

Langdon, Jeff

From: Crandall, Jeff
Sent: Wednesday, October 19, 2016 12:12 PM
To: Langdon, Jeff
Subject: FW: Serve ticket#: 1256371 Last Name: Rodriguez

Follow Up Flag: Follow up
Flag Status: Flagged

From: FCC [mailto:consumercomplaints@fcc.gov]
Sent: Wednesday, October 19, 2016 12:03 PM
To: Crandall, Jeff
Subject: Serve ticket#: 1256371 Last Name: Rodriguez

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

Due Date: 11/18/2016

Serve Date: 10/19/2016

Link to Ticket: <https://fcctest.zendesk.com/agent/tickets/1256371>

Subject: High Priced Slow Internet Service

Tags: cable_internet cams_advertising_deceptive_or_misleading cams_needs_oi_review cams_oi/nn_general_conduct
cams_oi/nn_transparency cams_recurring_charges cams_service_plan/advertised_rates cams_service_quality
carrier_response_pending no_filing_on_behalf_oi_nn other pennsylvania speed_internet

Email: joe_sounds@yahoo.com

Method: - -

Issue: - -

Number subject to complaint:

Company Name:

Other Company Name: BlueRidge Cable

Account #: 0336599-01

First: Jose

Last: Rodriguez

Address: 136 Arbor Road

City: East Stroudsburg

State: pennsylvania

Zip: 18301

Phone where to be contacted: 917-348-2402

Filing on Behalf of Someone: No

Relationship:

First Name:

Last Name:

Serve Status: carrier_response_pending

Ticket Information:

Robin McCullough (FCC Complaints)

Oct 19, 12:02 PM EDT

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>.

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>.

If you have any questions regarding this notice, please contact the FCC at carriersupport@fcc.gov.

Joe Sounds

Oct 12, 12:42 PM EDT

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

I have BlueRidge Cable and they advertising that 10 down and 800 Kps upload as high speed Internet. It's GARBAGE. I'm paying 43.00 per month. There is no other cable provider in the area only DSL which is worse. They say they have other packages 60 down 3 up, 100 down 5 up. The problem here is there upload speed, where is the high speed with the upload ? Every other provider gives up and down the same speed. I am sending a 1.9 gig file since 11 pm last night, it's been over 13 hours uploading and its at 90% , this is bullshit ! And they have data caps on top of that, it should unlimited like Verizon,Comcast,Time Warner ect. With the deregulation of cable the consumer is getting RIPPED off. Where's the competition and choice for me to drop there service ? You the government has to set a standard, it should be a minimum of 25 down and 25 up to be consider high speed, Theses Bozo's at Blue Ridge think it's 1995 ! It should be no less than 25/25 any provider in this country should give customer's ! This is 2016, I feel like I live in a third world country. You need to make it the standard NOW ! And fine Blueridge for cheating the customer with refunds back to us for there shitty service. And bring up the upload bandwidth 10,15,60 and 100 where it should be.

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

Ticket # 1256371

Status Open

Requester Joe Sounds

November 4, 2016

Robin McCullough
Consumer Complaints
Serve Ticket#1256371
Last Name: Rodriguez

Dear Robin McCullough,

Mr. Rodriguez's complaint is that Blue Ridge is advertising 10Mbps/800kps as high speed internet. He claims that every other provider offers the same download/upload speeds. He also feels that data allowances should be eliminated.

In January 2015, the FCC redefined **broadband** as download speeds of 25Mbps or faster, and uploads speed of at least 3Mbps. The FCC did not prohibit lesser speeds. Blue Ridge Communications provides its customers access to two broadband tiers: 60Mbps/3Mbps and 100Mbps/5Mbps speeds. Blue Ridge offers additional **high speed tiers** (tiers that are faster than DSL or dial up).

Mr. Rodriguez mentions, "Every other provider gives up and down the same speed". His statement is inaccurate because not all companies provide the same up and down speeds. According to www.dslreports.com, Comcast also does not offer the same up and down speed.

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 increased the allowance by level of service, as follows:

	<u>Speed</u>	<u>Bandwidth Allowance</u>
1)	1.5mbps	200 GB downstream
2)	5mbps	450 GB downstream
3)	10mbps	550 GB downstream
4)	15mbps	700 GB downstream

- 5) 60mbps 800 GB downstream
- 6) 100mbps 1000 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 bandwidth provider's website where customers 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 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 that fewer 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 bills.

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. If you have any further questions, please let me know.

Sincerely,

Jeff Langdon
Blue Ridge Communications

Cc. Jose Rodriguez