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May 24, 2011

Stephen Klitzman
Deputy Chief
Office of Intergovernmental Affairs
Consumer & Governmental Affairs Bureau
Federal Communications Commission
445 12th Street, SW
Washington, D.C. 20554

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Federal Communications Commission
Office of the Secretary

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Re: Wireline and Wireless Cramming

Dear Mr. Klitzman,

Thank you for your inquiry into Vermont's efforts to track and control cramming – the unauthorized placement of charges on consumer's telephone bills. The Vermont Attorney General's Office for the past several years has referred cramming complaints on wireline phones to the Vermont Department of Public Safety. From January 1, 2009 through November 10, 2010 we tracked 12 cramming complaints, 7 Wireline (58%) and 5 Wireless (42%). Our office is currently seeing an increase in cramming complaints related to wireless phones and has begun to explore the wireless cramming complaints further.

In the spring of 2010 the Vermont Attorney General's Office started an investigation of the complaints of cramming on wireline phone bills. The investigation showed the Vermont wireline cramming complaints appeared to be the very tip of the iceberg and a major pending aggregator investigation has led us to believe that large numbers of consumers that have been charged on their phone bills are not aware of the charges, and that many third-party sellers who bills this way may be engaging in deceptive soliciting. This investigation prompted our office to request the Vermont legislature to amend Vermont law 9 V.S.A. §2466 –Goods and Services Appearing on Telephone Bill. In May 2011, the Vermont state legislature passed an amendment banning most third-party charges on wireline telephone bills.

We encourage the efforts of the FCC to investigate and take action in this area. If the Vermont Attorney General's Office can be of further assistance please do not hesitate to contact us.

Sincerely,

A handwritten signature in cursive script that reads "Sandra W. Everitt".

Sandra W. Everitt
Assistant Attorney General
Director, Consumer Assistance Program

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