



July 24, 2023

Office of the Secretary  
Federal Communications Commission  
45 L Street NE  
Washington, DC 20554.

Re: Response to FCC's Initial Regulatory Flexibility Analysis (IRFA)  
MB Docket No. 23-203; FCC 23-52; FRS ID 151775

Truth in Advertising, Inc. ("TINA.org") welcomes the opportunity to submit the following in conjunction with the Federal Communications Commission's ("Commission," "Agency" or "FCC") June 30, 2023 request for comments regarding its proposal to require cable operators and direct broadcast satellite (DBS) providers to clearly and prominently display the total cost of video programming services in promotional materials and on subscribers' bills (i.e., "all-in" pricing).<sup>1</sup> As explained in more detail below, TINA.org's work tracking and exposing unexpected fees makes clear that it is a pervasive problem that causes real financial harm to consumers, both in the marketplace at large, as well as in the cable and satellite industry in particular. As such, TINA.org supports the Commission's proposed rulemaking to enhance pricing transparency, but suggests an addition to the proposed rule.

### **INTEREST OF COMMENTER**

TINA.org is a nonpartisan, nonprofit consumer advocacy organization whose mission is to combat deceptive advertising and consumer fraud; promote understanding of the serious harms commercial dishonesty inflicts; and work with consumers, businesses, independent experts, synergy organizations, self-regulatory bodies and government agencies to advance countermeasures that effectively prevent and stop deception in the economy. At the center of TINA.org's efforts is its website, [www.tina.org](http://www.tina.org), which provides information about common deceptive advertising techniques, consumer protection laws, and alerts about specific deceptive marketing campaigns—such as nationally advertised "Built in the USA" vans manufactured abroad;<sup>2</sup> pillows and essential oils falsely marketed as being able to treat chronic diseases;<sup>3</sup> and a delivery meal kit service that falsely advertises free meals.<sup>4</sup>

The website functions as a clearinghouse, receiving consumer complaints about suspicious practices, which TINA.org investigates and, when appropriate, takes up with businesses and regulatory authorities. The website is also a repository of information relating to consumer protection lawsuits and regulatory actions. Through its collaborative approach and attention to emerging issues and complexities, TINA.org has become a

trusted source of expertise on matters relating to consumer fraud, and has testified before Congress on issues related to consumer protection, deceptive marketing and economic justice.<sup>5</sup>

TINA.org regularly draws on its expertise to advocate for consumer interests before the FTC and other governmental bodies and appears as amicus curiae in cases raising important questions of consumer protection law.<sup>6</sup> Since its inception, TINA.org has filed legal actions against hundreds of companies and entities, published more than 1,400 ad alerts, written over 1,000 news articles, and tracked more than 4,000 federal class actions alleging deceptive marketing. Notably, since 2015, state and federal agencies have obtained more than \$250 million from wrongdoers based on TINA.org legal actions and evidence, and returned millions in ill-gotten gains to consumers.

### **UNEXPECTED FEES ARE PERVASIVE**

Over the last 10 years, TINA.org has taken an active role in working to hold marketers across numerous industries accountable for imposing unexpected fees.<sup>7</sup> TINA.org's experience demonstrates that these fees are a serious, widespread and insidious problem. With respect to cable, DBS, and alternative program providers specifically, the issue is especially problematic.<sup>8</sup>

By way of example, TINA.org has highlighted several cable and satellite service companies engaged in deceptive pricing practices, including the use of unexpected fees.

- **Ad Alerts:** TINA.org has published numerous alerts to warn consumers about deceptive fees in this industry, including:
  - Comcast advertising free installation with an upgrade to Xfinity's Extreme Premier Triple Play (a TV, internet and phone bundle) and then charging consumers an installation fee hidden as "Other Charges & Credits";
  - AT&T, CenturyLink, and DirecTV advertising prices for their programming services without properly disclosing that the prices will jump to a much higher rate the second year of a required two-year contract<sup>10</sup>;
  - Frontier failing to honor its advertised prices for its TV and internet bundle.<sup>11</sup>
- **Class-Action Tracker:** TINA.org also has tracked and published information about numerous class-action lawsuits against cable and satellite companies alleging they charge – and hide – unexpected fees, including:
  - Cox Communications misleadingly advertising fees for its Advanced TV services that do not include all of the monthly fees and confusing

consumers by labeling the additional, unauthorized charges “Advance TV”<sup>12</sup>;

- Frontier Communications charging subscribers more than the advertised rates for television, internet and phone services by adding undisclosed service charges for each of its services, including an “Internet Infrastructure Surcharge” for internet service and a “Broadcast TV Surcharge” and “Regional Sports Fee” (now combined into the “Sports/Broadcast TV Fee”) for television service<sup>13</sup>;
- AT&T falsely advertising no installation charges, activation fees, or other miscellaneous fees and then charging additional fees anyway (as well as falsely advertising that the price of DirecTV internet, television, and telephone services would be locked in for a period of two years when the price significantly increased after 12 months)<sup>14</sup>;
- DirecTV deceptively quoting monthly costs for its television programming services that do not include a surcharge that the company imposes on customers to cover a state tax on companies transmitting video programming by satellite<sup>15</sup>;
- CenturyLink deceptively promoting low teaser rates for telephone, internet, and television services when customers are actually charged more than the represented rates due to unauthorized fees<sup>16</sup>;
- Comcast falsely advertising its cable television service packages at lower prices than it actually charges by (1) representing that new customers who sign one- or two-year contracts pay “guaranteed” fixed rates without adequately disclosing that customers end up paying more than the advertised price because Comcast increases other fees in the middle of their contract, and (2) misleading consumers into believing that certain invented fees (i.e., the Broadcast TV Fee and Regional Sports Fee) are taxes or government charges when they are not and the fees are a way for Comcast to charge customers twice for channels already promised in the lower advertised package price<sup>17</sup>;
- DISH Network deceptively marketing its satellite television packages by failing to adequately disclose that the company may delete or change the programming or pricing at any time during a consumer’s subscription<sup>18</sup>; and
- Charter Communications deceptively advertising that the monthly rate for its cable television services will be fixed for two years when the company increased the rates after customers signed up or renewed their services.<sup>19</sup>

As the examples above make clear, the use of deceptive fees in the cable and satellite services industry has been and continues to be a serious and widespread issue, and one that impacts millions of consumers.<sup>20</sup>

### **HIDDEN FEES CAUSE SIGNIFICANT CONSUMER HARM**

The overwhelming majority of U.S. consumers are victimized by hidden and unexpected fees.<sup>21</sup> In fact, many consumers are paying hundreds of dollars per year in such deceptive fees,<sup>22</sup> a dollar figure that is continuously growing.<sup>23</sup> Moreover, because these fees are not properly disclosed, consumers are not able to meaningfully price shop for products and services, thereby “undermin[ing] competition” and causing “a serious ripple effect on people’s finances.”<sup>24</sup> And as these fees add up, many consumers experience greater difficulty meeting basic needs, such as rent, utility and food.<sup>25</sup> According to consumer finance experts, hidden fees are “quietly draining the wallets of middle-class Americans.”<sup>26</sup>

Nowhere is this more true than in the cable industry. In fact, a 2019 analysis of 800 cable bills collected from consumers across the country revealed that:

- On average, the cable industry generates close to \$450 per customer per year from company-imposed fees, amounting to \$28 billion a year; and
- Nearly 6 in 10 Americans who encountered unexpected or hidden telecom fees in the two years prior to the survey reported that the fees caused them to exceed their budgets.<sup>27</sup>

The report also noted that the “problem is growing worse and more expensive because the cost of company-imposed fees continues to escalate.”<sup>28</sup> In fact, between 2015 and 2019, Comcast’s Broadcast and Regional Sports fees increased 630 percent.<sup>29</sup>

In light of these facts, it’s no surprise that the cable and satellite services industry has for years ranked among the most-hated by U.S. consumers.<sup>30</sup> Yet, despite this consistent and constant dissatisfaction, consumer spending in the industry remains stable.

A 2023 report released just this month revealed the relative stability of U.S. consumer cable (and internet) spending, finding that 82 percent of U.S. households with cable and internet bills spend \$118 per month, or \$1,416 per year as of 2023, and that increases in consumer cable and internet bills are due to “hidden fees and lack of regulation from the government on local and national levels, allowing providers to control the rate increases.”<sup>31</sup>

Because the harm imposed by such fees is so widespread and injurious, numerous consumers have complained to TINA.org about losing significant money to cable companies that employ these tactics. For example:

- On 3/1/23 got the attached flyer in the mail. Today (3/3/23) I called to sign up thinking my monthly bill would be around \$85 with taxes etc. Instead they said it would be around \$112 because of the broadcast surcharge of \$22.20/mo. for local stations, even though in the first bullet point under SPECTRUM TV CHOICE it states that these are included with the \$29.99 price listed. They told me to read the fine print, and sure enough it's there in the 2nd line: (bdcst surcharge up to \$22.20/mo.). But, come on, who reads the fine print before pulling the trigger to sign up? Anyway, I went ahead and signed up after ranting and raving about false advertising and these cable companies gouging us, etc., etc., but I just find this type of advertising deceptive.

**Spectrum**

**Best services. Best deal. Guaranteed.**  
Other providers don't come close.

**SPECTRUM TV CHOICE**  
Choose 15 live TV channels from a list of 80 popular networks, including TNT, USA, HGTV, CNN, ESPN, AMC and many more.  
• Plus, your local broadcast channels such as ABC, CBS®, FOX, NBC® and PBS® are included.  
• Multiply your TV screens and stream live TV and On Demand anywhere with the **FREE** Spectrum TV App.  
• Access and stream thousands of **FREE** On Demand titles.

**SPECTRUM TV CHOICE**  
\$29.99  
/mo for 2 years when bundled  
— NO CONTRACTS —

**SPECTRUM INTERNET®**  
Spectrum delivers the most consistent download speeds in the nation.  
• Get fast Internet speeds at **500 Mbps** (wireless speeds may vary).  
• **Want to go even faster? Ask about Spectrum Internet Gig with speeds up to 1 Gbps.**  
• **Want enhanced security and privacy that automatically blocks threats to protect all your devices? Ask about Spectrum Advanced WiFi.**

**500 Mbps INTERNET**  
\$49.99  
/mo for 2 years  
— NO CONTRACTS —

**REDEEM YOUR EXCLUSIVE OFFER BY 03/27/23**  
**CALL 1-844-517-2999 TODAY!**  
Or visit your neighborhood Spectrum store

**Spectrum mobile**  
Spectrum Mobile is the nation's fastest-growing mobile provider. Get Spectrum Mobile UNLIMITED for just \$20.99/mo per line. Every plan includes nationwide 5G, no contracts, no added taxes & fees. Visit SpectrumMobile.com/Calculator.

Offer good through 03/27/23. Subject to change valid to qualified residential customers who have not subscribed to any services within the previous 30 days and have no outstanding obligations to Charter for their lines. 30-day Money Back Guarantee, visit spectrum.com/guarantee. Service: **Spectrum TV CHOICE**. Standard rates apply after yr. 2. Taxes, fees and surcharges listed separately in the **Red Arrow** below and added to charge being and after the term. **Additional services are extra.** Channel availability based on level of service and not all channels available in all markets or markets. **Additional equipment may be required for certain services.** Spectrum TV. Account: individuals may be required to stream service. **INTERNET**. Standard rates apply after yr. 2. Equipment may be extra. Installation and additional services are extra. Speed based on wired connection. Available internet speeds may vary by address. **Must be available** based on comparison of the participants in the 2022 Consumer Broadband America Report. Spectrum Internet Gig with speeds up to 1 Gbps in addition to the standard monthly internet price. Gig capable modem required for Gig speeds. Not all Gig capable modems, visit spectrum.net/modem. **WiFi**. Standard rate 8000. Equipment, activation and installation fees may apply. Service subject to all applicable service terms and conditions, subject to change. Service not available in all areas. Restrictions apply.

**SPECTRUM MOBILE**. Service not available in all areas. The line activation fee, Spectrum internet and Auto Pay required. Other restrictions apply. Visit spectrum.com/mobile/plan for details. **Feature pricing** based on year end 2022 subscriber data averaged by company. Offer valid for new customers getting 5G on the current mobile devices adding Unlimited line to existing service. Smartwatch does not qualify as a line. **UNLIMITED**. Includes 10GB of 5G data per line. To access 5G, 5G compatible phone and 5G service required. Not all 5G capable phones compatible with all 5G service. Speeds may vary. Visit spectrum.com/mobile/5g for details.

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**SEARCH**

[Red arrows and underline added by TINA.org]

- I signed up w/ ATT U-verse cable because I thought their 1 yr no increase sales pitch was valid. Turns out they reneged on the sales pitch and increased the Choice and taxes by 9.44% per month. Being retired and on a fixed income, these continuing increased costs are challenging.
- Spectrum cable advertises cable for \$44.99 per month. However, the monthly bill ends up being \$68.49 after they add \$7.50 for required equipment, \$11.99 for a broadcast fee, plus taxes. Therefore, you cannot actually get service for \$44.99 and it is in fact 50% more than they advertise the service costing.

In short, the above statistics and consumer reports support the Commission’s position that it is in the public interest to require that cable operators and DBS providers represent their subscription charges transparently, accurately, and clearly.<sup>32</sup>

### SUGGESTED ADDITION TO THE FCC’S PROPOSED RULEMAKING

While TINA.org generally supports the FCC’s commencement of a rulemaking proceeding to address unexpected fees, TINA.org also believes that an addition is necessary to increase the rule’s utility and impact. Specifically, the rule should explicitly address bundled – and related – services.

Cable and satellite services are frequently advertised and provided to consumers as part of bundles that also provide other types of services, including internet and phone.<sup>33</sup> And the advertised prices for such bundles often omit fees that consumers are ultimately charged.<sup>34</sup> Even when additional services – like internet – are not bundled with cable/satellite services, hidden fees persist despite other Commission efforts to address this issue.<sup>35</sup> For example, one consumer reported to TINA.org earlier this month the following issues regarding advertising for Astound’s internet services:



*This ad has been everywhere over the last half year. I get mailers monthly for it, it comes up on search engines, and first thing you see when you load in their web page. What is the problem with the ads? The price is not obtainable, and the price increases in as little as 1 year. Although not mentioned in the ad the auto pay and bill discount only last 1 year. However the larger problem is only mentioned in the Terms of Service when signing up. ‘... price does not include Network Access and Maintenance Fee of up to \$9.77/month, which is subject to change[.]’ So the actual price is 30% higher than advertised, and can change at any point in the 2 years you have a price lock. Your 2 year price lock at \$25/month ends up actually being \$34.77/month before tax for 1 year. Then after year 1 it increases to \$39.77/month before tax. This assumes they do not raise the price for their NAMF during that time.*

Another consumer reported to TINA.org last month that he experienced similar deceptive pricing tactics with Optimum Mobile telephone services bundled with internet services, stating:

*Optimum Mobile has regularly changed its pricing plans since its inception two years ago. Now they have established monthly pricing plans that are only available if you are also on Optimum Internet customer. The problem is that the only place you find this out is at the very bottom of the page in small print... Additionally, in order to further confound customers, the \$20/month non-internet customer surcharge, which is more than the \$15/mo that I'm paying for my line, doesn't appear in your bill until the 3<sup>rd</sup> month...*

And numerous consumers have reported issues to TINA.org regarding deceptive pricing of cable services bundled with internet services, phone services or both, including the following examples:

- *Services like phone, internet and cable are almost always advertised in ways to obscure the true costs. There are added fees, like the "carrier cost recovery fee" ... Sometimes there is a modem or equipment rental that is mandatory or almost so. And then teaser rates. I'd love to see something like the truth in lending disclosure form, that outlines the costs before and after the teaser fee, and is inclusive of all fees and taxes.*
- *I was convinced to commit to a new 24 month cable/internet/phone plan with Comcast and was told by the agent on the phone that my Total Monthly charge would remain fixed for the 24 months in question (approx \$200/mo). 7 months into the 24 month period my bill went up by \$17/month. This was strange and must be a mistake, so I called to report the error, as I was clearly promised a bottom line fixed price in return for my 24 month commitment, that agent on the phone couldn't have made it more clear. When I finally got through to ask about the error, I was now told that this was in fact not an error, "apologies if a previous agent said something they shouldn't have", and told that in the "fine print" the fixed price applied only to cable monthly charges and not other monthly charges like "Equipment" and "Broadcast and Regional TV fees" - those I was now told could go up at any time without limit. I was misled, frankly lied to when I committed to a new 24 month period, as it was clearly explained to me that by me committing to a new 24 month period I would receive a fixed price per month in return.*
- *AT&T purchased Direct TV and the agreement I had with Direct TV was changed. I continued to receive programming that I did not authorize and statements in my billing with bundling discounts and on the website there was information of the discounts of U-Verse discounts. AT&T advertising the discounts if only I would bundle yet what happened was my direct tv cost more and my internet cost more! Programs added on without my permission.*
- *The ad is for a bundle of phone, internet and dish TV. It includes various phone services, including free national calling and the advertised price is \$75.97. It was on the internet on June 20, and I called to order the service on June 21. When we got our bill in July, it was figured at ... 83 and we were charged for long distance*

*calls. I complained and was told it would be adjusted. ... Now, the representative tells us that the best they can do it \$90.07 for the bundle, which is \$15 more a month. They say that very small print on the bottom of the internet ad releases them. It says "Service subject to availability". I content [sic] that if they advertised it and I ordered it, AND THEY ACCEPTED MY ORDER, they should stand by their advertised price...*

As such, TINA.org urges the FCC to explicitly include bundles, as well as closely related services (e.g., internet, phone), in the text of the proposed rule in order to more fully address the issue of unexpected fees and to better protect consumers from deceptive pricing.

### CONCLUSION

The prevalence of unexpected fees in the cable and satellite services industry, as well as other closely related industries, is simply too large and widespread for it to be effectively addressed by the Commission's currently available tools. An "all-in" pricing rule would be in the public's best interest as it would substantially improve the agency's ability to combat and deter pricing deception in this area. As such, TINA.org supports the Commission's commencement of a rulemaking proceeding to address such deceptive pricing tactics, and also urges the FCC to explicitly address bundled – and related – services in the text of the proposed rule.

Sincerely,

A handwritten signature in blue ink, appearing to be 'B-Patten', written in a cursive style.

Bonnie Patten  
Laura Smith  
Truth in Advertising, Inc.



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<sup>1</sup> All-In Pricing for Cable and Satellite Television Service, 88 Fed. Reg. 42277 (June 30, 2023) (to be codified at 47 C.F.R. pt. 76), <https://www.federalregister.gov/documents/2023/06/30/2023-13971/all-in-pricing-for-cable-and-satellite-television-service>.

<sup>2</sup> TINA.org's Mercedes-Benz Investigation, <https://truthinadvertising.org/brands/mercedes-benz>.

<sup>3</sup> TINA.org's MyPillow Investigation, <https://truthinadvertising.org/brands/mypillow/>;  
TINA.org's doTerra Investigation, <https://truthinadvertising.org/brands/doterra/>;  
TINA.org's Young Living Investigation, <https://truthinadvertising.org/brands/young-living/>.

<sup>4</sup> TINA.org's HelloFresh Investigation, <https://truthinadvertising.org/brands/hellofresh/>.

<sup>5</sup> *Safeguarding American Consumers: Fighting Fraud and Scams During the Pandemic Before the Subcomm. on Consumer Prot. and Com. of the Comm. on Energy and Com.*, 117th Cong. (Feb. 4, 2021) (testimony of Bonnie Patten, Exec. Dir., Truth In Advertising), <https://truthinadvertising.org/action/house-testimony-2021-summary-action/>; *Curbing COVID Cons: Warning Consumers about Pandemic Frauds, Scams, and Swindles Before the Subcomm. on Consumer Prot., Prod. Safety, and Data Sec. of the Comm. on Com., Sci., & Transp.*, 117th Cong. (Apr. 27, 2021), (testimony of Bonnie Patten, Exec. Dir., Truth In Advertising), <https://truthinadvertising.org/action/senate-testimony-2021-summary-action/>.

<sup>6</sup> For example, TINA.org participated as amicus curiae in *AMG Capital Management, LLC v. Federal Trade Commission*. Brief of Amicus Curiae Truth In Advertising, Inc. In Support of Respondent, *AMG Capital Mgmt., LLC v. Fed. Trade Comm'n*, No. 19-508 (U.S. Dec. 7, 2020), [https://www.supremecourt.gov/DocketPDF/19/19-508/162934/20201207192719389\\_19-508%20brief.pdf](https://www.supremecourt.gov/DocketPDF/19/19-508/162934/20201207192719389_19-508%20brief.pdf). TINA.org also filed an amici curiae brief in *Federal Trade Commission v. Quincy Bioscience Holding Co., Inc.*, which reinstated a Section 13(b) suit against a business falsely marketing a dietary supplement to the elderly as clinically proven to improve memory. Brief of Amici Curiae Truth In Advertising, Inc. et al. in Favor of Appellants and in Support of Reversal, *Fed. Trade Comm'n v. Quincy Bioscience Holding Co., Inc.*, 753 Fed. Appx. 87 (2d Cir. 2019) (No. 17-3745), [https://truthinadvertising.org/wp-content/uploads/2018/03/Prevagen\\_Amici-Curiae-brief.pdf](https://truthinadvertising.org/wp-content/uploads/2018/03/Prevagen_Amici-Curiae-brief.pdf).

<sup>7</sup> See TINA.org's Comment to the FTC Re: Unfair and Deceptive Fees (Feb. 8, 2023), [https://truthinadvertising.org/wp-content/uploads/2023/02/28\\_23-Junk-Fees-comment.pdf](https://truthinadvertising.org/wp-content/uploads/2023/02/28_23-Junk-Fees-comment.pdf).

<sup>8</sup> See, e.g., Jonathan Schwantes, *What the Fee?!: How Cable Companies Use Hidden Fees to Raise Prices and Disguise the True Cost of Service*, Consumer Reports, Oct. 2019, <https://advocacy.consumerreports.org/wp-content/uploads/2019/10/CR-Cable-Bill-Report-2019.pdf> (“Nearly everyone (96%) of those who reported having encountered hidden or unexpected fees in an industry that we asked about said fees are a real nuisance. Nowhere is this more true than in the cable industry. The CR survey found telecommunications providers (which includes cable companies) are the worst offender when it comes to charging unexpected or hidden fees.”)

<sup>9</sup> *Xfinity Extreme Premier Triple Play Ad Alert*, Truth In Advertising, July 6, 2015, <https://truthinadvertising.org/articles/xfinity-extreme-premier-triple-play/>.

<sup>10</sup> *AT&T TV Ad Alert*, Truth In Advertising, Mar. 6, 2020, <https://truthinadvertising.org/articles/att-tv/>; *CenturyLink Ad Alert*, Truth In Advertising, Apr. 25,

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2017, <https://truthinadvertising.org/articles/centurylink/>; *Four Ways DirecTV Deceived Consumers, According to FTC Lawsuit*, Truth In Advertising, Mar. 12, 2015, <https://truthinadvertising.org/articles/four-ways-directv-deceived-consumers-according-to-ftc-lawsuit/>.

<sup>11</sup> *Frontier's TV + Internet Bundle Ad Alert*, Truth In Advertising, Apr. 2, 2014, <https://truthinadvertising.org/articles/frontiers-tv-internet-bundle/>.

<sup>12</sup> TINA.org's Class Action Tracker: The Fees for "Advanced TV", <https://truthinadvertising.org/class-action/the-fees-for-advanced-tv/>.

In another class action, consumers allege that Cox misrepresented that customers who enter 24-month contracts for cable TV service plans would not be charged more than the promised fixed rate for the term of the contract when the company increased the monthly rate mid-contract by adding monthly service charges. See TINA.org's Class Action Tracker: Cox Cable TV Service Plans, <https://truthinadvertising.org/class-action/cox-cable-tv-service-plans/>.

<sup>13</sup> TINA.org's Class Action Tracker: Frontier's Advertised Rates, <https://truthinadvertising.org/class-action/frontiers-advertised-rates/>.

<sup>14</sup> TINA.org's Class Action Tracker: The Monthly Cost of DirecTV Services, <https://truthinadvertising.org/class-action/the-monthly-cost-of-directv-services/>.

<sup>15</sup> TINA.org's Class Action Tracker: DirecTV's Quoted Monthly Costs, <https://truthinadvertising.org/class-action/directvs-quoted-monthly-costs/>.

<sup>16</sup> TINA.org's Class Action Tracker: CenturyLink, <https://truthinadvertising.org/class-action/centurylink-2/>.

<sup>17</sup> TINA.org's Class Action Tracker: Prices for Comcast Cable Television Service Packages, <https://truthinadvertising.org/class-action/prices-comcast-cable-television-service-packages/>.

<sup>18</sup> TINA.org's Class Action Tracker: DISH Network Satellite Television Packages, <https://truthinadvertising.org/class-action/dish-network-satellite-television-packages/>.

<sup>19</sup> TINA.org's Class Action Tracker: Prices for Cable Television Services from Charter Communications, <https://truthinadvertising.org/class-action/prices-for-cable-television-services-from-charter-communications/>.

<sup>20</sup> See *How Cable Companies Use Hidden Fees to Raise Prices and Disguise the True Cost of Service*, CR CABLE BILL REPORT 2019, <https://advocacy.consumerreports.org/wp-content/uploads/2019/10/CR-Cable-Bill-Report-2019.pdf> (finding that 85 percent of Americans say they have encountered an unexpected or hidden fee in the past two years for a service they had used). See also *WTFee Survey: 2018 Nationally Representative Multi-Mode Survey*, Consumer Reports, Jan. 3, 2019, at 7, <https://advocacy.consumerreports.org/wp-content/uploads/2019/09/2018-WTFee-Survey-Report--Public-Report-1.pdf>; Penelope Wang, *Protect Yourself from Hidden Fees*, Consumer Reports, May 29, 2019, <https://www.consumerreports.org/fees-billing/protect-yourself-from-hidden-fees-a1096754265/>.

<sup>21</sup> See *WTFee Survey: 2018 Nationally Representative Multi-Mode Survey*, Consumer Reports, Jan. 3, 2019, at 7, <https://advocacy.consumerreports.org/wp-content/uploads/2019/09/2018->

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[WTFee-Survey-Report- -Public-Report-1.pdf](#) (showing that only 18 percent of consumers surveyed reported not spending money on unexpected or hidden fees in the past 12 months); Penelope Wang, *Protect Yourself from Hidden Fees*, Consumer Reports, May 29, 2019, <https://www.consumerreports.org/fees-billing/protect-yourself-from-hidden-fees-a1096754265/> (“At least 85 percent of Americans have encountered an unexpected or hidden fee over the past two years for a service they had used, according to a recently nationally representative CR survey of more than 2,000 U.S. adults.”)

<sup>22</sup> *Id.* (“A third of Americans say they’ve spent \$100 or more on unexpected or hidden fees in the past 12 months for the bills they regularly pay and 17% say they are unsure.”). *See also The Hidden Costs of Bill Pay 2021: doxoINSIGHTS Report 2021*, doxo, Oct. 20, 2021, <https://www.doxo.com/insights/the-hidden-costs-of-bill-pay-report-2021/> (“The average household spent \$925 on the hidden costs of bill pay in 2021.”)

<sup>23</sup> Penelope Wang, *Protect Yourself From Hidden Fees*, Consumer Reports, May 29, 2019, <https://www.consumerreports.org/fees-billing/protect-yourself-from-hidden-fees-a1096754265/> (“...two-thirds of [U.S. consumers] say they are paying more now in surprise charges than they did five years ago.”)

<sup>24</sup> *The Hidden Cost of Junk Fees*, Consumer Financial Protection Bureau, Feb. 2, 2022, <https://www.consumerfinance.gov/about-us/blog/hidden-cost-junk-fees/>.

<sup>25</sup> *Id.*

<sup>26</sup> ‘*Land of the Fee*’: *How Hidden Costs Hurt Consumers*, Knowledge at Wharton, Aug. 23, 2018, <https://knowledge.wharton.upenn.edu/article/hidden-costs-hurting-middle-class/>.

<sup>27</sup> How Cable Companies Use Hidden Fees to Raise Prices and Disguise the True Cost of Service, CR CABLE BILL REPORT 2019, <https://advocacy.consumerreports.org/wp-content/uploads/2019/10/CR-Cable-Bill-Report-2019.pdf>.

<sup>28</sup> How Cable Companies Use Hidden Fees to Raise Prices and Disguise the True Cost of Service, CR CABLE BILL REPORT 2019, <https://advocacy.consumerreports.org/wp-content/uploads/2019/10/CR-Cable-Bill-Report-2019.pdf>.

<sup>29</sup> *Id.*

<sup>30</sup> *See, e.g.*, Daniel Kline, *These Are the Companies Americans Like Least*, Motley Fool, May 29, 2019, <https://www.fool.com/investing/2019/05/29/companies-americans-like-least-cable-survey.aspx>; *Cable Companies Are Among the Most Hated Industries in U.S.*, NPR, May 21, 2014, <https://www.npr.org/2014/05/21/314447861/the-last-word-in-business>; Aaron Pressman, *Why Everyone Hates Their Cable Company Even More This Year*, Fortune, May 23, 2018, <https://fortune.com/2018/05/23/hate-cable-tv-comcast-frontier/>.

<sup>31</sup> Consumer Cable and Internet Bills Remain Steady – Up Only 1.7% - Despite Inflation Swelling U.S. Household Expenses, July 6, 2023, <https://www.businesswire.com/news/home/20230706087764/en/Consumer-Cable-and-Internet-Bills-Remain-Steady---Up-Only-1.7---Despite-Inflation-Swelling-U.S.-Household-Expenses>.

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<sup>32</sup> All-In Pricing for Cable and Satellite Television Service, 88 Fed. Reg. 42277 (June 30, 2023) (to be codified at 47 C.F.R. pt. 76), <https://www.federalregister.gov/documents/2023/06/30/2023-13971/all-in-pricing-for-cable-and-satellite-television-service>.

<sup>33</sup> *See, e.g.*, Best TV, Internet, and Phone Bundles 2023, <https://www.reviews.org/internet-service/tv-internet-phone-bundles/>; Best Bundle Deals For TV, Internet And Phone Of July 2023, <https://www.forbes.com/home-improvement/internet/best-internet-tv-phone-bundle/>.

<sup>34</sup> *See, e.g.*, TINA.org’s Class Action Tracker: The Fees for “Advanced TV”, <https://truthinadvertising.org/class-action/the-fees-for-advanced-tv/>; TINA.org’s Class Action Tracker: Frontier’s Advertised Rates, <https://truthinadvertising.org/class-action/frontiers-advertised-rates/>; TINA.org’s Class Action Tracker: The Monthly Cost of DirecTV Services, <https://truthinadvertising.org/class-action/the-monthly-cost-of-directv-services/>; TINA.org’s Class Action Tracker: CenturyLink, <https://truthinadvertising.org/class-action/centurylink-2/>; TINA.org’s Class Action Tracker: Prices for Comcast Cable Television Service Packages, <https://truthinadvertising.org/class-action/prices-comcast-cable-television-service-packages/>; TINA.org’s Class Action Tracker: Prices for Cable Television Services from Charter Communications, <https://truthinadvertising.org/class-action/prices-for-cable-television-services-from-charter-communications/>.

<sup>35</sup> *See, e.g.*, Open Internet Transparency Rule, <https://docs.fcc.gov/public/attachments/DOC-328399A1.pdf>.