Resolution Concerning Consumer Protection and Service Quality Issues with Wireless Telecommunications Services

WHEREAS, According to the FCC’s Eighth Report to Congress, over 140 million Americans subscribe to wireless telecommunications service; and

WHEREAS, Consumer reliance upon wireless telephones as the sole source of telecommunications is steadily increasing; and

WHEREAS, Regulators are concerned about the volume of consumer complaints against wireless telecommunications carriers; and

WHEREAS, Consumers spend a significant amount of time and money to resolve concerns and disputes on billing and service quality issues generated by their wireless carriers; and

WHEREAS, Some consumers simply pay unwarranted charges because they are unaware of any remedy such as State or federal intervention; and

WHEREAS, Consumers would benefit from fuller disclosure of service charges and fees including government mandated charges that are imposed in addition to the monthly service charges on their bills; and

WHEREAS, In addition to the FCC, States are in a position to intervene and assist consumers in the resolution of billing and service quality complaints; and

WHEREAS, The Omnibus Budget Reconciliation Act of 1993, while pre-empting State or local government jurisdiction over wireless rates, specifically asserted that States shall not be prohibited from regulating the other terms and conditions of wireless telephone service; and

WHEREAS, The FCC contact information is not included on consumer bills; and

WHEREAS, The National Regulatory Research Institute reported dated November 3, 2003 acknowledges that wireless customers are concerned with billing and service quality issues; and

WHEREAS, Most of the wireless carrier billing and service related disputes are properly considered other terms and conditions of service which can be regulated by States; now therefore be it

RESOLVED, That the National Association of Regulatory Utility Commissioners (NARUC), convened in its November 2003 Annual Convention in Atlanta, Georgia, encourages wireless telecommunications carriers to hire and train their staff at sufficient levels to render adequate and satisfactory service to consumers; and be it further

RESOLVED, That consumers should have the ability to call upon the appropriate State agency, unless prohibited by State law, for assistance in resolving billing and service quality problems; and be it further
RESOLVED, That wireless carriers should fully disclose service charges and fees including
government-mandated charges that they impose on customers in addition to the monthly service
charges; and be it further

RESOLVED, That NARUC encourages resolution by State agencies including Public Service
Commissions, Public Utility Commissions, Consumer Divisions, and State attorneys general,
where authorized, of wireless service quality issues as they relate to billing problems, service
quality issues, and other unsatisfactory terms and conditions of wireless service faced by
consumers; 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
Recommenced by the NARUC Board of Directors November 18, 2003
Adopted by NARUC Convention November 19, 2003