



N A R U C  
National Association of Regulatory Utility Commissioners

*EX PARTE NOTICE VIA ELECTRONIC FILING*

*April 8, 2011*

Ms. Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12th Street, SW Room TW-A325  
Washington, D.C. 20554

***RE: Notice of Written Ex Parte Contact filed in the proceedings captioned: Empowering Consumers to Avoid Bill Shock; Consumer Information and Disclosure, CG Docket Nos. 10-207 and 09-158***

Dear Ms. Dortch:

In response to an FCC inquiry regarding the above referenced proceeding, the National Association of Regulatory Utility Commissioners (“NARUC”) provided a copy of the attached July 2003 *Resolution Adopting Wireless Best Practices* to Steve Klitzman. There were three best practices listed in the resolution of possible interest which suggests carriers ‘prominently display’ [a] “...carrier's telephone number on all notices sent to customer,” [b] “...FCC's email address and phone number to file complaints,” and [c] “... the State PSC/PUC phone number” if the state requests it. The resolution was provided more than 24 hours ago. We respectfully request any waivers necessary to file this notice out-of-time.

It also appears that the results of an *informal* survey conducted last month may also be relevant to this proceeding. NARUC informally polled its members to determine if each requires carriers to list contact information for a State consumer complaint agency on bills and, if so, if the requirement is limited to just wireline carriers. Of the thirty-five states that responded to the survey, it appears that (i) 12 States have no such requirement on monthly bills; (ii) 11 require only wireline to list complaint contact information on monthly bills; (iii) 5 require contact information only to be listed on disconnect notices; (iv) 4 states require wireline & wireless to list contact information on monthly bills;<sup>1</sup> and (v) 3 require carriers to periodic notification of State contact information A copy of the survey responses is attached.

Please do not hesitate to contact the undersigned at 202.898.2207 or [jramsay@naruc.org](mailto:jramsay@naruc.org) if you have any questions about this filing.

Respectfully submitted,  
/s/  
James Bradford Ramsay  
NARUC General Counsel

cc: *Sharon Gillett, Chief, Wireline Competition Bureau (via e-mail)*  
*Steve Klitzman*

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<sup>1</sup> Kansas requires wireline and wireless competitive eligible telecommunications carriers (CETCs) to list State PUC complaint contact information on monthly bills.

## Attachment A

### *Resolution Adopting Wireless Best Practices*

**WHEREAS**, The service quality provided by wireless telecommunications carriers is of critical importance to consumers throughout the country; *and*

**WHEREAS**, The lack of uniform minimum standards and practices presents complex challenges for maintaining high quality service in the wireless industry and fails to adequately protect consumers; *and*

**WHEREAS**, Current trends in service quality provided by wireless carriers raise concern regarding the fairness of their practices and the quality of their networks; *and*

**WHEREAS**, States have traditionally established specific quality of service standards and monitored compliance for wireline carriers; *and*

**WHEREAS**, Consumers have come to expect that the state service quality standards and the State oversight imposed on wireline carriers would be applied to wireless carriers; *and*

**WHEREAS**, In an effort to work with wireless carriers in lieu of a resolution supporting State regulation of wireless service quality, at the invitation of the FCC, carriers, commissioners and staff met at the offices of the FCC in October 2002 to discuss best practices; *and*

**WHEREAS**, In the 2003 Winter Meeting in Washington, D.C., the Committee on Consumer Affairs discussed and developed the attached wireless best practices list which prioritizes wireless service quality demands based upon the customer's perspective; *now therefore be it*

**RESOLVED**, That the Board of Directors of the National Association of Regulatory Utility Commissioners (NARUC) convened in its July 2003 Summer Committee Meetings in Denver, Colorado, supports the use of the Wireless Best Practices as a basis for development of industry-wide best practices; *and be it further*

**RESOLVED**, That the NARUC supports a joint FCC/State/Industry initiative to consider voluntary customer focused wireless service quality standards that reflect the principles in the Wireless Best Practices List; *and be it further*

**RESOLVED**, Appropriate State authorities are encouraged to continue to promote high quality wireless telecommunications service based upon the Wireless Best Practices List; *and be it further*

**RESOLVED**, Appropriate State authorities are encouraged, at their option, to further consider model terms and conditions of wireless service to ensure that minimum standards are being met; *and be it further*

**RESOLVED**, That the NARUC General Counsel be directed to file and take any appropriate actions to further the intent of this resolution.

*Sponsored by the Committee on Consumer Affairs*

*Adopted by the NARUC Board of Directors July 30, 2003*

### ***Wireless Best Practices***

The following is a list of suggested best practices for wireless carriers to incorporate to improve service to their customers.

#### **I. Service**

1. Implement thousands block number pooling and local number portability as prescribed in the FCC's most recent orders.
2. Establish best practices at call centers.
3. Allow customer the option to be included in directories as are wireline telephone customers; and, therefore benefit from directory assistance without additional rate or charge.
4. Provide customers with signal strength map throughout carrier's service areas.
5. Within one minute of final prompt a live customer service representative ready to provide assistance.
6. Implement 24/7 PSAP emergency procedures.
7. Nationwide uniform testing for E911.
8. Improve E911 service so wireless phones are capable of utilizing the best service available in area.
9. Provide equal access to interexchange carriers.
10. Prominently display carrier's telephone number on all notices sent to customer.

#### **II. Contract Terms**

11. Allow a 30-day customer trial period. If not satisfied with service, the customer is billed only for actual usage with no penalty termination charges.
12. The original contract period shall be for a set time and shall not be extended even though terms within may change.
13. Verify via email or in writing any changes in rates and terms added to the contract after the initial contract is accepted.
14. Delete language in contracts that allow carrier to change terms and conditions without notice to customers.

#### **III. Billing**

15. Truth-in-billing. Billing shall be clearly understood, prompt and accurate. Delineate daytime, nighttime, government taxes, surcharges and carrier added charges.
16. Clearly inform customers of directory assistance charges.
17. Clearly explain difference between interstate, intrastate and roaming charges to customers.
18. Clearly explain daytime/nighttime packages and translate minutes into hours per month.
19. Prominently display FCC's email address and phone number to file complaints.
20. At state request, prominently display state PSC/PUC phone number.
21. Charges minutes of use begin when called number is answered, not at the commencement of dialing.
22. Provide credits for dropped calls.
23. Round up minutes of use to five seconds rather than full minute.
24. Carrier should disconnect all associated services attached to the wireless number when service is cancelled or disconnected so reassigned numbers do not carry charges from previous user.

#### **IV. Miscellaneous**

25. Distribute phones that do not require consumers to purchase new phones when changing providers.

**SURVEY “DOES YOUR STATE REQUIRE CARRIERS TO LIST CONTACT INFO. FOR A STATE CONSUMER COMPLAINT AGENCY ON CUSTOMER BILLS? IF SO, IS THIS REQUIRED FOR BOTH WIRELINE AND WIRELESS?”**

<b>STATE</b>	<b>State Complaint Information on Monthly Bill Required?</b>
<b>Alabama</b>	Yes for wireline. No for wireless.
<b>Alaska</b>	Yes for wireline. No for wireless.
<b>Arkansas</b>	No
<b>California</b>	Requires all carriers including wireless to put contact info for the PUC Consumer Affairs Branch on the bills.
<b>Colorado</b>	Wireline must only list on disconnect notices. No on wireless.
<b>Delaware</b>	Yes for wireline. No for wireless.
<b>Georgia</b>	No
<b>Hawaii</b>	Hawaii does NOT require State complaint contact on the customer bill. Company's must list their business office telephone number on the bill.
<b>Idaho</b>	Only provide contact info. on disconnect notices & only wireline required to do so.
<b>Iowa</b>	LEC – annually provide PUC contact info. No for wireless.
<b>Kansas</b>	The KCC requires only competitive ETCs to list contact information for the KCC on customers' bills. This requirement is for wireline and wireless CETCs.
<b>Maryland</b>	Yes for both.
<b>Massachusetts</b>	Yes for wireline. No for wireless.
<b>Michigan</b>	Not on bills but must publish this information in the phone book (wireline). No requirements for wireless.
<b>Mississippi</b>	No
<b>Missouri</b>	No. Required to be printed in telephone directory.
<b>Montana</b>	Yes for regulated LECs, NO for wireless
<b>Nebraska</b>	No requirement on bills but if consumer calls carrier they must be told they can contact the PSC (given contact info.) if they feel the carrier didn't address complaint.
<b>New Hampshire</b>	Yes for ILECs, CLECs, and intrastate toll providers. Not for wireless.
<b>New Jersey</b>	Wireline only on disconnect notices. Not wireless.
<b>New York</b>	Wireline required to list PSC complaint contact info. only in annual notification of rights and also required to in opening pages of telephone directories.
<b>North Carolina</b>	No
<b>North Dakota</b>	Required for wireline but not for wireless.
<b>Ohio</b>	Yes for wireline, no for wireless.
<b>Oregon</b>	Only on disconnect notices
<b>Pennsylvania</b>	No
<b>South Carolina</b>	Not on bills. Just in front of the phone directory.
<b>South Dakota</b>	No
<b>Tennessee</b>	No
<b>Texas</b>	Yes for wireline. No for wireless.
<b>Virginia</b>	Wireline with 10k access lines or more must put on bills every 6 months. No requirement for wireless.
<b>District of Columbia</b>	Wireline carriers are required to list contact information for the PSC & Office of the Peoples Counsel on customer bills but not wireless.
<b>West Virginia</b>	Yes for wireline and wireless.
<b>Wisconsin</b>	Only on disconnect notices.
<b>Wyoming</b>	All utilities, Telecom = LECs not wireless, must provide their toll free phone number on Disconnect Notices only.
<b>No Response</b>	From: WA, VT, UT, RI, OK, NM, NV, MN, ME, LA, KY, IL, IN, FL, Ct, & AZ