

FHH Telecom Law
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Billers: Tell the Truth

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No longer exempt from the FCC's truth-in-billing rules, mobile phone providers must now avoid any language in their bills suggesting that a discretionary charge is a tax or government fee.

In a further rulemaking, the FCC will determine exactly what constitutes a government mandated charge, and whether carriers should be allowed to combine all federally-mandated charges into a single line item. The FCC also seeks comment on its tentative conclusions that a break-out of government mandated charges on a bill must be placed in a separate section. The proposed rules would preempt any inconsistent state rules, essentially creating a national truth-in-billing regime, but leave intact state consumer protections in other areas that affect mobile telephone service.