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Due Date:

03/10/2016

Serve Date:

02/09/2016

Link to Ticket: <https://fcctest.zendesk.com/agent/tickets/796971> Subject: internet caps

Tags: availability_internet cable_internet cams_needs_oi_review cams_oi/nn_general_conduct cam

carrier_response_pending no_filing_on_behalf_oi_nn other pennsylvania

Email:

rickybat77@gmail.com

m Method: - -

Issue: - -

Number subject to complaint:

Company Name:

Other Company Name: Blue Ridge Cable Account #:

First: Ricky Last: Batista

Address: 351 echo lake rd City: tobyhanna

State: pennsylvania Zip: 18466

Phone where to be contacted: 570-982-6187 Filing on Behalf of Someone: No

Relationship: First Name: Last Name:

Serve Status: carrier_response_pending Ticket information:

Julie Benschhoff (FCC Complaints)

Private note

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.

Rickybat77

reopened by tim

Rickybat77 was not signed in when this comment was submitted. [Learn more](#)

This company is capping our internet at 700gig a month, they are also charging our area almost 30% more for internet than another area they serve which is Allentown,PA according to the new FCC rules in order for a company to be considered broadband they should have a 25mbps down and 3 up , we are paying \$68 for 15 down and 2 up, and it is capped and throttled, how is this practice legal, when they service the next county over and do not cap their downloads and offer speeds faster for cheaper. please take a look at this petition on change.org and see all the complaints regarding this company, they have a monopoly in Monroe Country, PA and surrounding counties. <https://www.change.org/p/blue-ridge-communications-blue-ridge-communications-remove-the-data-cap>

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

Ticket # 796971

Status Open

Requester

Rickybat77

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](#)

February 24, 2016

Julie Benschhoff
Consumer Complaints
Serve Ticket#796971
Last Name: Batista

Dear Julie Benschhoff,

Mr. Batista's complaint is that we have data allowances and that speeds are throttled on our residential internet service. He states, according to the new FCC definition of broadband, we should offer a 25mbps/3mbps speed. He also feels that Blue Ridge is a monopoly in his area and charges more for internet service compared to other areas.

Reason: We enacted bandwidth allowances out of simple fairness. Many customers do not realize that we pay for bandwidth on a usage basis. Bandwidth consumption is increasing about 30-40% a year. This drives up the cost of delivering internet service not only in bandwidth costs but in network and equipment modifications needed to deliver internet service.

There is a vast discrepancy between bandwidth consumption of the average user and extreme user. The average user consumes about 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 latest estimates are that less than 1% of subscribers will exceed their data allowance) and that we give the extreme users notice and the opportunity to monitor their usage to avoid unexpected spikes in their bill.

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 1GB per month.

In 2009, as bandwidth usage grew, we measured bandwidth usage between the peak hours of 5pm – 1 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.

On September 1, 2015, we modified the bandwidth policy by measuring the usage levels continuously and increasing the allowance by level of service.

Effective February 1, 2016, we increased the allowance by level of service, as follows:

	Speed	Bandwidth Allowance
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	1000GB (1TB) downstream

Customers who exceed the monthly allowance are charged \$10 for each additional 50 GB. We continuously monitor the overall bandwidth usage and will modify the allowances to maintain fairness.

Notice: 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 3rd party.

Open Internet Rules: 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.

According to the FCC's definition of broadband, it is defined as a connection from 25mbps/30mbps and above. We offer two speeds that exceed the new definition. Blue Ridge does not serve the Allentown area. We do not prohibit other cable companies from serving Mr. Batista's area. Any company can apply for a franchise and provide service. Our service is reliable, our internet is faster, we have free access to Unleashed WiFi Hot Spots, we are a local company, and we offer free service calls. Our pricing is consistent throughout our service area and is competitive when you factor in all the benefits the customer receives. If you have any further questions, please let me know.

Sincerely,

Jeff Langdon
Blue Ridge Communications

Cc. Ricky Batista

