

August 17, 2011

Commissioner Geoffrey G. Why
Massachusetts Department of Telecommunications & Cable
1000 Washington Street
Boston, MA 02118-6500

Dear Mr. Why,

I am writing regarding modernizing billing and termination regulation for telephone and cable television consumers. I commend you and your agency for embarking on this daunting mission.

One function in my role as Director of the City of Worcester's Cable Service Division is handling cable subscriber complaints. Over the past 12 years in this position, the number one billing complaint has been the fact that subscribers are billed in advance of receiving service. Most feel this is unfair because there is little recourse in the event there is lack of service because of mechanical outages or poor signal for example. Is there any Telecom entity that bill prior to service being provided? The second most filed complaint is the bills come in the mail very close to the due date, sometimes a day after. I believe there is something already within consumer rights, but am mentioned it to either be more enforced or continued to be required that subscribers be given ample time.

Personally, I believe termination fees are unfair and trap consumers. If the service is poor, or the product doesn't work as promised, consumers are forced to pay extreme fees to opt out or change to a better service. The telecom provider wins either way. Customer service, competitive pricing, delivery of services and overall quality would improve if the *providers* were held accountable, rather than the consumers being penalized for demanding better.

I further submit the following comments referencing the *scope of suggestions* provided in the public notice:

1. *Whether consumer protection regulations should apply to both wireline and wireless service, cable television service, and bundled services?*

There is very little competition in the telecommunications industry. Most telecom choices or options are limited for one reason or another, bordering on monopolies.

Anywhere within your agency's domain and within federal/state laws of course, consumer protections should apply regardless of wired, wireless or bundled. All too often, mega companies circumvent, sidestep, and tread upon not only the rights of consumers, but what is right and ethical. Consumers are still consumers

regardless of how the service is received. Consumer rights should be applicable and applied regardless of whether the service is regulated or not.

2. *What particular consumer protections should apply to the provision of voice and cable services?*

Advertising and marketing needs to be clear and concise. Total disclosures should be clearly provided, in writing, as to the actual costs, penalties, fees and the like. Notifications of changes should be clearly visible on bills or notices, not in tiny font, buried within a bill.

3. *Whether it is appropriate to promulgate a single set of consumer protection regulations of general application for wireline, wireless, and cable television?*

There are differences, certainly, within each entity, but at the very least the foundations of protection should be across the board.

4. *In light of the fact that a single service package from a provider may bundle regulated services with services not regulated...?*

I am sure there cannot be a one-size fits all because of what can and cannot be regulated, but consumer rights need to be the priority and be the strongest they can be. Reasonability and common sense, should apply.

I don't have specific answers, but encourage you keep the consumer first. We are all consumers and need the right tools in place to right any wrong.

Sincerely,

Judith A. Warren
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