# Stop Phone Slamming

### What is phone slamming?

Slamming is the switching of your long distance phone service without your knowledge or consent.

You have the right to choose any long distance carrier you want and the right to select the calling plan and service features offered by your carrier. Slamming takes those choices away from you, often resulting in higher rates for services and the loss of selected features.

Slamming is against the law and the federal government has tough laws to prevent slammers from making money at your expense. By law, you are not required to pay the slammer for any calls you've made within the first 30 days after you've been slammed. After the first 30 days, you are only required to pay for charges your preferred carrier would have charged.

### How does slamming occur?

Slamming sometimes happens by mistake, but often phone companies "trick" you into signing up for different services. How do they trick you? Some phone companies send out contest entry forms, checks or surveys which authorize the switch in fine print. Other companies train their telemarketers to make confusing offers that get you to say "yes."

## What should you do if you've been slammed?

Remember: slamming is illegal. Federal law gives you the right to switch back to your preferred provider. Here's what to do:

- \* Call your <u>local</u> phone company and ask to be reconnected to your preferred long distance carrier. Explain that you did not order service from the new long distance company and that any "change charge" (the charge for switching companies) should be taken off your phone bill.
- \* Call your preferred long distance carrier and report the unauthorized switch. Ask to be reconnected for free.
- \* Call the long distance phone company that slammed you and tell them that 1) all of their charges within 30 days of the slamming should be removed and 2) any calls made after the first 30 days should be recalculated according to your preferred provider's billing rate. (If you've already paid your bill, the slammer must forward your payments to your preferred provider. Your preferred provider should then give you a refund or credit for any amount you paid in excess of the charge they would have charged you. Be sure to have any "change charge" refunded to you.)
- \* Call the following toll free numbers to verify your phone provider:
  - o 1-700-555-4141 for long distance services and
  - o 1+your area code+700-4141 for local toll services.
- \* If the company that slammed you refuses to drop any unauthorized additional charges (or refuses to forward your refund if you've already paid), file a complaint with the Federal Communications Commission. The FCC's toll-free complaint number is 1-888-CALL-FCC (1-888-225-5322). Written complaints can be sent to FCC, Common Carrier Bureau Enforcement Division, Washington, D.C. 20554. You also have the option of filing a complaint with the FCC via the internet at <a href="https://www.fcc.gov/ccb/enforce/index-complaints.html">www.fcc.gov/ccb/enforce/index-complaints.html</a>.

Even if the company that slammed you properly drops all charges, you may wish to inform the FCC of the unauthorized switch.

Be sure to keep notes of the names of the employees at each company you spoke with to resolve your complaint and the dates you spoke with them.

### Protect yourself against slamming

- \* Do not sign anything without reading it carefully.
- \* Carefully review your phone bill each month. If you have a question, call your phone company.
- \* Ask your local phone company if you can "freeze" your existing carrier. A freeze informs the local phone company that you do not want to switch providers unless they receive written or verbal authorization from you.
- \* If you receive a call from a telemarketer offering to switch phone companies and you are not interested, clearly inform the telemarketer that you are not interested in switching. Since it is never a good idea to change your service based on information received over the phone, if you are interested in the telemarketer's offer, ask the company to send you information by mail.
- \* If you receive a letter or postcard "verifying" a switch in service, immediately notify the sender that you did not authorize the change.

  Next, call your local phone company to confirm that your long distance provider is the one you chose.

#### Where else to go for help

- \*State public utility commissioner or public service commissioner (Phone numbers for government agencies are usually located in the phone book under the government listings. A list of state utility commission websites can be found at www.naruc.org/stateweb.htm.)
- \*State attorney general's consumer protection or complaints department
- \*City or county consumer affairs
- \*Local Better Business Bureau (Check the white pages.)

If you need further legal advice, contact a private attorney or your local legal services office.

#### SLAMMING OF LOCAL SERVICES

In some states, consumers have the opportunity to choose local service providers. If you live in one of those states, you should also watch for slamming of your local phone service. If your local service is switched without your consent, you should notify your state public utility commissioner or public service commissioner in addition to following the procedure listed in this pamphlet under "What should you do if you've been slammed." You should act promptly since some states have time limits for filing complaints with their agencies.

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### NATIONAL CONSUMER LAW

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