

TELEPHONE Slamming

consumer *brief*

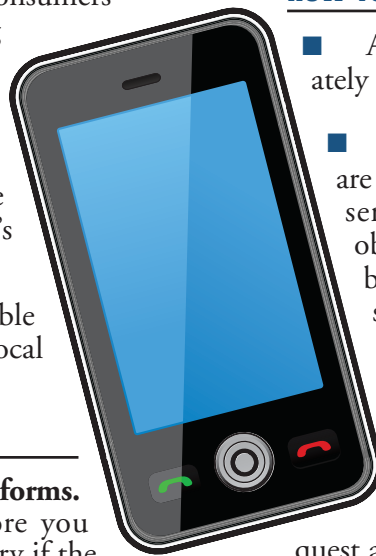
“Slamming” is the illegal practice of switching a consumer’s traditional telephone company for local, local-toll or long distance service (which includes international calls except Hawaii), without permission. It is the number one telephone-related complaint received by the Federal Communications Commission (FCC).

The FCC has rules that provide remedy to consumers who have been slammed, discourage slamming by removing the profit, and protect consumers from illegal switches. The FCC can also take action against slammers. New Jersey’s laws about slamming closely follow the FCC regulations and, additionally, slammers are subject to fines for violating New Jersey’s Consumer Fraud Act.

The slamming rules also prohibit unreasonable delays on the authorized switch by your local telephone company.

BE CAREFUL

- **Contests, drawings and sweepstakes forms.** Read the fine print carefully before you submit entry forms. Be especially wary if the form says you must provide your telephone number and signature. Doing so may authorize a change in your long distance company.
- **Rebates and checks.** Read everything on the check before endorsing it. Your endorsement may authorize a switch.
- **“Charitable” causes.** Be careful if you are asked to complete a form from a charity soliciting a donation, such as two percent of your long distance bill. Also, beware if a charity offers to enter you in a drawing for a prize, if you complete a form and give your telephone number and signature.



- **Telemarketing Calls.** A long distance phone company may call to ask you to consider switching, promising bargains in long distance service. Even if you decline, or ask only for information, you may discover that the marketer has gone ahead and made the switch.

HOW TO AVOID SLAMMING

- Always examine your phone bill immediately and thoroughly.
- Be aware of the ways in which companies are legally permitted to change your telephone service. The rules require companies to obtain clear permission from the consumer before such a change – by the customer’s signature either written or electronic on a letter of agency, by the customer’s verbal authorization by phone, or by third-party verification.
- “Freeze” your telephone service provider. Consumers can call their local phone company’s business office and request a “freeze” of their long distance and local-toll carriers where available. By “freezing” your service to your chosen company, your calls may not be carried on another company’s network without your verbal or written authorization.
- Confirm your current provider. Make sure you know which company is currently providing your long distance or local-toll telephone service. That company’s name and phone number will appear on your phone bill. If the information is different from what you think it should be, alert your local phone company and your preferred regional toll/long distance carrier.

Continued

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- Be cautious when receiving calls or filling out materials about changing your telephone service provider.
- If contacted by a telemarketer regarding your telephone service, be sure you get the name of the company, the telephone number and the name of the person with whom you are speaking (along with a clear explanation of the purpose of the call). Also, be clear about the type of service for which you are authorizing the change. Frequently, telemarketers will not specify what type of service they are marketing and then, without telling you, they will switch your local-toll/regional service along with your long distance service.
- Read the small print on all solicitations before signing them.

IF YOU DISCOVER YOU'VE BEEN SLAMMED

- Call your local phone company and tell them your long distance company was changed without your consent.
- Call your long distance preferred carrier to let them know you were slammed. Ask to be reconnected at no charge.
- Call the company that slammed you to tell them you don't want their service and that you'll only pay the rates your preferred long distance carrier would charge. You may be due an adjustment on your bill.

- If you have been slammed, and have not paid the bill yet, you do not have to pay for the charges by the unauthorized company during the first 30 days after the unauthorized switch. You also do not have to pay your authorized telephone company for any charges for up to 30 days. After 30 days, you must pay your authorized company for service, but at its rates, not the slammer's rates.
- If you have been slammed, but discover it only after you have paid the bill, the slamming company must pay your authorized company 150 percent of the amount of money you paid to the slamming company. Out of that total, your authorized company will reimburse you for 50 percent of the amount you paid to the slamming company.
- Call the **Board of Public Utilities (BPU) at 800-624-0241** to report being slammed and for help if you don't receive cooperation from the company that slammed you.
- Contact the **Division of Consumer Affairs' Consumer Service Center at 1-800-242-5846** to file a complaint.

Be an Informed Consumer...
We can Help!

DIVISION OF CONSUMER AFFAIRS

973-504-6200 ■ 800-242-5846 (toll free within New Jersey)

E-Mail: AskConsumerAffairs@lps.state.nj.us

website: www.NJConsumerAffairs.gov

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