

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

Recommended by the NARUC Board of Directors November 18, 2003

Adopted by NARUC Convention November 19, 2003