

Resolution on Telecommunications Consumer Bill of Rights

WHEREAS, The past decade has been witness to a rapid evolution in the telecommunications industry, not only in the technology the industry employs, but also in the industry's structure, the mix of services provided, and the way services are provided to consumers; and

WHEREAS, Many of what were once monopoly services are increasingly available from competing providers, and regulatory policies have likewise been evolving in ways aimed at enabling and promoting competition to foster the benefits competition has promised to provide; and

WHEREAS, It was once envisioned that competition would result in lower levels of consumer abuse and fraud, but the contrary has proven true; and

WHEREAS, Consumers are now exposed to unprecedented levels of consumer abuse and fraud in many segments of the market, including segments that previously experienced only occasional examples of such problems; and

WHEREAS, With the emergence of competition and the deployment of new telecommunications technologies, general consumer protection rules that were developed under monopoly conditions may in some respects be no longer adequate to protect small consumers. Consumers require protection against abusive practices in the marketing and provisioning of both old and new types of telecommunication services; and

WHEREAS, Such changes in the telecommunications industry suggest that it would be timely for regulatory bodies to review the general rules protecting consumers and determine whether new rules using a new format should be developed; and

WHEREAS, A Consumer Bill of Rights can be a useful vehicle to educate consumers and guide the revision of existing consumer protection rules and/or establish new rules applicable to all regulated telecommunications carriers that provide service to residential and small business consumers; and

WHEREAS, Fundamental rights of consumers should include rights to disclosure, choice, privacy, participation in public policy proceedings, enforcement, accurate bills, freedom from discrimination, and safety; now therefore be it

RESOLVED, That the Board of Directors of the National Association of Regulatory Utility Commissioners (NARUC), convened at its July 2002 Summer Meetings in Portland, Oregon, urges that a Consumer Bill of Rights for consumers of telecommunications services be developed for the protection of all residential and small business telecommunications consumers, regardless of their provider of such services, and should include the following:

1. Disclosure: Consumers should have a right to receive clear and complete information about rates, terms and conditions for available products and services, and to be charged only according to the rates, terms and conditions they have agreed to, and that reasonable notice is given prior to an increase in rates or more restrictive terms or conditions; and
2. Choice: Consumers should have a right to select their services and vendors, and to have those choices respected by industry; and
3. Privacy: Consumers should have a right to personal privacy, to

have protection from unauthorized use of their records and personal information, and to reject intrusive communications and technology; and

4. Public Participation Enforcement: Consumers should have a right to participate in public policy proceedings, to be informed of their rights and what agencies enforce those rights, and to have effective recourse if their rights are violated; and
5. Accurate Bills and Redress: Consumers should have a right to accurate and understandable bills for products and services they authorize, and to fair, prompt and courteous redress for problems they encounter; and
6. Non-Discrimination: Every consumer should have the right to be treated equally to all other similarly situated consumers, free of prejudice or disadvantage; and
7. Safety: Consumers should have a right to safety and security of their persons and property; and be it further

RESOLVED, That NARUC urges both the Federal Communications Commission and individual state commissions to consider adoption of comprehensive and effective rules to implement these rights which do not preempt the ability of the states to promulgate more stringent rules than the FCC, while taking into account the specific parameters of each state commission's telecommunications jurisdiction.

Sponsored by the Committee on Consumer Affairs

Adopted by the NARUC Board of Directors July 31, 2002