

Resolution on Telecommunications "Slamming" Complaints Referral
and Mediation of Consumer Complaints

WHEREAS, State commissions continue to receive a significant number of complaints and inquiries from consumers who claim their telecommunications service was switched to a new carrier without authorization (slamming); and

WHEREAS, State commissions have identified instances where some companies are willing to take advantage of vulnerable consumers through questionable marketing procedures, misleading verification processes, or other abusive practices; and

WHEREAS, State commissions recognize that the ability of consumers to make choices among alternative service providers, and the ability to keep their preferred carrier without interference from companies with questionable practices, is critical to a fair, orderly, and reliable telecommunications marketplace; and

WHEREAS, The National Association of Regulatory Utility Commissions ("NARUC") has called for meaningful and effective actions by both federal and state regulators to reduce the large number of telecommunications slamming complaints and inquiries; and

WHEREAS, The FCC has recognized the problems associated with slamming, and recently revised its rules that apply to slamming enforcement; and

WHEREAS, In its First Order on Reconsideration, CC Docket No. 97-129, Order FCC 00-135, the FCC recognized that states

should have the ability, if they choose, to mediate slamming complaints received from consumers within its own state; *now therefore be it*

RESOLVED, That the Board of Directors of National Association of Regulatory Utility Commissioners ("NARUC") convened in its July 2000 Summer Meeting in Los Angeles, California, commends and supports the FCC in its efforts in addressing slamming problems and in recognizing states as the appropriate contact for consumer complaints, as evidenced by Order 00-134; and be it further

RESOLVED, That NARUC encourages all states to participate in the dispute resolution process by "opting-in" to the complaint referral program as described in FCC Order 00-135; and be it further

RESOLVED, That NARUC encourages the telecommunications industry to cooperate by successfully reducing slamming complaints by working with states to identify the most effective process for referral and adjudication of consumer complaints received at the FCC; and be it further

RESOLVED, That NARUC supports the efforts of the State Working Group on Implementation of the FCC Rules to develop the most efficient and effective dispute resolution process; and be it further

RESOLVED, That the State Working Group give specific consideration to, at a minimum, the following issues:

- Template letter for states to "opt-in" to the FCC referral

program;

- A process to promptly transfer complaints from the FCC to states;
- Identification of necessary FCC reporting requirements;
- Consumer education about slamming in general, and where to go for dispute resolution;
- Work with the industry to ensure as smooth a transition to state adjudication as possible, and,
- Whether the ability of customers to file a complaint directly with the FCC in states which have "opted-in" to the FCC referral program is consistent with principles of federalism and the efficient handling of slamming complaints.

Sponsored by the Committee on Consumer Affairs

Adopted by the NARUC Board of Directors, July 26, 2000.