind of “fact-based” or data-driven inquiry. A review of the actual survey questions reveals that the term was never used and survey participants were not asked whether they had experienced “bill shock.”³⁹ It is not clear whether any survey participants ever characterized their experience as any sort of “shock” as the FCC has not released the complete set of survey responses.

A finding of “bill shock” is inconsistent with the survey questions as posed to respondents. The Commission’s “bill shock” finding seems to derive from two questions in the survey. Question 52 asked respondents if their “cell phone bill ever increased suddenly, from one month to the next, even if [they] did not change the calling or texting plan on [their] phone.”⁴⁰ Question 53 then asked “Do you happen to remember how big the most recent increase was?” and proposed several ranges of bill increases, from “\$1 to \$24” to “\$100 or more.”⁴¹ These questions raise troubling issues. First, of the over 3,000 people interviewed, only 13 percent had *ever* experienced a sudden increase from one month to the next. Moreover, the questions did not differentiate between a “sudden increase” based on a significant increase in use, or a change in use patterns. The survey questions also did not ask whether the bill, upon receipt, was a “shock.” Second, as

³⁸ Federal Communications Commission, News Release, *FCC Survey Confirms Consumers Experience Mobile Bill Shock and Confusion About Early Termination Fees*, available at http://hraunfoss.fcc.gov/edocs_public/attachmatch/DOC-298415A1.pdf (May 26, 2010).

³⁹ See Abt/SRBI and Princeton Survey Research Associates International for Federal Communications Commission, *Wired and Wireless Internet Survey, FINAL Questionnaire* (Mar. 19, 2010) (“FCC Survey”), available at <http://blog.broadband.gov/?entryId=479436> (last accessed July 2, 2010).

⁴⁰ See FCC Survey at 23, Q52.

⁴¹ See *id.* Q53.

phrased, Question 52 permitted respondents to answer affirmatively – *i.e.*, that they had experienced a sudden increase in their bill – even if they had changed their calling or texting plan, contrary to the FCC’s own definition of “bill shock.” Third, amazingly, Question 53 was not limited in time. Therefore, respondents could have recalled “sudden increases” from years ago and not reflecting today’s carrier practices, such as unlimited calling or texting plans or buckets of minutes/texts. Fourth, based on the bill increase ranges provided to respondents in Question 53, “bill shock” occurred if there was a “sudden increase” in a monthly bill of as little as \$1. It is questionable how this amount credibly could be characterized as a “shock,” particularly with the astronomical and steadily increasing level of taxation of wireless services at the state and local levels. Fifth, no survey question followed up with those respondents who reported a bill increase to ask whether they knew the reason for their sudden cell phone bill increase or if they were confused about the increase. With no change in plan, for example, if a subscriber with typical monthly use of 100 minutes increases minutes of use to 500 in a single month, a bill increase could result.⁴² Sixth, there were no follow-up questions that asked the respondents whether the bill increase had been resolved to their satisfaction after contacting their wireless provider.

A finding of “bill shock” is simply not supported by the FCC’s survey results. Despite the foregoing weaknesses in the survey questions (*e.g.*, the FCC seems to view *any* increase as bill shock) 87 percent of those surveyed did not respond that their cell phone bill had ever increased suddenly. In addition, a respondent with a bill increase *as*

⁴² It is important to note that the increased bills consumers may experience that are the focus of this proceeding do not come from fees tacked on to a bill or penalties for overage, but rather the costs of services rendered to the customer by their service provider. The higher bills that some consumers may experience result from using more than their allocated bucket of minutes, data, or text messaging, and wireless providers are entitled to compensation for services rendered.

low as \$1 is counted for purposes of establishing “bill shock.” Of the respondents who reported a sudden increase, 36 percent reported that their most recent increase was between \$1 and \$24, and 12 percent could not identify how big the increase was. This means that of the total respondents in the FCC survey, less than 9 percent, or *one in eleven*, mobile users recalled once experiencing a “bill shock” of \$25 or more in an unlimited period of time, for any number of unspecified reasons, including increased use. Even on the rare occasion that a customer has a problem with her or his bill, the industry works quickly to find a solution. This behavior is reflected in the results of the Better Business Bureau study *supra* finding that 97.4 percent of the complaints received are resolved by wireless providers.

In sum, the high satisfaction among U.S. consumers with wireless service, combined with the myriad shortcomings of the FCC survey, confirms that the best strategy for resolving outstanding issues surrounding unusually high bills is to work with wireless carriers and educate wireless consumers of the tools at their disposal.

IV. THE COMMISSION MUST NOT DISRUPT THE DELIVERY AND CONTINUED INNOVATION OF CONSUMER ACCOUNT MANAGEMENT TOOLS

The market has provided and continues to provide consumers with new and resourceful tools and services for tracking use. As explained above, wireless carriers across all platforms, from prepaid to postpaid and feature phones to smartphones, have provided parental controls, text message alerts, and cut-off mechanisms to allow consumers to monitor their use. As a result, wireless consumers have no shortage of options for tracking their wireless service.

Carriers understand that customers do not like surprises on their bill, so they clearly explain service plans in brochures, during the purchase of new phones, in customer agreements, and through confirmation letters in order to retain and acquire customers. Wireless carriers provide this information in their stores and online, as well as through customer service agents that answer questions over the phone. For example, Verizon Wireless publishes a quarterly customer booklet entitled “Your Guide” that is available to all customers in stores or via telesales. “Your Guide” contains extensive information about the company’s devices, services and plans, and provides information on how to obtain service and rates while placing or receiving calls or data in foreign countries.⁴³ Carriers regularly update and make available this type of information about services provided, because they are constantly improving tools and services for account management in order to ensure customer satisfaction.

Additionally, carriers are pushed to bring the most inventive methods of monitoring use to their customers because they understand that other wireless providers, who are their competitors, are offering new and innovative tools. The examples of U.S. Cellular’s free “Overage Protection” program⁴⁴ and Sprint Nextel’s “Spending Limit Program” highlighted *supra* innovate and change the marketplace and encourage providers to compete for the best tracking tools to keep and expand their subscriber bases. The Commission should allow the competitive market to continue to drive carriers to provide novel tools and services.

⁴³ FCC Wireless World Travel.

⁴⁴ U.S. Cellular, *Overage Protection*, <http://www.uscellular.com/uscellular/common/common.jsp?path=/overage-protection/index.html> (last accessed June 25, 2010).

While wireless providers are continually delivering and developing these tools to best serve their customers, the Commission must carefully consider the implications of the questions on which it seeks comment. For example, the Commission seeks to gather information on the feasibility of “real-time” use alerts similar to those required under the EU regulations,⁴⁵ without defining what constitutes “real-time” alerts. Any consideration of “real-time” notifications must carefully consider the technical characteristics of short message services (“SMS”). SMS is a person-to-person messaging service designed to facilitate short communications (up to 160 characters) between two wireless users or from a computer to a wireless user.⁴⁶ SMS is sent by one wireless subscriber or a computer, stored by the wireless carrier, and forwarded on to the recipient.⁴⁷ While carriers make every effort to deliver the messages in a timely manner, receipt of such messages may take time, depending on several factors, including: the receipt and storage of the SMS occurring without interruption, network congestion and latency issues, the recipient checking the device for such messages, and the recipients’ device being powered on, configured to receive the message and in a service area at the time of receipt.⁴⁸ Therefore, these types of alerts may not provide reliable “real time” notifications the Commission seems to assume in the Public Notice.⁴⁹

In addition to issues concerning the technical feasibility of wireless providers delivering truly “real-time” use alerts, there exists regulatory uncertainty over carriers’ ability to provide the alerts to consumers. The Commission currently has an open

⁴⁵ Public Notice at 2.

⁴⁶ *See Petition For a Declaratory Ruling that Text Messaging and Short Codes are Title II Services or Are Title I Services Subject to Section 202 Nondiscrimination Rules*, Comments of CTIA at 36, WT Docket No. 08-7 (filed Mar. 14, 2008).

⁴⁷ *Id.*

⁴⁸ *See, e.g., In the Matter of The Commercial Mobile Alert System*, 23 FCC Rcd 6144, ¶ 35 n.104 (2008).

⁴⁹ *See* Public Notice at 2.

proceeding proposing to harmonize its rules under the Telephone Consumer Protection Act (“TCPA”)⁵⁰ with the Federal Trade Commission’s (“FTC”) recently amended Telemarketing Sales Rule (“TSR”).⁵¹ Of particular concern to CTIA and its members, the Commission proposes to require parties to obtain telephone subscribers’ express written consent to receive autodialed or prerecorded calls even when there exists an established business relationship between the caller and the consumer.⁵² Commission precedent has held that a “call,” as regulated under the TCPA, includes SMS messages.⁵³

CTIA is concerned that this proposed rule change will overturn Commission precedent permitting free-to-the-end-user autodialed calls, prerecorded messages and text messages by wireless carriers to their customers without additional consent, including messages that some carriers send to alert customers to the fact that they may exceed their own text or voice limits.⁵⁴ As the Commission considers additional ways for carriers to provide information to customers, removing the ability to send information directly to them through their devices runs counter to that effort. Accordingly, CTIA urges the

⁵⁰ 47 U.S.C. § 227 (2005).

⁵¹ *Rules and Regulations Implementing the Telephone Consumer Protection Act of 1991*, Notice of Proposed Rulemaking, 25 FCC Rcd 1501 at ¶ 1 (Jan. 22, 2010) (“2010 NPRM”), *citing* Telemarketing Sales Rule, *Final Rule*, Federal Trade Commission, 73 Fed. Reg. 51164 (Aug. 29, 2008), *available at* <http://www.ftc.gov/os/fedreg/2008/august/080829tsr.pdf>.

⁵² 2010 NPRM at ¶¶ 2, 16, 20, and 28.

⁵³ In the 2003 TCPA Order, the Commission decided that TCPA applies to any call, including SMS. *See Rules and Regulations Implementing the Telephone Consumer Protection Act of 1991*, Report and Order, 18 FCC Rcd 14014 ¶ 165 (2003) (“Both the statute and our rules prohibit these calls, with limited exceptions, ‘to any telephone number assigned to a paging service, cellular telephone service, specialized mobile radio service, or other common carrier service, or any service for which the called party is charged.’ This encompasses both voice calls and text calls to wireless numbers including, for example, short message service (SMS) calls, provided the call is made to a telephone number assigned to such service.”).

⁵⁴ The Commission previously concluded that TCPA did not intend to prohibit FTEU autodialed or prerecorded calls or messages on the basis of the plain language of the statute. *See Rules and Regulations Implementing the Telephone Consumer Protection Act of 1991*, Report and Order, 7 FCC Rcd 8752 at ¶ 45 (1992) (“1992 TCPA Order”). *See also Rules and Regulations Implementing the Telephone Consumer Protection Act of 1991, Request of ACA International for Clarification and Declaratory Ruling*, Declaratory Ruling, 23 FCC Rcd 559 at ¶ 9 (2008) (“ACA Declaratory Ruling”)(holding that the TCPA “provides an exception for autodialed and prerecorded message calls for emergency purposes or made with prior express consent”).

Commission not to overturn the precedent establishing the FTEU exemption from TCPA for the sake of both carriers and consumers. Adoption of such a sweeping rule change would have negative repercussions for consumers and carriers because it would eliminate a customer-friendly, effective line of communication between subscribers and their providers.

V. CONCLUSION

For the reasons set forth above, the Commission should not regulate to institute usage alerts and cut-off mechanisms to help consumers monitor their use of data, text and voice services because the wireless industry already provides the tools. The competitive market drives wireless carriers to innovate and bring new plan monitoring tools to their

customers. Therefore, the Commission should take this opportunity to educate wireless consumers about what their wireless providers offer for managing their wireless accounts.

Respectfully submitted,

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Endnotes from Chart, pp. 6-7.

ⁱ <http://www.wireless.att.com/cell-phone-service/legal/return-policy.jsp> (Last accessed June 9, 2010).

ⁱⁱ See <http://www.wireless.att.com/answer-center/main.jsp?t=solutionTab&solutionId=KB61945> (Last accessed June 9, 2010).

ⁱⁱⁱ <http://www.wireless.att.com/cell-phone-service/go-phones/index.jsp> (Last accessed June 9, 2010).

^{iv} <https://www.att.com/olam/dashboardAction.olamexecute> (Last accessed June 9, 2010) (must create an account and sign in).

^v <http://www.wireless.att.com/learn/articles-resources/parental-controls/smart-limits.jsp> (Last accessed June 10, 2010).

^{vi} See www.att.com/global; Know Before You Go: <http://www.wireless.att.com/learn/international/roaming/know-before-you-go.jsp>; Verify Rates: <http://www.wireless.att.com/learn/international/roaming/international-roaming.jsp>; Travel Guide:

<http://www.wireless.att.com/learn/international/roaming/travel-guide.jsp>; FAQ on International Roaming:

<http://www.wireless.att.com/learn/international/roaming/faq.jsp> (Last accessed June 9, 2010)

^{vii} <http://choice.att.com/flash/customersdevices.aspx> (Last accessed June 9, 2010).

^{viii} <http://www.wireless.att.com/learn/basics/shopping-faqs.jsp#106> (Last accessed June 9, 2010).

^{ix} <http://www.sprint.com/landings/returns/> (last accessed June 9, 2010).

^x http://support.sprint.com/support/article/Change_your_plan_anytime_without_fees_or_extending_your_service_agreement/case-gz982789-20091023-165539 (Last accessed June 9, 2010).

^{xi} <http://www.boostmobile.com/about/mediacenter/index.html> (Last accessed June 9, 2010).

^{xii} http://www.sprint.com/index_c.html (Last accessed June 9, 2010) (click “check my usage”, log in required).

^{xiii} http://support.sprint.com/support/article/Learn_about_the_Account_Spending_Limit_program/case-wh164052-20100120-111115 (Last accessed June 10, 2010).

^{xiv} Information about travelling internationally with a Sprint phone:

http://shop.sprint.com/en/services/worldwide/travelabroad_sprint.shtml; International Voice:

<http://shop.sprint.com/en/services/worldwide/internationalcoverage.shtml>; International Data:

http://shop.sprint.com/en/services/worldwide/intl_data_services_coverage.shtml (Last accessed June 9, 2010).

^{xv} See http://nextelonline.nextel.com/en/legal/legal_terms_privacy_popup.shtml (Last accessed May 29, 2009)

^{xvi} See http://www.t-mobile.com/Templates/Popup.aspx?PAsset=Ftr_Ftr_TermsAndConditions (Last accessed May 29, 2009)

^{xvii} *Id.*

^{xviii} http://www.t-mobile.com/Templates/Popup.aspx?PAsset=Ftr_Ftr_TermsAndConditions&print=true&WT.srch=2&Result_Inq=answer&InqSource=TMO (Last accessed Dec. 7, 2009) (although some promotional plans require customer to sign another service contract).

^{xix} <http://www.t-mobile.com/shop/plans/Prepaid-Plans.aspx> (Last accessed June 9, 2010).

^{xx} http://www.t-mobile.com/shop.aspx?WT.srch=1&WT.mc_id=151m1 (Last accessed June 9, 2010) (click on “My T-Mobile” in the top right corner of the screen to register and to sign in and check minutes and messages used)

^{xxi} https://wbillpay.verizonwireless.com/vzw/nos/uc/uc_overview.jsp (Last accessed June 10, 2010).

^{xxii} What to do before using your phone while traveling internationally: <https://support.t-mobile.com/doc/tm22038.xml?related=y&Referring%20Related%20DocID%20List%20Index=1&docid=694&navtypeid=6&pagetypeid=7&prevPageIndex=4>; International Roaming Information: http://www.t-mobile.com/International/RoamingOverview.aspx?tp=Inl_Tab_RoamWorldwide (Last accessed June 9, 2010).

^{xxiii} Once registered on foreign carriers’ networks, customers receive the following free text message alerting customer to check settings: “Free T-Mobile Msg: CAUTION: Charges while roaming are higher for voice, web, email & applications. Alter device settings or call +1-505-998-3793 for rates.”

^{xxiv} http://www.t-mobile.com/Templates/Popup.aspx?PAsset=Ftr_Ftr_TermsAndConditions&print=true&WT.srch=2&Result_Inq=answer&InqSource=TMO (Last accessed June 9, 2010) (see number six).

^{xxv} http://www.t-mobile.com/shop/plans/Cell-Phone-Plans.aspx?catgroup=Individual&WT.z_shop_plansLP=individual (Last accessed June 9, 2010) (Even More Plus plans have no annual contract with phones sold at retail prices).

^{xxvi} http://www.verizonwireless.com/b2c/globalText?textName=RETURN_POLICY&jspName=footer/returnPolicy.jsp (Last accessed June 9, 2010).

^{xxvii} <http://news.vzw.com/news/2007/10/pr2007-10-01a.html> (Last accessed June 9, 2010).

^{xxviii} <http://www.verizonwireless.com/b2c/splash/prepay.jsp?lid=//global/plans/prepaid> (Last accessed June 9, 2010).

^{xxix} <http://www.verizonwireless.com/b2c/index.html> (Last accessed June 9, 2010) (click on “MyVerizon” in task bar and usage can be viewed upon login).

^{xxx} https://www.t-mobile.com/shop/addons/services/information.aspx?PAsset=FamilyWireless&tp=Svc_Tab_FW101FamilyAllowances&WT.z_unav=mst_disc_save_FA (Last accessed June 10, 2010).

^{xxxi} www.verizonwireless.com/global (Last accessed June 9, 2010).

^{xxxii} Verizon Wireless sends a free text message to customers when they turn on their phone in a foreign county welcoming them to the country, providing dialing instructions for calling from that country back to the U.S., and sending them the 24/7 customer service number for global customers. If the customer is located in a CDMA country, Verizon Wireless also provides the customer with the data roaming rates for that country. Mobile Broadband customers using VZ Access Manager and operating their device outside of the U.S. must click-through a disclosure screen providing information about potential data charge rates before being allowed to connect.

^{xxxiii} http://www.verizonwireless.com/b2c/globalText?textName=CUSTOMER_AGREEMENT&jspName=footer/customerAgreement.jsp (Last accessed June 9, 2010) (see “My Wireless Device”); see http://support.vzw.com/clc/faqs/Equipment/faq_phones.html (Last accessed June 9, 2010).

^{xxxiv} <http://www.verizonwireless.com/b2c/store/controller?item=phoneFirst&action=viewStoreIndex&lid=//global/phones+and+accessories> (Verizon’s online phone shop allows pricing options of 1 and 2 year contracts and month-to-month) (last accessed June 9, 2010); see also http://news.cnet.com/8301-1035_3-10048123-94.html (Last accessed June 9, 2010).

^{xxxv} <http://www.mycricket.com/support/return-policy> (Last accessed June 23, 2010).

^{xxxvi} <http://www.mycricket.com/support/topic/Cricket-Wireless> (Last accessed June 23, 2010).

^{xxxvii} <http://www.mycricket.com/paygo/prepaid-mobile-phone-guide> (Last accessed June 23, 2010).

^{xxxviii} <https://account.mycricket.com/> (Last accessed June 23, 2010); <http://www.mycricket.com/support/topic/Cricket-PAYGo-Account-Balance> (Last accessed June 30, 2010).

^{xxxix} See <http://www.mycricket.com/support/topic/Roaming> (Last accessed June 23, 2010)

^{xl} <http://www.mycricket.com/support/topic/Purchasing-a-Cricket-Phone> (Last accessed June 23, 2010).

^{xli} <http://www.mycricket.com/cell-phones> (Last accessed June 23, 2010).

^{xlii} http://www.metropcs.com/customer_support/returnpolicy.aspx (last accessed June 23, 2010).

^{xliii} http://support.sprint.com/support/article/Change_your_plan_anytime_without_fees_or_extending_your_service_agreement/case-gz982789-20091023-165539 (Last accessed June 9, 2010).

^{xliv} http://www.metropcs.com/customer_support/faq.aspx#13 (Last accessed June 23, 2010).

^{xlv} http://www.metropcs.com/customer_support/billpay/myaccount.aspx (Last accessed June 23, 2010) (click “check my usage”, log in required).

^{xlvi} http://www.metropcs.com/customer_support/number_portability.aspx (Last accessed June 23, 2010).

^{xlvii} See <http://www.metropcs.com/shop/phonelist.aspx> (Last accessed June 23, 2010).

^{xlviii} <http://www.uscellular.com/uscellular/common/common.jsp?path=/site/legal/customer-service-agreement.html> (last accessed June 24, 2010).

^{xlvi} <http://www.uscellular.com/uscellular/plans/showPlanDetails.jsp?planid=prod610262> (Last accessed June 23, 2010).

^l <http://www.uscellular.com/uscellular/common/common.jsp?path=/products-services/index.html> (Last accessed June 23, 2010).

^{li} <https://loginknx.uscc.com/nidp/idff/sso?id=33&sid=0&option=credential&sid=0> (Last accessed June 23, 2010) (must create an account and sign in).

^{lii} <http://www.uscellular.com/uscellular/common/common.jsp?path=/overage-protection/index.html> (Last accessed June 24, 2010).

^{liiii} <http://www.uscellular.com/uscellular/common/common.jsp?path=/services/international/index.html> (Last accessed June 24, 2010).

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- ^{liv} <http://www.uscellular.com/uscellular/support/faq/faqDetails.jsp?topic=number-portability.html#Q9> (Last accessed June 30, 2010) (see number nine).
- ^{lv} http://www.uscellular.com/uscellular/cell-phones/showPhones.jsp?prepaid=Y&_requestid=1035164 (Last accessed June 24, 2010).
- ^{lvi} <http://www.tracfone-orders.com/bpdirect/tracfone/Start.do?action=view&market=GSM5AT> (Last accessed June 30, 2010).
- ^{lvii} <https://www.tracfone.com/direct/ValuePlans?app=TRACFONE&lang=en> (Last accessed June 30, 2010) (click “Terms and Conditions”).
- ^{lviii} *See generally* <http://www.tracfone.com/> (Last accessed June 30, 2010).
- ^{lix} <https://www.tracfone.com/direct/MyAccount?app=TRACFONE&lang=en> (Last accessed June 30, 2010) (log in required); see also http://www.tracfone.com/redirect_landing.jsp# (Last accessed June 30, 2010) (click “getting started”, then “adding airtime”).
- ^{lx} http://www.tracfone.com/redirect_landing.jsp# (Last accessed June 30, 2010) (click “promotions and services”, then “number portability”, then Will I be able to use my existing carrier’s equipment when I move to TracFone?”).
- ^{lxi} <http://www.tracfone-orders.com/bpdirect/tracfone/Start.do?action=view&market=GSM5AT&aid=&vid=&vc=&sahcid=&com=&zip=20009&locale=en&siteType=TR&gotoPhonelist=true&AID=> (Last accessed June 30, 2010).
- ^{lxii} <http://www.southernlinc.com/customersupport/returnpolicy.asp> (Last accessed June 30, 2010).
- ^{lxiii} <http://news.vzw.com/news/2007/10/pr2007-10-01a.html> (Last accessed June 9, 2010).
- ^{lxiv} <http://www.southernlinc.com/prepaid/> (Last accessed June 30, 2010).
- ^{lxv} http://www.southernlinc.com/customersupport/abbreviated_dialing_codes.asp (Last accessed June 30, 2010).
- ^{lxvi} http://www.southernlinc.com/consumer/service_plans/all_plans.asp#BUDGET (Last accessed June 30, 2010).
- ^{lxvii} <http://www.southernlinc.com/simfaqs.asp> (Last accessed June 30, 2010).
- ^{lxviii} <https://onlinestore.southernlinc.com/phones.aspx> (Last accessed June 30, 2010).