

February 18, 2011

Sharon C. Bowers, Acting Division Chief
Consumer Inquires and Compliant Division
Consumer & Governmental Affairs Bureau
RE: Dennis Sira
User Complaint Number -11-C00270254-1

Dear Sharon C. Bowers,

Ms. Sira's complaint is that he has our G-15 level of service and feels he does not always receive the maximum speed of the internet package he subscribes to with Blue Ridge Communications which is provided by PennTeleData.

Mr. Sira has our G-15 residential service and said he was averaging between 4Mbps and 5 Mbps and that he was not receiving G-15's maximum speed of 15Mbps. The internet can be affected by many things and we cannot guarantee the speed, especially at peak usage times of the day. One of our supervisors has been working with him and Mr. Sira said his internet speed has been much better. We have asked him to monitor the speed for a week to make sure his speed is acceptable for the majority of the day. Our goal is to have Mr. Sira be a satisfied customer and our supervisor has already discussed credit with him because we want Mr. Sira to feel like a valued customer. We will have Mr. Sira contact our supervisor if he experiences any further issues. However we do reserve the right to manage our bandwidth which can affect the internet speed and is not guaranteed. This is stated in our internet service agreement which is included below.

Blue Ridge Communications Internet service agreement:

Broadband Bandwidth: Blue Ridge Communications and PennTeleData 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. Blue Ridge Communications and PennTeleData 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 Blue Ridge Communications and PennTeleData's ability to deliver and monitor the service, or our network resources and do not represent (in the sole judgment of Blue Ridge Communications and PennTeleData) an unusually large burden on the network itself. Users found to be (in Blue Ridge Communications and PennTeleData'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. Blue Ridge Communications and PennTeleData will use reasonable efforts to notify a customer prior to service termination for excessive bandwidth use.

This information can also be found in the PTD Acceptable Usage policy (on our website at www.ptd.net and on the Blue Ridge Communications Internet service agreement):

Please let us know if you have any questions or need additional information.

Sincerely,

A handwritten signature in blue ink, appearing to read 'J Crandall', written in a cursive style.

Jeff Crandall
Dir. 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).

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: 11-coo210254-1

carrier: Blue Ridge Communications

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

Consumer's Information:

First Name: Dennis Last Name: Sira

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: 30 Penn Estates

Address 2:

Mailing Address (where mail is delivered)

City: East Stroudsburg State: PA Zip Code: 18301

Telephone Number (Residential or Business): (570) 213 - 4547

E-mail Address: sirade1@ptd.net

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

1. Telephone number(s) involved (including area code):

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?: 0160590-03

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 pay for an internet service which is supposed to deliver 15Mbps, and for the past several months has been averaging 4 to 5Mbps. After many complaints, multiple tech visits and been told to purchase a new modem, it has not resolved the issue at all. In fact when I just did a test using their own page to test speed I get less than 1Mbps. They charge me \$52.95 per month for a service this service they don't deliver anywhere close to what I am paying for.

Complaint Summary: 11-coo202s4-1

Date Served :01/26/2011

Response Due Date :02/25/2011

Carrier :Blue Ridge Communications

Form Type :20008

Consumer Name :Sira, Dennis

Expected Response Method: Paper

CARRIER RESPONSE COVER PAGE

COMPLAINT # : 11-C00270254-1

CARRIER : Blue Ridge Communications

CONSUMER NAME : Sira



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.

<u>User Complaint Number</u>	Last Name. First Name	<u>City. State. Zip</u>	<u>Form Type</u>
11-C00270254	Sira, Dennis	East Stroudsburg, PA, 18301	20008 .

Carrier Name: Blue Ridge Communications

Serve Start Date: 01/26/2011

Serve Due Date: 02/25/2011

United States Government
Federal Communications Commission
Consumer and Governmental Affairs Bureau
Consumer Inquiries and Complaints Division
445 12th Street, SW, 5-A847
Washington, D.C. 20554

OFFICIAL

NOTICE OF INFORMAL COMPLAINT

Date: 01/26/2011

THE COMPANY IDENTIFIED IN THE ATTACHED LIST IS REQUIRED TO RESPOND TO THIS NOTICE OF INFORMAL COMPLAINT WITHIN 30 DAYS OF THE DATE OF THIS NOTICE. Failure of any person to answer any lawful Commission inquiry is considered a misdemeanor punishable by a fine under Section 409(m) of the Communications Act (Act), 47 U.S.C. § 409(m). Further, failure to comply with any order of the Commission can result in prosecution under Section 401(b) of the Act, 47 U.S.C. § 401(b). Section 501 of the Act, 47 U.S.C. § 501, and Section 503(b)(1)(B) of the Act, 47 U.S.C. § 503(b)(1)(B), provide for forfeiture penalties against any person who willfully fails to follow the directives of the Act or of a Commission order. The Commission can impose forfeiture penalties of up to \$1.2 million for certain types of violations.

The attached list contains informal complaints that were filed with the Commission pursuant to Section 208 of the Act, 47 U.S.C. § 208, and Section 1.711 of the Commission's Rules, 47 C.F.R. § 1.711. A letter acknowledging your company's receipt of this Notice and of the enclosed complaint(s) should be sent to each consumer as soon as your company receives this Notice.

Pursuant to Sections 208 and 4(i) of the Act, 47 U.S.C. §§ 208, 154(i), we are forwarding a copy of the complaint(s) so that your company may satisfy or answer the complaint(s) based on a thorough review of all relevant records and other information. Your company should respond specifically to all material allegations raised in each complaint and summarize the actions taken by your company to satisfy the complaint.

Written responses must be filed with the Commission at 445 12th Street, SW, 5-A847, Washington, D.C. 20554. A separate response should be filed by each carrier for each case. Each response should include: (1) the complainant's name, and (2) the Case number. Companies are directed to send copies of their responses to consumers at the same time their responses are forwarded to the Commission. Each company required to respond to this Notice is directed to retain all records until final Commission disposition of the complaints.

If you have any questions regarding this Notice, please call the Consumer Inquiries and Complaints Division at (202) 418-2516, and leave a detailed message specifying the calling company name, the Case number, and the specific questions that you would like to have answered by the Bureau.

Sincerely,



Sharon C. Bowers, Acting Division Chief
Consumer Inquiries and Complaints Division
Consumer & Governmental Affairs Bureau

Attachment(s)

Carrier Name :Blue Ridge Communications