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Due Date: 01/20/2016  
Serve Date: 12/21/2015

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Link to Ticket: <https://fcctest.zendesk.com/agent/tickets/715321>  
Subject: Blue Ridge Communication has a monopoly in my area  
Tags: carrier\_response\_pending dsl\_internet no\_filing\_on\_behalf other pennsylvania privacy\_internet  
Email: thehq@gmail.com  
Method: - -  
Issue: - -  
Number subject to complaint:

Company Name:  
Other Company Name: Blue Ridge Communications  
Account # :  
First: Adrian  
Last: Lemos  
Address: 186 Kings Pond Rd  
City: East Stroudsburg  
State: pennsylvania  
Zip: 18301  
Phone where to be contacted: 386-283-6214  
Filing on Behalf of Someone: No  
Relationship:  
First Name:  
Last Name:  
Serve Status: carrier\_response\_pending

Ticket Information:

**Yolanda Giles (FCC Complaints)**

## 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-fee.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](mailto:carriersupport@fcc.gov).

## Thelqg

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

Prices are higher than Comcast, Cablevision, Time-Warner, Charter, Bright House, or any other provider for sub-par service.

Now they have started hard usage caps and charge overage fees.

Prices go up twice a year like clockwork in January & July.

Speeds slow down in the evenings, and on weekends. The entire network is seriously outdated and they refuse to upgrade it.

They can get away with charging an arm and a leg for what they provide because they are a monopoly in the Pocono's.

You have no other choice for internet.

They do not do their own bandwidth monitoring, but instead have contracted it out to a third party data mining company called "OpenVault". OpenVault's purpose is to help providers control and monetize bandwidth. In other words, this is to keep you from cutting the cable tv in favor of internet video like Netflix.

OpenVault monitors all data from users cable modems. They partner with another data miner called FourthWall Media whose MassiveData division mines all the data from users set top boxes.

All this data is collected by OpenVault. It is aggregated, collated, and passed on or sold to advertisers and other "interested" parties. OpenVault has ties to Eastern European and Middle Eastern companies who may be the recipients of Blue Ridge's customers data.

There is no transparency from Blue Ridge on what is being collected, by whom, and for what purpose. They simply don't care about the customers because they know they're the only game in town and they

can get away with anything they damn well please.

Blue Ridge is a despicable, greedy company that makes maximum profits for minimum service, and sells customers data to third parties to boot.

How the FCC can allow them to get away with this type of thing is beyond my comprehension.

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

Ticket # 715321

Status Open

Requester The109

CCs -

Group Blue Ridge CommJnications

Assignee Jeff Crandall

Priority -

Type Ticke:

Channel Web Forr.-:

Complain r Zendesk

January 4,2016

Yolanda Giles  
Consumer Complaints  
Serve Ticket#715321  
Last Name: Lemos

Dear Yolanda Giles,

Mr. Lemos' complaint is that Blue Ridge has started hard usage caps and overage fees. He also feels Blue Ridge is a monopoly in the Poconos and there is no other choice for internet.

**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 5GB 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 notified the bandwidth policy by measuring the usage levels continuously and increasing the allowance by level of service for all customers, as follows:

	Speed	<u>Bandwidth Allowance</u>
1)	15mbps	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	700GB 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 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 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 Tera bytes 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.

Blue Ridge Communications does not have a monopoly in Monroe County. We do not prohibit other companies from serving the Stroudsburg area. Other service providers can apply for a franchise at any time and build in the area. If you have any further questions, please let me know.

Sincerely,

Jeff Langdon  
Blue Ridge Communications

Cc. Adrian Lemos