

Challenges Facing Consumers With Limited English Skills

In The Rapidly Changing

Telecommunications Marketplace

Appendices

California Public Utilities Commission

October 5, 2006

Appendix A: Draft Study Plan

<http://www.cpuc.ca.gov/static/study+plan.pdf>

Appendix B: June 26, 2006 Workshop Summary

On Monday, June 26, 2006, the Commission held the first of two workshops related to the staff study of the needs of telecommunications consumers with limited English proficiency. Participants included representatives of telecommunications service providers and CBOs as well as Commission staff; Commissioners Rachelle Chong, Dian Grueneich, and John Bohn also participated in much of the workshop. The following overview describes the presentations made and issues raised at the workshop.

Welcome and Commissioner Statements:

Commissioners Rachelle Chong and Dian Grueneich made opening statements expressing the importance of this issue to the Commission and California consumers.

Presentation on California's Language Demographics, by Nancy Zarenda:

Consultant Nancy Zarenda provided a summary of the language diversity and prevalence of limited English proficiency in California.

- 39.5% Californians speak a language other than English at home.
- In California, people from Central America and Southeast Asia have highest rates of limited English proficiency.

Presentation of the Commission's Multilingual Education and Outreach, by Karen Miller:

Karen Miller, the Commission's public advisor, gave an overview of the Commission's in-language outreach efforts.

- The Commission translates many written materials into languages other than English to improve service to California consumers.
- The Commission's website is available in English, Spanish, and Chinese.
- Members of the public who request assistance in advance can get translation services at Commission Public Participation Hearings and special events.
- Customers can file complaints with the Commission's Consumer Affairs Branch (CAB) in Spanish, and CAB can take phone calls in many languages through the use of bilingual staff and the telephone Language Line.

Presentation of the Commission's Consumer Affairs Branch, by Karen Dowd:

Karen Dowd, Consumer Affairs Branch Manager, described the in-language services offered through CAB.

- CAB has in-house staff bilingual in Spanish, Cantonese, and Tagalog, available to take complaint calls.
- CAB can take phone calls in many additional languages through the use of bilingual staff and the telephone Language Line (with 150 different languages).
- CAB takes online complaints in Spanish as well as English

Presentation on LEP Best Practices of State Agencies and others, by Nancy Zarenda:

Nancy Zarenda discussed services offered through several state organizations and agencies.

- Discussed Commission, Franchise Tax Board, Employment Development Department, Department of Motor Vehicles, UC Davis, Judicial Council of California
- Promising practices of these agencies include
 - Multilingual telephone services
 - Staff training and pay incentives
 - Government and community collaboration
 - Quality control of interpreters and translations
 - Sharing resources such as translated documents

Public Participation Period

- Ana Montes of Latino Issues Forum (LIF) discussed alleged fraud targeted at the Latino community by some wireless carriers' independent resellers/dealers/agents.
- Enrique Gallardo of LIF suggested that the Commission hold additional workshops throughout the state in order to have more public input on these important issues.

Commissioner Grueneich noted the difference between bilingual and bi-literate, and mentioned that the study should focus on issues of reading ability as well as ability to understand and communicate orally.

Panel 1: Community Based Organizations

- Ken McEldowney of Consumer Action presented its model for working with state and federal agencies and other CBOs to reach LEP populations.
 - Suggested need for more training of CBOs, ensure that materials are written at an appropriate reading level.
- Malcolm Yeung of Asian Law Caucus presented on ALC's experience assisting LEP consumers with telecommunications complaints.
 - Outlined complaints about prepaid phone cards and wireless phone kiosks (authorized and independent resellers/dealers/agents) that aim at Asian language communities and engage in advertising that may be misleading with important terms left out.
 - Recommended in-language contracts or summaries of key rates and terms and conditions, greater ability to interact with and take complaints from LEP consumers.
- Ana Montes of Latino Issues Forum described LIF's concerns:
 - LEP consumers can end up in debt collection because they do not know how to properly make a complaint to the carrier or the Commission.
 - Information should be in writing at point of sale, because people do not remember everything that they are told. She advocated in-language summaries of key rates and terms and conditions.

Panel 2: Carriers

- Lisa Peck of Cox Communications presented on Cox's in-language services.
 - Cox offers many services in Spanish, including: in-bound call center, information on company Web site, and welcome materials.

- Cox does not offer as many services in Asian languages because fewer economies of scale: fewer consumers to serve compared to translation costs, advertising costs, employee in-language certification.
- AT&T/SBC
 - Hispanic customers are 11% of AT&T's customer base
 - AT&T has 8 Hispanic service centers and some Asian service centers.
 - Top five languages they identified for in-language outreach are: Russian, Armenian, Persian, Punjabi, and Hmong.
 - "How to read your bill" brochures available in 7 languages.
 - According to surveys, Asian customer satisfaction is 5% above that of the high English proficient.
- Verizon Wireless
 - Company does outreach to Spanish-speaking community via Spanish TV and Radio, e-mail campaigns, direct mail, ads in Spanish language newspapers, and public events.
 - Provides a service confirmation letter in Spanish.
 - A Spanish language Web site allows customers to pay their bills on line.

Discussion and Next Steps

- Written comments on the study plan are welcome, and should be provided to Jessica Hecht, by July 14, 2006, if possible. Further research questions and information sources may be included in comments.
- Staff will hold several regional meetings to gather more input on this study; dates and locations to be announced.
- The second workshop, to gather input on the draft report for this project, is tentatively scheduled for August 24, 2006.

Appendix C: Written Comments on the Study Plan

http://www.cpuc.ca.gov/static/060721_lepcomments.htm

- ALC comments on study plan
- AT&T Study Plan Comments
- Consumer Federation In-Language Comments
- CTIA Final letter re in language study plan
- DRA Comments on Language Access
- Greenlining Institute Comments on the Language Study Plan
- Latino Issues Forum Study Plan Comments
- Small and Mid-sized LEC Comments on LEP Study Plan

Appendix D: Summary of Key Input from Public Meetings

At the request of various Community Based Organizations (CBOs), including Latino Issues Forum, the Commission held four public meetings at different locations throughout the state to receive input from local community based organizations. Latino Issues Forum was instrumental in planning these meeting, including their agendas and locations, and in conducting outreach to CBOs to publicize them and encourage CBO participation.

Meeting dates and locations:

June 26, 2006: Asian Pacific America Legal Center, Los Angeles

August 3, 2006: Central California Legal Services, Fresno

August 8, 2006: Scottish Rite Center, San Diego

August 10, 2006: El Concilio, Stockton.

Problems Facing LEP Consumers and Possible Solutions Identified at Meetings:

Because certain issues and themes were discussed at multiple meetings, this document lists the major problems and possible solutions identified at these meetings, but does not attempt to attribute the ideas to specific CBOs, meetings, or people.

Impact of Telecommunications problems in LEP customers

- Telecommunications complaints can have an impact beyond telecommunications service; for example, unresolved complaints about bills can affect a consumer's credit, and therefore ability to buy a house or make another major purchase.

Cultural Issues and Factors to Consider in Marketing and Enforcement

- Due to cultural factors and conditions in home countries, some LEP individuals and especially immigrants may be distrustful of government, large corporations, and utilities and may hesitate to complain to such entities.
- It is important to identify dialects and growing language populations that require new focus and attention.

Problems and Challenges Encountered

- LEP communities are vulnerable to fraudulent advertising and other practices by resellers/dealers/agents of carriers who sell communications services (particularly wireless

services) of the larger telecommunications companies. These dealers may or may not be authorized to sell a company's services.

- LEP customers find it particularly difficult to resolve problems due to the lack of continuity of service in call centers and the need to repeat the same problems in multiple calls and "start over" each time with a new customer representative. They find it very time consuming and frustrating.
- It can be problematic or inappropriate to depend on friends or family, especially children, to provide translation or interpretation for LEP consumers. This is especially a problem when the information being discussed involves technical terms that may not be familiar to the translator, and when private (for example, health or financial) information is involved.
- Translation software generally does not provide adequate translation, in part due to technical and financial terms.

Consumer Needs and Associated Recommendations

- A firm that specializes in reaching hard-to-reach communities could assist the Commission in reaching many LEP communities; some materials do not currently reach their intended audiences. Examples included Southeast Asian communities, Russian and Armenian communities.
- LEP consumers often need expanded in-language call-in hours for customer service questions or complaints due to long working hours and other responsibilities.
- It would be helpful to have a brochure targeted at LEP communities that addresses questions to ask of dealers/agents/resellers, including: "Are you authorized by the phone company to sell its products?"; "What will my monthly bill total after taxes and surcharges?"; "Does the cost of service quoted depend on rebates or other reimbursement that will occur after initial customer payment for services?"; "Is the contract available in my language?"; "If I have a question or problem about my bill, my contract, or my service, whom do I contact?"; "When I contact someone with a question or problem, will they serve me in my language/the language of this sale?".
- It can build customers' trust if a translator (through the Language Line, for example) initiates some relationship with the customer by (for example) introducing him or herself, explains the translator's role, and assures the customer of confidentiality.
- Reaching LEP populations can involve more than simply translating English materials into another language; materials that are intended to reach LEP communities should be developed with the culture, customs, typical education level, and other information about the specific community in mind.
- Some CBOs have found a need for materials in additional languages (not served by the Commission or most carriers) to serve their constituent communities; examples of languages encountered include Russian, Armenian, and Somali.
- The Commission has been cooperative about allowing CBOs to translate Commission materials into additional languages if the CBO finds a need to do so and communicates the need to the Commission.
- In order to get CBO and community turnout at meetings, the Commission should aim to give about 4 weeks' notice of all pertinent details of meetings and workshops.
- Different ways of presenting information may build more confidence in that information; for example, "paralingual" displays with English and another language facing one another on the same page may be helpful.

- Some CBOs suggest that it would be appropriate to adopt a rule that when a company markets in a particular language, it should provide certain information, ideally a contract or key terms and conditions, in that language.
- Price quotes for basic service should include taxes, fees, surcharges, etc., to ensure that they provide a true estimate of the customer's first bill.
- Return periods for wireless phone providers vary from 7 to 30 days, but it takes much longer for customers to receive their first bill; so customers cannot return phone after they find out whether the bill reflects what they are told. A requirement that companies send the first bill more quickly (perhaps within two weeks) would help, as would a longer return period.
- Carriers could call LEP (or other) customers as a follow up around the time the first bill is issued, or could refer these customers to a person or agency who can help interpret the bill.
- At the point of sale, carriers or representatives should tell LEP consumers about the right to call the PUC if there is a complaint or dispute.
- Carriers could better train their staff to understand that CBOs work to assist a consumer, and to treat them as an authorized advocate accordingly.

Role of CBOs

- To reach communities, the Commission should reach out to groups within those communities who work with those communities and have their trust.
- CBOs, especially local organizations with close relationships in particular communities, can be extremely helpful in reaching LEP populations with education and other services; CBOs can help build trust in communities because they often have the trust of local communities.
- CBOs need to be better able to work with customers and carriers to resolve complaints; right now they have trouble getting information from carriers on customers' behalf, even with the customers' permission. This might be facilitated by a system that allows CBOs to get streamlined approval for and access to customer information through the carriers, for example by setting up a system in which CBOs can register with carriers and be assigned personal identification numbers (PINs).
- CBOs can play an important role in educating and assisting LEP communities... but they cannot do so for free; they need financial support to fund these activities.

Appendix E: Draft Staff Report released August 21, 2006

<http://www.cpuc.ca.gov/static/telco/consumer+information/billofrights/cpi+language+draft+report+for+discussion+at+workshop+8-24-2006.doc>

Appendix F: Written Comments on the Draft Staff Report
Released August 21, 2006

http://www.cpuc.ca.gov/static/telco/consumer+information/billofrights/cmts_languagechallenges.htm

- Asian Law Caucus
- AT&T
- Communities for Telecommunications Rights
- Communities for Telecommunications Rights: Attachment - Chinese Plan Checker
- Communities for Telecommunications Rights: Attachment - English Plan Checker
- Communities for Telecommunications Rights: Attachment - Spanish Plan Checker
- Communities for Telecommunications Rights: Attachment - Vietnamese Plan Checker
- Consumer Federation of California
- Consumer Federation of California: Attachment - Draft Rule
- Cox California
- Division of Ratepayer Advocates
- Joint Wireless Carriers
- Roy Segovia
- Small & Mid-Sized
- Watsonville Law Center

Appendix G: CTR Data Report

See attached