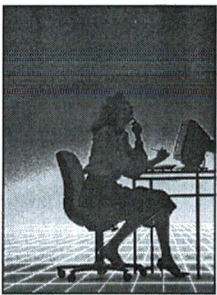


# Money & Careers



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# For crying out loud

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# Consumers fight back

## How to press your case — online or off

BY KRISTINA FIORE  
STAFF WRITER

nce upon a time, unhappy customers had little leverage against big companies and their poor customer service procedures.

Then came the Internet — replete with sites for posting complaints about below-par products and service. But there's something that consumers should think about before posting their gripes on the Web: Is online complaining worth it?

Sometimes complaints entail long, unedited rants, leaving customers skeptical about their credibility, as well as about the personal vendettas that may have fueled them. Some con-

sumer advocacy groups are unsure if small complaints will even prompt large companies to overhaul their customer service policies.

"I can't say how effective [online complaining] is," said Gary Larson, a spokesman for the Center for Digital Democracy, a Washington, D.C.-based advocacy group for Internet and democracy issues. "Customer service is not improving."

Yet, two consumers recently got their customer service complaints noticed using the tools of the Internet. Vincent Ferrari of the Bronx and Brian Finkelstein of Washington, D.C., recorded their respective experiences with AOL and ComCast and posted the audio recordings and video on the Web. The postings

subsequently spread like wildfire, and both companies took steps to make amends: Ferrarri got his account canceled, as requested, and ComCast fired a technician who had been taped while snoozing.

But on an even larger scale, Ferrari and Finkelstein's actions brought what they saw as the companies' poor customer service procedures to the attention of millions — not just a handful of federal and state regulators. And experts say companies are noticing that power.

So with all the avenues before them, consumers may want to consider which actions will bring optimal results: exposing complaints online for millions to read, or taking up the case with a traditional con-

sumer affairs agency that has power to effect change. Here's a look at those routes, as well as the good and bad of online complaining.

### Complain away

In addition to the AOL and ComCast complainers, other audio-visually savvy customers have tacked up their sad customer service experiences on the Web. While a YouTube.com search for "customer service" reveals some amateur attempts at filmmaking, it also pulls up notes of others frustrated with customer service offered by companies such as Sony and Iberian Airlines. Thousands of users each day log on to YouTube, which allows them to view and share videos, so there's ample opportunity for bad publicity for targeted companies.

Personal blogs are another venue for venting customer service frustration. Recent arrivals include professional consumer blogs like Consumerist.com, which offers the potential for garnering a critical mass on a given consumer issue — and thus may pose a bigger challenge to big business.

Consumerist's mission is to expose "inhumane customer support," according to its Web site. It recently posted the AOL customer service manual, allowing users to learn that AOL's customer service representatives are advised to think of cancellation calls as sales leads.

Consumerist editor Ben Popken says AOL hasn't responded to the posting, but that's not why he posted it to begin with. He just wants to get the word out. "It's like sharing an open forum," Popken said. "It's like people getting together over their backyard fences and saying, 'Did you hear about lettuce at the grocery? It's not good, you should go to farmer Joe's instead.'" AOL declined to comment.

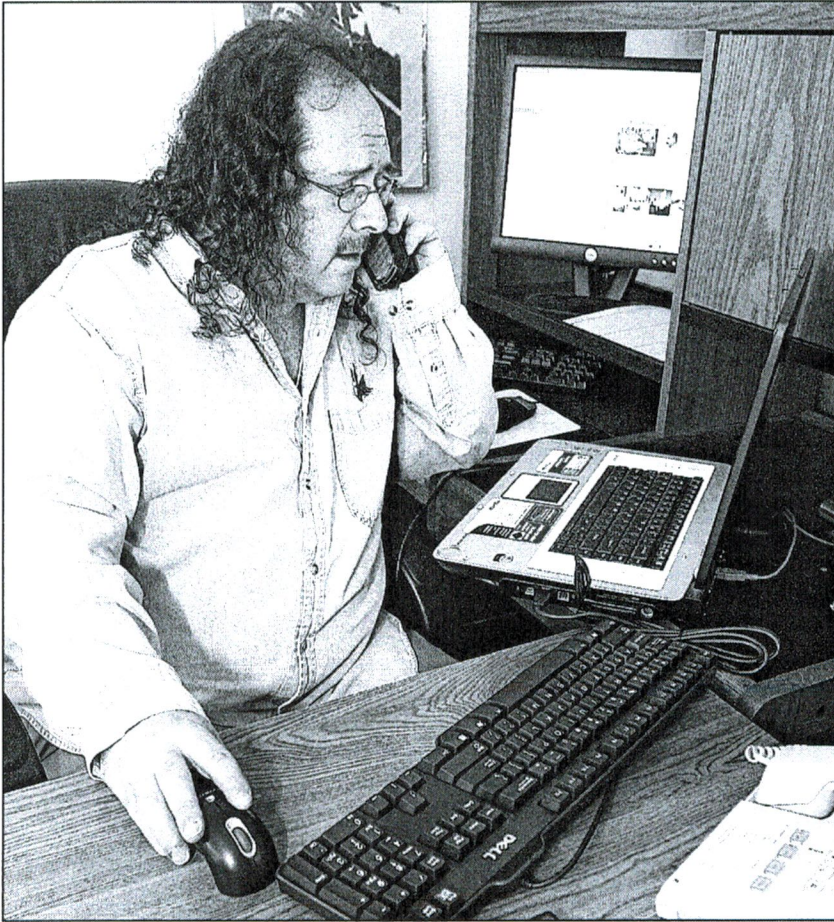
### Unite against scams

While these outlets are part of the new wave of airing customer service complaints, consumers have been savvy about exposing problems on the Internet since the advent a few years ago of complaint Web sites like RipOffReport.com, ConsumerAffairs.com and Complaints.com. On all three sites, consumers not only can rant about shoddy customer service but also unite against scams and broken promises. Each site offers different options to accomplish that.

Ed Magedson, editor of RipOffReport.com, started the site in 1998 and says he gets more than 800 reports daily. His site, based in Tempe, Ariz., never removes any of them from the Web site — even if a company rights the supposed wrong. But he gives the targeted compa-



PHOTOS.COM PHOTO



PAUL CONNORS PHOTO FOR NEWSDAY

**Ed Magedson, who edits RipOffReport.com, says he gets 800 reports a day from discontented consumers.**

here," he said, "is also happening in some other state."

#### Advantages of public forum

Experts say customers are indeed gaining leverage with big companies by bringing their complaints into such a public forum.

"Giving voice to folks who . . . probably wouldn't have as much of an opportunity is a testament to the Internet's democratizing power," said David McGuire, spokesman for the Center for Democracy and Technology, a Washington, D.C.-based advocacy group for global Internet and technology issues.

Larson, the Center for Digital Democracy spokesman, says customers are becoming more aware of online avenues for complaining. "I would say there are more complaints in general, because [consumers] are more aware [of ways] they can register complaints," he said.

As consumers become more educated, companies are becoming more aware of their responsibilities to their customers, said Linda Sherry, a spokeswoman for Consumer Action, a San Francisco-based consumer advocacy group.

"I think when they see those sites, they get very alarmed — and they should," she said.

Sherry says online complaining may have more of an effect than the traditional routes. Some complaints pile up in regulatory offices and are not always resolved the way people want them to be, she said.

#### Sites assist officials

But traditional agencies are reaping the benefits of online consolidation of reports as well. Magedson, of RipOffReport, says he personally provides information from the site to attorneys general and consumer protection agencies across the nation.

"They're one of best resources around," Sorensen said. "He helps us find people who may not know to call us."

Sorensen said his agency monitors a number of consum-

er complaint sites on a regular basis. So does the state attorney general, according to Brad Maione, a spokesman for the agency, as does the Nassau County Consumer Affairs Bureau, said James Reed, deputy commissioner.

Even though traditional consumer protection offices are fed information from Web sites and have electronic filing forms, some consumer advocacy agents worry information is not getting into the right hands.

#### Connect with regulators

"It may be satisfying to post your gripe to the world at large, but consumers need to be filing complaints with government agencies," said Jean Ann Fox, director of consumer protection for the Consumer Federation of America in Washington, D.C. "Otherwise, that information doesn't become accessible to regulators. The intelligence is lost to folks who write rules and enforce the laws."

Legal organizations also are able to weed out hearsay among Web ranters better than some consumers who are browsing the Web for others' opinions on companies, said Beau Brender, director of Consumer Reports' WebWatch, an online marketplace watchdog.

For example, since RipOffReport's complaints are unedited, Magedson warns consumers that just because a company is reported does not mean it has done anything wrong, and consumers should be skeptical.

Elizabeth Owen, executive director of the National Association of Consumer Advocacy Agents, says consumer affairs agencies are still receiving as many complaints as ever, and she encourages consumers to file complaints the traditional way — with regulatory agencies that can take legal action.

"While it's fun and amusing to air complaints on a Web site or a blog," she said, "the real problems can be solved when you take your complaints to someone who has the authority to change that problem."

ny a chance to respond on his Web site.

"The company needs to either do right so consumers can come back and tell how [the company] did the right thing, or update the report with how the business didn't want to realize what they did wrong," he said.

ConsumerAffairs.com is run by former Associated Press journalist Jim Hood, who said the Santa Monica-based site publishes not only some of the approximately 200 complaints it receives daily but also consumer-issues articles — sometimes based on the complaints — written by a staff of eight freelancers.

He's selective about which ranters he publishes so the site will remain credible to other users who check it out. "We try

to clean them up," he said, "take out the expletives."

Matt Smith founded the Chicago-based Complaints.com in 2000 and receives about 100 complaints daily. He said the advantage of his site is that most of its filed complaints get ranked highly on search engines.

"It's a megaphone," Smith said. "A blog itself gets lost, but this is an effective way to get people to read [your complaint]. It gets a lot of attention."

#### Suits left to agencies

All of the sites said they provide information to traditional consumer representatives like state attorneys general and lawyers formally prosecuting certain companies. The sites never file suit against companies them-

selves; they leave such actions to government offices, including the Federal Trade Commission, state attorneys general and consumer protection agencies.

Those agencies — including the New York State Consumer Protection Board and the state attorney general's office — have Web sites that allow consumers to file complaints electronically. Both the Nassau and Suffolk offices of consumer affairs allow you to print complaint forms off their Web sites, but you have to mail them in.

Having reports online makes it easier to share and coordinate information, said Jon Sorensen, spokesman for the state Consumer Protection Board. "Something happening

# Ranters beware: Big business is watching

Customers who want to vent about sub-par customer service often flock to the Web, where they can rant without censorship and commiserate with those who share in their troubles.

"If you go to the store and something terrible happens to you, you go home and tell 10 people," said Elizabeth Owen, executive director of the National Association of Consumer Advocacy

Agents. "We all want to talk about our bad experiences."

But before going online to complain, be aware that other consumers are not the only ones watching your words.

Big business is also watching, experts say. Beau Brender, director of Consumer Report's WebWatch, an online marketplace watchdog, says companies take what is said about them in public very seriously, especially if

there's visual proof against them.

"Some stores have literally tried to sue consumers who make bad comments," he said, noting an online flower vendor threatened to file a lawsuit against a Philadelphia woman for filing an online complaint with a better business bureau in 2004. Online complaint sites do provide information to regulatory consumer affairs agencies,

and those agencies mine those sites for information to make legal cases against troublesome companies.

Brender advises that consumers who take their complaints online should be as factual as possible in writing them. For one thing, that will help avoid lawsuits. And, he said, it will make your complaint more credible to other customers who read it.

Although Web sites that host the complaints are protected from libel suits under the Communications Decency Act of 1996, there are no laws or precedents that consumers can fall back on in the face of a lawsuit. Their best bet, said Linda Sherry, spokeswoman for the D.C.-based consumer advocacy group Consumer Action, is the First Amendment.

— KRISTINA FIORE