

Consumer Protection

PROTECTION FROM “SLAMMING”

You may be surprised to receive a long distance telephone bill from a telephone company you don't recognize. This may mean you have been “slammed”, which means your long distance telephone service has been switched without your knowledge or permission. State and Federal rules can protect you from “slamming”.

As a telephone customer, you may ask your local telephone company to “freeze” your long distance carrier. This means that your carrier cannot be switched unless your local telephone company receives notice directly from you to request the switch.

Call your local telephone company if you would like to “freeze” your long distance carrier. For more information on what to do if you have been “slammed”, contact the FCC at 1-888-225-5322 or visit the FCC web site at www.fcc.gov or the Minnesota Public Utilities Commission web site at www.state.mn.us.

CALLER ID SPOOFING NOTICE

Caller ID service is currently susceptible to fraud known as Caller ID “spoofing”. The term Caller ID Spoofing refers to a practice whereby the calling party uses commonly available technology to falsify the number of the telephone line from which the call is made, the name of the calling party, or both as they appear on the called party's Caller ID screen. This practice has the potential for fraud and harm to the called party.

To protect yourself, do not take what the Caller ID screen displays for granted. If what the caller is saying, does not seem legitimate, do not divulge personal information until you can verify the source, by hanging up and calling them back on a verified number (from a mailed statement or printed directory).

Currently, there is not a technological fix for this practice, but Congress is considering new legislation that will take action against these violators. If you would like more info on spoofing, visit www.fcc.gov and search “spoofing”.

USE OF TELEPHONE FOR DEBT COLLECTION PURPOSES

The Federal Communications Commission has received information that interstate telephone service is being used for collection of claimed debts in ways that are or may be in violation of applicable tariffs of the telephone companies and criminal statutes. Practices alleged include calling at odd hours of the day or night; repeated calls; calls to friends, neighbors, relatives, employers and children; calls making a variety of threats; calls asserting falsely that credit ratings will be hurt; calls falsely stating that legal process is about to be served; calls demanding payments for amounts not owed; calls to places of employment; and calls misrepresenting the terms and conditions of existing or proposed contracts. Although many of these calls are placed on a local basis, there is increasing indication that such improper practices also involve use of interstate toll and Wide Area Telephone Service (WATS).

Tariffs of the telephone companies forbid use of the telephone “...for a call or calls, anonymous or otherwise, in a manner reasonably to be expected to frighten, abuse, torment, or harass another;” or for calls that “...interfere unreasonably with the use of the service by one or more other customers;” or calls for “...unlawful purpose.” Upon violation of any of these conditions the telephone company can, by written notice, discontinue service “forthwith.” These tariff regulations are filed with this Commission pursuant to Section 203 of the Communications Act, 47 U.S.C. 203, and are binding on the telephone company and customer alike. Users of the telephone service are also subject to the enforcement proceedings provided for in Sections 401 and 411 of the Communications Act. In addition to the loss of telephone service for violation of the tariffs, Section 223 of the Communications Act makes it a crime to use the telephone in the District of Columbia or in interstate or foreign communications to make “repeated telephone calls, during which conversation ensues, solely to harass any person at the called number” or to knowingly permit “others to use his telephone” for such purpose. Penalties for violation of Section 223 are a fine up to \$500.00 or six months imprisonment, or both, 47 U.S.C. 223.

The Commission is concerned that some users of telephone service may be unaware of their obligations to refrain from using the service for abusive or harassing calls. It is also concerned that other users may be willfully and repeatedly violating the provision of the tariffs and the applicable statutes, and that the telephone companies are not adequately enforcing their tariffs. Accordingly, the Commission is issuing this Public Notice in order that the public may be informed of the requirements of law in this area and so that users may be alerted to their legal obligations in the use of the telephone and the penalties for failure to abide thereby.