

Consumer Complaint Center: Informal Consumer Complaints**SUPPORTING STATEMENT**

1. The Commission is submitting this revised information collection to transfer certain information collection burdens associated with OMB Control Number 3060-1225 to this OMB Control Number. This change is being made to enable consumers to file complaints relating to a violation of the National Deaf-Blind Equipment Distribution Program rules.¹ The Commission is also revising the informal consumer complaint forms. These changes, informed by the data collected through the Consumer Complaint Center (CCC) at <https://consumercomplaints.fcc.gov/hc/en-us>, will improve the clarity, ease of use and utility of the CCC.² This will allow the Commission to process consumer complaints more efficiently and provide more detailed data to inform enforcement and policy efforts.

The CCC is used for the submission of informal complaints³ alleging violations of the Communications Act of 1934, as amended (the Act), and the Commission's rules. All information collection burdens associated with submission of a complaint using the CCC are contained herein.

Pursuant to Section 208 of the Act and 47 CFR §§ 1.711 and 1.716, consumers may file complaints against common carriers with the Commission. These informal consumer complaints are forwarded to the carrier(s) involved. The carriers are required to respond to the complaint in writing with a copy to the consumer and the Commission. Although the Act does not discuss how the Commission should treat complaints against non-common carriers for violations of the Act or the Commission's rules, the Commission treats these complaints similar to the way it treats complaints against common carriers. Pursuant to 47 CFR § 64.6217, consumers may file complaints against National Deaf-Blind Equipment Distribution Program certified programs.

The information provided by consumers in their complaints assists carriers in addressing or responding to the issues raised by consumers, provides the Commission with baseline data that may be used to monitor common carrier marketplace practices and supports appropriate enforcement activities where systemic problems with carriers are identified. Complaint information also informs Commission decision makers about whether new or modified rules are needed to protect the interests of consumers.

The CCC collects information on the following categories: phone (including slamming), TV, radio, Internet, emergency communications and access for people with disabilities (including the National Deaf-Blind Equipment Distribution Program and Requests for Dispute Assistance).⁴

Synopsis of Online Consumer Complaint Center:

Consumers use the CCC to file detailed complaint information with the Commission. The CCC provides a tree branch format that allows consumers to choose the product or service they are inquiring/complaining about, the method by which the product/service is provided and a specific issue. Consumers can upload attachments with their submission. The CCC provides consumers with email updates on their complaint and allows consumers to amend their complaint as necessary.

¹ See #12, *infra*.

² The revised consumer complaint forms will be provided as attachments to this submission.

³ Informal complaints consist of informal consumer complaints, inquiries, requests for dispute assistance, and comments.

⁴ The CCC also provides a channel for consumers to provide inquiries/comments to the Commission that don't rise to the level of an informal consumer complaint.

Consumer Complaint Center: Informal Consumer Complaints

The branching strategies are designed to assist the on-line users in providing the relevant information and to facilitate the submission of the necessary data to the Commission to allow for processing of the complaint, referral of the complaint or some other solution.

The statutory authority for this collection is contained in 47 U.S.C. 208.

2. The information received via the CCC is used by Commission staff to process informal consumer complaints; alert providers to consumer issues, monitor marketplace practices; pursue enforcement actions where warranted; and inform policy development.

This information collection includes personally identifiable information (PII).

- (1) As required by OMB Memorandum M-03-22 (September 26, 2003), the FCC completed a Privacy Impact Assessment (PIA) on June 28, 2007, that gives a full and complete explanation of how the FCC collects, stores, maintains, safeguards, and destroys the PII covered by these information collection requirements.⁵ The PIA may be reviewed at <https://www.fcc.gov/general/privacy-act-information#pia>.
- (2) As required by the Privacy Act, 5 U.S.C. § 552a, the FCC also published a system of records notice (SORN), FCC/CGB-1, "Informal Complaints, Inquiries, and Requests for Dispute Assistance" in the *Federal Register* on August 15, 2014, (79 FR 48152), which became effective on September 24, 2014. The SORN may be reviewed at <https://www.fcc.gov/general/privacy-act-information#systems>.
3. The Commission expects that most complainants will access and submit their complaint information electronically. The CCC is accessible from the Commission's website at <https://consumercomplaints.fcc.gov/hc/en-us>. The Commission also receives informal complaints by postal mail and fax.
4. Since the data collection is specific to the consumer filing the information, there is limited duplication.
5. The Commission is committed to reducing the regulatory burdens on small businesses whenever possible, consistent with the Commission's other public interest responsibilities. The Commission believes that few, if any small businesses and other small entities will be impacted by this collection. If some small entities are impacted, the Commission believes that by having access to the Internet, filing a complaint becomes less costly and time consuming.
6. The CCC information collection provides consumers with a more efficient method of filing and tracking consumer complaints and affords the Commission an opportunity to expedite the processing of consumer complaints by minimizing the potential of the Commission being inundated with consumer complaints requiring manual processing of information received in a non-electronic environment.
7. There are no special circumstances that would cause this collection of information to be collected in a manner that is inconsistent with the guidelines in 5 CFR §1320.

⁵ The PIA is currently being revised by the Commission.

Consumer Complaint Center: Informal Consumer Complaints

8. Pursuant to 5 CFR § 1320.8(d), the Commission placed a notice soliciting public comment on the information collection requirements contained in this supporting statement in the *Federal Register*. See 86 FR 26035, May 12, 2021. The Commission received no comments following publication of the notice.
9. The Commission does not anticipate providing any payment or gift to any respondents.
10. Assurances of confidentiality are being provided to the respondents.
 - (a) The Commission is requesting that individuals (consumers/respondents) submit their names, addresses, telephone numbers, and email addresses, which Commission staff need to process the complaints. A privacy statement will be included on the CCC.
 - (b) In addition, respondents are made aware of the fact that their complaint information may be released to law enforcement officials and other parties as mandated by law (i.e., court-ordered subpoenas). Such information is covered under the Commission's system of records notice (SORN), FCC/CGB-1, "Informal Complaints, Inquiries, and Requests for Dispute Assistance." The PII covered by this system of records notice is used by Commission to process informal complaints from individuals and groups. The SORN may be reviewed at <https://www.fcc.gov/general/privacy-act-information#systems>.

The PIA that the FCC completed on June 28, 2007 gives a full and complete explanation of how the FCC collects, stores, maintains, safeguards, and destroys the PII, as required by OMB regulations and the Privacy Act, 5 U.S.C. 552a. The PIA may be viewed at <https://www.fcc.gov/general/privacy-act-information#pia>.

11. This information collection does not raise any questions or issues of a sensitive nature.
12. Estimates of the annual number of respondents as well as the hour burden for the collection of information are based on Commission staff's knowledge and familiarity with the subject matter as well as the availability of the data required. These estimates are as follows:

Burden for Phone Complaint (not including slamming)**Annual Number of Respondents:**

200,000 consumers

Annual Number of Responses:

200,000 responses

Annual Number of Burden Hours:

200,000 consumers x .25 hour/complaint = 50,000 hours

Consumer Complaint Center: Informal Consumer Complaints

Annual “In-House” Cost: \$0

The Commission estimates that there are no specific “in house” or other annual costs for those who file these complaints.

Burden for Slamming Complaint

Annual Number of Respondents:

90 consumers + 80 businesses = 170 respondents

Annual Number of Responses:

90 consumers + 80 business slamming complaints = 170 responses

Annual Number of Burden Hours:

90 consumer + 80 business slamming complaints x .25 hour/complaint = 43 hours

Annual “In-House” Cost:

The Commission believes that businesses would use “in-house” personnel to complete this process whose pay is comparable to mid-level federal employee (GS-9/5 (\$32.65/hour)), to comply with the requirement. The consumers do not have in-house costs.

80 businesses x .25/hour x \$32.65 = \$653.00

Burden for TV Complaints

-

Annual Number of Respondents:

36,400 respondents

Annual Number of Responses:

36,400 responses

Annual Number of Burden Hours:

36,400 consumers x .25 hour/complaint = 9,100 hours

Annual “In-House” Cost: \$0

The Commission estimates that there are no specific “in house” or other annual costs for those who file these complaints.

Consumer Complaint Center: Informal Consumer Complaints

Burden for Radio Complaints

- **Annual Number of Respondents:**

4,800 respondents

Annual Number of Responses:

4,800 responses

Annual Number of Burden Hours:

4,800 consumers x .25 hour/complaint = 1,200 hours

Annual "In-House" Cost: \$0

The Commission estimates that there are no specific "in house" or other annual costs for those who file these complaints.

Burden for Internet Complaints

- **Annual Number of Respondents:**

46,100 respondents

Annual Number of Responses:

46,100 responses

Annual Number of Burden Hours:

46,100 consumers x .25 hour/complaint = 11,525 hours

Annual "In-House" Cost: \$0

The Commission estimates that there are no specific "in house" or other annual costs for those who file these complaints.

Burden for Emergency Complaints

- **Annual Number of Respondents:**

640 respondents

Annual Number of Responses:

640 responses

Consumer Complaint Center: Informal Consumer Complaints

Annual Number of Burden Hours:

640 consumers x .25 hour/complaint = 160 hours

Annual “In-House” Cost: \$0

The Commission estimates that there are no specific “in house” or other annual costs for those who file these complaints.

Burden for Comments/Inquiries

Annual Number of Respondents:

4,800 respondents

Annual Number of Responses:

4,800 responses

Annual Number of Burden Hours:

4,800 consumers x .25 hour/comment = 1,200 hours

Annual “In-House” Cost: \$0

The Commission estimates that there are no specific “in house” or other annual costs for those who file these complaints.

Burden for Communications Accessibility Informal Complaints

The Commission estimates that approximately 2 consumers (individuals with disabilities or their representatives) will file complaints annually alleging a violation of Section 255 (telecommunications services and equipment), Section 716 (advanced communications services or equipment), or Section 718 (Internet browsers on mobile phones) of the Act.

Annual Number of Respondents:

2 respondents

Annual Number of Responses:

2 responses

Annual Number of Burden Hours:

2 consumers x .50 hour/complaint = 1 hour

Annual “In-House” Cost: \$0

Consumer Complaint Center: Informal Consumer Complaints

The Commission estimates that there are no specific “in house” or other annual costs for those who file these complaints.

Burden for National Deaf-Blind Equipment Distribution Program Complaints

The Commission estimates that approximately 5 consumers (individuals with disabilities or their representatives) will file complaints annually alleging a violation of the National Deaf-Blind Equipment Distribution Program rules. This estimate is based on Commission staff’s knowledge and familiarity with the subject matter.

Annual Number of Respondents:

5 respondents

Annual Number of Responses:

5 responses

Annual Number of Burden Hours:

5 consumers x 1 hour/complaint = 5 hours

Annual “In-House” Cost: \$0

The Commission estimates that there are no specific “in house” or other annual costs for those who file these complaints.⁶

Burden for Request for Dispute Assistance

The Commission estimates that there will be approximately 20 consumers (individuals with disabilities or their representatives) filing RDAs annually alleging a lack of accessibility of telecommunications services or equipment, advanced communications services or equipment, or Internet browsers on mobile phones.

Annual Number of Respondents:

20 respondents

Annual Number of Responses:

20 responses

Annual Number of Burden Hours:

20 consumers x .50 hour/response = 10 hours

Annual “In-House” Cost: \$0

⁶ The burdens associated with processing complaints against a National Deaf-Blind Equipment Distribution Program certified provider remain with the collection found under OMB Control No. 3060-1225.

Consumer Complaint Center: Informal Consumer Complaints

The Commission estimates that there are no specific “in house” or other annual costs for those who file these complaints.⁷

Cumulative Totals for complaints/inquiries filed via the CCC:**Total Number of Annual Respondents:**

200,000 + 170 + 36,400 + 4,800 + 46,100 + 640 + 4,800 + 2 + 5 + 20 = **292,937 respondents**

Total Annual Number of Responses:

200,000 + 170 + 36,400 + 4,800 + 46,100 + 640 + 4,800 + 2 + 5 + 20 = **292,937 responses**

Total Annual Number of Burden Hours:

50,000 + 43 + 9,100 + 1,200 + 11,525 + 160 + 1,200 + 1 + 5 + 10 = **73,244 hours**

Total Annual “In-House” Cost: \$653

13. There are no annual costs to respondents.

All complaints submitted by respondents to the Commission are voluntary. The information required to complete the forms is available based on respondents’ memory, notes, telephone bills or other documents. The consumer already has access to the Internet, and no additional costs are incurred to submit the complaint.

(a) Total annualized capital/startup costs: **None**

(b) Total annual cost (O&M): **None**

(c) Total annualized cost requested: **None**

14. The FCC will continue to administer the complaint filings using Commission staff.

To address complaints, the Commission will use paraprofessional staff at the GS-12/5 (\$47.35/hour) level to process and/or review the data sent to the Commission. The Commission makes the following estimates:

200,000 phone complaints x 15 minutes (.25 hour) of staff processing time/complaint x \$47.35/hour = **\$2,367,500**

170 slamming complaints x 15 minutes (.25 hour) of staff processing time/complaint x \$47.35/hour = **\$2,012.38**

36,400 TV complaints x 15 minutes (.25 hour) of staff processing time/complaint x \$47.35/hour = **\$430,885**

4,800 radio complaints x 15 minutes (.25 hour) of staff processing time/complaint x \$47.35/hour = **\$56,820**

⁷ The burdens associated with administering RDAs are maintained in this collection. See question 14, below. The burdens associated with processing RDAs remain with the collection found under OMB Control No. 3060-1167.

Consumer Complaint Center: Informal Consumer Complaints

46,100 Internet complaints x 15 minutes (.25 hour) of staff processing time/complaint x \$47.35/hour = **\$545,708.75**

640 emergency complaints x 15 minutes (.25 hour) of staff processing time/complaint x \$47.35/hour = **\$7,576**

4,800 inquiries x 15 minutes (.25 hour) of staff processing time/complaint x \$47.35/hour = **\$56,820**

5 National Deaf-Blind Equipment Distribution Program rules complaints x 15 minutes (.25 hour) of staff processing time/complaint x \$47.35/hour = \$59.19

20 RDAs x 30 minutes (.50 hour) of staff processing time/complaint x \$47.35/hour = **\$473.50**

The Commission will also use professional staff at the GS-14/5 (\$66.54/hour) level to conduct enforcement efforts for Communications Accessibility complaints. The Commission estimates the time associated with investigating each complaint to be on average 3 hours.

2 Communication Accessibility complaints x 3 hours of staff investigating time/complaint x \$66.54/hour = **\$399.24**

Total Cost to the Federal Government:

\$2,367,500 + \$2,012.38 + \$430,885 + \$56,820 + \$545,708.75 + \$7,576 + \$56,820 + \$59.19 + \$473.50 + \$399.24 = **\$3,468,254.06**

15. The Commission notes the following adjustments to this information collection, which are as follows:

- (a) The total number of respondents has decreased by **43,067** respondents, from **336,004** respondents to **292,937**;
- (b) The total number of responses has decreased by **43,067** responses, from **336,004** responses to **292,937**;
- (c) The total annual burden hours have decreased by **10,768** annual hours, from **84,012** annual hours to **73,244** annual burden hours.

There are no program changes to this information collection.

16. The Commission does not intend to seek approval not to display the expiration date for OMB approval of this information.

17. Consumers will file informal complaints online via the CCC, which is designed for consumers to file their detailed complaint information alleging violations of the Act and the Commission's rules. There are no program changes or adjustments to this information collection.

18. There are no exceptions to the Certification Statement.

B. Collections of Information Employing Statistical Methods

Consumer Complaint Center: Informal Consumer Complaints

The Commission does not anticipate that the collection of information will employ statistical methods.