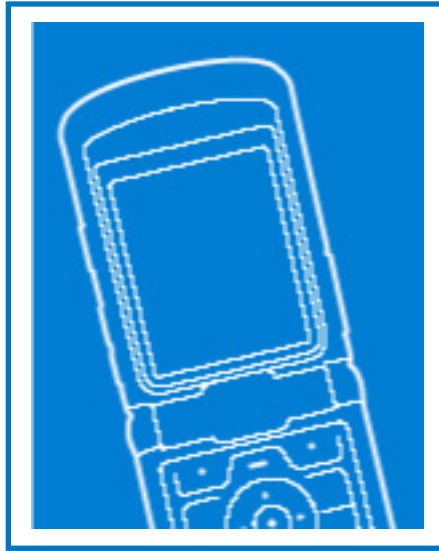


# **Choosing a Wireless Service Provider**



## ***Backgrounder Guide***

# Choosing a Wireless Provider

- 1 Introduction**
- 2 Wireless Service**
- 5 Wireless Phones**
- 6 Wireless Plans**
- 10 Wireless Coverage**
- 11 Phone Number Portability**
- 12 Your Wireless Bill**
- 14 Choosing a Phone**
- 16 Driving**
- 17 Courtesy**
- 18 Preventing Theft and Fraud**
- 19 Privacy**
- 21 Information and Assistance**
- 22 Comparing Cell Phone Plans (Worksheet)**

## Introduction

Consumer Action has designed this guide in partnership with AT&T to help you understand the issues involved in setting up cell phone service, and to spread knowledge in the communities you serve.

More than 200 million people in the U.S. use cell phones, according to the Cellular Telecommunications & Internet Association (CTIA). Lower-priced equipment and rates make cell phones affordable for many individuals and families, but comparing wireless services and equipment can be a daunting task.

Consumers have broad choices among wireless service providers, calling plans and phones. Adding to the complexity are new services and capabilities—mobile phones can be used not just for talking, but to snap photos,

surf the Internet, send e-mail and play games.

Since 2003, consumers can keep their cell phone number when they switch companies, or even convert their regular phone numbers (landlines) to cell phone numbers. A growing number of consumers are giving up landlines altogether and using cell phones instead.

Several large national companies and smaller, regional firms offer many cell phone plans. Consolidation among companies is narrowing consumer choice. Phones in use today sometimes employ incompatible technology, which means that when switching carriers, new phones may be necessary.

## **Wireless Service**

### ***Q. Why do I have to sign up for a long contract in order to get wireless service?***

Carriers say that they need to anticipate revenues so that they can build the network they need to serve their customers, but long contract periods are not popular with consumers. However, you may get a better deal on a wireless device and a calling plan by entering into a one- or two-year service contract. (If you break your wireless contract, most companies charge a termination fee of \$150 or more.) Typically, the longer the contract requirement, the larger the discount you will receive on a phone or other wireless device.

If you don't want to make a long-term commitment, consider prepaid or pay-as-you-go service. You may pay more per minute, but you can cancel at anytime without termination fees. Some prepaid plans also offer benefits such as free mobile-to-mobile calling and no long distance charges.

### ***Q. What is roaming?***

Roaming is an industry term that describes a call you make while you are outside of your carrier's network. In recent years, however, the industry has begun to offer

many plans with “nationwide” service areas, and roaming is not an issue with such plans. If they do not have a robust network in certain areas, major carriers provide service through “roaming agreements” with other carriers. You may still encounter regional calling plans that charge extra for minutes used while roaming. Check coverage maps for roaming areas. Always ask how you will be charged if you roam and how you can identify a call that will result in roaming charges.

***Q. Can I try out a cell phone and calling plan before I commit to a long-term contract?***

Yes, most carriers offer a trial period ranging from 14 days to 30 days. Look for a carrier with a generous trial period, and ask which charges you will be responsible for if you cancel service during the trial. For instance, in most cases, when you terminate service during the trial period, you may not get a refund for your activation fee. If you are dissatisfied with the new service, be sure to cancel before the trial expires or you may be charged a hefty termination fee of \$150 or more.

***Q. How can I make the most of my trial period?***

There is no substitute for real-world experience. During a carrier’s trial period, make sure the service works where you need to use your wireless phone. Walk around your home and office and check the reception in different areas. If you commute regularly to work, check the signals on your route, and make sure the phone works at your office.

***Q. Is it possible to change my plan with the same carrier without breaking my contract?***

Yes, in most cases you can, but you may have to lengthen your current contract, which some people find objectionable. Check your carrier’s policy for switching plans or phones. Some changes require you to start a new contract period.

***Q. How can I find out about coverage area?***

Wireless phones operate on radio waves, so coverage

maps—and coverage itself—will never be perfect. For example, weather conditions, landscape, trees, construction and even your phone can affect your service. Most carriers have coverage maps at their stores and on their web sites, and representatives may be able to answer more precise coverage questions. Some carriers now offer very detailed coverage maps, showing coverage down to the street level. Also ask friends and co-workers about the carriers they use.

***Q. I'm thinking of dropping my landline service and just using my cell phone—what issues should I consider?***

There are some pros and cons to dropping your landline. On the positive side, you would save the monthly charge for residential local phone service. Cell plans give you some services for free that you would expect to pay extra for on a landline, such as voice mail and caller identification (caller ID). Nationwide cell phone plans offer minutes that can be used on local or long distance calls. Your cell phone plan may give you free calls to other customers of the same company and, for an additional monthly charge, allow households with more than one cell phone to share the plan minutes in an arrangement known as a “family plan.”

On the negative side, you would use your cell phone's anytime minutes when you placed local calls during peak hours. (Local calls on a landline tend to be very cheap.) When the anytime plan minutes run out, charges for peak minutes can be 40¢ per minute or higher. Unlike landline phones, cell phones have batteries that need to be charged. To get around this issue, you can buy a backup battery or put your phone in a charging cradle while you're not talking.

Some houses and apartment buildings do not have adequate cell phone reception. Check the reception in different areas of your home. In a large house, you might have trouble hearing your cell phone ring unless you carry it with you from room to room. With landlines, you can have multiple telephone extensions.

## **Wireless Phones**

### ***Q. Where can I get a wireless phone?***

You can buy phones in many stores, including wireless carrier stores, electronics outlets and on the Internet. Most people opt for the free or low-cost phones that carriers provide when you sign up for a cell phone service contract.

### ***Q. What is a ‘smart phone’?***

Smart phones—also called personal digital assistant (PDA) phones or personal information managers (PIMs)—are cell phones that combine the capabilities of a PDA with a cell phone. These devices, which cost \$500 or more without discounts, let you send and receive e-mail, keep electronic notes and calendars and surf the Internet, among other capabilities. (You might know them by their brand names, such as Treo and BlackBerry.) Always shop around and check with your carrier about discounts.

### ***Q. What is a camera phone?***

Camera phones are cell phones with built-in cameras. You can take pictures, store them in your phone’s memory and forward them to another phone or e-mail account in a matter of seconds. Some camera phones allow you to use “photo caller ID” to see who is calling and record short movies (video clips). However, when sending photos, you will pay for “data services.” (See next question.)

### ***Q. What are “data services”?***

When you use your cell phones to send text messages or photos or surf the Internet, you are using “data services,” optional services that cost more and usually are not included in your cell phone allowance. Ask about special deals called “messaging bundles” that allow you to send and receive a certain number of data transfers. You can also pay for text and multimedia messages on a per-message basis but this may not be cost effective if you are a heavy user.

## **Q. What is text messaging?**

Text messaging is using your phone's keypad to type and send short messages to other wireless devices. With some cell phones you can also take and send photos to family and friends. When you send text, you use "data services," which may not be covered by your voice calling plan. Shop for a plan with the right amount of talk time and the best deal possible on text messaging and other data services. For example, if you "text" frequently, you may be able to save money with a flat-rate (or bulk) data services plan rather than paying on a per-message basis.

## **Wireless Plans**

### **Q. How can I find a calling plan that fits my needs?**

On page 22, you will find a chart to help you compare cell phone plans. When comparing calling plans, ask the following important questions:

- *What is the basic monthly charge?*
- *How many anytime minutes are included?*
- *How many free night and weekend minutes are included?*
- *What is the per-minute airtime rate if included minutes are exceeded?*
- *What is the long distance charge?*
- *Are there roaming charges when you are outside your local area? If so, how much per minute?*
- *What are the hours during the day for peak versus off-peak minutes?*
- *What is the charge for text messages?*
- *What are the charges for Internet access if the phone has it?*
- *How long is the initial contract period?*
- *Can you make changes to the plan during the contract period?*
- *What is the cost of terminating service before the end of the contract period?*

## **Q. What are family plans?**

Family plans, sometimes called shared plans, can be a less expensive way to add multiple phones and services to one account. Family plans allow the users to share plan minutes. The alternative—paying individual monthly fees—can cost considerably more. However, some users find it hard to control the use of shared minutes. Here are some common features of family plans:

- *Two or more cell phones share one bucket of minutes.*
- *Each user has a separate phone number.*
- *For each user, you pay a monthly fee that is added to the cost of the overall calling plan.*
- *Members of the plan have unlimited free minutes when talking to each other.*
- *In many cases, family plans (like most cell phone plans) allow free calls between subscribers of the same company.*

## **Q. Where can I find help in comparing calling plans from different carriers?**

*Consumer Reports* magazine has done several articles on comparing cell phone companies. You can find this information online at [www.consumerreports.org](http://www.consumerreports.org) for a fee, or visit your local library for back issues. Some of the comparison web sites that can help make this task easier include Point.com! ([www.point.com](http://www.point.com)), My Rate Plan ([www.myrateplan.com](http://www.myrateplan.com)), Let's Talk ([www.letstalk.com](http://www.letstalk.com)) and Wirefly ([www.wirefly.com](http://www.wirefly.com)). Be aware that these companies also sell wireless products and services, but they offer articles, tips and advice for free.

## **Q. What is a bucket of minutes?**

A bucket of minutes is an industry term for an allotment, usually monthly, of cell phone time. Most cell phone plans allow you to purchase a “bucket” of minutes, such as 250, 500, 700 or 1,000 minutes per month. With some plans the unused minutes roll over to the next month. In this case, you might be able to choose a plan with fewer monthly minutes—



and a lower cost. Remember that outgoing and incoming calls, including toll-free calls, use your bucket of minutes. Buy enough minutes to cover your usual calling pattern, because going over your minutes will cost more—40¢ per minute or more. If you buy too large a bucket you may pay for minutes you don't use.

***Q. Are all cell phone minutes the same?***

No—the minutes in your calling bucket may differ. Some may be used anytime, while some may be used only in specified time periods, such as “peak” (weekday, daytime) hours or “off-peak” (night, evening, and weekend) hours. Many plans provide unlimited calling during off-peak hours. Be sure to confirm when off-peak hours begin and end. Most carriers begin their off-peak times at 9 p.m., but some begin at 7 p.m. if you pay an additional monthly charge.

***Q. What is free “mobile-to-mobile”?***

Usually this means calls between customers of the same plan. Many carriers offer plans that don't charge for these calls. If you use the same carrier as your friends and family, look for a calling plan with free mobile-to-mobile minutes. These plans, best for heavy users, allow you to chat for free with other customers, whether they are family, friends or even people you don't know well. Your calling plan will recognize these calls automatically and you will not be charged for the calls if they are free with your plan.

***Q. How can I figure my average monthly usage?***

If you're already a wireless customer, check your past bills for your average monthly usage. If you are a landline customer, consider how many minutes you spend on the phone each month. Remember that cell phones charge for both incoming and outgoing calls, so you will need to consider how many calls you will receive as well as make.

***Q. How can I control incoming calls?***

You can control incoming calls by limiting the number of

people you give your cell phone number to. Most cell phones have a caller ID feature included, so you can choose not to answer a call if you don't recognize the incoming number. If a call is coming in from someone in your address book, it will also show that person's name—or whatever nickname you used in the address book.

### ***Q. What kinds of cell phone plans are available?***

There are local, regional, nationwide and international calling plans. Local calling plans typically allow users to make calls within a metropolitan area or portions of a state without incurring long distance or roaming charges. (Roaming—making calls outside of your carrier's network—can result in higher per-minute charges with some cell phone plans.)

Regional calling plans typically allow users to make calls within a state or group of states without incurring any long distance or roaming charges.

Nationwide calling plans usually, but not always, allow users to make calls within the U.S. without incurring any long distance or roaming charges. Be sure to clarify all plan details with your carrier in advance. International calling plans may provide better deals on calls to other countries.

### ***Q. Do U.S. cell phones work overseas?***

Usually you have to take specific actions to use your phone overseas, even if you have the kind of phone that works outside the U.S. If you make international calls from the U.S., compare carriers' international long distance rates and capabilities. Ask about international calling plans that might save you money.

It often costs more to use your wireless phone overseas, but it may be less than traditional long distance if you plan in advance. Phones using Global System for Mobile Communication (GSM) technology have the broadest global coverage. Check with your carrier on whether your phone will work in specific countries. Many companies rent cell phones to travelers.

***Q. How can I test battery life on my phone?***

To determine talk time, fully charge the phone's battery and erase your phone's call log so that your total call time is at zero. Use your phone until your battery needs to be recharged, then check the call log. To determine standby time, recharge the battery completely and leave your phone on until it runs out of power. This should give you a pretty good estimate, although a battery you have been using for a year or more may not hold a charge as long as a new one. Your phone's battery will run out sooner under certain conditions, such as when it searches repeatedly for a network connection. If you are in a place with no wireless coverage, turn off your phone and let the calls go to voice mail to save your battery power.

**Wireless Coverage**

***Q. How can I find information on a company's wireless coverage?***

Most cell companies have coverage maps on their web sites, and allow you to test the phone during a trial period for new users. Evaluate both the level of coverage detail provided by carriers as well as the length of their trial periods. However, many people are looking for actual customer experience. It always helps to ask people you know what carriers they use and how they work in your area. A web site called Cell Reception ([www.cellreception.com](http://www.cellreception.com)) has thousands of comments by cell phone users all over the country and a searchable database to find the locations of all cell phone towers registered with the FCC.

***Q. Is there any way I can test whether a company's cell phones will work at my house?***

Yes. Most carriers today have a trial period in which you can test your "real world" experience with the phone and the plan. You are allowed to return the phone and cancel the calling plan within this time period; however, some carriers do not refund your activation fee in this situation.

### **Q. What is a ‘dead zone’?**

Areas on the coverage map in which you cannot use your phone are referred to as dead zones. Hills, buildings or even leafy trees can block the signal from your carrier’s towers and prevent your cell phone from working.

### **Q. Why don’t all U.S. cell phones work worldwide?**

Cell phone companies use different kinds of networks and equipment. U.S. providers have roaming agreements with each other—but often they cannot bill for calls on overseas networks. Two common frequencies are used by phones in the U.S.—GSM and CDMA. GSM can access cell phone service overseas, although at different frequencies than those used in the U.S. You can take your phone abroad if you have a “multi-band” GSM phone that supports the necessary frequency.

You can buy a prepaid SIM (Subscriber Identity Module) card overseas and put it in your phone. Make sure you ask your carrier to unlock your phone before you go so that you can use the foreign SIM card. It is usually easy to rent a cell phone in another country if you need one while traveling.

## **Phone Number Portability**

### **Q. Can I keep my phone number if I change carriers?**

If you’re already a wireless customer, you will usually be able to keep (or “port”) your current phone number when you switch carriers. Before you switch, make sure that you are not still under contract at your current carrier and liable for a termination fee.

If you are “cutting the cord” from landline to wireless service, you might also be able to port your home phone number to your wireless service. Make sure to:

- *Keep your service with your current carrier until the switch takes place or you may lose the number you wish to port.*
- *Ask your new carrier if it charges a porting fee.*

- *Have a recent phone bill handy. Your new wireless carrier will need information about your old account.*
- *Ask to be notified by your new wireless carrier when the port is complete, usually in a matter of hours. Your old service probably will be cancelled automatically, but it's a good idea to check.*

***Q. Can I keep my number if I move to a different part of the country?***

Yes, but you might not want to do that. Keeping your number makes more sense if you are changing service providers within the same local area and still want to keep your number. If you keep the old number, people in the new place will have to place a long distance call to reach you, which may cost them money.

***Q. Is there a fee for porting my number?***

According to the Federal Communications Commission (FCC), carriers are allowed to charge a fee to customers at the time their number is switched. However, there are no rules preventing a new carrier from picking up your old carrier's switching costs—ask your new carrier about such offers. The FCC does not regulate porting charges, but it requires that they are “just and reasonable.”

## **Your Wireless Bill**

***Q. Why was my first wireless bill higher than it should have been?***

In many cases, your first bill will be higher than normal due to the activation fee, prorating of monthly charges and advance payment of the upcoming month's charges. Prorating of charges can also increase your bill when you change calling plans or add new features to your account during the billing month. Ask for an estimate of your first and ongoing bills when you sign on. Also check to make sure that you did not exceed your monthly allotment of minutes, which can result in higher charges.

***Q. Why is my cell phone bill higher than my base rate?***

Each month the bottom line of the bill will be higher than your calling plan amount due to taxes and surcharges. In some states, these charges add up to 20% to the bill. In addition, you may be using services that result in extra charges, such as directory assistance, or exceeding your plan's allotted minutes. Check your carrier's web site or call customer service for costs.

***Q. How can I keep track of my cell phone minutes?***

Always ask your carrier how you can track your minutes. Some carriers allow you to check your balance on your phone or on your carrier's web site or by calling a toll-free number. Many phones have "call timers" that you can set each month to keep track of your minutes. This can help you avoid paying for costly additional minutes, also called "overage" charges.

***Q. How do carriers bill for data services?***

Unlike voice service, data service is usually billed per kilobyte. Check with your wireless carrier on how many kilobytes are needed to perform common activities, such as downloading photos, checking e-mail, or reading news headlines. Although Instant Messaging may be free on your computer, it will use kilobytes on your wireless device.

***Q. What should I do if I find an error on my bill?***

If you discover unauthorized charges or other errors on your bill, contact your carrier immediately to report the problem. Keep a note of the date you called the carrier, to whom you spoke, and what you were told. Ask if it is possible to get e-mail confirmation of the conversation. Having this information will be helpful in case the problem is not resolved to your satisfaction.

## **Choosing a Phone**

***Q. What are some key features that I might want to look for in my new phone?***

Cell phones come in several varieties. Make sure the phone you buy is user-friendly and capable of delivering the services you want. There are “flip up” and “candy bar” style phones as well as personal digital assistants (PDAs) and combination PDA-cell phones (smart phones). Flip-up phones can be compact, with comfortable keypads and larger screens. A retractable antenna may improve reception. Look for a phone where you can set the ringer volume and switch it to “vibrate” when a ringing phone is not appropriate. A separate volume control is easier than having to use the keypad to adjust the volume. For driving (or in places where laws restrict cell phone handset use while driving) you might want a phone with hands-free features such as one-touch redial, voice activated dialing and a good headset with a comfortable earpiece. (Some states and municipalities prohibit cell phone use even with hands-free features.)

***Q. Is there a catch if I accept a free phone from my new carrier?***

Free or discounted phones typically come with one- or two-year service contracts. If you don't want a contract, you might have to pay full price for a phone or choose a prepaid wireless plan. Many prepaid wireless plans come with heavily discounted phones.

***Q. Can I automatically block my teenage daughter from buying ring tones and other expensive options that are charged to our cell phone bill?***

Teens sometimes surprise their parents by purchasing optional services that are billed directly to their wireless account, such as musical ring tones and games. Ask your carrier if it offers “parental controls” for its phones. These allow you to limit the content your child can buy using her phone.

***Q. Should I look for a rebate offer when I buy a new phone?***

Many wireless carriers often offer rebates on new phones and this can be a way to get a better price for a new phone. However, you may be charged sales tax on the full price of the phone. Make sure you submit the required paperwork by the offer expiration date. Always save a copy for your records.

***Q. Should I buy phone replacement insurance?***

During the sales process, you may be asked if you want to pay more for optional services, such as insurance to replace your phone if it's lost or damaged. New phones come with warranties, so if the device breaks down within the warranty period, you should be able to get it repaired at little or no cost. (If you cause the damage by dropping the phone or getting it wet, the warranty might not apply.)

Phone replacement insurance plans cost between \$4-6 per month. Consider a replacement plan only if your phone is very expensive or if you often lose your possessions. Always read the fine print—some plans don't replace phones if you caused the physical damage. Most plans have deductibles you must pay before getting a new phone and you might get a refurbished phone instead of a new one. If you received a free or low cost phone when you entered a contract, the price to replace it might be surprisingly high.

***Q. My new carrier says I need a new phone—what can I do with the old one?***

You can help the environment and possibly a charity by donating your old equipment for reuse or recycling. There are toxic elements in cell phones that can poison the environment if not disposed of properly. Many wireless stores will accept unwanted cell phones and accessories, and your donation may be tax-deductible.



***Q. What should I do before I recycle or discard an old cell phone?***

Before discarding your phone, be sure to cancel service and remove the SIM card (Subscriber Identity Module) if your phone has one. This is the microchip you insert into a phone that uses GSM technology—it contains phone data. Always follow the manufacturer's instructions for deleting any personal information from the chip and the phone. This can be found in the owner's manual or on the manufacturer's web site.

**Driving**

***Q. What's wrong with using a cell phone while driving?***

There are two main dangers associated with driving and cell phone use—taking your eyes off the road and becoming distracted while talking. When you dial a phone while driving, you take your eyes off the road, which can lead to accidents. When you are absorbed in a conversation, your driving ability is impaired, which can jeopardize your safety and the safety of pedestrians and your passengers. Studies show that even the use of hands-free cell phones and accessories do not prevent these threats. Safe driving is more important than the convenience of using your cell phone.

***Q. How can I use my cell phone safely on the road?***

Some studies indicate that hands-free phone tools do not increase safety—and cast doubt on whether drivers should use cell phones under any circumstances. If you do make a call, dial sensibly and keep your eyes on the road. If you use a hands-free device, activate it before beginning your trip. Use voice activated dialing instead of your keypad. Be aware of the laws in your jurisdiction—in many areas drivers are not allowed to use cell phones while driving or are required to use hands-free devices. In addition:

- *Don't talk on your cell phone during hazardous driving situations, such as heavy traffic or bad weather.*

- *Stressful or emotional conversations may distract you from driving safely.*
- *Don't take notes or look up phone numbers while driving.*
- *When driving, never use your phone to take pictures, surf the Internet or send text messages.*

### ***Q. Are there lots of laws to prevent or control the use of cell phones while driving?***

According to the Insurance Information Institute ([www.iii.org](http://www.iii.org)), the number of state legislatures debating cell phone use while driving and other driver distractions continues to rise. According to the National Conference of State Legislatures, in mid-2005 more than two-thirds of states had considered bills that would restrict drivers' use of cell phones. Several states, including Colorado, Delaware, Maryland, Tennessee and Virginia, specifically have banned the use of cell phones by young drivers. Many cities and counties, including Chicago, IL and Suffolk County in New York State, have such rules as well. To find out about laws where you live, contact your state motor vehicle administration office or local automobile club.

## **Courtesy**

### ***Q. What is cell yell?***

Cell yell is a term for the exaggeratedly loud tone some people use when talking on a cell phone. Adjust your speaker volume or move to a quieter place—you shouldn't have to shout to be heard—and it is very bothersome to people nearby.

### ***Q. When we go to the movies and other public places, how can I ensure that I will receive a cell phone call if the babysitter calls?***

Set your ringer to “vibrate” if you're in a location where a ringing phone or conversation may disturb others—such as a restaurant, library, theater, house of worship or public transportation. If you need to call while you're in one of these

locations, step outside or into a secluded area. Some public places, such as movie theaters and trains, place restrictions on cell phone use. Be courteous or you might find yourself being embarrassed publicly.

***Q. Is it my imagination or is cell phone rudeness growing?***

An ABC News poll in January 2006 found no clear link between the use of communication devices and rudeness. Observed rudeness was pretty consistent with findings in previous surveys, despite a big jump in the number of cell phones in use. However, the poll found an up-tick in reports of loud or annoying cell phone calls in public areas.

**Preventing Theft and Fraud**

***Q. What is subscriber fraud?***

Subscriber fraud is a variety of identity theft, and it occurs when someone signs up for service using fraudulent customer information or false identification. If crooks obtain personal information about you, such as your Social Security number, date of birth or bank and credit card account numbers, they can set up a cell phone account in your name. Call your carrier if you think you have been a victim of subscriber fraud. To prevent fraud, safeguard your personal information, including your wireless invoice and other bills, receipts and credit information. Shred old bills before throwing them away.

***Q. What should I do if my cell phone is lost or stolen?***

Immediately contact your carrier and suspend your service. Don't wait—this will protect you against unauthorized charges. Report the theft to the police and obtain a police report number, which may be required by your carrier. To prevent anyone from taking your phone, guard it as you would any other valuable—don't leave it in your car or unattended in a public place. Most wireless phones can be used for international calling, which makes them attractive to thieves.

***Q. Can I keep other people from using my phone to make calls if it's lost or stolen?***

Yes. Most wireless phones have built-in security features. Review your owner's manual and user's guide to learn how to restrict outgoing calls and place passwords on your phone's address book so strangers can't access the information if your phone is lost or stolen.

***Q. What is "cramming"?***

"Cramming" is a term for unauthorized charges on your wireless or landline phone bills. If you find charges you don't recognize, contact your carrier immediately.

**Privacy**

***Q. Do I have to fill out the warranty card on my phone in order to be covered by the warranty? I don't want marketers to have my information.***

No, just keep a copy of your receipt and any bar codes from the original packaging. These should be sufficient to prove your phone is still under warranty.

***Q. Are there legal restrictions on using a camera phone?***

Yes. The Video Voyeurism Prevention Act of 2004 prohibits knowingly capturing an improper image of an individual without that person's consent and under circumstances in which the individual has a reasonable expectation of privacy. Improper images are defined as photos of people without clothes or in underwear.

Camera phones make it a snap to take photos—but you should never take a photo of someone without first asking permission. Don't use a camera phone where taking pictures is prohibited or where you might inadvertently invade another person's privacy. Even if photos are not specifically prohibited, always ask if taking a picture is okay.

***Q. Can someone track my movements if I have my cell phone with me?***

Maybe. The FCC requires all cell phone carriers to provide the ability to trace cell phone calls so that emergency services can pinpoint the location of a cell phone call. These “emergency 911”-capable phones use global positioning satellite (GPS) technology to give your carrier continual updates on your location. GPS-enabled cell phones can track users and the tracking technology is becoming cheaper and more widely available. (Not all cell phones in current use can be tracked this way.) Some employers have begun to track company-owned employee phones in an effort to monitor productivity.

In a perfect world, you would have to give your permission to allow your cell phone to be tracked. However, it may be possible to track you without your permission if the person who wants to track your phone has key details about your account. A GPS-enabled cell phone cannot be tracked if it is turned off.

***Q. Are cell companies allowed to put my cell phone number in a publicly available directory?***

There is an effort among some large carriers to merge cell phone customer names and phone numbers in a cross-company “Wireless 411” directory. However, the idea is not popular with many cell phone users and appears to be on hold for the time being.

The companies defend Wireless 411, stating that it would be strictly “opt-in” (cell phone customers would have to ask to be added). They say the Wireless 411 directory won’t be distributed in printed form, made available via the Internet or sold to telemarketers, but accessed only through Wireless 411 operators.

***Q. Can someone else pay to obtain a record of all my cell phone calls?***

Unfortunately, there are outfits that provide this information

illegally for a fee, although most of them have shut down or gone underground in the face of growing outrage over the practice. It is unclear how the companies get this information from your carrier, but it is generally believed that they impersonate customers in a practice known as “pretexting”—obtaining private information under false pretenses. Congress and many states have measures underway to make the practice subject to stiff criminal penalties.

## **Information and Assistance**

### **Consumer Action**

*[www.consumer-action.org](http://www.consumer-action.org)*

Consumer Action, a national non-profit advocacy and education organization that has served consumers since 1971, provides free publications, advice and referrals on a wide range of issues, in Chinese, English and Spanish. Leave a message and a counselor will call you back. Chinese, English and Spanish spoken. 415-777-9635 and 213-624-8327, TTY: 415-777-9456; e-mail: [hotline@consumer-action.org](mailto:hotline@consumer-action.org).

### **Federal Communications Commission (FCC)**

*[www.fcc.gov](http://www.fcc.gov)*

Among other duties, the FCC educates and informs consumers about telecommunications goods and services and regulates wireless communication companies.

### **Telecommunications Research and Action Center**

*[www.trac.org](http://www.trac.org)*

The Telecommunications Research & Action Center (TRAC) was founded in 1983 to promote and advocate for the interests of residential telecommunications customers. TRAC has, for almost 20 years, been conducting studies and publishing charts to aid consumers in choosing the correct and most efficient service for their calling needs.

## Comparing Cell Phone Plans (Worksheet)

Use this list of questions to compare plans. Write your answers on a separate sheet or make copies of this sheet.

Carrier name:

Calling plan:

Monthly fee:

Contract length:

Early termination fee:

Anytime minutes in plan:

Off-peak minutes in plan:

When are off-peak hours/days?

Additional minutes:

¢ per minute.

Do unused minutes carry over from month to month?

Will I be charged for roaming or long distance?

Are mobile-to-mobile calls in your network included?

If not, do you offer a mobile-to-mobile package?

If yes, what is the monthly fee for this service?

What is the length of your trial period?

What do I have to do to cancel before the trial period ends?

**Consumer Action**  
***www.consumer-action.org***

221 Main Street, Suite 480  
San Francisco, CA 94105  
415-777-9635

TTY: 415-777-9456  
***hotline@consumer-action.org***

523 W. Sixth Street, Suite 1105  
Los Angeles, CA 90014  
213-624-8327

***Chinese, English and Spanish spoken***

This project was created by Consumer Action  
in partnership with AT&T.

© Consumer Action 2006