



VIRGINIA
LEGAL AID
SOCIETY

TELECOMMUNICATIONS SERVICES

Who regulates telecommunications providers?

The Division of Communications assists the State Corporation Commission's three commissioners in oversight of Virginia's telecommunications industry. The Division of Communications' responsibilities include:

- fostering a competitive telecommunications market;
- investigating and working to resolve complaints and inquiries from consumers about communications service;
- reviewing rates and costs, and enforcing general regulations and service standards.

The Division of Communications does not have regulatory jurisdiction over the following:

- interstate long distance telecommunications services
- paging services
- cable or satellite television services
- Digital Subscriber Line (DSL) or any other Internet services
- Voice over Internet Protocol (VoIP) or any other Internet services

The Federal Communications Division provides consumer information regarding these services online at <http://www.fcc.gov/>. You may also contact the FCC at:

Federal Communications Commission
445 12th Street SW

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Washington, DC 20554

Phone: 1-888-CALL-FCC (1-888-225-5322)

TTY: 1-888-TELL-FCC (1-888-835-5322)

Fax: 1-866-418-0232

To obtain additional information about your local cable or satellite television service, contact your local government offices.

Will the State Corporation Commission assist me in resolving my wireless complaint?

Yes. While the State Corporation Commission has no regulatory jurisdiction over wireless telephone providers, as a service to Virginia's wireless consumers, the Division of Communications will, in cooperation with the wireless providers listed below, work with the appropriate company in an attempt to resolve a wireless complaint. (This, of course, assumes that customers have first attempted to resolve the matter directly with the company.)

- Alltel Wireless
- Appalachian Wireless
- Cingular Wireless
- Ntelos Wireless
- Sprint Nextel
- T-Mobile
- US Cellular Corporation
- Verizon Wireless

Are all local telephone service providers the same?

No. Some local telephone competitors, like the cable TV companies, mostly use their own networks to serve customers. Others rely on certain components of the traditional telephone company, such as the line to your home or business. Still others rely entirely on the traditional telephone company's network to provide service. If it is important to you to understand how a local telephone company provides service, you should ask.

How much are connection charges? What is included?

Connection charges vary depending on the service ordered and the work to be performed. If, for example, your residence requires inside wiring, there may be charges associated with set up fees and installation in addition to the "time and materials" required to perform such work.

Is a deposit or advance payment required? If so, how much?

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The Virginia State Corporation Commission has allowed the use of deposits by utilities as a normal business protection against uncollectible accounts. Each utility may require deposits from customers as a matter of its operational business practices and procedures. However, the customer will be allowed to pay it in at least three consecutive equal monthly installments whenever the total amount of the required deposit exceeds \$40.00. Deposits may be refunded at anytime, but should be held for no longer than one year if satisfactory credit is established. Deposits held longer than 90 days will begin to accumulate interest from the date the deposit is made until it is refunded.

On the other hand, advance payments have become an optional business decision for each provider. Some companies have chosen to require advance payment to cover the initial connection charges on the first bill.

I am sick/poor/elderly and need phone service, but I can't afford it.

Virginia has low cost phone services for people who qualify: **Lifeline** and **Link-up**. They assist low-income consumers to receive more affordable telephone service.

How do I qualify for Lifeline and Link-up?

If you qualify for food stamps, Medicaid, or certain other public benefits, you are eligible to participate. Contact your local telephone company for more details and to request an application form.

If your local telephone company is not authorized to provide **Lifeline** or **Link-Up** discounts in your area, contact your state public utility commission or consumer advocate office to locate an authorized service provider.

What charges are reduced with Lifeline?

You will save a minimum of \$7.75 per month on your local service. You may choose to have your long distance service blocked at no charge. A deposit may also be waived if you agree to a long distance block.

What charge is reduced with Link-Up?

You can receive a discount of 50% on your installation charges, with a maximum reduction of \$30.

Do all companies provide Lifeline and Link-Up support?

Most telephone companies provide this assistance. If you have more than one local telephone provider in your area, you should contact each company to verify which ones offer **Lifeline** and **Link-Up** support, because not all companies are required to offer these programs.

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Can I still get Lifeline and Link-Up if I lost my phone service by not paying my long distance bills?

Yes, you can. You may be required to make payment arrangements for the old bill. You may also be required to have toll blocking, which will not allow you to make long distance calls.

Lifeline/Link-Up are not available in my area, what can I do?

In April 2008, the FCC approved **TracFone** as an Eligible Telecommunications Carrier (ETC) to provide **Lifeline Service** in 11 states. Subsequently, **TracFone** has been approved in an additional nine states and is currently providing service in 19 states, including Virginia.

Instead of receiving a monthly telephone bill for your Lifeline service, **SafeLink** converts the total amount of discounted service (approximately \$13.50 of discounted telephone service) into minutes (68 minutes) each month. Through this service customers receive *FREE cellular service, a FREE cell phone, and FREE Minutes every month!* **SafeLink Wireless Service** does not cost anything – there are no contracts, no recurring fees and no monthly charges. The **SafeLink** service is good for one year. Participants in the program are subject to annual verification. The cell phone is **NOT** subsidized by the federal government and is provided by **TracFone** to the customer at no cost.

Any Minutes you do not use will roll over. Features such as caller ID, call waiting and voicemail are all also included with your service. If you need additional Minutes, you can buy **TracFone** Airtime Cards at any **TracFone** retailer (Walmart, Walgreens, Family Dollar, etc). **SafeLink** Airtime Cards will be available soon.

How do I qualify for Safelink?

You qualify for Lifeline Service in your area if:

1. You already participate in one of the following assistance programs:
 - Federal Public Housing Assistance / Section 8
 - Food Stamps
 - Low Income Home Energy Assistance Program (LIHEAP)
 - Supplemental Security Income (SSI)
 - National School Lunch (free program only)
 - Temporary Assistance for Needy Families (TANF)
 - Medicaid

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2. No one in your household currently receives **Lifeline Assistance** through another phone carrier. If someone in your household is receiving **Lifeline Assistance** you must cancel the service before applying for **Lifeline Service** through **SafeLink Wireless**.
3. You have a valid United States Postal Address. In order for **Tracfone** to ship you your FREE phone you must live at a residence that can receive mail from the US Post Office. Sorry, but P.O. Boxes cannot be accepted.

How do I apply for Safelink?

Fill out the application on the **Safelink** website: www.safelinkwireless.com, or call 1-800-977-3768 to enroll.

What is the local calling area?

Your local calling area generally includes numbers you can dial on a seven-digit basis without paying a toll charge. Most companies serving a specific geographic region offer the same local calling area. However, there can be per minute usage charges associated with some seven-digit calls. These are known as extended area calls. To be sure about whether a call to a specific area is local you should contact your telephone service provider.

When changing local telephone service providers, will I be allowed to retain my telephone number?

Generally, the answer is yes, provided there are no technical limitations and you do not move outside your local calling area.

Can my local telephone service be disconnected for non-payment of long distance charges including 700 & 900 numbers?

No. Telephone service may be disconnected only for non-payment of regulated local services. Non-payment of unregulated services (long distance, voice mail, etc.) will not result in disconnection. There is a description of regulated and unregulated charges on your local bill. Companies may, of course, pursue all other legal means available to them for the collection of any debt.

Can I block 700 & 900 numbers?

Companies are required to provide free blocking to these pay-per-call type destinations, if you request it.

Will my listing in the directory change if I switch local service providers?

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No, not unless you request a change. However, you should verify your listing information with your provider when placing your order for service.

Why are telephone rates in rural areas generally lower than those in urban areas?

The price of telephone service has traditionally been based on the idea that the more people you can reach on a local basis, that is, without paying long distance charges, the more valuable the service. Accordingly, since telephone customers in more rural areas of the Commonwealth can generally reach fewer people on a local basis, the price for rural service is lower than those areas with more expansive “free” calling areas. For example, in some areas of Virginia, telephone customers can call a few thousand numbers locally, whereas, in other areas, like northern Virginia, customers can reach over a million telephone customers without incurring long distance charges.

What gives local service providers the right to bill in advance?

The Virginia State Corporation Commission some years ago allowed advance billing to ensure that utility companies had the required amount of cash for working capital. Without it, local rates would have been higher. Today, even with a competitive environment, the practice of advanced billing continues and is governed by tariff.

What gives the local telephone service provider the right to come on my property?

Easements and rights-of-way give telephone utilities access to a customer’s property. Easements and rights-of-way are normally negotiated between property owners (or developers) and telephone utilities when service is first installed in the area. The details of the rights-of-way should be recorded at your local courthouse, and should be indicated on surveyor mappings of your property. Generally, telephone companies cannot place lines or equipment outside of the recorded easements without the permission of the current property owner.

Do I have to choose a primary long distance carrier?

No, there is no requirement to have a long distance provider. In fact, with the proliferation of inexpensive pre-paid calling cards and cell phones, some consumers no longer make long distance calls from their landline phones at all.

Is there a way for me to determine the identity of my long distance company?

Yes, dial 1-700-555-4141 from your home or business telephone. You will hear an automated message advising you of the long distance provider’s name.

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If I change my long distance service provider, must I notify my previous carrier?

It's always a good idea. A call to your previous provider could prevent the possibility of duplicate billing.

Even if I don't declare a long distance provider, why do I pay a subscriber line charge (SLC)?

This charge is to recover the cost of the permanent connections between the customer and the public long distance network, whether or not a customer makes long distance calls. This charge was authorized by the Federal Communications Commission (FCC) in the mid-1980s and is one reason that interstate long distance calls are generally less expensive than in-state long distance calls.

Why am I charged to change my long distance provider?

Local telephone companies impose a charge to recover the programming costs associated with making a change to a customer's long distance carrier selection. Frequently, long distance carriers may reimburse this charge as an incentive to gain new customers.

This charge is called the presubscribed interexchange carrier-change charge (PIC-change charge), and was established in 1983 as part of the Federal Communication Commission's (FCC) efforts to open the interstate long distance market to competition. In 1984, the FCC established a \$5 maximum which telephone companies are allowed to levy for PIC-change charges.

Why is the local service carrier billing for long distance?

The Telecommunications Act of 1996 required that billing and collection services be rendered by the local telephone company through negotiated billing arrangements. Many long distance companies have subsequently created their own billing systems and therefore no longer rely on the local telephone company to bill on their behalf.

Why are the rates for in-state (intrastate) long distance calls sometimes higher than rates for interstate (state-to-state) calls?

Intrastate long distance calls are generally more expensive because the cost of these calls includes not only the long distance (toll) rate, but also a "connection" fee on a per-call basis. For interstate long distance service, all customers pay a flat monthly fee. The fee is designed to recover the cost of the permanent connections between the customer and the interstate long

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distance network. (This is usually referred to as the Federal Subscriber Line Charge and is collected from all customers, whether or not they make interstate long distance calls.) For intrastate service, there is no such fixed “connection” fee collected from all customers. Rather, intrastate long distance users pay the actual cost of the connection for each call made, which, in effect, increases the rate.

How will I be notified of rate changes?

For long distance rate changes, Virginia requires public notice. This could take place in the form of newspaper advertising or direct customer notification. For interstate rate changes, there is no requirement to inform customers directly of the change. Ask your provider how it notifies customers of rate changes.

What precautions should I take when making an operator assisted local or long distance call?

Rates for operator assisted calls, whether automated or through a live operator, have risen dramatically over the last several years. In fact, charges of \$5 to upwards of \$30 for calls lasting a few minutes are not unusual. If you are unsure of the cost of making an operator assisted call, especially from a pay telephone, ask the operator for a rate quote prior to completing the call. One option is to use a prepaid calling card, instead of an operator. Some prepaid calling cards have rates of a few pennies per minute. A prepaid calling card is almost certain to save you money if used at a pay telephone instead of placing an operator-assisted call.

Who decides to change my area code?

The Telecommunications Act of 1996 gave the Federal Communications Commission (FCC) jurisdiction over the telephone numbering plan in the United States. However, the FCC delegated this authority to state regulatory commissions to resolve matters involving implementing new area codes. The Virginia State Corporation Commission has been very active in this area.

How can my apartment owner or a developer limit my selection options for local or long distance?

There is nothing that prohibits a property owner or developer from entering into a contract with a specific telecommunications provider. Other providers may not be denied access to the development or apartment complex; however, the telecommunications provider itself may choose not to offer service based on its costs to provide the service. Before renting or buying, you should first check with your apartment owner or developer to see if access to all telephone companies is allowed.

If I have a service problem with my telephone, where does the local telephone company’s responsibility end and mine begin?

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Technically speaking, the line is drawn at the network interface device (NID). The NID is usually a gray or beige box outside your home or apartment. The NID should provide access for you to plug in a telephone to see if service to your house is working. If the telephone works from the NID but not from within your house, it usually means the problem is in your inside wire.

What happens if I have trouble with my telephone wire inside the house and I don't subscribe to an inside wire maintenance plan?

Inside wire maintenance is the responsibility of the customer. You can also choose among the various monthly inside wire maintenance plans offered by telephone service providers. Inside wire problems are generally rare, so even if you don't have an inside wire maintenance plan, you can hire the telephone service provider, hire another contractor, or repair it yourself if you have a problem. If you choose not to have an inside wire maintenance plan and use the telephone provider or a contractor you can generally expect to pay for time and materials. If you are establishing new service or changing providers, and plan to subscribe to an inside wire maintenance plan, ask when the plan takes effect.

How do I file a complaint regarding telephone service?

The complaint process must begin with the utility provider. If you are filing a complaint, the utility involved must be contacted prior to filing a complaint in order to give the utility an opportunity to resolve any problems. Contact the Division only if you cannot reach a resolution.

The Division of Communications has specialists available for complaints and inquiries between the hours of 8:15 a.m. and 5:00 p.m. Monday through Friday.

Callers outside the Richmond metropolitan area may contact the division using the SCC's toll-free number, 1-800-552-7945. All other callers may dial (804) 371-9675 or (804) 371-9420. The SCC also has a TDD (telecommunications device for the hearing impaired), which may be reached by phoning (804) 371-9206.

In addition to interacting with the Division of Communications via telephone, you may submit questions or complaints by regular mail, by fax, or by submitting information using their online form. Direct inquiries to:

State Corporation Commission
Division of Communications
P.O. Box 1197, Richmond, Virginia 23218

Fax: 804-371-9069

Online: <http://www.scc.virginia.gov/puc/inq.aspx>.

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Once your information arrives in the Division of Communications, it will be logged into their computer system. You will be sent verification by regular post or e-mail verifying receipt. If you are filing a complaint by regular mail or fax, you will need to include copies of documents regarding your problem. Information received through the online form may require submission of additional details to be processed. Once all information has been received and reviewed, you will be contacted with the results (usually within two weeks).

How can I decrease the number of solicitation calls that I receive?

You could start by asking the calling party to place you on a “Do-Not-Call” list. Other cost-free suggestions are to utilize the assistance of the National Do-Not-Call Registry made available by a joint effort of the Federal Trade Commission and the Federal Communications Commission. (This registry is accessible via the web at www.donotcall.gov.) You may also register by phone by calling from the phone number you wish to register to (888) 382-1222. Virginia’s Office of the Attorney General provides additional information on your rights regarding telemarketing calls.

There are other options that include a cost. These vary from subscribing to non-published or non-list service from your local phone company to the purchase of specific equipment or services that automatically block unwanted calls. Should you wish to obtain further information regarding the rules established for telemarketers, contact the Federal Communications Commission or the Federal Trade Commission.

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**Free Legal information by Web and Phone: www.vlas.org and
1-866-LegAid (534-5243)**

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