



WHAT HAPPENS IF MY TELEPHONE SERVICE IS CHANGED WITHOUT MY PERMISSION?

Have you noticed an unfamiliar company name on your local or long-distance telephone bill? Is there a charge on the bill for goods or services that you did not request? If so, you may have been a victim of “slamming” or “cramming.” Slamming is a term used by the telecommunications industry to describe the changing of a customer’s telephone provider without permission. Cramming means adding charges for goods or services to a customer’s bill without the customer’s authorization. This information will provide you with a better understanding of those practices, and what recourse you have if it happens to you.

BACKGROUND

Slamming complaints rose dramatically in the late 1990s as the long-distance telephone market grew increasingly competitive. In 1998, the Colorado Legislature passed a law that was designed to thwart the unauthorized switching of long-distance telephone service. PUC rules implementing the law were adopted in July of 1998. The rules spell out procedures that must be followed by long-distance companies in order to change a customer's selected long-distance provider. The rules also establish remedies for customers if their long-distance service is switched without permission.

Under the law, long-distance providers are required to register with the PUC and are subject to the state's anti-slamming provisions. The PUC has developed a registration form that all companies providing long-distance service must complete.

In 2001, the legislature passed a cramming law to address the problem of charging a customer for goods or services without the customer’s authorization.

WHAT CONSTITUTES AN AUTHORIZED CHANGE?

PUC Rule 2311 prohibits the transfer of a customer's account unless that customer provides written authorization, electronic authorization, or verbal authorization with third-party verification.

Requests for a customer's written authorization must be on a separate document, the sole purpose of which is to authorize a change in long-distance carriers. It may not be combined with any other inducements, such as a sweepstakes or contest.

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

A telecommunications carrier must submit an authorized carrier change on behalf of a subscriber within three days of obtaining the subscriber's authorization.

The rules also require telecommunications companies to offer customers the opportunity to "freeze" their selected provider, at no charge. Once a freeze is in place, written authorization initiated by the customer is required in order to change long-distance carriers.

WHAT ARE THE PENALTIES FOR SLAMMING AND CRAMMING?

If a customer's telephone company is changed without permission, the customer is not required to pay any charges to the offending company – local or long-distance – during the period of the unauthorized change. The customer also is not required to pay any switching fees for the unauthorized change or for being restored to his or her selected company.

For unauthorized charges for goods or services, a customer is not liable for any unauthorized amount.

WHAT SHOULD I DO IF I'VE BEEN SLAMMED OR CRAMMED?

If you've been slammed, call your selected carrier and ask to be switched back immediately. Then contact the company that switched you without permission. Ask them to provide verification that you requested the switch. If they are unable to, ask them to remove the charges from your bill.

If you've been crammed, call the company that submitted the charge and ask them to provide verification that you requested the goods or service. If they are unable to, ask them to remove the charges from your bill.

If you need assistance in resolving a slamming or cramming complaint, contact the PUC Consumer Affairs office at 303-894-2070 in the Denver metro area or 1-800-456-0858 outside the Denver metro area or e-mail your complaint to dora_puc_complaints@state.co.us.