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Due Date: 10/29/2015
Serve Date: 09/29/2015

Link to Ticket: <https://fcctest.zendesk.com/agent/tickets/538213>

Subject: bandwidth caps

Tags: billing_internet cable_internet cams_oi/nn cams_oi/nn_general_conduct carrier_response_pending
no_filing_on_behalf other pennsylvania

Email: nms0099@live.com

Method: - -

Issue: - -

Number subject to complaint:

Company Name:

Other Company Name: Blue Ridge Communications

Account #:

First: James

Last: Shaffer

Address: 13 ridgewood dr

City: east stroudsburg

State: pennsylvania

Zip: 18301

Phone where to be contacted: 570-730-4973

Filing on Behalf of Someone: No

Relationship:

First Name:

Last Name:

Serve Status: carrier_response_pending

Ticket information:

Robin McCullough (FCC Complaints)

Sep 29. 2 57 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).

Nms0099

Sep 18, 1 06 PM

Nrns0099 was not signed in when this comment was submitted. [Learn more](#)

Blue ridge has implemented a crazy bandwidth cap that has essentially cut or bandwidth in half ..They claim that they have doubled the bandwidth from allotted 250gb to SOOgb on the 15 /2 package but fail to inform that the 2 SOgb was only for on peak hours and off peak was unlimited.. this being said most residential consumers use there internet during the off peak hour which was unlimited ... Essentially now they have actually cut peoples bandwidth in half or more based upon todays needs for broadband....this is unfair and should me fixed.. Please see attached photos

Attachment(s)

[blue ridge one.IPG](#)

[blue ridge 2.IPG](#)

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

Ticket # S38213
Status Open
Requester Nms0099
CCs -
Group Blue Ridge Communications
Assignee Jeff Crandall
Priority -
Type Ticket
Channel Web Form

October 15, 2015

Robin McCullough
Consumer Complaints

Serve Ticket#: 538213
Last Name: Shaffer

Dear Robin McCullough,

Mr. Shaffer's complaint is that we recently introduced a monthly bandwidth allowance for our residential internet service.

We send our customers an internet agreement prior to service installation and post the terms on our website. In #7 of our agreement titled, "**Broadband Bandwidth**" we explain that because this is a shared bandwidth service we reserve the right to manage the bandwidth usage of our users so other customers are not adversely affected, and that bandwidth usage limitations may change which includes excess fees if their bandwidth usage goes over their plans allowance. We also explain that any changes to our policy will be posted on our website at <http://www.brctv.com/internet/internetpolicy>.

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 - 11pm 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 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 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. James Shaffer