

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

1. The Commission is submitting this revised information collection to enable consumers or other members of the public to file complaints relating to digital discrimination of access to broadband. On November 15, 2021, Congress enacted the Infrastructure Investment and Jobs Act (Infrastructure Act).¹ Section 60506(e) of the Infrastructure Act directed the Commission to “revise its public complaint process to accept complaints from consumers or other members of the public that relate to digital discrimination.”² To implement this provision, as well as the other requirements of section 60506, the Commission adopted a *Report and Order and Further Notice of Proposed Rulemaking* on November 15, 2023.³

The Commission is also revising other 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.⁴ This will allow the Commission to process consumer complaints more efficiently and provide more detailed data to inform enforcement and policy efforts.

As background, the CCC is used for the submission of informal complaints⁵ 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.⁶ 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

¹ Infrastructure Investment and Jobs Act, Pub. L. No. 117-58, 135 Stat. 429 (2021) (codified at 47 U.S.C. § 1754) (Infrastructure Act).

² 47 U.S.C. § 1754(e).

³ *Implementing the Infrastructure Investment and Jobs Act: Prevention and Elimination of Digital Discrimination*, GN Docket No. 22-69, Report and Order and Further Notice of Proposed Rulemaking, FCC 23-100 (Nov. 20, 2023) (*Digital Discrimination Order and Further Notice*).

⁴ The revised consumer complaint forms will be provided as attachments to this submission.

⁵ Informal complaints consist of informal consumer complaints, inquiries, requests for dispute assistance, and comments.

⁶ In the *Digital Discrimination Order and Further Notice*, the Commission further added to the procedure for informal complaints in 47 CFR § 1.717. The Commission stated that for the purpose of informal complaints related to the new rules the Commission adopted to implement section 60506, the Commission would apply its procedures to complaints against all covered entities as the Commission defined them in 47 CFR § 16.2.

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Commission decision makers about whether new or modified rules are needed to protect the interests of consumers.

The CCC collects information on the following complaint categories: phone (including slamming), TV, radio, Internet (including digital discrimination), emergency communications and access for people with disabilities (including the National Deaf-Blind Equipment Distribution Program) and Requests for Dispute Assistance.⁷

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.

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 and 47 U.S.C. 1754(e).

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).

- (a) As required by Office of Management and Budget Memorandum M-03-22 (September 26, 2003), and by Section 208 of the E-Government Act of 2002, 44 U.S.C. § 3501 note, the FCC completed a Privacy Impact Assessment (PIA) on November 19, 2021, 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. The PIA may be reviewed at <https://www.fcc.gov/general/privacy-act-information#pia>.
- (b) As required by the Privacy Act, 5 U.S.C. § 552a, the FCC published an updated system of records notice (SORN), FCC/CGB-1, “Informal Complaints, Inquiries, and Requests for Dispute Assistance” in the *Federal Register* on September 1, 2023, (88 FR 60459), which became effective on October 2, 2023, covering the PII that may be collected, maintained, used, and stored, and disposed of when obsolete, and which are part of the information associated with these information collection requirements. This SORN will ensure that the PII collected in this information collection will be handled in a manner consistent with the Privacy Act of 1974, as amended.

The SORN may be reviewed at <https://www.fcc.gov/general/privacy-act-information#systems>.

⁷ 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.

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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.
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 89 FR 25263, published on April 10, 2024. 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 November 19, 2021 gives a full and complete explanation of how the FCC collects, stores, maintains, safeguards, and destroys the PII, as required by the Office of Management and Budget Memorandum M-03-22 (September 26, 2003), and by Section 208 of the E-Government Act of 2002, 44 U.S.C. § 3501 note. The PIA may be viewed at <https://www.fcc.gov/general/privacy-act-information#pia>.

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- 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:

168,500 consumers

Annual Number of Responses:

168,500 responses

Annual Number of Burden Hours:

168,500 consumers x .25 hour/complaint = 42,125 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 Slamming Complaint

Annual Number of Respondents:

500 consumers + 140 businesses = 640 respondents

Annual Number of Responses:

500 consumers + 140 businesses = 640 responses

Annual Number of Burden Hours:

500 consumer + 140 businesses x .25 hour/complaint = 160 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 (\$37.15/hour)), to comply with the requirement. The consumers do not have in-house costs.

140 businesses x .25/hour x \$37.15 = \$1,300.25

Burden for TV Complaints

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Annual Number of Respondents:

20,200 respondents

Annual Number of Responses:

20,200 responses

Annual Number of Burden Hours:

20,200 consumers x .25 hour/complaint = 5,050 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 Radio Complaints

Annual Number of Respondents:

4,400 respondents

Annual Number of Responses:

4,400 responses

Annual Number of Burden Hours:

4,400 consumers x .25 hour/complaint = 1,100 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.

Burden for Internet Complaints

Annual Number of Respondents:

60,000 respondents

Annual Number of Responses:

60,000 responses

Annual Number of Burden Hours:

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60,000 consumers x .25 hour/complaint = 15,000 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

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Annual Number of Respondents:

1,100 respondents

Annual Number of Responses:

1,100 responses

Annual Number of Burden Hours:

1,100 consumers x .25 hour/complaint = 275 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

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Annual Number of Respondents:

7,100 respondents

Annual Number of Responses:

7,100 responses

Annual Number of Burden Hours:

7,100 consumers x .25 hour/comment = 1,775 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

Annual Number of Respondents:

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1,800 respondents

Annual Number of Responses:

1,800 responses

Annual Number of Burden Hours:

1,800 consumers x .50 hour/complaint = 900 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 National Deaf-Blind Equipment Distribution Program Complaints

Annual Number of Respondents:

40 respondents

Annual Number of Responses:

40 responses

Annual Number of Burden Hours:

40 consumers x 1 hour/complaint = 40 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.⁸

Burden for Request for Dispute Assistance

Annual Number of Respondents:

400 respondents

Annual Number of Responses:

400 responses

Annual Number of Burden Hours:

400 consumers x .50 hour/response = 200 hours

⁸ 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.

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The Commission estimates that there are no specific “in house” or other annual costs for those who file these complaints.⁹

Burden for Digital Discrimination Complaints

This estimate is based on Commission staff’s knowledge and familiarity with the subject matter.

Annual Number of Respondents:

5,000 consumers + 500 organizations = 5,500 respondents

Annual Number of Responses:

5,000 consumers + 500 organizations = 5,500 responses

Annual Number of Burden Hours:

5,000 consumers + 500 organizations x .25 hour/complaint = 1,375 hours

Annual “In-House” Cost:

The Commission believes that organizations would use “in-house” personnel to complete this process whose pay is comparable to mid-level federal employees (GS-12/5 (\$53.87/hour)), to comply with the requirement. The consumers do not have in-house costs.

500 organizations x .25/hour x \$53.87 = \$6,733.75

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

168,500 + 640 + 20,200 + 4,400 + 60,000 + 1,100 + 7,100 + 1,800 + 40 + 400 + 5,500 = **269,680 respondents**

Total Annual Number of Responses:

168,500 + 640 + 20,200 + 4,400 + 60,000 + 1,100 + 7,100 + 1,800 + 40 + 400 + 5,500 = **269,680 responses**

Total Annual Number of Burden Hours:

42,125 + 160 + 5,050 + 1,100 + 15,000 + 275 + 1,775 + 900 + 40 + 200 + 1,375 = **68,000 hours**

Total Annual “In-House” Cost:

\$1,300.25 + \$6,733.75 = **\$8,034.00**

13. There are no annual costs to respondents.

⁹ The burdens associated with administering RDAs are maintained in this collection. The burdens associated with processing RDAs remain with the collection found under OMB Control No. 3060-1167.

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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 respondents already have 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 process the complaint filings using Commission staff.

To address complaints, the Commission will use paraprofessional staff at the GS-12/5 (\$53.87/hour) level to process and/or review the data sent to the Commission. The Commission makes the following estimates:

168,500 phone complaints x 15 minutes (.25 hour) of staff processing time/complaint x \$53.87/hour = **\$2,269,273.75**

640 slamming complaints x 15 minutes (.25 hour) of staff processing time/complaint x \$53.87/hour = **\$8,619.20**

20,200 TV complaints x 15 minutes (.25 hour) of staff processing time/complaint x \$53.87/hour = **\$272,043.50**

4,400 radio complaints x 15 minutes (.25 hour) of staff processing time/complaint x \$53.87/hour = **\$59,257.00**

60,000 Internet complaints x 15 minutes (.25 hour) of staff processing time/complaint x \$53.87/hour = **\$808,050.00**

1,100 emergency complaints x 15 minutes (.25 hour) of staff processing time/complaint x \$53.87/hour = **\$14,814.25**

7,100 inquiries x 15 minutes (.25 hour) of staff processing time/complaint x \$53.87/hour = **\$95,619.25**

40 National Deaf-Blind Equipment Distribution Program rules complaints x 15 minutes (.25 hour) of staff processing time/complaint x \$53.87/hour = **\$538.70**

400 RDAs x 30 minutes (.50 hour) of staff processing time/complaint x \$53.87/hour = **\$10,774.00**

5,500 digital discrimination complaints x 15 minutes (.25 hour) of staff processing time/complaint x \$53.87/hour = **\$74,071.25**

Total Cost to the Federal Government:

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$\$2,269,273.75 + \$8,619.20 + \$272,043.50 + \$59,257.00 + \$808,050.00 + \$14,814.25 + \$95,619.25 + \$538.70 + \$10,774.00 + \$74,071.25 = \$3,613,060.90$

15. The Commission notes the following program changes to this information collection as adopted in FCC 23-100, which are as follows:

- (a) The total number of respondents has increased by **5,500**.
- (b) The total number of responses as increased by **5,500**.
- (c) The total annual burden hours has increased by **1,375** hours.

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

- (a) The total number of respondents has decreased by **28,757** respondents, from **292,937** respondents to **264,180**;
- (b) The total number of responses has decreased by **28,757** responses, from **292,937** responses to **264,180**;
- (c) The total annual burden hours have decreased by **6,619** annual hours, from **73,244** annual hours to **66,625** annual burden hours.

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.

18. There are no exceptions to the Certification Statement.

B. Collections of Information Employing Statistical Methods

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