



## **SOLVING PROBLEMS AND ANSWERING QUESTIONS ABOUT UNREGULATED TELEPHONE SERVICES**

With the advent of competition and technological advances, the telecommunications market has changed dramatically in recent years. Many people now use wireless companies as their primary local and long-distance telephone service provider. Others obtain their telephone service through the Internet or cable television wires. Many customers subscribe to “packaged” or “bundled” services that combine local and long-distance telephone, cable television, wireless and internet service through a single provider.

Many of these new types of telephone services and features are not regulated by the Colorado Public Utilities Commission (PUC). They are considered competitive services and customers can choose the type of service or provider that best fits their telecommunications needs. The PUC has full jurisdiction only over services considered essential for providing basic local telephone service, and emerging competitive services where effective competition has not yet been achieved.

The PUC can provide only very limited assistance, under certain circumstances, to consumers with problems concerning unregulated services such as broadband or high speed internet services; bundled services; intrastate and interstate long-distance, Voice over Internet Protocol (VoIP); and wireless services.

The following information provides additional details about unregulated telephone services, and what assistance might be available to consumers who experience problems with those services.

### **BROADBAND OR HIGH-SPEED INTERNET CAPABILITY**

The PUC’s basic telephone service standard requires that local telephone companies provide only a minimum fax and data transmission capability within the voice grade bandwidth. High-speed broadband services, such as digital subscriber line (DSL) for residential customers or T-1 lines for business customers, are not regulated. The PUC cannot order a company to provide high-speed, broadband services in a particular area or by a particular time.

The PUC also does not regulate Internet Service Providers (ISPs). These are companies that provide access to the internet. There may be one or more ISPs, each with their own rates, serving any particular geographic area. If more than one ISP is available, customers can select the one that best suits their needs.

To reach PUC Consumer Affairs:

1560 Broadway, Suite 250, Denver, CO 80202  
303-894-2070 (local); 1-800-456-0858 (toll-free)  
dora\_puc\_complaints@state.co.us

The PUC cannot require that your local telephone company provide ISP services or require telephone companies to provide a specific data speed to remain connected to an ISP provider.

**Where to turn?** There is no state or federal agency that regulates high-speed, broadband services. Most local telephone companies, cable television companies, and wireless providers offer high-speed connections, and consumers should investigate the option that works best for them.

### **BUNDLED OR PACKAGED SERVICES**

Many telecommunications companies are offering customers the convenience of “one-stop” shopping – a single place to obtain local and long-distance telephone, wireless, Internet and cable television services. These providers combine two or more services into a “bundle” or “package” at a single monthly rate, usually less than the combined price of the individual services. The PUC does not set the rates or terms and conditions of service for these packages, and companies do not need PUC approval to change their bundled rates.

The PUC may be able to assist consumers with certain types of complaints concerning these bundled services. For example, under Colorado’s cramming law, if a customer signs up for a bundled rate and then receives a bill that is higher than what was expected, the PUC can make sure that the consumer is not paying for any unauthorized services.

Or, if the customer’s package includes local telephone service, and the customer has a complaint about the service being provided, the PUC can investigate a specific telephone service complaint.

**Where to turn?** If a customer has a complaint about an unauthorized charge on a bundled bill, or has a complaint about the local telephone service being provided, the customer can call the PUC Consumer Affairs office.

### **LONG-DISTANCE SERVICES**

Rates for both intrastate and interstate long-distance calls, including calling card calls, are no longer regulated. This is because the long-distance market has become extremely competitive. Consumers have a wide range of wire line, wireless and pre-paid calling card options available to them. Customers should investigate these options and choose the long-distance rate and calling plan that best meets their needs. (For questions about making long-distance calls from pay phones, hotels, hospitals, etc., please see PUC FYI Publication T-8, *Answering Questions About Operator Service Companies*.)

The PUC does retain jurisdiction over the practices of “slamming” and “cramming.” Slamming refers to the practice of changing a customer’s long-distance provider without permission. Cramming means adding charges for goods or services to a customer’s bill without the customer’s authorization. Both slamming and cramming are prohibited by Colorado law.

**Where to turn?** If you believe you’ve been a victim of slamming or cramming, call the PUC’s Consumer Affairs office for assistance.

## **UNREGULATED TELEPHONE COMPANY CHARGES**

There may be charges on your local telephone company's bill that are unregulated. These include inside wiring maintenance fees, repair services, voice mail, and many optional advanced calling features. For an explanation of the various charges on your telephone bill, contact your local telephone company.

## **VOICE OVER INTERNET PROTOCOL (VoIP)**

Some consumers are now contracting for their local and long-distance telephone services through their Internet connection instead of a regular telephone line. This relatively new service is called Voice over Internet Protocol (VoIP). Some VoIP services may allow you only to call other people using the same service, but others may allow you to call any telephone number – local, long-distance or international.

Neither the PUC nor the Federal Communications Commission (FCC) regulates the rates or services of VoIP providers – with the exception of 9-1-1 access, and number portability (the ability to take your phone number with you when changing providers). For example, PUC rules requiring telephone companies to maintain a back-up power supply in case of an electrical outage do not apply to VoIP providers.

The FCC recently imposed number portability requirements on VoIP providers. That means if you want to switch from a VoIP provider to a different carrier, you must be allowed to take your telephone number with you.

The FCC also has rules to ensure that VoIP 9-1-1 calls are properly identified and routed. However, you should know that 9-1-1 calls from VoIP phones work differently than calls from a land line. For instance, consumers must register their location with the VoIP service provider and keep their location information current.

**Where to turn?** Questions or complaints about VoIP number portability or the 9-1-1 capabilities of VoIP providers should be directed to the FCC.

## **WIRELESS TELEPHONE SERVICES**

With only a few exceptions, wireless phone services are not regulated. The PUC cannot assist consumers with problems about rates, contract terminations, phone equipment or quality of service. Colorado laws prohibiting slamming and cramming do apply to wireless providers. And wireless carriers must adhere to federal rules related to number portability – the ability of customers to keep their telephone numbers when switching to another wireless or land-line provider.

**Where to turn?** For complaints about wireless slamming or cramming, contact the PUC Consumer Affairs office. For complaints about number portability issues, contact the FCC.

## **OTHER ASSISTANCE SUGGESTIONS**

As a consumer, you should deal with unregulated telephone services as you do with other retail businesses in general.

- Questions and complaints should first be addressed to the company itself.
- Another possible source of help is your local Better Business Bureau.
- For situations involving possible fraud or possible violations of consumer protection laws, contact the Consumer Protection Section of the Colorado Attorney General's Office at 303-222-4444 in the Denver metro area or 1-800-222-4444 outside of the Denver metro area. Or contact your local District Attorney's Office.