

#:# Please type your reply above this line

Due Date: 10/16/2015  
Serve Date: 09/16/2015

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Link to Ticket: <https://fcctest.zendesk.com/agent/tickets/529742>  
Subject: "Excessive" internet charge  
Tags: billing\_internet\_cable\_internet\_carrier\_response\_pending\_no\_filing\_on\_behalf\_other\_pennsylvania  
Email: lfetter61@gmail.com  
Method: - -

Issue: - -  
Number subject to complaint:

Company Name:  
Other Company Name: Blue Ridge Cable TV  
Account #: Account #: 0229467-01  
First: Lina  
Last: Fetter  
Address: 192 Chestnut Drive  
City: Stroudsburg  
State: pennsylvania  
Zip: 18360  
Phone where to be contacted: 570-460-5123  
Filing on Behalf of Someone: No  
Relationship:  
First Name:  
Last Name:  
Serve Status: carrier\_response\_pending

Ticket information:

### **Gwendolyn Upchurch (FCC Complaints)**

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#### **Private note**

Please use the Macro called "Closure Response to FCC" when you are ready to respond.

This constitutes a notice of informal complaint filed with the FCC against your company. Your response to the consumer (with a copy to the FCC) is due no later than 30 days from the date of this notice.

For more information on your legal responsibilities, see [https:// us-fcc.app. box.com / complaintnotice](https://us-fcc.app.box.com/complaintnotice).

If you have any questions regarding this notice, please contact the FCC at [carriersupport@fcc.gov](mailto:carriersupport@fcc.gov).

## Lfetter61

:>p l:>, 1.08 PM

Lfetter61 was not signed in when this comment was submitted. [Learn more](#)

My contract with Blue Ridge Cabel TV - PO BOX 316, Palmerton, PA 18071-0316 -- Phone 800-222-5377. In August they started charging for excessive bandwidth without prior notification. As a customer for over 15 years there was NEVER any notification to do this . In addition, the "new" release they just put out states they can change whatever they want, whenever they want without notification. This is ridiculous. Then in September they changed it again, doubling the bandwidth BUT removing the free peek times - again only notify about doubling the bandwidth (to make them look good!) but not mentioning that they have removed the "free" times.

You are an agent. Add a comment by replying to this email or view ticket in [Zendesk](#).

Ticket # 529742  
Status Open  
Requester Lfetter61  
CCs -  
Group Blue Ridge Communications  
Assignee Jeff Crandall  
Priority -  
Type Ticket  
Channel Web Form

fh1s email is a service from FCC Complaints. Delivered by [Zendesk](#)

September 28, 2015

Gwendolyn Upchurch  
Consumer Complaints

Serve Ticket#: 529742  
Last Name: Fetter

Dear Gwendolyn Upchurch,

Ms. Fetter's complaint is that she does not like the way we have changed the way we measure our customer's internet bandwidth usage and did not give prior notification.

**History:** Our residential internet service has had bandwidth allowances for over ten years. Originally, the bandwidth allowance was based on the level of service and the average subscriber used less than 15GB per month.

In 2009, as bandwidth usage grew, we measured bandwidth usage between the peak hours of 5pm - 1 am and raised the bandwidth allowance to 250GB for all levels of service. Less than 1% of the customers were affected and they were charged \$1.00 per GB over the 250GB.

Effective September 1, 2015, we modified the bandwidth policy by measuring the usage levels continuously and increasing the allowance by level of service, as follows:

	Speed	Bandwidth Allowance
1)	1.5mbps	150 GB downstream
2)	5mbps	300 GB downstream
3)	10mbps	400 GB downstream
4)	15mbps	500 GB downstream
5)	60mbps	600 GB downstream
6)	100mbps	700 GB downstream

Customers who exceed the monthly allowance are charged \$10 for each additional 50 GB.

**Notice:** We notified the customers of this change by bill message and amendment to the Blue Ridge policies on our web page. Additionally, we email customers if they reach 75% and 90% of their bandwidth allowance (Like the wireless phone providers do). We also provide a link to our website where the customer can monitor their bandwidth daily usage and what their current total bandwidth usage is for the month. For the first month of the new program (September 2015), we did not impose any usage fees but alerted the customer that we would begin doing so the following month. Importantly, bandwidth usage is independently measured and reported by a 3<sup>rd</sup> party.

**Reason:** Many customers do not realize that we pay for bandwidth on a usage basis. There is a vast discrepancy between the average and extreme user. Currently, the average user consumes 67 GB per month (well below even the lowest allowance) but we have seen extreme users consuming Terabytes of data. We believe that it would be unfair to the average user to raise rates to pay for the increased costs caused by the extreme users. We believe the bandwidth allowances selected are fair (our estimates are less than 3% of subscribers will exceed a data allowance) and that we give the extreme users notice and the opportunity to monitor their usage to avoid unexpected spikes in their bill.

Customers sometimes confuse the data allowances with prohibited blocking or throttling. Data allowances are neither and have been permitted, if not encouraged, by regulatory policy. Data allowances are the fairest method to allocate the variable cost of internet service. We are finding that many of the customers complaining about the bandwidth plans are using well under their data allowance and will not be affected. We will be contacting our customers who have made complaints and make sure they understand what their bandwidth usage has been, and how to check their usage on our website for daily and total bandwidth usage.

Please let me know if you have any further questions.

Sincerely,

Jeff Crandall  
Director of Operations  
Blue Ridge Communications

Cc. Lina Fetter