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Due Date: 10/14/2015  
Serve Date: 09/14/2015

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Link to Ticket: <https://fcctest.zendesk.com/agent/tickets/526407>  
Subject: Data caps on residential home network (Blue Ridge Communications)  
Tags: billing\_internet cable\_internet cams\_needs\_oi\_review cams\_oi/nn carrier\_response\_pending  
no\_filing\_on\_behalf other pennsylvania  
Email: tonyklapa tch@hotmail.com  
Method: - -

Issue:- -  
Number subject to complaint:

Company Name:  
Other Company Name: Blue Ridge Communications  
Account # :  
First: Tony  
Last: Kiapatch  
Address: 207 Jake Ct  
City: Saylorsburg  
State: pennsylvania  
Zip: 18353  
Phone where to be contacted: 570-688-5490  
Filing on Behalf of Someone: No  
Relationship:  
First Name:  
Last Name:  
Serve Status: carrier\_response\_pending

Ticket hformation:

## Vicky May (FCC Complaints)

Seq <1 ... \*v1

### 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>.

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

## Tonyk lapatch

September 1, 2015 7:07 PM

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

On September 1st 2015 Blue Ridge Communications introduced new data caps. Before September 1st there was a 250gb data cap during peak hours (5pm to 1am). Now they raised the cap to 600gb, but it is now 24/7 usage. This seems very unfair to the community and has led to a facebook page being created called "Stop Blue Ridge Cable Data Caps". With technological advancements like 4K content this cap will be hit hard and people will have to pay ridiculous overage charges for their internet. With no other competition in the area, Blue Ridge has a complete monopoly. The only other options would be DSL and DialUp which are both much slower.

You are an agent. Add a comment by replying to this email or view ticket in Zendesk.

Ticket # 526407  
Status Open  
Requester Tonyklapatch  
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

September 28,2015

Vicky May  
Consumer Complaints

Serve Ticket#: 526407  
Last Name: Klapatch

Dear Vicky May,

Mr. Klapatch's complaint is that we changed the way we measure bandwidth usage.

**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 1.5 GB 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 SO 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. Tony Klaplatch