



Utility Consumers' Action Network, Special Edition, Winter 2006 Watchdog, Mobile Phone Plan Checker  
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# Mobile Phone Plan Checker



Founded in 1984 by concerned San Diego citizens, UCAN, was formed to protect consumers from utility abuse. Since that time, UCAN's not-for-profit legal team has saved San Diego consumers billions of dollars in unfair utility rate hikes. UCAN aggressively intervenes on behalf of its members with utility and other disputes. To join, learn more, or to report a problem with your phone, electric, or cable TV company, call the UCAN Fraud Squad at (619) 696-6966 or visit on the Web at [www.ucan.org](http://www.ucan.org)

## The guide that strikes fear in the hearts of wireless salespeople

There are three reasons why a salesperson will refuse to sign the form on the next page:

- 1) **They are hiding something.**
- 2) **They've been prohibited by their bosses to put anything they tell you in writing.**
- 3) **They don't want to provide written proof of lies they've told you.**

Most of the complaints we get at the Fraud Squad are from people who signed a contract that was misrepresented to them by a salesperson. That's why the form on the next page is so useful. Its sole purpose is to confirm in writing that what the salesperson told you about the contract was true.

## **Buying a Wireless Phone**

### **Getting Ready: Do your homework**

**online.** If needed, use your public library's Internet. This can save you many dollars and hours (see page 4 for a list of online shopping tools). Or, if you are a UCAN member, you can call us for helpful advice.

**Learn about the handset before you buy.** A mobile phone can cost from as low as \$25 (after taxes) to more than \$500. Check the online reviews to find out if your phone is overly complicated or unreliable (see page 4 for a list of resources).

**Choose the carrier and plan, then select the store ... But, before you go,** \* call the store and verify that there is only one contract and one "Early Termination Fee." Some stores force you to sign two contracts - one with the phone company, and the other with the dealer - exposing you to double fees if you break the contract.

**Don't be dazzled by the features.** Get a phone with features that you need and know you'll use.

**Write down any questions you have** and bring the *Mobile Phone Plan Checker* on the next page.

\* If you are responding to an ad, be sure to keep a copy with your documents.

In 2005, UCAN's Executive Director Michael Shames shocked the legal world with his Fifth Consumer Commandment: "Don't Sweat the Fine Print." According



to Mr. Shames, most contracts are readable only by attorneys and "ants wearing bifocals." By using the form at right, you can protect yourself from sneaky sales and contract tricks. Our advice: If they won't sign it, just walk away. Then call UCAN.

## **When you visit the store:**

**Make sure the salesperson answers** all of your questions – no answer; no sale. Remember, salespeople are trying to make a living. The more phones, minutes and extras they sell you, the bigger their commission.

### **Ask the salesperson to sign the Plan Checker**

Make sure the salesperson completes and signs the *Mobile Phone Plan Checker* on the right. This is your proof that you are actually getting what has been promised. If the salesperson will not sign it, walk away.

## **After you sign the contract:**

**Open the box with care.** Keep all of the packaging and literature together: You will need it if you return the phone within the trial period.

**Use the phone extensively** during your trial period. If you're not satisfied with the coverage (i.e. it doesn't work from your home or office) take the phone back and cancel the contract. Don't accept excuses. If you are told that you must visit the store later, call the carrier's Customer Service Department from *your cell phone in the store*. This will help document your cancellation (note: bring a notepad and see *disputes*, page 4).

**MOBILE PHONE PLAN CHECKER**  
**DO NOT SIGN A MOBILE**  
**PHONE CONTRACT**  
**UNTIL THE SALESPERSON**  
**COMPLETES AND SIGNS THIS FORM!**

**Name of Calling Plan:** \_\_\_\_\_

Plan cost = \$\_\_\_\_ per mo.  
Estimated Taxes/Fees/Surcharges = \$\_\_\_\_ per mo.

**Contract Termination Fees:**

Carrier Early Term/per phone = \$\_\_\_\_  
Dealer/Agent Early Term/per phone = \$\_\_\_\_

**Cancellation Period(s):**

(Maximum number of days you have to cancel the plan)

Dealer/Agent: \_\_\_\_ days  
Carrier: \_\_\_\_ days

**Contract Length:** \_\_\_\_ One Year \_\_\_\_ Two Years

**Costs Per Minute:**

#. Anytime Minutes per month: \_\_\_\_  
#. Night/Weekend minutes per month: \_\_\_\_ Hrs: \_\_\_\_ PM TO \_\_\_\_ AM  
Cost of additional minutes: \_\_\_\_¢ Per Minute  
Roaming Charges: \_\_\_\_¢ Per Minute

**Free Mobile-to-Mobile:**

In-Network Only \_\_\_\_ Yes \_\_\_\_ No  
# of minutes = \_\_\_\_ Unlimited minutes

**Internet Use** (downloads ringtones, data, music, etc.)

Subscription = \$\_\_\_\_ per mo.  
\_\_\_\_ Opt-In \_\_\_\_ Opt-Out \_\_\_\_ Internet blocked

**Text Messaging:**

Sending/Receiving = \_\_\_\_¢ per message  
\_\_\_\_ Blocked \_\_\_\_ Not Blocked

**International Calling:** (verify rates with carrier before calling)  
Country: \_\_\_\_\_ \$\_\_\_\_ per month @ \_\_\_\_¢ per min.  
International roaming rate = \_\_\_\_¢ per minute  
Block International calls? \_\_\_\_ Yes \_\_\_\_ No

**Monthly Insurance:** \_\_\_\_ Yes \_\_\_\_ No  
Cost is \$\_\_\_\_ per mo. with a deductible of \$\_\_\_\_  
(Replacement phones may be refurbished comparable models.)

**Carrier Rebate:\*** \_\_\_\_ Yes \_\_\_\_ No Amount: \$\_\_\_\_  
Deadline to apply for rebate expires on: \_\_\_\_/\_\_\_\_/\_\_\_\_

**Dealer Rebate:\*** \_\_\_\_ Yes \_\_\_\_ No Amount: \$\_\_\_\_  
Deadline to apply for rebate expires on: \_\_\_\_/\_\_\_\_/\_\_\_\_  
Rebate will be paid by company before: \_\_\_\_/\_\_\_\_/\_\_\_\_

**Manufacturer Rebate:\*** \_\_\_\_ Yes \_\_\_\_ No Amount: \$\_\_\_\_  
Deadline to apply for rebate expires on: \_\_\_\_/\_\_\_\_/\_\_\_\_  
Rebate will be paid by company before: \_\_\_\_/\_\_\_\_/\_\_\_\_

\* Make copies of all rebates and documents before mailing. Rebates more than \$50 should be sent certified mail.

**Consumer Alerts and "Gotchas:"**

- Any changes you request for your plan may extend the contract another 1-2 years.
- Cancellation prior to end of contract will result in early termination fees.
- When out of the country, international and roaming charges may be applied even when accessing voicemail to hear messages.
- To stop minors from downloading media or text messaging, block all Internet capabilities on each minor's phone.

**Salesperson Signature:** \_\_\_\_\_  
**Date:** \_\_\_\_/\_\_\_\_/\_\_\_\_

**Customer Signature:** \_\_\_\_\_  
**Date:** \_\_\_\_/\_\_\_\_/\_\_\_\_

**Note: Save this document as proof of your negotiated plan contents. Make sure you understand each item and that the document is signed and dated BEFORE you leave.**

# How to win a mobile phone dispute

If you've used the form on the reverse, chances are improved that you'll not have a problem with your wireless carrier. Of course, if you are a UCAN member, we will handle the complaint process for you. And if you're not a UCAN member, we suggest using our "Ready, Set, Go" complaint process. It can save you hours of time and hassles.



**Ready ...** Before you contact the company, have the following information handy.

- **Your most recent phone bills**
- **Contract(s)**
- **The Rate/Plan Information brochure that you relied upon when you originally bought the service.**
- **Sales/Purchase slip**



**Set ...** When you call, create a log with the following information.

## Sample Contact log

Company: \_\_\_\_\_ Date: \_\_/\_\_/\_\_ Time: \_\_:\_\_\_  
 Name of CSR: \_\_\_\_\_ Employee I.D. No. \_\_\_\_\_  
 Location of Call Center \_\_\_\_\_ Complaint Reference # \_\_\_\_\_  
 Action promised: \_\_\_\_\_ Date it will happen: \_\_\_\_\_  
 Mailing Address for Complaints \_\_\_\_\_



**GO!!!** Send a letter, certified mail, return receipt to the company.

Keep this letter short. It is a legal document. The letter must list your billing address, account number, the date you called, the nature of the wrongful charge; what the company said it would do to solve the problem; the deadline given for fixing it, and most importantly, the name and identifying information of the Customer Service Rep (CSR). After that, send a copy of the letter to CPUC, the California Public Utilities Commission Consumer Affairs at:

**Complaints, 505 Van Ness Ave., San Francisco, CA 94102**

**When you send a copy of your complaint to the address above, the CPUC is required to investigate before the company can send you to collections or terminate your service.**



## Online mobile phone shopping resources

### Cell carriers serving San Diego

www.sprint.com                      www.cingular.com  
 www.tmobile.com                  www.verizonwireless.com  
 www.tracfone.com                www.virginmobileusa.com

### Other good wireless sources

www.consumerreports.org  
 www.telenforcers.com (a project of UCAN)  
 www.amazon.com (good selection of different plans)  
 www.phonedog.com (good comparison site)  
 www.jdpower.com (provides satisfaction ratings for each carrier)

## If all you need is an emergency or low use cell phone

If all you want is 911 access, any previously working phone will do. By law, a cell must have a dial tone and be able to access 911 even if your calling plan has expired. Just be sure the phone is charged and that you are able to get a dial tone. And remember: you must be within the range of a cell tower to use your phone.

Tracfone's Web site has consistently offered a free reconditioned phone with 60 days of service and 60 minutes of talking time for \$20 plus tax. An even better offer was 1-year of service with a free phone and 250 minutes of service for about \$100. (Note: If you are a member and do not have Internet access, you can always call us for help in getting a prepaid phone).

There are some great things about prepaid plans and some "gotchas" you need to watch out for.

## Prepaid Mobile Phone Features

The Good	The Bad	The Ugly
No contract	High per minute rates	You must buy more minutes before your expiration date or you will lose any minutes you have not used.
You pay only for the minutes you use	You pay for incoming calls	There's no "grace period" if you don't renew - even when you have minutes remaining.
No activation fee	Calling features will count against your minutes	You will lose your phone number if you don't renew.
No added taxes and surcharges		
When the phone expires you still get free 911 service		