

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

In the Matter of

Protecting Consumers from  
Unauthorized Carrier Changes and  
Unauthorized Charges

Truth-in-Billing and Billing Format

CG Docket No. 17-169

CC Docket No. 98-170

**REPLY COMMENTS OF  
THE MASSACHUSETTS DEPARTMENT OF  
TELECOMMUNICATIONS AND CABLE**

Commonwealth of Massachusetts  
Department of Telecommunications and Cable

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Dated: November 14, 2025

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The Massachusetts Department of Telecommunications and Cable (“MDTC”)<sup>1</sup> appreciates the opportunity to comment on this Notice of Proposed Rulemaking released by the Federal Communications Commission (“FCC”) on July 25, 2025, in the above-captioned dockets.<sup>2</sup>

“Slamming” occurs when a customer’s phone service is illegally switched from one provider to another without the customer’s authorization. The FCC is attempting to modify the slamming rules, reasoning that “existing slamming and billing rules, which contain a slew of highly prescriptive and inflexible requirements, risk stifling innovation.” The FCC’s new approach would constitute a drastic regulatory shift from the current approach—which allows the consumer to prove that slamming occurred—to an approach that places the burden on the carriers to show by clear and convincing evidence that slamming did not occur.

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<sup>1</sup> The MDTC regulates telecommunications and cable services within Massachusetts and represents the Commonwealth before the FCC. M.G.L. c. 25C, § 1; M.G.L. c. 166A, § 16.

<sup>2</sup> *In the Matter of Protecting Consumers from Unauthorized Carrier Changes and Related Unauthorized Charges*, CG Docket No. 17-169, 98-170, Notice of Proposed Rulemaking (July 25, 2025).

One assumption underlying the FCC’s new approach is that slamming is no longer an issue. MDTC disagrees. MDTC investigated 11 informal slamming complaints since 2022: three in 2022, two in 2023, and six in 2024. These 11 complaints were filed against Clear Rate Communications and resulted in negotiated settlement agreements that led to full refunds for consumers. MDTC believes that the number of slamming complaints has declined because of the effectiveness of state and federal regulation. In the view of MDTC, taking away such regulations would lead to a resurgence of slamming complaints. MDTC agrees with the comments of the NYSPSC that, “[t]he continued presence of such complaints nationwide suggests that the underlying risk of intentional commercial fraud still exists to consumers. American customers should be protected from such unscrupulous fraudulent practices.”<sup>3</sup> MDTC agrees with the NYSPSC in urging the FCC to retain its slamming rules to protect consumers.

While state regulations would remain if the FCC’s NPRM were adopted, it would lead to fewer options that protect Massachusetts consumers. Most Massachusetts consumers are likely unaware of the 90-day slamming complaint deadline and would lose the ability to file a complaint with the FCC based on the illegal switching of carriers if the FCC’s approach were adopted. After the 90-day window closes, the only remedy for the MDTC is to conduct an informal investigation, which lacks the enforcement authority of the formal complaint process.

Furthermore, MDTC believes that the current federal tools for addressing slamming provide additional layer of protection for Massachusetts consumers. Third Party Verification (“TPV”), Letters of Agency (“LOA”), and Primary Interexchange Carrier (“PIC”) freezes help protect the most vulnerable Massachusetts consumers from slamming. These measures ensure

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<sup>3</sup> Comments of New York State Public Service Commission at 2 (Sept. 22, 2025), available at [2025 09 22 NYSPSC Comments - FCC NPRM - Slamming and Truth-In-Billing signed.pdf](#).

that consumers only switch carriers with valid consent and that the carrier did not manipulate such consent. MDTC also has concerns with the new requirement that places the burden on each carrier to show by clear and convincing evidence that it followed its own self-imposed procedures to prevent slamming from occurring. Such an approach of allowing each company to set its own procedures allows for limited consumer protection as opposed to government standards which are necessary to ensure quality. Without the initial sales calls or TPV, there would be almost no protection to ensure that a consumer validly wanted to switch its carrier. Presently, Massachusetts consumers often allege to MDTC's Consumer Division that the deceitful tactics occur during the initial sales call where there is no recording. Consumers also would not have the chance to refute a company's allegations under the FCC's proposal.

Finally, while the FCC states that current regulations stifle innovation, it provides little, if any, evidence for such an assertion.<sup>4</sup> Drastic cuts to the FCC's slamming regulations should be based on substantial evidence generated by a methodical study that demonstrates why reducing or eliminating slamming regulations would be beneficial and not cause harm to consumers. This study would help to inform whether the FCC's slamming regulations need to be changed. For these reasons, the MDTC encourages the FCC to reconsider its proposal.

Respectfully submitted,

KAREN CHARLES, COMMISSIONER

By: /s/ William Bendetson  
William Bendetson, Attorney

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<sup>4</sup> *In the Matter of Protecting Consumers from Unauthorized Carrier Changes and Related Unauthorized Charges*, CG Docket No. 17-169, 98-170, Notice of Proposed Rulemaking (July 25, 2025).

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