

CARRIER RESPONSE COVER PAGE

COMPLAINT # : 12-C00406085-1

CARRIER : Blue Ridge Communications

CONSUMER NAME : Morrow



Carrier Instructions: To better assist the FCC in ensuring that carrier responses are attached to the correct complaint, this *cover* page has been provided to you for responding to the complaint referenced *above*. Please ensure that this page precedes your response to this complaint. If you have any questions, please contact your FCC POC.

FCC Instructions: When scanning the carrier's response, select file type "Carrier Response" and upload file to the complaint # noted above.



Corporate Office

1300 Hillside St

P.O. Box 215

Palmerton, PA

18071

July 23, 2012,

Sharon C Bowers, Division Chief
Federal Communications Commission
Consumer Inquiries & Complaints Division
445 14th St SW 5-A847
Washington DC 20554

RE: 12-C00406085-1 -Morrow, Stephen -East Stroudsburg PA 18302

Mr. Morrow complaint is that he is restricted to 250 GB of bandwidth per month.

Mr. Morrow has a residential modem account with us but states in his complaint that he needs his internet account to facilitate his living. 97% of our residential customers use less than 150 GB of bandwidth per month, and over 99% use less than 200 GB a month. Because this is a shared bandwidth service PTO needs to manage the bandwidth usage of our users so other customers are not adversely affected. This is why we have a variety of internet packages to fit the needs of all types of users for residential and commercial businesses. Our commercial accounts have no bandwidth restrictions with fiber options available for customers that need additional services including faster speeds.

Mr. Morrow also stated that the commercial speeds don't meet his needs and he doesn't understand why there are bandwidth restrictions on residential service but not on commercial service. Our commercial service has numerous speed options that meet the needs of our commercial customers that send and receive data to operate their business on a daily basis. Many residential accounts are downloading video, streaming movies or gaming which require large amounts of bandwidth at much faster speeds and we need to manage the network to make sure our service works properly for all our customers. 250 GB is an extremely large amount of data per month and our average customer uses less than 15GB per month. To put this in perspective a residential customer would have to do one of the following:

- Send 50 million e-mails
- Download 62,500 songs(at 4 MB/song)
- Download 125 standard definition movies(2 GB/movie)
- Upload 25,000 Hi-resolution digital Photos (at 10MB/photo)

PH:610 826 2551

FAX:610 826 7626

email:brc@ptd.net

It seems like Mr. Morrow is trying to run his business with a residential account which is designed for entertainment purposes. PTO has Commercial accounts available with download speeds up to 12Mbps. They also have additional fiber solutions for businesses that need more bandwidth and speed.

Stated below is our bandwidth policy which can be found at the PTO Acceptable Usage Policy on our website at www.ptd.net and on the Blue Ridge Communications Internet service agreement:

Broadband Bandwidth: PenTeleData and your broadband service provider offer multiple tiers of high speed Internet access with different speeds and bandwidth usage limitations (not all packages are available in all areas). Customer acknowledges that any quoted bandwidth rating/transfer rate for broadband Internet Service is a maximum rate and are not guaranteed. PenTeleData and your broadband Internet provider reserve the right to manage its networks to provide for maximum efficiency. As a user, you must ensure that your activities do not improperly restrict, inhibit, or degrade any other user's use of the service or PenTeleData's ability to deliver and monitor the service, or our network resources and do not represent (in the sole judgment of PenTeleData) an unusually large burden on the network itself. Users found to be (in PenTeleData's sole judgment) in violation of this policy may have their accounts terminated, suspended, or upgraded to a higher level of service, subject to the appropriate fees. PenTeleData will use reasonable efforts to notify a customer prior to service termination for excessive bandwidth use.

Please let us know if you have further questions.

Sincerely,

Jeff Crandall
Director of Operations
Blue Ridge Communications
610-826-9110
jcrandall@pencor.com

Form 2000B - Billing, Privacy, or Service Quality Complaint

*** * * ANSWER EACH QUESTION THAT APPLIES TO YOUR SPECIFIC COMPLAINT * * ***

satisfy the complaint or explain to the Commission and the complainant its time frame, either satisfy the complaint or explain to the Commission and the complainant its failure to do so; where there is an indication of a violation or potential violation of a statute, regulation, rule, or order, records from this system may be referred to the appropriate Federal, state, or local agency responsible for investigating or prosecuting a violation or for enforcing or implementing the statute, rule, regulation, or order; a record from this system may be disclosed to a Federal agency, state, or local agency responsible for investigating or prosecuting a violation or for enforcing or implementing the statute, rule, regulation, or order; a record from this system may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant or other benefit; a record on an individual in this system of records may be disclosed, where pertinent, in any legal proceeding to which the Commission is a party before a court or administrative body; a record from this system of records may be disclosed to the Department of Justice or in a proceeding before a court or adjudicative body when: (a) the United States, the Commission, a component of the Commission, or, when represented by the government, an employee of the Commission is a party to litigation or anticipated litigation or has an interest in such litigation, and (b) the Commission determines that the disclosure is relevant or necessary to the litigation; a record on an individual in this system of records may be disclosed to a Congressional office in response to an inquiry the individual has made to the Congressional office; a record from this system of records may be disclosed to GSA and NARA for the purpose of records management inspections conducted under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall not be used to make a determination about individuals.

In each of these cases, the FCC will determine whether disclosure of the information in this system of records notice is compatible with the purpose for which the records were collected. Furthermore, information in this system of records notice is available for public inspection after redaction of information that could identify the complainant or correspondent, i.e., name, address and/or telephone number.

THE FOREGOING NOTICE IS REQUIRED BY THE PAPERWORK REDUCTION ACT OF 1995, PUBLIC LAW 104-13, OCTOBER 1, 1995, 44 U.S.C. SECTION 3507 AND THE PRIVACY ACT OF 1974, PUBLIC LAW 93-579, DECEMBER 31, 1974, 5 U.S.C. SECTION 552a(e)(3).

User complaint number: 12-C00401134-1

Form 2000B - Billing, Privacy, or Service Quality Complaint

***** ANSWER EACH QUESTION THAT APPLIES TO YOUR SPECIFIC COMPLAINT *****

You may submit this form over the Internet at <http://www.fcc.gov/cgb/complaints.html>, by e-mail to fccinfo@fcc.gov, by fax to 1-866-418-0232, or by postal mail to:

Federal Communications Commission
Consumer & Governmental Affairs Bureau
Consumer Complaints
445 12th Street, SW
Washington, D.C. 20554

In addition, you may submit your complaint over the telephone by calling 1-888-CALL-FCC or 1-888-TELL-FCC (TTY). If you choose to submit your complaint over the telephone, an FCC customer service representative will fill out an electronic version of the form for you during your conversation. If you have any questions, feel free to contact the FCC at 1-888-CALL-FCC or 1-888-TELL-FCC (TTY).

FCC NOTICE REQUIRED BY THE PAPERWORK REDUCTION ACT AND THE PRIVACY ACT

The Federal Communications Commission is authorized under the Communications Act of 1934, as amended, to collect the personal information that we request in this form. This form is used for complaints that involve billing, privacy, or service quality. The public reporting for this collection of information is estimated to average 30 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the required data, and completing and reviewing the collection of information. If you have any comments on this burden estimate, or how we can improve the collection and reduce the burden it causes you, please write to the Federal Communications Commission, OMO-PERM, Paperwork Reduction Project (3060-0874), Washington, DC 20554. We will also accept your comments regarding the Paperwork Reduction Act aspects of this collection via the Internet if you send them to PRA@fcc.gov. PLEASE DO NOT SEND YOUR COMPLETED FORMS TO THIS ADDRESS.

Remember - You are not required to respond to a collection of information sponsored by the Federal government, and the government may not conduct or sponsor this collection, unless it displays a currently valid OMB control number or if we fail to provide you with this notice. This collection has been assigned an OMB control number of 3060-0874.

In addition, the information that consumers provide when filling out FCC Form 2000 is covered by the system of records notice, FCC/CGB-1, Informal Complaints and Inquiries File (Broadcast, Common Carrier, and Wireless Telecommunications Bureau Radio Services). The Commission is authorized to request this information from consumers under 47 U.S.C. 206, 208, 301, 303, 309(e), 312, 362, 364, 386, 507, and 51; and 47 CFR 1.711 et seq.

Under this system of records notice, FCC/CGB-1, the FCC may disclose information that consumers provide as follows: when a record in this system involves a complaint against a common carrier, the complaint is forwarded to the defendant carrier who must, within a prescribed time frame, either

user complaint number: 12-C00406085-1

Carrier: Blue Ridge Communications

Form 2000B - Billing, Privacy, or Service Quality Complaint

Consumer's Information:

First Name: Stephen Last Name: Morrow

Company Name:

(Complete only if you are filing this complaint on behalf of a company or an organization.)

Post Office Box Number:

(Official Post Office box Number Only)

Address 1: 439 Hallowood Dr

Address 2:

Mailing Address (where mail is delivered)

City: East Stroudsburg State: PA Zip Code: 18302

Telephone Number (Residential or Business): (570) 369 - 4335

E-mail Address: sargon666777@gmail.com

*** ANSWER EACH QUESTION THAT APPLIES TO YOUR SPECIFIC COMPLAINT ***

1. Telephone number(s) involved (including area code): (570) 369 - 4335

2. What is the name of the telephone company, wireless carrier, or other company that is the subject of your complaint?: Blue Ridge Communications

3. What is the account number that is the subject of your complaint?: 31131701

4. If you are disputing charges on a telephone bill, complete the following:

a. Disputed amount: \$ 0.00

b. Have you paid any of the disputed charges?: false

c. Did the billing company adjust or refund the disputed charges?: false

d. If yes, what was the amount of the adjustment or refund?: \$ 0.00

e. Are the disputed charges related to additional services?: false

If yes, please explain:

5. For billing and non-billing complaints (including privacy and service quality issues) please provide the details of your complaint or any additional information below: I am locked into this cable provider as my sole provider of broadband. I depend on broadband access to facilitate my living. I am unable to use other services so I am stuck with them for service. They currently limit all of their top consumer tiers to 250GB per month regardless of speed. As a result it is almost impossible when using the service to not go over. They offer to upgrade to a business package to remove this restriction (which I am willing to do), but then they limit the speeds to a much slower speed (and raise the cost). Since I have no competition here that I can access I have no options, and it impacts my living. The reason for the 250GB limit is cited as "damaging other customers", but why then does a business account with no limit also not cause the same level of damage since they are both delivered over the same medium? This practice is unethical. I only want the same level of access available to me (even if it's at a higher price).

Complaint Summary: 12-coo4osoas-1

Date Served :07/12/2012

Response Due Date :08/11/2012

Carrier :Blue Ridge Communications

Form Type :2000B

Consumer Name :Morrow, Stephen

Complaint Submission Date: 06/27/2012

Complaint Type: Cable

Complaint Category: Broadband

Complaint Sub-Category: Access Caps - Cutoff