

ISSUE ALERT

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Slamming – New FCC Third Party Verification Ruling

On January 9, 2008, the FCC released an Order in which it reached the following conclusions concerning third party verification of a customer's intent to switch carriers.¹

- The date of the verification should be obtained during the third party verification.²
- If customers have questions which a verifier cannot answer and the verifier indicates: 1) it will complete the verification and 2) the question is to be deferred to a carrier's sales representative after completion of the verification, then the verifier must state that the carrier has the ability to change their service after the verification is completed, despite the fact that their questions were not answered.
- Verifiers are required to convey explicitly to customers that the carrier change transaction is exactly that, and not a mere upgrade to existing service, bill consolidation, or any other misleading description.
- The FCC declined to require that each piece of information that a third party verifier must gather should be the subject of a separate and distinct third party verifier inquiry and subscriber response.
- The FCC declined to require third party verifiers to define for subscribers the terms "intraLATA toll" and "interLATA toll" service.
- The FCC declined to adopt rule changes regarding the preemption of state slamming regulations that differ from the Commission's.
- The FCC rejected proposals to change the FCC's requirement that carrier sales representatives drop off the sales call once the connection has been established between the subscriber and the verifier.

Please contact your GVNW consultant if you have any questions about the Order.

¹ Third party verification is one of the authorized methods for verifying a customer's carrier change request. Other allowable methods of verification include written or electronically-signed letters of agency (LOAs), electronic authorization (a call to a toll-free number that records the caller's originating automatic number identification), or any State-enacted verification procedures applicable to intrastate preferred carrier change orders only.

² The date of the verification should be elicited in addition to the other information currently required: (1) the identity of the subscriber; (2) confirmation that the person on the call is authorized to make the carrier change; (3) confirmation that the person on the call wants to make the change; (4) the names of the carriers affected by the change; (5) the telephone number(s) to be switched; and (6) the types of service involved (i.e., local, toll, or international service).



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