

-- tt - Please type your reply above this line -tt :tt

Due Date: 10/24/2015  
Serve Date: 09/24/2015

\*\*\*

Link to Ticket: <https://fcctest.zendesk.com/aqent/tickets/530731>  
Subject: hnternet Data Caps and Fair Use.  
Tags: cams\_oi/nn\_general\_conduct carrier\_response\_pending no\_filing\_on\_behalf oi\_nn  
open\_internet\_net\_neutrality\_internet other pennsylvania wireless\_internet  
Email: dplatt0770@qmail.com  
Method: - -  
Issue: - -  
Number subject to complaint:

Company Name:  
Other Company Name: Blue Ridge Communications  
Account # :  
First: Derek  
Last: Platt  
Address: 1569 Spruce Street  
City: Stroudsburg  
State: pennsylvania  
Zip: 18360  
Phone where to be contacted: 215-900-1524  
Filing on Behalf of Someone: No  
Relationship:  
First Name:  
Last Name:  
Serve Status: carrier\_response\_pending

Ticket Information:

**Julie Benshoff** (FCC Complaints)

Sep 24. 4 02 PM

**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).

## Dplatt0770

ep 15, ).40 PM

Dplatt0770 was not signed in when this comment was submitted. [Learn more](#)

My ISP (Blue Ridge Communications) has recently implemented a policy that charges the customer extra money for using more than the arbitrary limit that they provide. This policy was not included when I signed up for BRC, nor were the customers informed of the impending changes until they were already in effect. This new policy targets and negatively affects those who rely wholly on the internet for work or use it for video streaming apps like Hulu and Netflix, which my household does both. The limit mentioned is placed arbitrarily at SOOGB, which seems reasonable until one realizes that a single hour of HD video streaming can use more than 3GB. Households with more than 1 device can easily exceed that SOOGB limit without even knowing it. This implementation of Fair usage and overage fees unfairly targets and siphons money from those who depend on the internet for work or video, essentially punishing them for using alternative movie and video apps and not getting cable from the same provider. Paying customers of Amazon Prime, Netflix, HBOgo, Hulu and gaming companies are the ones who really suffer here because those services require a lot of bandwidth. If there were another competitor that did not charge based on usage I'm sure Blue Ridge would not implement this policy, but they are the only possible provider for many regions in Northeast PA meaning that many families will have to suffer this biased policy or risk not have access to internet altogether. It seems odd that a policy titled "Fair Usage" is anything but fair.

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

Ticket # 530731

Status Open

Requester Dplatt0770

September 29,2015

Julie Benshoff  
Consumer Complaints

Serve Ticket#: 530731  
Last Name:Platt

Dear Julie Benshoff,

Mr. Platt's complaint is that Blue Ridge Cable changed the data allowance for our different levels of internet service without notifying our customers .

**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 - 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 customer s of this change by bill message and amendment to the Blue Ridge policies on our web page. Additionally, we email customer s 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 3rd 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. Derek Platt