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## - Please type your reply above this line -:::ir

Due Date: 11/14/2015

Serve Date: 10/15/2015

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Link to Ticket: <https://fcctest.zendesk.com/agent/tickets/542837>

Subject: Bandwidth caps, unreliable usage meter, data insecurity

Tags: cable\_internet cams\_needs\_oi\_review cams\_oi/nn\_transparency carrier\_response\_pending -of:  
privacy\_internet

Email: mrsfixit@gmail.com

Method: - -

Issue: - -

Number subject to complaint:

Company Name:

Other Company Name: Blue Ridge Cable

Account #:

First: Candice

Last: Devine

Address: PO Box 517

City: Bartonsville

State: pennsylvania

Zip: 18321

Phone where to be contacted: 570-620-9105

Filing on Behalf of Someone: -

Relationship:

First Name:

Last Name:

Serve Status: carrier\_response\_pending

Ticket information:

## **Beth Alleman** (FCC Complaints)

OCL 1J, 8:00 AM

### **Private note**

Please use the Macro called "Closure Response to FCC" when you are ready to respond. To view instructions on how to respond see [https:// us-fcc.box .com/ how-to-respond](https://us-fcc.box.com/how-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) .

## **Mrsfixit**

Sep 11, 9:01 PM

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

I am outraged that Blue Ridge Cable now imposes caps, and overage fees upon it's customers . Blue Ridge is a monopoly in my area. PenTeleData partners with another provider in the PA/NJ area called Service Electric Cable. Both Blue Ridge and Service Electric buy their bandwidth from PenTeleData. Service Electric, which is NOT a monopoly- has uncapped service which is about 25% less than Blue Ridge. Say for the sake of argument I use 5TB of data in a month. If I have Service Electric- I pay \$50. If I have Blue Ridge- I pay \$568. For the SAME bandwidth, from the SAME source. How is this fair?

In addition, I had 100 GB's deducted from my allotment the FIRST day this went into effect, and I am not the only one.

While they are watching me- WHO is watching them to make sure their usage meters are accurate? If they want to bill by the byte then they ought to be regulated to make sure the customer is getting what they pay for. My cap is 500 GB's. I want to make sure I am getting 500 GB's, not 400, not 300, but WHAT I PAID FOR. This is outrageous . We're supposed to just take their word for it? I think not.

Today I found out that Blue Ridge is not even doing their own monitoring. They have contracted out the

bandwidth monitoring to a third party called "OpenVault". The more I read, the more I don't like this.

Just read if you don't believe me:

<http://openvault.com/penteledata-deploys-openvault-solution/>

This line is from the above link: "Robust Analytics: Collecting vast amounts of data is one thing but OpenVault's solution has built-in Analytics and Reporting functionality that turns raw data into meaningful information".

Read my lips- DATA HARVESTING AND COLLECTION. Not just a simple "how much" a customer used- but collection and harvesting and analysis, and being sold to advertisers and other parties who have NO BUSINESS HAVING ACCESS TO IT.

Then there's this:

<http://openvault.com/openvault-fourthwall-media-partner-set-top-box-diagnostics-data/>

This paragraph is from the above website:

"FourthWall's MassiveData division delivers viewership and set-top box diagnostics data, reports, analytics, and advanced advertising to television stakeholders and innovators who need to target the right audience with the right message".

So if I read that right, our personal data that flows through Blue Ridge's network is being measured, and harvested by third parties, with the intention of being sold to other third parties, many of them foreign.

HOW CAN THIS BE LEGAL????? I DID NOT AGREE TO THIS!

Check out some of the "partners" of OpenVault:

<http://openvault.com/industry-relationships/>

They are ALL data collection services! And most of them are Eastern European and one is in Turkey.

Can you say SECURITY RISK? There, I knew you could.

I as a customer AM NOT COMFORTABLE WITH THIS ARRANGEMENT. And the FCC shouldn't be either!

PLEASE investigate this. I don't want my data in the hands of third parties, especially FOREIGN third parties! All in pursuit of the almighty dollar.

My God- there has to be a limit on what these bastards are allowed to do to customers!

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

Ticket # 542837  
Status Open  
Requester Mrsfixit  
CCs -  
Group Blue Ridge Communications  
Assignee Jeff Crandall  
Priority -  
Type Ticket  
Channel Web Form

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

November 9, 2015

Beth Alleman  
Consumer Complaints  
Serve Ticket#542837  
Last Name: Devine

Dear Beth Alleman,

Ms. Devine's complaint is that Blue Ridge now imposes caps and overage fees upon its customers. She is concerned about who is watching Blue Ridge to make sure usage meters are accurate. She also states that Blue Ridge is a monopoly.

**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 - 1am 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	7000GB 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 bandwidth provider's website where the customer can monitor their bandwidth usage. 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 do use a company called Open Vault who is an independent third party company to measure our customer's bandwidth usage to help eliminate any potential concerns that the bandwidth is being measured accurately. We do not provide any personally identifiable information to Open Vault.

Blue Ridge Communications does not have a monopoly in Monroe County. We do not prohibit other companies from serving the Stroudsburg area. Other service providers can apply for a franchise at any time and build in the area. If you have any further questions, please let me know.

Sincerely,

Jeff Langdon  
Blue Ridge Communications

Cc. Candice Devine