Due Date: 01/27/2016
Serve Date: 12/28/2015

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Link to Ticket: https://fcctest.zendesk.com/age nt/tickets/7 23889
Subject: Data Caps imposed by Penteladata
Tags : cable_internet cams_oi/nn_general_conduct carrier_response_pending no_filing_o
open_internet_net _neutrality_internet other pennsylvan ia
Email: porfidio@ptd.net
Method: - -
Issue:- -
Number subject to complaint:

Company Name:
Other Company Name: Blue Ridge Cable
Account #: 0287301-01
First: Porfidio
Last: A licea
Address: 180 Kensington Drive
City: Bushkill
State: pennsylvania
Zip: 18324
Phone where to be contacted: 570-588-9753
Filing on Behalf of Someone: No
Relationship:
First Name:
Last Name:
Serve Status: carrier_response_pending

Ticket hformatio n:

Vicky May (FCC Complaints)

Jll 26, 6.59 ,\ v1

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.

Porfidio

Dec 23, 9:43 PM

Porfidio was not signed in when this comment was submitted. Learn more

The data caps imposed by our local cable company are unrealistic and stifling to a family of 5 with tech savvy kids that use sites like youtube, Lynda.com, and Khan Academy for learning. We are afraid to use these sites because of the exorbitant fees our cable company is charging. Most of the learning programs use video streaming and that is what is using most of the bandwidth.

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

Ticket #	723889
Status	Open
Requester	Porfidio
CCs	-
Group	Blue Ridge Communications
Assignee	Jeff Crandall
Priority	-
Type	Ticket
Channel	Web Form

January 4, 2016

Vicky May
Consumer Complaints
Serve Ticket#723889
Last Name: Alicea

Dear Vicky May,

      Mr. Alicea's complaint is that the data cap imposed is unrealistic and stifling to a family of 5 because of the exorbitant fees for overage.

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 Spm - 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	Bandwidth Allowance
1)	1.5mbps	150 GB downstream
2)	5mbps	300 GB downstream
3)	10mbps	400 GB downstream
4)	15mbps	500 GB downstream
S)	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 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 do offer packages that have higher data allowances that might suit the customer's needs. Our analysis shows that their past 3 month average is 9% under their current package allowance. If you have any further questions, please let me know.

Sincerely,

Jeff Langdon
Blue Ridge Communications

Cc. Porfidio Alicea

Dear Mr. Alicea,

In addition to our response to the FCC Complaint we would like to make sure you are aware of our existing resources available that may help you select a high speed internet package that better meets your bandwidth needs. Further, a list of frequently asked questions about data usage has been provided below.

- A Data Usage Calculator is available at www.penteledata .net/support/data-usage-calculator to help estimate how much data would be needed based on the most common internet activities. Here you can choose calculations based on daily or monthly usage.

- A My Blue Ridge account can be created if one has not already been set up by visiting www.brctv.com/login. Here you can view your daily and monthly data usage. Plus it also tracks your current and past three (3) months of data usage to give a quick month to month comparison.

How do I know Blue Ridge is measuring my usage accurately?
Our network data is collected, monitored, measured and verified by a third-party fully certified data analytics company.

What is data usage?
In short, data usage is the amount of data that a user sends and receives (uploads and downloads).

What may be the reason that I exceed my data cap?
- Peer to peer file sharing programs (Bit Torrent, Limewire, etc.)- downloading movies, etc.
- File Uploading and downloading of any type
- Streaming Video (watching *TV,* You Tube, Netflix, Hulu, Roku boxes, Skype – HD video uses more bandwidth than normal video)
- SMART *TV's* that pull updates / downloads regularly (such as Google TV, or a SMART *DVD* appliance)
- Streaming Audio (listening to the radio / music files)
- Video / Web Cams (even when set to low settings, if a constant 24 x 7 connection, can cause high bandwidth consumption)
- Online / streaming gaming (PC Games, XBox, PlayStation)
- An unsecured wireless connection
- Running servers of any kind (Please note, this is also violates PenTeleData's Acceptable Use Policy.)
- Virus infections (severe) - generally affects "uploads" (sending from computer to the internet)
- MAC users that run Microsoft Outlook
- Using Cloud / file back-up services

What steps can I take to reduce my data usage?

Disabling music sharing programs (such as Kazaa, Napster, and Morpheus) reduces your Internet service usage. These programs, if not properly configured, may allow any Internet user to consume your data and your personal computer's resources.

Running any type of server also may consume a tremendous amount of data. Please note that operating a server at the end of a residential Internet connection violates Blue Ridge's High Speed Internet Agreement.

Finally, if a wireless device utilizing your residential Internet connection hasn't been configured properly, unauthorized users may consume your Internet access without your knowledge. Please consult with your wireless router's manufacturer specifications and double-check your wireless configuration settings to ensure that your security has been correctly set up.

What types of files use a lot of data to download or upload?

It is important to remember the amount of data you use is largely impacted by your online activities, not just the amount of time you spend online. Video streaming (Netflix, Hulu, YouTube), file sharing, online gaming, etc. are all activities that count toward bandwidth consumption.

Here are some examples:

- Web Surfing for one hour = 18 MB
- Average Email size (without attachments) = .02 MB
- Online Gaming for one hour = 20 MB
- Social Networking for one hour = 51 MB
- Streaming Video for an hour (SD) = .75 GB
- Streaming Video for an hour (HD) = 2 GB
- Video Chatting for an hour = .34 GB

Please note: 1 GB (gigabyte) = 1024 MB (megabytes)

To exceed a 250 GB limit. you would have to do any of the following:

- Send 50 million e-mails (at 0.05 kb/email)
- Download 50,000 songs (at 5 MB/song)
- Download 63 high definition movies (at 2 GB/hour streaming) *ex. Based upon 2 hour movie*

Upload 25,000 high resolution digital photos (at 10 MB/photo)

Thank you,

Blue Ridge Communications